

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Dated: 22 March, 2022

**CORAM: Sanjay Kumar, Chairperson
Mukesh Khullar, Member**

Case No. 32 of 2022

Petition of Adani Electricity Mumbai Ltd.-Distribution seeking approval for Long-Term procurement of power qua 1000 MW (500 MW + additional 500 MW under green shoe option) from grid connected Renewable Energy Power Projects, complemented with Power from Coal based Thermal Power Projects in India on Round the Clock (RTC) basis, under Tariff-based Competitive Bidding process

Adani Electricity Mumbai Ltd.-Distribution (AEML-D) Petitioner

V/s

Maharashtra Energy Development Agency (MEDA)
Respondent

Appearance:

Adani Electricity Mumbai Ltd.-DistributionShri Kishor Patil (Rep.)

Maharashtra Energy Development Agency Shri Manoj Pise (Rep.)

Daily Order

1. Heard the representatives of the Petitioner and Respondent.

2. The representative of the Petitioner reiterated its submission as made out in the Petition and stated that:
 - i. It has sought certain deviations from the guidelines issued by the Ministry of Power, Government of India and necessary justifications for such deviations have been given in the Petition.
 - ii. It has retained the deviations which had been allowed by the Commission in earlier similar Petition in Case No. 140 of 2020.
 - iii. It has proposed thermal power as the non-RE component, however same shall be subject to the approval of the Commission.
 - iv. The Petitioner proposes to extend its present Power Purchase Agreement with Adani Electricity Mumbai Ltd.- Generation Business (**AEML-G**) for supply of power from Dahanu Thermal Power Stations (**DTPS**) till 15 October 2024 or actual commissioning date of the successful bidder under the proposed competitive bidding process, whichever is earlier.
 - v. The key Mumbai Transmission Projects such as 400 KV Vikhroli Substation and Kudus-Aarey HVDC Project are likely to be commissioned by October 2024 and hence it is expected that the constraints for bringing power from outside of Mumbai would get eliminated.
3. Representative of MEDA stated that it may be granted an additional period of one week for filing their reply in the matter.
4. Having heard the Parties, the Commission observed that:
 - i. The quantum of 1000 MW for proposed procurement needs to be justified by AEML-D with its demand supply projections in terms of energy requirement and peak demand, past and expected future load growth, existing contracts (long term, medium term and short term), status of its RPO compliance till FY 2021-22, target as per Regulations, RPO fulfilled, RPO shortfall, existing RE contracts, expected yearly RPO compliance till the end of current control period and other relevant factors.
 - ii. AEML-D needs to clarify whether it has taken into account various risk factors impacting timely availability of power from the proposed procurement, incase constraints for bringing power from outside of Mumbai would not get eliminated as envisaged by October 2024 and what is the proposed action plan to overcome such risk factors.
 - iii. AEML-D may check the Tariff discovered in similar tenders of Solar Energy Corporation of India (**SECI**) and may submit the Tariff that it expects from the proposed procurement which would be acceptable to AEML-D.
 - iv. AEML-D needs to compare its bid document with SECI's most recent bid document and submit a details comparison elaborating the differences, if any, and justification for such differences.

- v. AEML-D has envisaged depreciated plants also for the proposed procurement. Under that case, AEML-D may consider a ceiling Tariff since depreciated plants may offer lower Tariff as compared to new plants.
 - vi. Since AEML-D has considered the PPA term of 10 years instead of 25 years as per the guidelines, AEML-D needs to evaluate impact on Tariff that may be discovered as the recovery of project cost would happen in a shorter duration.
5. As per the bid document, the plant can be located anywhere in India. Hence, capacity constraints, if any, in CTU/STU interconnections needs to be examined and accordingly, the Commission directs that STU should be impleaded as a Party Respondent in the matter. The Petitioner is directed to serve a copy of the Petition on STU and STU shall file its reply on the Petition within a week.
 6. The request of MEDA for additional period for filing its reply is also granted. MEDA is directed to file its reply within a week and rejoinder may be filed by the Petitioner within a week thereafter, responding to the replies of MEDA and STU and also addressing the queries raised during the hearing as mentioned above.

Next date of the hearing shall be communicated by the Secretariat of the Commission.

**Sd/-
(Mukesh Khullar)
Member**

**Sd/-
(Sanjay Kumar)
Chairperson**