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**MULLA & MULLA AND CRAIGIE BLUNT & CAROE**

(REGISTERED)  
ESTABLISHED 1895

*Advocates, Solicitors and Notaries*

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OUR REF. DJK/ 15421 December 16, 2015

The Principal Secretary,  
Maharashtra Electricity Regulatory Commission  
13th Floor, World Trade Centre I,  
Cuffe Parade,  
Mumbai 400 005.



Respected Sir,

RE: BEFORE THE MAHARASHTRA ELECTRICITY REGULATORY  
COMMISSION, MUMBAI

IN THE MATTER OF:

RPO Compliance data submitted by MEDA vide letter dated 11th  
August, 2015.

AND

IN THE MATTER OF :

Letter dated 29th October, 2015 bearing reference no: MERC/RE Cell-  
6/RPO/2015-16/00844 from the Director (Tariff), MERC addressed to  
Reliance Infrastructure Ltd seeking verification of compliance of  
Renewable Purchase Obligation targets of Rlnfra-D for FY 2014-15, as  
specified under MERC (RPO-REC) Regulations, 2010.

We are concerned for our clients, the Reliance Infrastructure Limited herein  
and on their behalf we are enclosing one original and six copies of the Affidavit  
verifying the reply and clarification provided by Reliance Infrastructure Limited.

We have to request you to kindly take the same on record.

Yours faithfully,  
Mulla & Mulla & Craigie Blunt & Caroe

*S.K. Kaucher*  
Partner  
Advocate for R-Infra

Encls: a/a

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**NEW DELHI OFFICE** : 502, Nilgiri Apartments, 5th Floor, 9 Barakhamba Road, New Delhi - 110 001.  
Tel. : (91-11) - 2332 1501 / 04 / 07 / 13 Fax : (91-11) - 2332 1520 E-mail : mullasdelhi@mullas.net  
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**IN THE MATTER OF:**

RPO Compliance data submitted by MEDA vide letter dated 11<sup>th</sup> August, 2015.

**AND**

**IN THE MATTER OF :**

Letter dated 29<sup>th</sup> October, 2015 bearing reference no: MERC/RE Cell-6/RPO/2015-16/00844 from the Director (Tariff), MERC addressed to Reliance Infrastructure Ltd seeking verification of compliance of Renewable Purchase Obligation targets of Rlnfra-D for FY 2014-15, as specified under MERC (RPO-REC) Regulations, 2010.

Sir,

1. In terms of paragraph (a) of the MERC letter dated 29.10.2015, Reliance Infrastructure Ltd ("Rlnfra") is directed to verify the RPO settlement details for FY 2014-15 as submitted by MEDA and to highlight discrepancies, if any, along with proper justification.

**1.1 Rlnfra's response :**

For the sake of ready reference and convenience, the RPO Settlement data submitted by MEDA for FY 2014-15 (Rlnfra-D) is reproduced hereunder:

Item	FY2014-15	
	%	MU
Gross Energy Consumption	100%	8875.25
<b>Solar RPO</b>		
Target	0.50%	44.38
Achievement	0.77%	68.52
Shortfall/(Surplus)	-0.27%	-24.14
<b>Non-Solar RPO</b>		
Target (Less Mini-Micro)	8.5%	752.89
Achievement	8.44%	749.50
Shortfall/(Surplus)	0.04%	3.39
<b>Mini/Micro RPO (Within Non-Solar)</b>		
Target	0.02%	1.51
Achievement	0%	0.00

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Shortfall/(Surplus)	0.02%	1.51
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1.2 It is submitted that, MEDA has considered figures of Gross Energy Consumption for FY2014-15, pursuant to the submission made by Rlnfra-D vide its letter dated 18<sup>th</sup> June 2015. In view of revision of FBSM statements by SLDC, Gross Energy Consumption for FY14-15 now stands revised to 8844.18 MUs. A copy of the revised numbers for FY2014-15 is annexed hereto and marked as **Annexure "1"**. For the sake of convenience, the revised numbers for FY 2014-15 is reproduced herein under.

Item	FY2014-15 – Revised	
	%	MU
Gross Energy Consumption	100%	8844.18
<b>Solar RPO</b>		
Target	0.50%	44.22
Achievement	0.77%	68.52
Shortfall/(Surplus)	-0.27%	-24.30
<b>Non-Solar RPO</b>		
Target (less Mini-Micro)	8.5%	750.25
Achievement	8.5%	750.34
Shortfall/(Surplus)	0.00%	-0.09
<b>Mini/Micro RPO (Within Non-Solar)</b>		
Target	0.02%	1.50
Achievement	0%	0.00
Shortfall/(Surplus)	0.02%	1.50

2. In terms of paragraph (b) of the MERC letter dated 29.10.2015, Rlnfra is directed to submit the status of Non-Solar RPO compliance including Mini-Micro Hydro RPO compliance as per the directives of the Commission vide Orders in Case No 183 of 2013 and Case No 193 of 2014 along with detailed statement for project wise energy procurement in MUs from all Non-Solar RE generating projects and project wise contracted Non-Solar RE power capacity in MW including Mini/micro Hydro projects and project wise contracted Mini/micro Hydro projects during FY 2010-11 to FY 2014-15.

2.1 **Rlnfra's response :**

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On the basis of the revised figures, more particularly set out in Annexure -1, it can be seen that Rlnfra has fulfilled its Solar and Non-Solar RPO as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 for FY2014-15.

2.2 I say that, there has been no procurement of power from Mini/Micro Hydro for the for the period FY 2010-11 to FY 2014-15 in view of non-availability of the same. It is further confirmed that for the period FY 2010-11 to FY 2014-15, there is a cumulative shortfall of 4.35 MUs as against specified RPO Target under Mini/Micro Hydro.

2.3 The reasons for non-fulfilment of Mini/Micro Hydro power RPO target is more particularly set out in paragraph 3.2 to 3.5 hereunder.

2.4 The detailed statement of project wise energy procurement in MUs from all solar and non-solar RE sources during FY 2014-15 is annexed hereto and marked as "Annexure 2". It is submitted that, the project-wise energy procurement in MUs for all solar and non-solar RE sources for the period FY 2010-11 to FY 2013-14 duly certified by Auditor was submitted in the proceedings under Case No. 183 of 2013 and 193 of 2014, and the Hon'ble Commission vide its Order dated 06<sup>th</sup> March 2015 passed in Case No. 183 of 2013 and Order dated 27<sup>th</sup> April, 2015 passed in Case No. 193 of 2014 was pleased to approve the same.

3. In terms of paragraph (c) of the MERC letter dated 29.10.2015, Rlnfra is directed to submit detailed list of actions and efforts undertaken by it prior to and during FY 2014-15 to ensure compliance of RPO targets in respect of solar RPO, non-solar RPO and mini/micro hydro RPO for FY2014-15.

3.1 Rlnfra response :

It is submitted that, Rlnfra-D has executed Long Term Energy PPA with Dhursar Solar Power Private Limited for 40 MW to meet solar RPO. For the purpose of meeting Non-Solar RPO, the details of various PPA executed by Rlnfra-D is set out hereinbelow:

S. No	Name of Supplier Company	Contracted Capacity (MW)	Type of Renewable Energy Source
			(Wind/Bio-mass/Small Hydro, etc.)

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1	Reliance Innoventures	45	Wind
2	AAA Sons Enterprises	3.375	Wind
3	Jindal Steel and Power Limited	18	Wind
4	Jindal Steel and Power Limited	6	Wind
5	Tembhu Power Private Limited	4.5	Small Hydro
6	Reliance Power Ltd.	45	Wind

3.2

3.3 It is submitted that, RInfra-D has fully met its Solar and Non-Solar RPO for FY 2014-15. Further, the shortfall in Non-Solar RPO is met by purchasing non-solar Renewable Energy Certificates (REC) from Power Exchanges. RInfra is making all reasonable efforts to comply with the RPO targets for Mini/Micro Hydro. However, the Hon'ble Commission will appreciate the fact that, there can possibly be no Mini/Micro Hydro station in RInfra-D's area of supply in Mumbai and all Mini/Micro Hydro – whether present or future – connect to MSEDCL's network at 11kV level (mainly) due to small size plants.

3.4 RInfra-D has issued Expression of Interests ("EOI") from time to time for purchase of RE Power from Mini/Micro Hydro source, however no offers were received for the same. RInfra-D, in April 2014 and in April 2015 have again issued EOI exclusively for purchase of Mini/Micro Hydro to meet its RPO target. However, it did not receive any offer. While RInfra-D cannot comment on reasons for such lack of interest, but it is possible that the developers planning to connect to MSEDCL network prefer to sell their power to MSEDCL only, as selling to any distribution licensee other than the host would require open access permissions, while the power will still be sold at the preferential tariff specified by the Hon'ble Commission. The copies of EOI referred hereinabove is annexed hereto and marked as **Annexure "3" (colly)**.

3.5 The Hon'ble Commission would appreciate that the shortfall in Mini/Micro Hydro RPO cannot be met through purchase of REC, further there is no separate category for Mini/Micro Hydro REC and the same is covered under non-solar REC only.

3.6 By order dated 06<sup>th</sup> March, 2014 (Case No. 183 of 2013), the Hon'ble Commission was pleased to allow RInfra-D to meet Mini/Micro Hydro RPO targets on cumulative basis for the control period FY2010-11 to FY2015-16 before 31<sup>st</sup> March 2016. RInfra continues to make all reasonable efforts towards meeting its Mini-Micro Hydro targets.

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4. In terms of paragraph (d) of the MERC letter dated 29.10.2015, RInfra-D is directed to submit the details for long term RE Procurement Plan for meeting the RPO targets for FY2015-16.

**4.1 RInfra's response:**

RInfra-D has entered into long term contracts to meet its RPO targets for FY2015-16. Any shortfall in meeting the targets would be met by purchase of Renewable Energy Certificates (REC's). The details of the contracts executed by RInfra-D is more particularly set out in paragraph 3.1 and the clarification wrt. to REC's is set out in paragraph 3.2 hereinabove.



For and on behalf of  
**Reliance Infrastructure Ltd**

Place : Mumbai

Date : 15<sup>th</sup> December, 2015

True Copy  
 Mulla & Mulla & Craigie Blair & Caroe  
 Chartered Accountants  
 11/11/15

Annexure-1

As per Annexure attached with letter dated 29-10-2015

Item	FY2010-11		FY2011-12		FY2012-13		FY2013-14		FY2014-15		FY2014-15 - Revised		Cumulative RPO (Surplus)/Shortfall - MUs
	%	MU	%	MU	%	MU	%	MU	%	MU	%	MU	
	Gross Energy Consumption												
Solar RPO	0.25%	21.50	0.25%	18.61	0.25%	18.34	0.50%	37.59	0.50%	44.38	0.50%	96.04	140.26
Achievement	0.00%	0.00	0.61%	0.46	0.82%	60.13	0.93%	69.60	0.77%	68.52	0.77%	68.52	198.70
Shortfall/(Surplus)	0.25%	21.50	0.24%	18.16	-0.57%	-41.79	-0.43%	-32.01	-0.27%	-24.14	-0.27%	-34.15	-58.44
Non-Solar RPO													
Target	5.75%	494.51	6.75%	502.59	7.75%	568.43	8.50%	638.99	8.5%	752.89	8.48%	750.25	2954.77
Achievement	6.80%	584.51	4.69%	349.47	8.74%	640.84	8.56%	643.49	8.44%	749.50	8.48%	750.34	2968.65
Shortfall/(Surplus)	-1.05%	-90.00	2.06%	153.12	-0.99%	-72.41	-0.06%	-4.50	0.04%	3.39	0.00%	-0.09	-13.88
Mini/Micro RPO (Within Non-Solar)													
Target	0.01%	0.49	0.01%	0.50	0.01%	0.57	0.02%	1.28	0.02%	1.51	0.02%	2.84	4.35
Achievement	0%	0.00	0%	0.00	0%	0.00	0%	0.00	0%	0.00	0%	0.00	0.00
Shortfall/(Surplus)	0.01%	0.49	0.01%	0.50	0.01%	0.57	0.02%	1.28	0.02%	1.51	0.02%	2.84	4.35

Note: Non Solar RPO includes surplus RE Energy purchased from ITC at the end of FY2014-15 and RE Energy credited to Rihra as Banking Fee

Annexure - 1, 662/15

Form III - RENEWABLE ENERGY PROCUREMENT (YEAR 2014-15)

(A - Solar)  
RE Sources Detail

Month: April 2014 - March 2015	Eligible Person Name: Reliance Infrastructure Ltd											
1	Own Generation	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Mar-15	Total (MU)
RE 1												
RE 2												
RE N												
Sub Total (1)	Purchase From Other RE Sources/Licensee	6.491685	6.491685	0	0	0	0	0	0	0	0	0
2	Dhruval Solar Power Private Limited	6.445623	6.445623									68.516881
	Sub Total (2)	6.445623	6.491685									68.516881
3	Purchase Through REC											0.000000
4	RE Sold to other Person											0.000000
	Party - 1											
	Party - 2											
	Sub total (4)	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000	0.000000
	Total Procurement (1+2+3+4)	91.445623	91.445623	91.445623	91.445623	91.445623	91.445623	91.445623	91.445623	91.445623	91.445623	68.516881

Note: The data provided above is as per records available as on date. The data may change as per any updates in SLDC records

Annexure - 2

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RELIANCE

Partner  
Lawyer

True Copy  
Mulla & Mulla & Craigie Blunt & Caroe

Form III - RENEWABLE ENERGY PROCUREMENT (YEAR 2014-15)

(C - Non Solar & other than solar & mini/micro Hydro)

RE Sources Detail

Month: April 2014 - March 2015		RELIANCE												
Eligible Person Name: Reliance Infrastructure Ltd		Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Total (MU)
1	Own Generation													
RE 1														
RE 2														
RE N														
Sub Total (1)														
2	Purchase From Other RE Sources/Licensee	3,326,405	4,880,381	13,336,893	20,361,933	10,932,723	9,437,207	1,485,356	0,764,428	1,507,749				71,837,825
AAA & Sons (Wind)		0,173,198				0,357,622	0,349,418	0,129,490						3,307,729
Reliance Inventure (Wind)														
Jindal Steel and Power - 18 MW (Wind)		1,486,730												34,733,728
Jindal Steel and Power - 6 MW (Wind)		0,479,848												11,942,410
Tembu Power Pvt. Ltd (4.5 MW Small Hydro)		274												4,842,000
Reliance Clean Power Private Ltd - 45 MW (Wind)		9,32,723												77,823,900
Sub Total (2)		10,194,330	14,487,011	36,303,121	49,189,728	10,325,550	8,613,300	2,782,650	4,019,700	8,745,208				204,592,733
3	Purchase Through non-solar RECs													
EXI														
Sub total (3)		0,000,000												544,910,000
4	RE Sold to other Person													
Party - 1														
Party - 2														
Sub total (4)		0,000,000												0,000,000
Total Procurement (1+2+3+4)		10,194,330	14,487,011	36,303,121	49,189,728	10,325,550	8,613,300	2,782,650	4,019,700	8,745,208				749,502,733

Note: The data provided above is as per records available as on date. The data may change as per any updates in SLDC records

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Annexure-3

## EXPRESSION OF INTEREST INVITED FOR PURCHASE OF RENEWABLE POWER FROM MINI / MICRO HYDRO.

### Background:

Reliance Infrastructure Limited (RInfra) is an electricity distribution company with distribution license to supply electricity in and around the suburbs of Mumbai catering to 2.8 million consumer base.

Renewable Energy (RE) Purchase from Mini/Micro Hydro:

RInfra invites bids to Procure upto 2 MW of renewable energy from the grid connected Mini & Micro Hydel generation projects on long term basis within the state of Maharashtra/outside Maharashtra as under:

- Category 1 – Capacity above 500 kW & upto & including 1MW at single location.
- Category 2– Capacity 500 kW & below at single location.

RInfra is procuring this Renewable Energy to fulfill its mandatory RPO obligation, the successful bidder shall not raise REC against this RE power sold to RInfra

The tariff applicable for the purchase of power from Mini and Micro Hydel sources shall be as approved by Maharashtra Electricity Regulatory Commission (MERC) from time to time.

Interested parties whose plants are commissioned or under commissioning or proposing to set-up may submit their bids in sealed envelope on or before 15/05/2014 to mentioned address.

### Details:

1. Name & Address of the Company
2. Telephone nos., fax, email, website
3. Type of project
4. Date of Commissioning(COD)
5. Location Site of the project
6. Installed Capacity (MW)
7. Capacity intending for sale (MU)
8. Duration for sale
9. Whether firm is already in agreement to sell the RE? If yes, furnish the details of the arrangement.
10. Whether the firm is availing accelerated depreciation benefit?
11. Date from which supply can be made available.
12. Point of injection (Voltage and Substation connected)
13. Technical specifications of the plant machinery
14. Current status of Project w.r.t. the following:
  - a. Land Acquisition
  - b. Evacuation Arrangement
  - c. Equipment
  - d. Financing
  - e. Statutory Clearances

For any clarifications, interested parties may contact office of the Power Procurement Group at below mentioned address.

RInfra reserves the right to reject any application without assigning any reason thereof.

**Power Procurement Group**  
**Reliance Infrastructure Limited**

**Power Procurement Group**  
Reliance Infrastructure Limited  
CTS - 407/A, (New), 408 Old Village  
Eksar, Devidas Lane Off. SVP Road  
Near Devidas Lane Telephone Exchange  
Borivali (W), Mumbai 400 092  
Phone No: 022 3009 8747  
Fax: +91 22 3009 8788  
Web: www.rinfra.com

**RELIANCE**

Infrastructure

### Registered Office:

H Block, 1st Floor  
Dhirubhai Ambani Knowledge City  
Navi Mumbai 400 710.

RInfra CIN : L99999MH1929PLC001530

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## EXPRESSION OF INTEREST INVITED FOR PURCHASE OF RENEWABLE POWER FROM MINI AND MICRO HYDRO.

### Background:

Reliance Infrastructure Limited (Rlnfra) is an electricity distribution company with distribution license to supply electricity in and around the suburbs of Mumbai catering to 2.91 million consumer base.

### Renewable Energy (RE) Purchase from Mini/Micro Hydro:

Rlnfra invites bids to Procure upto 2.3 MW of renewable energy from the grid connected Mini & Micro Hydel generation projects on long term basis within the state of Maharashtra /outside Maharashtra as under:

- Category 1 – Capacity above 500 kW & upto & including 1MW at single location.
- Category 2– Capacity 500 kW & below at single location.

Rlnfra is procuring this Renewable Energy to fulfill its mandatory RPO obligation, the successful bidder shall not raise REC against this RE power sold to Rlnfra.

The tariff applicable for the purchase of power from Mini and Micro Hydel sources shall be as approved by Maharashtra Electricity Regulatory Commission (MERC) from time to time.

Interested parties whose plants are commissioned or under commissioning or proposing to set-up may submit their bids in sealed envelope on or before 23/05/2015 to mentioned address.

### Details:

1. Name & Address of the Company
2. Telephone nos., fax, email, website
3. Type of project
4. Date of Commissioning(COD)
5. Location Site of the project
6. Installed Capacity (MW)
7. Capacity intending for sale (MU)
8. Duration for sale
9. Whether firm is already in agreement to sell the RE? If yes, furnish the details of the arrangement.
10. Whether the firm is availing accelerated depreciation benefit?
11. Date from which supply can be made available.
12. Point of injection (Voltage and Substation connected)
13. Technical specifications of the plant machinery
14. Current status of Project w.r.t. the following:
  - a. Land Acquisition
  - b. Evacuation Arrangement
  - c. Equipment
  - d. Financing
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For any clarifications, interested parties may contact office of the Power Procurement Group at below mentioned address.

Rlnfra reserves the right to reject any application without assigning any reason thereof.

### Power Procurement Group

#### Reliance Infrastructure Limited

CTS -407/A, (New), 408 Old Village, Eksar, Devidas Lane, Off. S V P Road, Near Devidas Lane Telephone Exchange, Borivali (W), Mumbai 400 103  
Phone No: 022 3009 8747, Fax: +91 22 3009 8788.

### Registered Office:

H Block, 1st Floor  
Dhirubhai Ambani Knowledge City  
Navi Mumbai 400 710  
Rlnfra CIN: L99939MH1929PLC001530

RELIANCE

True Copy  
Mulla & Mulla & Craigie Blunt & Caroe

Partner

**IN THE MATTER OF:**

RPO Compliance data submitted by MEDA vide letter dated 11<sup>th</sup> August, 2015,  
AND

**IN THE MATTER OF :**

Letter dated 29<sup>th</sup> October, 2015 bearing reference no: MERC/RE Cell-6/RPO/2015-16/00844 from the Director (Tariff), MERC addressed to Reliance Infrastructure Ltd seeking verification of compliance of Renewable Purchase Obligation targets of Rlnfra-D for FY 2014-15, as specified under MERC (RPO-REC) Regulations, 2010.

**Affidavit verifying the reply and clarification provided by Reliance Infrastructure Ltd.**

I, Sujit N Rao, Dy.General Manager Legal of Reliance Infrastructure Limited ("Rlnfra") having office at Reliance Centre, 19, Walchand Hirachand Marg, Ballard Estate, Mumbai 400 038, do hereby solemnly affirm and state as under :

1. That I am the legal and constituted attorney of Reliance Infrastructure Limited ("Rlnfra"), and I am fully conversant with the facts and circumstances of the case. I have been duly authorized and am, competent to affirm this affidavit on behalf of Rlnfra.
2. The statements made in paragraph 1.1 to 4.1 of Rlnfra's reply/clarification addressed to MERC, are true to my knowledge and belief and are based on information which I believe to be true.
3. The present affidavit is filed as per the directions given by MERC vide letter dated 29<sup>th</sup> October, 2015 addressed to Rlnfra.

Solemnly affirmed at Mumbai }  
15<sup>th</sup> day of December, 2015 }

Before me,

Mulla & Mulla & Craigie Blunt & Caroe

*D Craige*  
Partner

Advocates for Reliance Infrastructure Limited

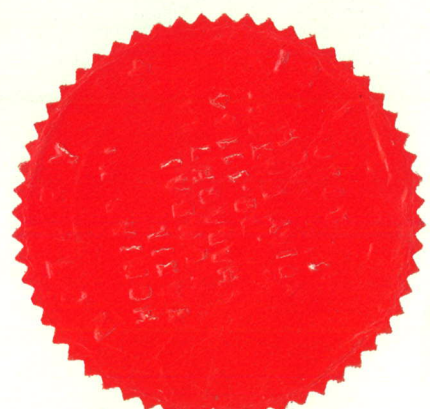
*J N Vakil*  
**HOMIAR NARIMAN VAKIL**  
Notary, Govt. of India

Regd. No. 11134  
M/s. Mulla & Mulla & Craigie Blunt & Caroe  
Advocates, Solicitors & Notaries  
Mulla House, 51, M. G. Road,  
Fort, Mumbai - 400 001.



15 DEC 2015

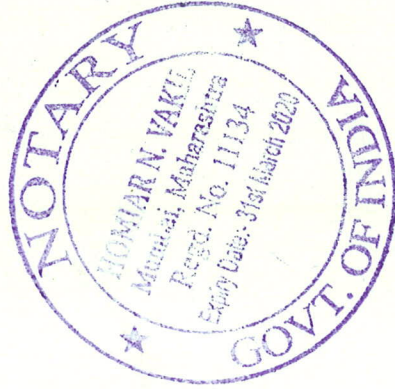
Sr. No. 665/2015



**BEFORE THE MAHARASHTRA ELECTRICITY  
REGULATORY COMMISSION, MUMBAI**

**IN THE MATTER OF:**

RPO Compliance data submitted by MEDA  
vide letter dated 11<sup>th</sup> August, 2015.



**Affidavit verifying the reply and clarification  
provided by Reliance Infrastructure Ltd.**

Dated this 15<sup>th</sup> Day of December, 2015

Mulla & Mulla & Craigie Blunt & Caroe  
Advocates for the R-Infra  
Mulla House, 51, M.G Road  
Fort Mumbai 400 001