



Ports and
Logistics

Ref: MUL/GERC/RPO/2020-21/14082021

Date: 14th Aug, 2021

To,
The Secretary,
Gujarat Electricity Regulatory Commission (GERC)
6th Floor, GIFT ONE,
Road 5-C, Zone 5, GIFT CITY,
Gandhinagar-382355, Gujarat - India

Sub.: Submission of Petition for RPO Compliance of MUL for FY 2020-21

Dear Sir,

We file herewith the application (Original + 4 copies) for RPO compliance, as per GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and its amendments, of MPSEZ Utilities Limited for FY 2020-21 for kind consideration of the Hon'ble Commission.

Detail of the payment for this application is as below:

Particulars	Details
(1) Name of the Petitioner/Applicant	MPSEZ Utilities Limited
(2) Address of the Petitioner/Applicant	Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S.G. Highway, Khodiyar, Navrangpura, Ahmedabad - 382 421
(3) Petition No., if any	*****
(4) Subject Matter	RPO Compliance of MUL for FY 2020-21
(5) Details of fee remitted:	
(a) UTR No.	AXISCN0087484448
(b) Date of remittance	06-08-2021
(c) Amount remitted	10,000/-
(d) Bank name & Branch	Axis Bank Ltd., Law Garden

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

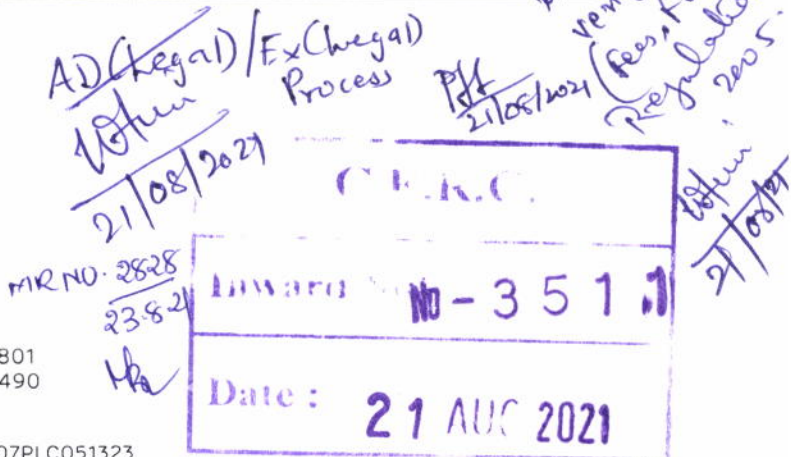
For MPSEZ Utilities Limited


Authorized Signatory



MPSEZ Utilities Limited
(Formerly MPSEZ Utilities Private Limited)
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle, S. G. Highway,
Khodiyar, Ahmedabad - 382421
Gujarat, India

Tel +91 79 2555 5801
Fax +91 79 2555 6490
info@adani.com
www.adani.com
CIN: U45209GJ2007PLC051323



**BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR**

Filing No. _____

Case No. _____

IN THE MATTER OF Filing Petition for Compliance of the Gujarat Electricity Regulator Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission

AND

PETITIONER

MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle,
S.G Highway, Khodiyar,
Ahmedabad – 382 421



THE PETITIONER RESPECTFULLY SUBMIT AS UNDER:

1. MPSEZ Utilities Limited (hereinafter referred to as "MUL" or "Petitioner") (Formerly known as MPSEZ Utilities Private Limited) is a company incorporated under the Companies Act, 1956 having its registered office at Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S.G. Highway, Khodiyar, Ahmedabad-382 421.
2. The Hon'ble Commission in exercise of the powers conferred under section 61, 66, 86 (1) (e) and 181 of the Electricity Act, 2003 (36 of 2003), has made the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 for promoting the sale of power from renewable energy sources and procurement of energy from renewable sources by distribution licensee within the state of Gujarat vide its Notification No. 3 of 2010 dated 17.04.2010 (herein after referred as RPO Regulations). In the RPO Regulations, the Hon'ble Commission has specified the minimum percentage for the procurement of power from Wind, Solar and Other Sources for the period from FY 2010-11 to FY 2012-13.
3. Subsequently, the Hon'ble Commission has issued the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 vide notification no. 2 of 2014 dated 04.03.2014. The Hon'ble Commission has fixed the RPO targets for the obligated entities through the aforesaid regulations for the period from FY 2010-11 to FY 2016-17.

4. The Hon'ble Commission has notified the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018 vide notification no. 1 of 2018 dated 21.04.2018. The Hon'ble Commission has fixed the RPO targets for the obligated entities through the aforesaid regulations for the period from FY 2017-18 to FY 2021-22.
5. The RPO target specified by the Hon'ble Commission to be fulfilled by the obligated entities during FY 2020-21, as per Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018, are as under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in term of energy in kWh)			
	Total	Wind	Solar	Others (Biomass, Bagasse, MSW, etc.)
2020-21	15.65	8.15	6.75	0.75

6. The Petitioner has achieved RPO of 14.83% against 15.65% stipulated in GERC (Procurement of Energy from Renewable Energy Source) (Second Amendment) Regulation, 2018 for FY 2020-21.

The status of RPO compliance for FY 2020-21 is tabulated as under,

Particular	FY 2020-21
Energy Requirement in MUs	377.26
RE Procurement	
Wind Energy to be procured (@ 8.15%)	30.75
Solar Energy to be procured (@ 6.75%)	25.46
Biomass/Biogas/Others (@ 0.75%)	2.83
Total (@ 15.65%)	59.04
Compliance (Non-Solar)	
Wind in MUs	41.05
Non-Solar REC in MUs	0.00
Compliance in MUs	41.05
Compliance (as % of Energy Requirement)	10.88%
Compliance (Solar)	
Solar in MUs	14.90
Solar REC in MUs	0.00
Compliance in MUs	14.90
Compliance (as % of Energy Requirement)	3.95%
Total Compliance (as % of Energy Requirement)	14.83%
Total Shortfall/(Surplus) in MUs	3.09

7. The Petitioner respectfully submits that it has made necessary arrangement to fulfill its non-solar RPO by entering into long term power purchase agreement



with WTG. Accordingly, the Petitioner has achieved non-solar RPO of 10.88% against prescribed 8.90%.

8. The Petitioner respectfully submits that its customer base mainly attributes to bulk consumers and most of them are exploring possibility to set-up their solar captive power plant as per Gujarat Solar Policy – 2015. Therefore, the Petitioner has mainly relied on use of solar RPO attribute available from captive solar plants of its consumer and purchase of solar RECs in case of some shortfall.
9. The Petitioner respectfully submits that it has fulfilled its solar RPO by using renewable attribute of Solar Projects for captive consumptions of its consumer as per Gujarat Solar Policy – 2015. Accordingly, the Petitioner could able to achieve solar RPO of 3.95% against prescribed 6.75%. The Petitioner had decided to purchase Renewable Energy Certificates (RECs) in view of Regulations 5.1 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010. However, the Petitioner could not able to fulfill Solar RPO due to following cause which is beyond its control:
 - a. The Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24th July, 2020 in APPEAL NO. 113 of 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks. Accordingly, the trading of RECs has been postponed by Indian Energy Exchange (IEX) vide its circular No. IEX/MO/363/2020 dated 28th July, 2020, which is enclosed as Annexure-I.
 - b. Further, Hon'ble APTEL vide its order dated 11.08.2020 in the aforementioned appeals, directed that **"List of matter for directions on 28.08.2020 (through video conferencing). Interim order dated 24.07.2020, which expire on 21.08.2020, is extended till the next date of hearing."** Accordingly, future REC trading session shall be schedule in accordance with the Hon'ble APTEL's directions by IEX vide its Circular No. IEX/MO/369/2020 dated 25th August, 2020, which is enclosed as Annexure-II.
 - c. The Hon'ble APTEL has not issued any final order in this matter till 31.03.2021.
10. The Hon'ble Commission has directed to the Petitioner vide its order dated 31.08.2020 in the Petition No. 1785 of 2019 to fulfill the shortfall of 1.441 MUs during FY2017-18 in solar RPO within FY2020-21 by procurement of Solar Renewable Energy or Solar RECs. However, the Petitioner could not able to purchase solar RECs due to reason specified in Point 9 of this Petition, which is beyond control of the Petitioner.



11. The petitioner would like to highlight that the clause 4.1 of the GERC (Procurement of energy from Renewable Sources) Regulations, 2010 and subsequent amendments provides that

"4.1 Each distribution licensee shall purchase electricity (in KWh) from renewable sources, at a defined minimum percentage of the total consumption of its consumers including T&D losses during a year. Similarly, Captive and Open Access user(s) / consumer(s) shall purchase electricity (in KWh) from renewable energy sources, at a defined minimum percentage of his/her total consumption during a year.

The defined minimum percentages are given in the table.

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in term of energy in kWh)			
	Wind	Solar	Others (Biomass, Bagasse, MSW, etc.)	Total
(1)	(2)	(3)	(4)	(5)
2020-21	8.15	6.75	0.75	15.65

If the above mentioned minimum quantum of power purchase either from solar or wind or Others (Including Biogas, Biomass, Bagasse, Hydro and MSW) is not available in a particular year of FY 2017-18 to 2021-22, then in such cases, additional renewable energy available either from Solar or Wind or Others shall be utilized for fulfillment of RPO in accordance with Column 5.

In view of above, the Petitioner would like to submit that surplus non-solar RPO of 7.47 MUs shall be adjusted against shortfall solar RPO of 10.57 MUs for FY2020-21.

12. The Petitioner would like to highlight that the clause 4.2 of the GERC (Procurement of energy from Renewable Sources) Regulations, 2010 and subsequent amendments provides that:

"4.2 The Commission may, suo-motu or at the request of a licensee, revise the percentage targets for a year as per clause 4.1 of these Regulations keeping in view supply constraints or other factors beyond the control of the licensee."

Hence, Aforesaid regulation confers powers upon commission to revise the minimum percentage target for purchase of power from renewable energy sources for the FY2020-21.

In view of above, the Petitioner requests Hon'ble Commission to revise solar RPO targets for FY2020-21 accordingly.



Prayers:

In the facts and circumstances mentioned above, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

- a. Consider the submissions as above.
- b. To revise the percentage target of purchase from renewable energy sources for FY2020-21.
- c. Allow to compensate shortfall of Solar RPO with surplus Non-Solar RPO for FY 2020-21.
- d. Allow to carry forward shortfall of solar RPO for FY2017-18.
- e. Allow additions / alterations / changes modifications to the submissions.
- f. Condone any inadvertent omissions/errors/shortcomings.
- g. Afford reasonable opportunity of personal hearing before passing any orders in the matter.
- h. Grant any relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.

Declaration that the subject matter of above petition has not been raised by the Petitioner before any other competent forum, and that no other competent forum is currently seized of the matter or has passed any orders in relation thereto.

For, **MPSEZ Utilities Limited**



Anil Rabadia

(Authorized Signatory)

Place: Mundra

Date: 13.08.2021



Purchaser's Name _____
Address MUNDRA
Value 50/-
In Words Forty Rupee
Licence No. Guj/sos/Auth/av/101/2006/6211

AXIS BANK LTD. 17654
BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY COMMISSION AT GANDHINAGAR
ADANI PORT, MUNDRA-370421. 183967
SPECIAL AUG 11 2021
10:40
R.00000501-PB5257
Filing No. _____
Case No. _____
STAMP DUTY GUJARAT

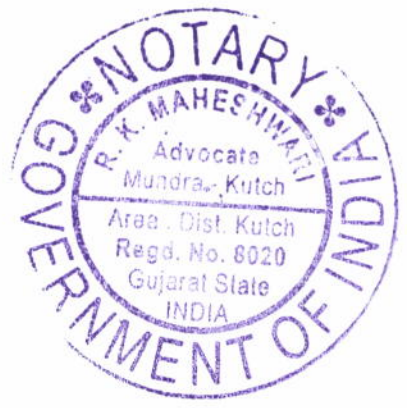
IN THE MATTER OF

Filing Petition for Compliance of the Gujarat Electricity Regulator Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission

AND

PETITIONER

MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle,
S.G Highway, Khodiyar,
Ahmedabad – 382 421



AFFIDAVIT IN SUPPORT

I, Anil Rabadia, son of Shri Bhagvanji Rabadia aged about 39, on behalf of MPSEZ Utilities Limited, Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S.G Highway, Khodiyar, Ahmedabad – 382 421, do hereby solemnly affirm and state as under :

1. I say that I am duly authorized by Petitioner Company and am conversant with the facts of the present case and hence, competent to swear the present affidavit.
2. I say that I have read contents of the accompanying submissions and I have understood the contents of the same.
3. I say that the contents of the accompanying submissions are based on the records of petitioner maintained in normal course of business and believed by me to be true.

DEPONENT

VERIFICATION

I, the deponent above named, do hereby verify the contents of the above affidavit to be true to the best of my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Mundra on this ____ day of August, 2021



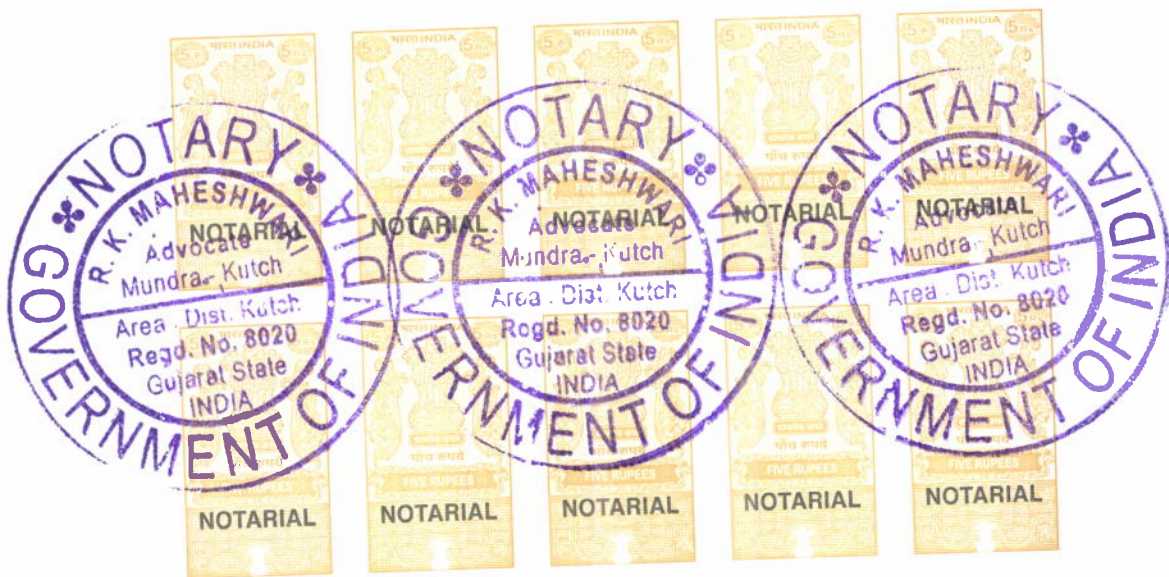
DEPONENT

SR. No. 39107121
DATE : 10/8/2021

Signed Before me

RAVILAL K. MAHESHWARI
Advocate "Notary"
At - Mundra Dist. - Kutch
Gujarat (India)





ANNEXURE - I



Circular No.: IEX/MO/363/2020

Date: 28 July 2020

Postponement of July 2020 REC trading session

Dear Members,

Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24th July 2020 in APPEAL NO. 113 OF 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks.

Accordingly, in compliance of the directions of the Hon'ble APTEL, REC trading session scheduled on 29.07.2020 shall be postponed.

Any further development will be intimated accordingly to the Members.

Members are requested to kindly take note of the same.

**For and on behalf of
Indian Energy Exchange Limited**

(Sd/-)
Amit Kumar
Senior Vice President
(Market Operations)

----- Corporate office-----
Indian Energy Exchange Limited
Unit no.3,4,5 & 6, Fourth Floor, Plot No.7, TDI Center, District Center, Jasola, New Delhi 110 025
Phone: 011 - 4300 4000 | Fax: 011 - 4300 4015 | www.iexindia.com
CIN: L74999DL2007PLC277039

ANNEXURE - II



Circular No.: IEX/MO/369/2020

Date: 25 Aug 2020

Conduct of REC trading session

Dear Members,

It is continuation of the IEX Circular No IEX/MO/363/2020 dated 27.07.2020, wherein it was informed that the Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24th July 2020 in APPEAL NO. 113 OF 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks.

Further, Hon'ble APTEL vide its order dated 11.08.2020 in the aforementioned appeals, directed that

"List the matter for directions on 26.08.2020 (through video conferencing). Interim order dated 24.07.2020, which expires on 21.08.2020, is extended till the next date of hearing."

Accordingly, future REC trading session shall be scheduled in accordance with the Hon'ble APTEL's directions.

Any further development will be intimated accordingly to the Members.

Members are requested to kindly take note of the same.

**For and on behalf of
Indian Energy Exchange Limited**

(Sd/-)
Amit Kumar
Senior Vice President
(Market Operations)

----- Corporate office -----
Indian Energy Exchange Limited
Unit no.3,4,5 & 6, Fourth Floor, Plot No.7, TDI Center, District Center, Jasola, New Delhi 110 025
Phone: 011 - 4300 4000 | Fax: 011 - 4300 4015 | www.iexindia.com
CIN: L74999DL2007PLC277039

9

Subject: FW: Payment Advice::MPSEZ UTILITIES PVT LTD::PORT::GUJARAT ELECTRICITY REGULATORY COMMISSION::0000111523
Date: Friday, 6 August 2021 at 5:41:35 PM India Standard Time
From: GERC
To: Wasim Ansari, Hemang Joshi, Bakul Thakar
Attachments: CN0087484448_060821_17_36_30.zip

From: Straight2axis@axisbank.com <Straight2axis@axisbank.com>
Date: Friday, 6 August 2021 at 5:37 PM
To: GERC <gerc@gercin.org>
Cc: payment.advice@adani.com <payment.advice@adani.com>
Subject: Payment Advice::MPSEZ UTILITIES PVT LTD::PORT::GUJARAT ELECTRICITY REGULATORY COMMISSION::0000111523

Dear Sir/Madam,

We have initiated your payment to RBI through NEFT on 06-08-2021 for an amount of INR 10,000.00 (Ten Thousand Rupees Only)
 Payee IFSC : CNRB0017083

Warm Regards,
 Axis Bank Ltd.

AD (Legal) / Ex (Legal)
This seems to be Petition fee payment made by MVPL.
Legal
4/8
GERC
Inward No - 3322
Date : 7 AUG 2021
Physical copy
Petition filed the 21/8/2021.
07/08/2021
21/8/21

Date:

Time:

To

GUJARAT ELECTRICITY REGULATORY COMMISSION, 1ST FLOOR
NEPTUNE TOWER, AHMEDABAD, 380009

From

MPSEZ UTILITIES PVT LTD, ADANI HOUSE NR MITHAKHALISIX
ROADS, NAVRANGPURA, AHMEDABAD -380009

Payment Advice

Beneficiary Code	: 0000111523	Payment Ini. Date	: 06-08-2021
Beneficiary Name	: GUJARAT ELECTRICITY REGULATORY COMMISSION	Amount	: 10,000.00
Beneficiary A/c No.	: XXXXXXXXXX0041	Company Name	: MPSEZ UTILITIES PVT LTD
Beneficiary IFSC Code	: CNRB0017083	Payment Ref. No.	: 2000001129290021
UTR Number	: AXISCN0087484448	Bank Ref. No.	: CN0087484448
Amount in Words	: Ten Thousand Rupees Only		

Dear Sir/Madam,

We have initiated your payment to RBI through NEFT on 06-08-2021 for an amount of INR **10,000.00 (Ten Thousand Rupees Only)**, the details of which are mentioned below. In case of any clarifications related to this transaction, kindly contact the concerned officials at 'SEZ UTILITIES PVT LTD.

Sr.No.	Invoice Number	Invoice Date	Invoice Amount	Other Deductions	Tax	Net Amount
1	6000099860	04-08-2021	10,000.00	00.00	00.00	10,000.00



**BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR**

*Put in relevant
files
PH
18/12/2021*

Filing No. _____

Case No. 2001 / 2021

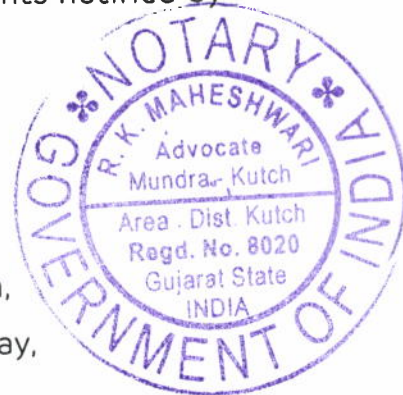
IN THE MATTER OF

Filing Petition for Compliance of the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission.

AND

IN THE MATTER OF

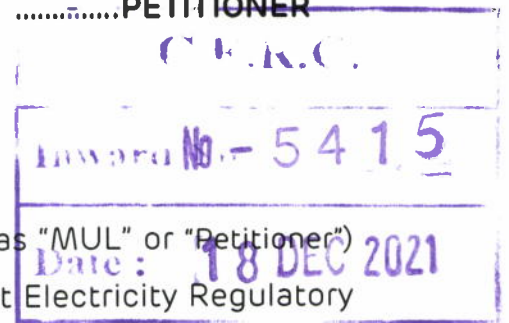
MPSEZ Utilities Limited
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle, S. G. Highway,
Khodiyar, Ahmedabad – 382 421



.....**PETITIONER**

C.R.C.

The Petitioner humbly submits as under:



1. MPSEZ Utilities Limited (hereinafter referred to as "MUL" or "Petitioner") has filed a petition for Compliance of the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010, Gujarat Electricity Regulatory Commission (Procurement of Energy From Renewable Sources) (First Amendment) Regulations, 2014, Gujarat Electricity Regulatory Commission (Procurement of Energy From Renewable Sources) (Second Amendment) Regulations, 2018 notified by the Commission for fulfilment of RPO Obligation for FY 2020-21
2. The Petition was registered as Petition no. 2001 / 2021 vide Hon'ble Commission letter no. GERC/Legal/2021/1194 dated 26.08.2021.
3. The matter was kept for hearing by Hon'ble commission on 11.11.2021 and Petitioner was directed to publish the Notice in the newspapers accordingly, vide daily order dated 18.11.2021. The direction issued by Hon'ble commission is reproduced as below:

"3.3. According to the Hon'ble APTEL's directions, it is necessary to issue a public notice and invite suggestions / objections from all the

stakeholders in the matter pertaining to compliance of RPO by the obligated entities. We note that the present Petition is filed for compliance of RPO target percentage from renewable energy sources for FY 2020-21 and to compensate shortfall of Solar RPO of FY 2017-18 with surplus Non-Solar RPO for FY 2020-21. Therefore, it deem necessary to conduct a public hearing to take into consideration the views / comments of stakeholders before deciding the matter. The Petitioner is, therefore, directed to issue a public notice in two daily Gujarati Newspapers and one English Newspaper having wide circulation in the State / National level stating that they have filed Petition No. 2001 of 2021 before the Commission for compliance of RPO target for FY 2020-21, under the provision of GERC (Procurement of Energy from Renewable Energy Sources) Regulations, 2010 and its subsequent amendments. The Petitioner is also directed to upload the present petition with all documents on its website and invite comments and suggestions from the stakeholders on the petition on affidavit within 21 days from the date of issuance of public notice. The Petitioner shall also state in the public notice that the stakeholders / objectors shall file their objections / suggestions in the petition to the Secretary, Gujarat Electricity Regulatory Commission, 6th Floor, GIFT ONE, Road 5C, 3 Zone 5, GIFT City, Gandhinagar – 382355, in five copies along with affidavit in support of their submissions with a copy to the Petitioner. The staff of the Commission is also directed to upload the petition along with all relevant documents on the website of the Commission after compliance affidavit of issuing public notice and uploading of petition is filed by the Petitioner along with copy of public notices issued by the Petitioner is filed with the Commission along with aforesaid affidavit and invite comments / suggestions from the stakeholders."

4. The Petitioner has published the notice on 05.12.2021 in the newspapers inviting objections / suggestions from various stakeholders on its petition for RPO Compliance of FY 2020-21.
5. The Petitioner is submitting the copy (1 original + 4 Copies) of the notice published in the Newspapers for the Hon'ble Commission's ready reference as under:
 - a) Newspaper–The Indian Express (Ahmedabad Edition) – Annexure-1
 - b) Newspaper–Kutchmitra (Bhuj Edition) – Annexure-2
 - c) Newspaper– Sandesh (Bhuj Edition) - Annexure-3



6. As per directives of the Hon'ble Commission, Petitioner has uploaded the petition in English on its website www.adaniports.com for inviting objections / suggestions on its petition.
7. The Petitioner, therefore, submits that it had complied with the directions given in daily order by Hon'ble commission.

Place: Mundra

Date: 09-12-2021



Sanjay Kumar
(Authorized Signatory)



1k

BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR

Filing No. _____

Case No. 2001/ 2021

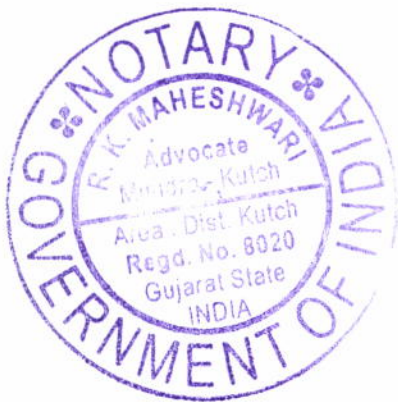
IN THE MATTER OF

Filing Petition for Compliance of the Gujarat Electricity
Regulatory Commission (Procurement of Energy from
Renewable Sources) Regulations, 2010 and its
subsequent amendments notified by the Commission.

AND

IN THE MATTER OF

MPSEZ Utilities Limited
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle, S. G. Highway,
Khodiyar, Ahmedabad – 382 421



.....PETITIONER

AFFIDAVIT

I, Sanjay Kumar, son of Shri Mool Chand Mittal aged about 58, Head - Business
(MPSEZ Utilities Limited), Adani Corporate House, Shantigram, Nr. Vaishno
Devi Circle, S. G. Highway, Khodiyar, Ahmedabad – 382 421, the Petitioner
herein do solemnly affirm and state on oath as under :

1. That I am duly authorized by the Petitioner / Applicant - Company to swear
this affidavit.
2. That the facts stated in the petition are based on the record and files of
the Petitioner Company and they are true and correct to my knowledge,
information and belief and I believe the same to be true.

Solemnly affirmed at Mundra on this 9th day of December, 2021.

DEPONENT

CR No. 42243/21
DATE: 9/12/2021

Signed Before me

RAVILAL K. MAHESHWARI
Advocate "Notary"
At - Mundra Dist. - Kutch
Gujarat (India)

Page 4 of 4

