

BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION**GANDHINAGAR****Case No: Petition No. 2252 of 2023****IN THE MATTER OF:**

Petition under Section 63 read with 86(1) (b) and other applicable provisions of the Electricity Act 2003 seeking for adoption of tariff discovered under tariff based competitive bidding process conducted by PGVCL vide RfS No. PGVCL/Project/DSM/PM-KUSUM-C-FLS/TN-08, dtd.24/02/2023 for 123 Nos of solar plants of total 379.0 MW, through RESCO model, for solarization of various 11 KV feeders in PGVCL for implantation of FLS (Feeder Level Solarization) under PM KUSUM-C scheme of Government of India.

PETITIONER Paschim Gujarat Vij Company Ltd (PGVCL), Rajkot

**THE PETITIONER ABOVE NAMED RESPECTFULLY SUBMITS
Amended Draft PPA documents to Hon'ble Commission in
Petition No. 2252 of 2023**

PREAMBLE:

The Petitioner has approached the Hon'ble Commission for Filing of the Petition under Section 63 read with 86(1) (b) and other applicable provisions of the Electricity Act, 2003 for adoption of tariff discovered under tariff based competitive bidding process conducted by PGVCL vide RfS No. PGVCL/Project/DSM/PM-KUSUM-C-FLS/TN-08, dtd.24/02/2023 for 123 Nos of solar plants of total 379.0 MW, through RESCO model, for solarization of various 11 KV feeders in PGVCL for implantation of FLS (Feeder Level Solarization) under PM KUSUM-C scheme of Government of India.

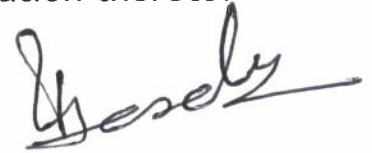
SUBMISSION:

- a) The Petitioner most respectfully and humbly submits that petitioner had published tender with draft PPA. During course of tender process, MNRE vide Memorandum No 283/16/2023-GRID SOLAR Dtd 10.03.2023 had changed the requirement. Accordingly, amendment was published for

the said tender during tenderization process. During submission of petition for adoption of tariff, Original draft PPA published during tenderization process and Amendment in tender was attached separately. Now, consolidated Draft PPA incorporating amended condition of tender is submitted.

DECLARATION

Declaration that subject matter of the petition has not been raised by the petitioner before any other competent forum is currently seized of the matter or has passed any order in relation thereto.



PETITIONER

PASCHIM GUJARAT VIJ COMPANY LTD

Date: 05.10.2023

Place: Rajkot

BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION AT
GANDHINAGAR

PETITION NO. 2252 Of 2023

IN THE MATTER OF:

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PETITIONER:

Paschim Gujarat Vij Company Limited (PGVCL)



AFFIDAVIT

I, Rajendrakumar, Son of Jivanlal Vala, aged about 49 years, resident of Rajkot, do hereby solemnly affirm and state as under:

1. I am the Chief Engineer of Paschim Gujarat Vij Company Limited, the Petitioner above named and I am well conversant with the facts of the case and able to depose to the present affidavit.
2. I have gone through the contents of the accompanying Reply and I say that the contents stated therein are based on the records of the Respondent maintained in the normal course of business and believed by the deponent to be true.

A handwritten signature in black ink, appearing to read 'Rajendrakumar'.

DEPONENT



VERIFICATION:

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

Verified at Rajkot on this 5th day of October, 2023.

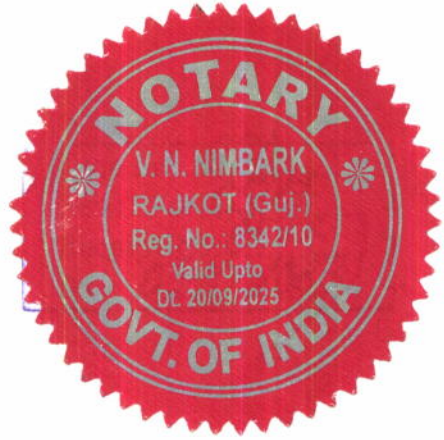
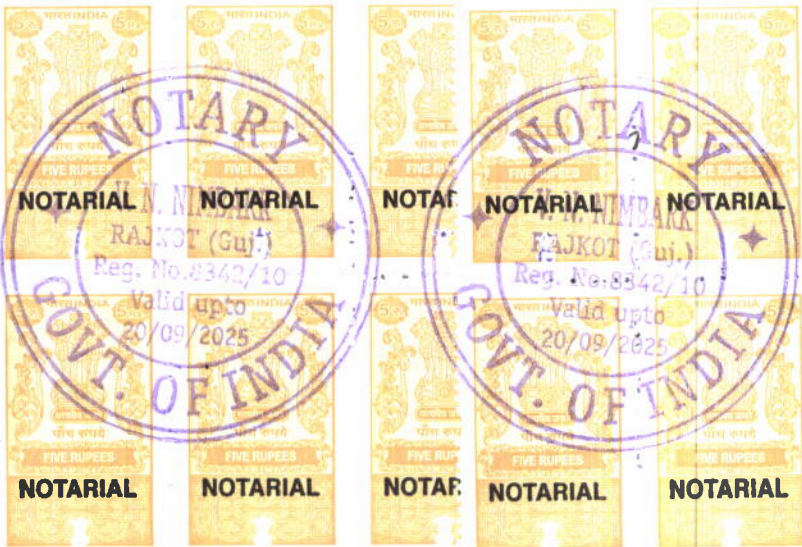
DEPONENT



Solemnly Affirmed Before me by Shri V. N. Nimbark who is identified by Shri [Signature] Advocate who is personally known to me on this 05 day of Oct 2023

21-05-10-2023
V. N. Nimbark
NOTARY
RAJKOT (Guj.)

Page No. 034
Serial No. 0547
Receipt No. 0547
Date 05-10-2023



RfS document for feeder level Solarization under PM-KUSUM-Component-C in PGVCL

(On Non-Judicial Stamp Paper of Rs. 300/- attested by Notary Public/ First Class Magistrate)

DRAFT POWER PURCHASE AGREEMENT (PPA)

for

Procurement of ____ MWp

Solar Power on Long Term basis for

Feeder level Solarization –under

PM-KUSUM Component-C of the Scheme for

Solarization of 11 KV Agricultural Feeder(s) of _____ 66/11 KV

Substation, _____ sub-division, _____ Division, _____ Circle
of PGVCL

Between

<name of Solar Power Generator (SPG)>

and

PASCHIM GUJARAT VIJ COMPANY LIMITED

[/ /2023]

RfS document for feeder level Solarization under PM-KUSUM-Component-C in PGVCL

This Power Purchase Agreement is made on the _____ day of _____ of 20__ at _____.

Between

.....<name of SPG>....., selected as Solar Power Generator for implementation of Solar Power Project with associated 11kV evacuation line under **Pradhan Mantri Kisan Urja Suraksha evem Utthan Mahabhiyan (PM KUSUM) Scheme, Component C (feeder level solarization)**, having registered office at<Address of SPG>..... (hereinafter referred to as “Solar Power Generator or SPG”, which expression shall, unless repugnant to the context or meaning thereof, be deemed to include its successors and permitted assigns) as a Party of the **First Part**;

And

PASCHIM GUJARAT VIJ COMPANY LIMITED' a company incorporated under the Companies Act 1956, having its registered office at, _____ (hereinafter referred to as 'PGVCL' " which expression shall, unless repugnant to the context or meaning thereof, be deemed to include its successors and assignees) as a Party of the **Second Part**;

The SPG and PGVCL are individually referred to as ‘Party’ and collectively referred to as ‘Parties’.

WHEREAS:

- A.** The Ministry of New and Renewable Energy [MNRE] has notified a guidelines for feeder level solarization under Component C of PM KUSUM Scheme on 04th Dec 2020.
- B.** PGVCL initiated process for selection of Solar Power Generator (s) (SPG) to set solar power plant for notified solar capacity through RESCO mode and procurement of power generated from the solar power plant as per the terms and conditions contained in the RfS No: _____ DT:_____
- C.** The SPG has been selected for installation of solar power project which includes work of design, survey, supply, installation, testing, commissioning and operation & maintenance of grid connected _____MWp solar power plant , its associated 11kV evacuation line to connect the plant with concerned substation and RMS of solar power plant for Solarization of 11kV feeder(s) of 66/11kV _____ substation under _____ subdivision, _____ Division, _____ Circle of PGVCL.
- D.** PGVCL has issued the Letter of Award/Work Order No. _____ dated in Favour of<name of SPG> as per the terms and conditions contained in the RfS.
- E.** The SPG has furnished the Project Security Amount of Rs. _____ (_____ rupees only) in the form of Bank Guarantee in favour of PGVCL, _____.
- F.** The SPG has fulfilled the terms and conditions for signing of this Power

RfS document for feeder level Solarization under PM-KUSUM-Component-C in PGVCL

Purchase Agreement as a definitive agreement for establishing the Solar Power Project of ___ MWp under Feeder level solarization –Component-C of PM-KUSUM Scheme for Agricultural feeder(s) of _____ 66/11kV substation, _____ subdivision, _____ division, _____ circle of PGVCL under _____ district and sale of electricity by the SPG to PGVCL at delivery point at 66/11 kV _____ substation.

- G. Hon’ble GERC vide order dated _____ in petition no. _____ has adopted the tariff discovered in the competitive bidding process conducted vide RfS dated _____ wherein the SPG has emerged as a successful bidder and allocated the Solar Power project of ___ MWp under the bucket filling mode as per the terms of RfP.
- H. The parties have agreed to execute this Power Purchase Agreement in terms of the RfS and the Letter of Award in regard to the work of Design, survey, supply, installation, testing, commissioning, operation & maintenance for 25 years (unless extended by both the parties on mutual agreement) from COD of grid connected **Feeder level** solar power plant having capacity of _____ MWp, its associated 11kV line to connect the plant with concerned substation and RMS of solar power plant through RESCO model for solarization of Agricultural 11kV feeders of associated _____ 66/11kV substation in PGVCL under PM-KUSUM scheme – Component C (feeder level solarization)

Now therefore, in consideration of the premises and mutual agreements, covenants and conditions set forth herein, it is hereby agreed by and between the Parties as follows:

ARTICLE 1: DEFINITIONS AND INTERPRETATION

1.1 Definitions

The terms used in this Agreement, unless as defined below or repugnant to the context, shall have the same meaning as assigned to them by the Electricity Act, 2003 and the rules or regulations framed there under, including those issued/framed by the Appropriate Commission (as defined hereunder), as amended or re-enacted from time to time.

ALMM	Approved List of Models and Manufacturers of Solar Photovoltaic Modules issued by Ministry of New and Renewable Energy, Government of India time to time.
"Agreement" or "Power Purchase Agreement" or "PPA"	shall mean this Power Purchase Agreement including its recitals and Schedules, amended or modified from time to time in accordance with the terms hereof;
"Appropriate Commission	Appropriate Commission or "GERC" shall mean the Gujarat Electricity Regulatory Commission (GERC)
"Bill Dispute Notice"	shall mean the notice issued by a Party raising a Dispute regarding a Monthly Bill or a Supplementary Bill issued by the other Party;