

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2210 of 2023

In the Matter of:

Petition under Sections 61, 66, 86 (1) (e) and 181 and other applicable provisions of the Electricity Act, 2003 read with GERC (Net Metering Rooftop Solar PV Grid Interactive System) Regulations, 2016 and subsequent amendments thereto, for approval of levy of per KW based System strengthening charges from the residential solar applicants towards expenditure to be incurred by Distribution Licensee for System strengthening of System/enhancement in exiting solar capacity to residential category consumers.

Petitioner : Madhya Gujarat Vij Company Limited
Represented By : Mr. K. B. Dhebar with Mr. Vikas Trivedi
Co-Petitioner No. 1 : Paschim Gujarat Vij Company Limited
Represented By : Mr. V. G. Markana with Mr. J. R. Bavalia
Co-Petitioner No. 2 : Uttar Gujarat Vij Company Limited
Represented By : Mr. D. M. Patel with Mr. V. M. Solanki
Co-Petitioner No. 3 : Dakshin Gujarat Vij Company Limited
Represented By : Mr. B. D. Pala

V/s

Respondent No. 1 : Torrent Power Limited, Ahmedabad
Represented By : Nobody was present.
Respondent No. 2 : Torrent Power Limited, Surat
Represented By : Nobody was present.
Respondent No. 3 : Torrent Power Limited, Dahej
Represented By : Nobody was present.
Respondent No. 4 : GIFT Power Company Limited
Represented By : Nobody was present.
Respondent No. 5 : Deendayal Port Authority

Represented By : Nobody was present.
Respondent No. 6 : Aspen park Infra Vadodara Private Limited
Represented By : Nobody was present.
Respondent No. 7 : MPSEZ Utilities Limited
Represented By : Nobody was present.
Objector : Yash Complex Co-Operative Housing Service Society
Limited, Vadodara
Represented By : Mr. G. R. Darji

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S. R. Pandey, Member**

DAILY ORDER

Date: 19/02/2024

1. The matter was kept for hearing on 22.12.2023.
2. Mr. K. B. Dhebar, appearing on behalf of the Petitioner MGVCL, submitted that the present petition has been filed for seeking approval for levy of per KW based charges from residential rooftop solar applicants towards expenditure to be incurred by the Distribution Licensee for system strengthening of Distribution network for providing new Rooftop Solar system /enhancement in existing rooftop solar capacity. It is further submitted that pursuant to last hearing held on 21.06.2023, the Commission had passed the Daily Order dated 25.07.2023 wherein it was directed to the Petitioners to issue a public notice in two daily Gujarati Newspapers and one English Newspaper having wide circulation in the State and also upload the present Petition with all relevant documents on the website and invite comments/suggestions from the stakeholders on affidavits within 21 days. The Commission further directed the Petitioners to implead all other distribution licensees other than State DISCOMs within the State as a party

Respondents in the present Petition and that to amend the memo of parties and file an amended memo of parties in the present matter.

- 2.1. Accordingly, in compliance to above directives of the Commission, the Petitioner MGVCL has impleaded all the other distribution licensees (other than State DISCOMs), within the State viz., (i) Torrent Power Limited, Ahmedabad, (ii) Torrent Power Limited, Surat, (iii) Torrent Power Limited, Dahej, (iv) GIFT Power Company Limited, (v) Deendayal Port Authority, (vi) Aspen park Infra Vadodara Private Limited, (vii) MPSEZ Utilities Limited and has thereafter filed compliance affidavit dated 27.07.2023 in this regard before the Commission.
- 2.2. Moreover, in further compliance to above directives of the Commission, the Petitioner MGVCL issued public notice on 01.08.2023 in one English newspaper viz. Indian Express Newspaper (English – Vadodara + Ahmedabad Editions) and Gujarati newspaper viz. (i) Gujarat Samachar Newspaper (All Editions in Gujarat), & (ii) Sandesh (Gujarati) Newspaper (All Editions in Gujarat) and last date of submissions of comments/suggestions was 20.08.2023. Moreover, the Petitioner also placed the present Petition along with public notice on its website for inviting comments, objections and suggestions from the stakeholders in this matter and has thereafter also filed compliance affidavit dated 04.08.2023 in this regard before the Commission.
- 2.3. It is further submitted that the Petitioner MGVCL received only one suggestions/objections from the objector i.e., Yash Complex Co-Operative Housing Service Society Limited in response to the public notice issued by the Petitioner MGVCL in this regard.
- 2.4. He further submitted that Ministry of Power, Government of India has issued Draft Electricity (Rights of Consumers) (Second Amendment) Rules, 2023 on 13.12.2023 in respect to strengthening of distribution infrastructure and strengthening charges recovered from residential consumers for solar rooftop system installation and invited the comments/suggestions from the stakeholders. It is further submitted that in response to the suggestions/objections filed by the Objector, the Petitioner has filed the para wise reply vide affidavit dated 20.09.2023 before the Commission on 25.09.2023.

3. We have considered the submissions made by the Petitioner. We note that the present Petition is filed under Sections 61, 66, 86(1) and 182 of the Electricity Act, 2003 read with the GERC's (Net Metering Rooftop Solar PV Grid interactive System), Regulation, 2016 and its subsequent amendment seeking approval of Commission for approval for levy of per KW based system strengthening charges from Residential Solar applicants towards expenditures to be incurred by Distribution licensee for system strengthening of distribution networks for providing new Solar Rooftop system/enhancement in existing Solar capacity to Residential category consumers.
- 3.1. We note that pursuant to directives of the Commission, the Petitioner MGVL published a public notice on 01.08.2023 in one English newspaper viz. Indian Express Newspaper (English - Vadodara + Ahmedabad Editions) and Gujarati newspaper viz. (i) Gujarat Samachar Newspaper (All Editions in Gujarat), & (ii) Sandesh (Gujarati) Newspaper (All Editions in Gujarat) and also placed the present Petition along with public notices on its website for inviting comments, objections and suggestions from the stakeholders in this matter and filed compliance affidavit dated 04.08.2023 in this regard before the Commission on 18.08.2023 and the Petitioner has received comments/suggestions from the objector i.e., Yash Complex Co-Operative Housing Service Society Limited in response to such public notice in the present matter.
- 3.2. We also note that the present Petition along with the relevant documents was also uploaded on website of the Commission inviting comments/suggestions from the stakeholders and the Commission's Office has also received comments/suggestions from the objector Yash Complex Co-Operative Housing Service Society Limited in the present matter.
- 3.3. Moreover, in compliance to directives of the Commission, the Petitioner MGVL has impleaded all the other distribution licensees (other than State DISCOMs), within the State viz., (i) Torrent Power Limited, Ahmedabad, (ii) Torrent Power Limited, Surat, (iii) Torrent Power Limited, Dahej, (iv) GIFT Power Company Limited, (v) Deendayal Port Authority, (vi) Aspen park Infra Vadodara Private

Limited, (vii) MPSEZ Utilities Limited and has also filed compliance affidavit dated 27.07.2023 in this regard before the Commission on 31.07.2023.

- 3.4. Upon the perusal of the said affidavit, it seems that the Petitioner MGVCL has not impleaded Torrent Power Limited – Distribution (Dholera), Torrent Power Limited – Distribution (MBSIR) and Jubilant Infrastructure Limited as party Respondents in the present matter. Hence, we direct the Petitioner to implead Torrent Power Limited – Distribution (Dholera), Torrent Power Limited - Distribution (MBSIR) and Jubilant Infrastructure Limited as a party Respondents in the present matter and accordingly amend the memo of parties and to file fresh an amended memo of parties in the present matter. Further, the Petitioner is directed to provide a copy of the Petition with amended memo of parties along with all other documents, if any, to all newly joined party within weeks' time from the date of this Order and also file proof of service in this regard.
- 3.5. During the hearing, it was informed by the Office that notice could not be issued to the newly joined Respondents. Hence, we direct the staff of the Commission to issue hearing notice to all the newly joined Respondents in the present matter. In view of the above, the matter is adjourned in the interest of justice.
- 3.6. We direct all the Respondents to file their reply, if any, in the Petition, within one weeks' time after the receipt of Petition from the Petitioners, with a copy to the Petitioners. The Petitioners are at liberty to file rejoinder reply, if any, within weeks' time after receipt of the reply from the Respondents.
4. The next date of hearing will be intimated separately.
5. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar.

Date: 19/02/2024.