

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2355 of 2024.

In the matter of:

Petition under Section 63 read with Section 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-09 dated 13.10.2023 for 101 Numbers of Solar Power Plant of total 259.0 MW, through RESCO model, for solarization of various 11 kV Feeders in PGVCL for implantation of feeder level solarization (FLS) under PM -KUSUM – C Scheme of Government of India.

Petitioner: Paschim Gujarat Vij Company Limited

Represented by: Mr. R. J. Vala along with Mr. S. N.Parmar and Mr. A. H. Talasaniya.

CORAM:

**Mehul M. Gandhi, Member
S.R. Pandey, Member**

Date: 10/07/2024.

DAILY ORDER

1. The matter was kept for hearing on 28.06.2024.
2. Mr. R. J. Vala on behalf of the Petitioner PGVCL submitted that the present petition has been filed seeking approval for adoption of tariff discovered under Tariff based competitive bidding process conducted by the Petitioner through RfS No. PGVCL/Project/DSM/PM-KUSUM-C/FLS/ TN-09 dated 13.10.2023 for 101 nos. of Solar Plants of 259.0 MW through RESCO model for solarization of various 11 KV feeders in PGVCL for implantation of Feeder Level Solarization (FLS) under PM KUSUM-C Scheme of Government of India.

- 2.1. It is further submitted that Ministry of Power, Government of India has vide Notification dated 22.07.2019 published guidelines for implementation of PM-KUSUM scheme for installation of solar pumps and grid connected solar power plants covering three components viz. (a) Decentralized ground mounted grid connected Renewable Energy (RE) based power plants of individual plant size up to 2 MW, (b) Installation of stand-alone solar powered agriculture pumpsets and (c) Solarization of grid connected agriculture pumps. Subsequently, Government of Gujarat has vide Notifications dated 19.06.2020, 06.11.2020 and 11.12.2020 has issued GRs for implementation of PM-KUSUM schemes. It is further submitted that MNRE, Government of India vide Office Memorandum (OM) 32/645/2017-SPA division dated 04.12.2020 has issued the guidelines for implementation of Feeder level solarization under component C of PM-KUSUM Scheme. Accordingly, the Petitioner has been implementing the PM- KUSUM scheme in their area.
- 2.2. In response to the query of the Commission as to whether the Petitioner PGVCL has submitted all the documents, the representative appearing for the Petitioner PGVCL has submitted that all relevant documents have been placed on record in the present Petition.
- 2.3. On further query of the Commission for inviting comments and suggestions from the stakeholders as the matter is pertaining to procurement of power and approval of draft PPA, the Petitioner has admitted and as agreed for the same.
3. We have considered the submissions made by the parties. We note that the present Petition is filed under Section 63 read with Section 86 (1) (b) and other applicable provisions of the Electricity Act, 2003 seeking approval of adoption of tariff discovered under competitive bidding process conducted by the Petitioner through RfS No. PGVCL/Project/DSM/PM-KUSUM- C/FLS/TN-09 dated 13.10.2023 for 101 nos. of Solar power plants of total 259.0 MW capacity through RESCO model for solarization of various 11 kV Feeders in PGVCL for implementation of Feeder level solarization under PM KUSUM-C scheme of Government of India. As the Petitioner PGVCL has filed the Petition for Procurement of power, approval of Draft PPA and adoption of tariff under Section 63

of the Electricity Act, 2003, the Commission has the jurisdiction to decide the present Petition and accordingly, we decide to admit the Petition.

3.1. We also note that the present petition has been filed by the Petitioner under Section 86 (1) (b) of the Electricity Act 2003 for approval of the draft PPA for procurement of power from 101 nos. of Solar power plants of total 259.0 MW capacity through RESCO model for solarization of various 11 KV Feeders in PGVCL for implementation of Feeder level solarization under PM KUSUM-C scheme of Government of India. The said approval is sought under Section 86 (1) (b) of the Electricity Act, 2003 which provides that the State Commission shall regulate the electricity procurement process of the distribution licensees which includes procurement of quantum, its rates and sources also. Therefore, we are of the view that a public hearing is required to be conducted to take into the suggestions/objections/comments of the stakeholders. 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 and invite comments/suggestions from the stakeholders stating that they have filed Petition No. 2355 of 2024 before the Commission along with its subject matter and relief sought therein and also upload the present petition with all relevant documents on their website and invite comments/suggestions/objections from the stakeholders on affidavit within 15 days from the date of issue of public notice. The Petitioner shall state in the public notice that the stakeholders shall file their comments/objections/suggestions to the Secretary, Gujarat Electricity Regulatory Commission, 6th Floor, GIFT ONE, Road 5C, Zone 5, GIFT City, Gandhinagar – 382355, Gujarat 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 inviting comments/objections/suggestions/views from stakeholder after a compliance affidavit stating that public notices as directed above are issued in newspaper and uploading of Petition on website of the Petitioner is filed by the Petitioner along with published copy of public notices issued by the Petitioner is provided to the Commission.

3.2. We also direct the staff of the Commission to provide the copy of representation/suggestions/objections, if any, received in the present matter to the

Petitioner PGVCL to enable filing reply/response to the same and to inform/issue hearing notice for the present Petition to such stakeholders/objectors who file their submissions/objections/comments before the Commission in the matter.

4. Next date of hearing is fixed on 08.08.2024 at 11.30 A.M.
5. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 10/07/2024.

