

**BEFORE THE HIMACHAL PRADESH ELECTRICITY
REGULATORY COMMISSION SHIMLA**

Petition No: 111 of 2024
Instituted on: 13.03.2024
Heard on: 24.08.2024
Decided on: 16.10.2024

CORAM:

DEVENDRA KUMAR SHARMA
CHAIRMAN.

YASHWANT SINGH CHOGAL
MEMBER (Law).

SHASHI KANT JOSHI
MEMBER.

In the matter of:-

The HP State Electricity Board Limited.
through Chief Engineer (System Operation),
Vidyut Bhawan, Shimla-171004.**Joint Petitioner No.1.**

AND

M/s Himachal Renewables Limited (HRL),
Sunder, Distt. Mandi, H.P-175019, through
Sh. Atul Bhatia, Chief Executive Officer.

.....**Joint Petitioner No.2.**

Petition under Section 86 (1) (b) of the Electricity Act, 2003 read with Regulation 50 & 50-A of the HPERC (Conduct of Business) Regulations, 2005 for the approval of the "Power Purchase Agreement (Solar)" on the project specific tariff to be executed by the HPSEBL with M/s Himachal Renewables Limited in respect of 2 MWac Grid connected Solar PV Project with 1 MWh BESS at Village- Rangareek at Kaza, Distt. Lahaul Spiti, Himachal Pradesh.

Present:-

Sh. Kamlesh Saklani, Authorised Representative for Joint
Petitioner No. 1 with Sh. Mandeep Singh, CE (SO).
Sh. Atul Bhatia, CEO for the Joint Petitioner No. 2.

ORDER

This Joint Petition has been filed under Section 86 (1) (b) of the Electricity Act, 2003 read with Regulations 50 & 50-A of the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 (the CBR, 2005 for short) for the approval of the “Power Purchase Agreement (Solar)” in respect of 2 MWac Grid connected Solar PV Project with 1 MWh BESS situated at Village Rangreek at Kaza, Distt. Lahaul Spiti (Project for short) on Project Specific Levellized tariff to be executed by the Himachal Pradesh State Electricity Board Limited (HPSEBL/ Joint Petitioner No. 1 for short) and M/s Himachal Renewables Limited (Joint Petitioner No. 2 for short)

2. As per the Petition, the draft PPA to be executed between the parties has been prepared in accordance with the Model PPA approved by the Commission in Suo Moto Petition No. Petition No. 104/2015 vide Order dated 29.02.2016. As per Form-A attached to the Petition, the power is to be sold to the HPSEBL and the Project is likely to be completed in the month of November, 2024 at capital cost of Rs. 17.58 Crore.

3. As per the connection agreement signed by the parties on 06.04.2022 (Annexure-III), the interconnection point shall be at existing 22 kV Pooh-Kaza Kinnaur feeder emanating from 66/22 kV Akpa Sub-

station at 10 pole structure of Rong Tong power house with appropriate protection arrangement through solid tap.

4. It is averred that the Project is situated at Kaza, Lahaul & Spiti, a Himalayan desert. The area gets most of its power supply from Rekong Peo which is unreliable due to its maintenance problem. The transmission line also faces breakdowns due to its route through harsh geographical terrain resulting in power outages to the valley. Thus, in order to avoid the inconvenience to the people of the area, there is need for another power source to have limited reliance on the existing 22 kV feeder from Akpa. As such, another power source has been recommended with 1 MWh BESS which will meet the power requirements of the area to a large extent.

5. Also averred that in order to execute the Project, a Joint Venture Company (JVC for short) was formed by the HPSEBL with Solar Energy Corporation of India Limited (SECI for short) to execute and install 2.5 MW Solar Wind Hybrid R&D Project with 1 MWh energy storage at Rangreek/ Kaza with tentative cost of Rs. 30.72 Crore but the Ministry of New and Renewable Energy (MNRE for short) on 31.03.2015 sanctioned the Project for Rs. 29.82 Crores with 50% grant (Rs. 14.91 Crore) considering the project as a R&D Project. Further, the Council of Ministers granted formal approval for forming the JVC between the HPSEBL & SECI in the ratio of 50:50 and agreement to this effect was

signed on 18.05.2016 and JVC was registered as “Himachal Renewables Limited” on 14.09.2016 with the Ministry of Corporate Affairs, Government of India (Annexure-B).

6. It is averred that the tender documents for selection of EPC contractor for setting up 2.50 MW Solar Wind Hybrid R&D Project with 1 MWh Energy Storage System at Rangreek, Kaza (NIT No. SECI/SD/NIT/2016/6/RANGREEK 2.5) was uploaded on TCIL website by the SECI on 07.03.2016 with scheduled bid submission by 12.04.2016 and site visit of the prospective bidders to familiarize with site conditions which was undertaken on 19.04.2016 and 20.04.2016. Though multiple bidders actively participated in two pre-bids as well as during the site visit with respect to the initial bid submission date of 12.04.2016, yet due to low participation of bidders, extensions were granted on 08.04.2016, 10.05.2016, 30.05.2016, 08.06.2016, 24.06.2016, 15.07.2016, 29.07.2016, 14.09.2016 and 07.10.2016. However, despite wide publicity given among various national and international bidders, carrying out pre-bid meetings, site visit, review of bidding specifications and multiple bid extensions, participation in bid submission was low and only two bids were received.

7. The lowest bid received was for Rs. 49.50 Crores which was much higher than the approved estimated cost of the Project. The Project scope was modified removing the wind component, the

Research & Development Projects Advisory Committee (RDPAC) of MNRE on 16.05.2018 also cancelled the grant sanctioned earlier for the R&D Project (Annexure-C).

8. During the meeting of Board of Directors of Himachal Renewables Ltd (HRL) held on 6th Jan, 2018, it was decided to go ahead with the tendering of 2MW Solar PV project with 1MWh battery storage to avoid further delay. Tenders for the revised scope of the project were invited by SECI on 31st July, 2018. The original bid submission date was 31.08.2018 which was extended up to 14.09.2018, 28.09.2018, 11.10.2018, 25.10.2018 and 12.11.2018. Finally, the bids were opened on 15th Nov, 2018 wherein the lowest bidder M/s Sun Source quoted a price of Rs.17, 71, 85,965/- inclusive of equipment, erection, taxes, freight and insurance. Besides, it also quoted an amount of Rs.1,00,85,625/- as O&M for a period of 5 years. The HRL also got sanctioned term loan of Rs.14.48 Cr. from M/S REC Ltd. **(Annexure-D)** vide letter No.REC/PO/HP-GE-GEN-792-2019-15474/291 dated 30.09.2019.

9. For the installation of the project, the HPSEBL had identified 5.5942-hectare barren land without any vegetation at Rangrik, Kaza. The HPSEBL accordingly submitted an application for the clearance under Forest Conservation Act, 1980 for the land proposed to be diverted for "Construction of 2.5 MW R&D Hybrid Project (2MW Solar

PV + 0.5MW Wind with 1 MWh Battery Storage) at Kaza" with proposal No. FP/HP/Others/12897/2015 on 26/05/2015. On the initially submitted proposal, Nodal Officer, FCA, Shimla raised few observations on 03/06/2015 which were clarified on 25/08/2015. Later on the queries raised by DFO (WL Spiti) on 10/12/2015, 21/01/2016 and 26/03/2016 were clarified by the HPSEBL on 11/01/2016, 21/01/2016 and 06/04/2016.

10. In the application for forest clearance, compensatory afforestation was proposed at the degraded forest land at Kaza with an area of approx. 11.5 hectares (double of the area applied for clearance) but the Ministry of Environment, Forest and Climate Change, Government of India, New Delhi rejected the proposal of compensatory afforestation on degraded forest land and the Govt. of H.P. identified non-forest Govt. land in the districts of Una, Kangra and Sirmaur which could be transferred to the Forest Deptt. for compensatory afforestation in lieu of forest land required for 2.5 MW Hybrid Project at Kaza.

11. The Regional Empowered Committee conveyed the in- principle (Stage- 1) approval on 09/06/2017. The DFO Kaza also raised the demand note for the payment corresponding to the Net Present Value (NPV) of the proposed land at Kaza and cost of compensatory afforestation at Una. However, Nodal Officer (FCA), Forest Deptt. found discrepancies in compensatory afforestation scheme submitted by the

DFO Una and requested DFO Una for correction on 14th September, 2017. The DFO Una, submitted the revised compensatory afforestation scheme on 10.05.2018 based upon which all the necessary payments have been made by the HPSEBL and the land for compensatory afforestation at Una has been transferred to the forest department. The case was forwarded to the Forest Department, Regional Office Dehradun for stage-II approval which was later conveyed by the Ministry of Environment, Forest and Climate Change (MoEF & CC) on 07.11.2019 subject to fulfillment of certain conditions and also that the final approval shall be given by State Forest Department based upon stage-II approval. However, the State Forest Department was directed to convey final approval once Writ Petition (Civil) Case No. 202/1995 is finally disposed off in the Hon'ble Supreme Court. The Hon'ble Supreme Court has granted the permission to the State of Himachal Pradesh on 15.02.2021.

12. The work for "Design, Engineering, Supply, Construction, Erection, Testing & Commissioning of 2MW (AC) Solar PV Power Plant with 1MWh BESS at Kaza, Himachal Pradesh including 5 Years plant O&M" was awarded to M/s Sun Source Energy Pvt. Ltd on dated 30.11.2019 with a stipulation that work shall be executed after "the Notice to Proceed" (NTP) is issued by Himachal Renewal Limited (HRL). As per Notification of Award (NOA), the time allowed to

complete the project was 18 months from the date of issuance of NTP, i.e. upto 07.09.2022 as mentioned below: -

Work Detail	Testing & Commissioning Date	Handover Date
Solar Part	21.10.2021	31.10.2021
BESS Part	13.08.2022	07.09.2022

13. It was observed that the above firm was not serious in executing the work and failed to take any action to initiate the work at site despite repeated reminders and requests. Not only this, in various Project Review Meetings (PRM's) held with the firm, the Board of Directors (HRL) requested to speed up the execution activities of the project. However, in spite of the same, none of the items have been supplied at site and no progress was achieved and the firm left the project without achieving any substantial progress. The firm was initially served with Show Cause Notice on 02.12.2022 and on receiving inappropriate reply from the firm, the termination order was served on 23.12.2022 for rescinding the contract of M/s Sun Source Energy Pvt. Ltd. **(Annexure-F)**.

14. Also on re-tendering of "Installation of 2MWac Solar PV Power Plant with 1MWh BESS at Kaza" the work has been allotted to the new Contractor M/s Topsun Energy Ltd. Gujarat on 30.05.2023 with completion date of project as 30.11.2024. **(Annexure-G)**. Funds are to be met through debt and equity @75:25. Equity amount has contributed

as 50:50 by HPSEBL & SECI and remaining amount was financed through debt.

15. It is averred that the tariff for this project is required to be determined as specific project tariff because Kaza is situated at an elevation of 3,800 meters (12,500 ft.) above mean sea level and transportation charges, service charges, erection/installation charges are higher than rural and urban areas which will increase the capital cost of project. Further, the project is being set up with 1MWh Battery Energy storage system (BESS).

16. It is averred that the Commission in its order for the Determination of Generic Levellised Tariff for Solar PV Projects for FY 2023- 24 under Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) Regulations, 2017, has not made any provision of tariff for the Solar Projects with storage system. Hence, tariff cannot be calculated based on the above Generic Levellised Tariff Order for the Solar Projects. The proposed tariff calculations for the Project are as under:-

	Capital cost	Tariff calculated	Site
With BESS	Rs.17.58 Crore	Rs. 7.59	Kaza
Without BESS	Rs.12.15 Crore	Rs. 4.99	Kaza (Annex. G-1

17. As per the Petitioner, the Total capital cost of project is Rs.17.58 Crore which is detailed as below:

- i) EPC Cost of project is Rs.10.051Crore (details attached).
- ii) Forest Land acquisition cost is Rs. 0.50 Crore.
- iii) Shifting of 22 KV Overhead line is Rs.0.24 Crore.
- iv) IDC and Others Contingency, manpower, overheads, consultants, studies etc. (Pre- Operative Expenses – Rs. 1.39 Crore.

All details are attached as Annexure-H.

18. Further that the HPSEBL vide its letter No. HPSEBL/CE(Comm.)/HRL Proj/2019-5048-50 dated 24.07.2019 has agreed as under:-

“It is certified that HPSEBL will purchase the power from proposed 2 MW Solar PV Project at Kaza based on the discovered project cost as approved by HPERC (project specific tariff). The differential amount, if any, on account of approval of tariff at lower rate by HPERC will be paid by HPSEBL for purchase of the power from the 'project as per PPA and shall be claimed under grant from Govt. of Himachal Pradesh.”

19. Also averred that the stand of the Petitioner in respect of the previously filed *Petition No. 59/2019 vide no. HPERC/Pet.No.59/2019-607-08 dated 13.06.2019* is as under:

- 1) Principal Secretary (Power) GoHP, in the meeting with Joint Secretary, MNRE, held on 19th June, 2014, decided that the HPSEBL shall form a JVC with SECI to execute the installation

of 2.5 MW Solar and Wind Hybrid R&D project with 1 MWH Energy Storage System at Rangreek, Kaza project. The tentative cost of the project was estimated to be Rs. 30.72 Crores. However, the MNRE on 31st March 2015 sanctioned the project for Rs. 29.82 Crores with 50% grant (Rs. 14.91 Crores) considering the project as a R&D project.

But, the lowest bid received was priced at Rs. 49.5 Crores which is much higher than the approved cost of the project. The project scope was modified by removing the wind component; however, the Research & Development Projects Advisory Committee of the MNRE in its meeting held on 16th May, 2018 cancelled the grant sanctioned for the earlier scope of this project.

However, the Tribal Development Department HP has assisted the HPSEBL/ HRL to contribute the equity share amounting to Rs. 3.40 Crore. The HRL has again requested the Tribal Development Department HP to grant more grant for this project.

- 2) No correspondence in this regard has been made by HRL with Corporate Social Responsibility (CSR).
- 3) The cost of land is Rs.50,32,025/- which has been paid to the Forest department in April, 2019 (Annexure-I). The battery cost shall be considered of amounting to Rs.5,03,81,622/- for this project. Battery shall be replaced after 10 years. The cost for evacuation till the interconnection point is also included in the total cost of Rs.17,57,66,316/-.
- 4) The per unit cost (Rs. 7.59/unit) of the energy sold from the project at the interconnection point is bound to exceed from the maximum tariff to be determined for Solar PV Project

under the HPERC (Promotion of Generation from RE Sources Terms and Conditions for Tariff Determination) Regulations, 2017 in the absence of sufficient grant. Also, the present tariff orders based on said regulations fixed tariff only for Solar PV projects without energy storage. Therefore, this Project may be treated as a separate category and tariff shall be determined as project specific tariff is annexed as Annexure-J.

20. We have heard Sh. Kamlesh Sakalani, Authorised Representative alongwith Sh. Mandeep Singh, Chief Engineer (System Operation) for the Joint Petitioner No. 1 and Sh. Atul Bhatia, Chief Executive Officer for the Joint Petitioner No. 2 and have perused the entire record carefully. We have also heard Sh. Sanjay Kaushal, Chief Engineer (Generation) on the matter.

21. The Commission vide Order dated 01.08.2024 directed the Petitioner to explain as to why 1.0 MWh BESS is required in the area despite existence of 2.0 MW Rongtong HEP which is in operation. Since, the reply filed in response thereof was not specified, the Commission vide order dated 12.08.2024 further directed the Joint Petitioners to justify the installation of 1.0 MW BESS in the area despite existence of 2.0 MW Rong Tong HEP. The comprehensive reply has been filed on 21.08.2024 as under:-

The Technical specifications of BESS have been reproduced in the Petition as under:

“A) Hydrology of 2MW Rong Tong HEP:

As per the ITB of Contract agreement in 2012 for R&M of 2MW Rong Tong HEP, the detailed discharge data of the streams are not available. **Annexure-A**

However, Assistant Engineer, 2MW Rong Tong HEP has shared the discharge data of intake channel of reservoir during peak season (June-September) of year 2023 which is calculation based (**Annexure-B**). A hydrograph is prepared based on the above figures depicting that reservoir take 7-47Hrs. to completely fill **Annexure-C**. The maximum discharge recorded is 0.75Cumec which shows that water available for project is not sufficient to run all units of Rong Tong HEP.

Reason for non-achievement of designed potential:

As per the R&M report of 2MW Rong Tong HEP Oct. 1997, following are the reasons for non-achievement of designed potential, also attached as **Annexure-D**:

i) Water Conductor System: As per provision in the Scheme, the constructed portion of the trench weir was completely washed away in flash floods during 1985. It was then decided to defer the proposal of providing trench-weir at the Intake till further model studies were got carried out and instead, a crated weir was constructed to divert the water into the conveyance channel.

The present intake site is prone to the glaciers from both the banks of Ratang Nullah. During the months of January to March, these glaciers bring down a heavy load of gravel and cobbles into the stream and fill up the upstream entry upto the crest of crated weir and severely restrict the flow of water to the power channel. In this situation, all the sluice valves provided in the Desilting tanks have to be perforce closed for ensuring availability of water to the extent possible to run the Power House. Since the area around the Desilting tank is under thick cover of snow during winters, these Valves can only be operated earliest in April. In meantime, the hoppers get completely clogged with the sediments and all these impurities make their way to the water conductor system and ultimately gets deposited over the bed of forebay reservoir. While on other hand, there are flash floods in the Ratang Nullah during May to August due to melting of snow in upper reaches. Flood water contains large contents of silt, pebbles, shingles etc. The quantum of these impurities is so much large that these

cannot be flushed out from the Desilting tank even if all the hoppers are kept open. These sediments ultimately fill up the Desilting tank. The impurities in this case also flow through the entire water conductor system and gets deposited over the bed of forebay reservoir. It is not possible to flush out the silt & other impurities from the forebay reservoir bed as the bends in the flushing pipe has been choked due to permanent setting of silt. The accumulation of silt & other impurities in the fore-bay reservoir causes substantial power generation loss as it limits the storage capacity of the reservoir and also, shut-downs have to be taken at regular intervals for removal of silt & other impurities through manual operations. Besides, this job also involves considerable expenditure.

ii) Mal operation of Gate at Penstock Intake: Due to ice formation in the gate grooves during winters, it is not possible to lower the gate provided at the take-off point for penstock in emergency. This has on one occasion resulted in flooding of the power house due to cracking of the penstock drain, valves. This Gate presently is being operated manually.

Recently, the trench weir, cement concrete protection provided downstream trench weir and wire crate protection provided at left bank of intake of 2MW Rong Tong HEP has been damaged badly due to heavy flash flood on 03.08.2024 (Annexure-D)

Therefore, the reason of low water discharge is the adverse climatic conditions during winter and frequent flood/cloud bursting in Spiti/Kaza valley during rainy season, the water intake sites of 2MW Rong Tong HEP . keep damaging every year.

B. Justification for installation of BESS

Site Specification/use case requirements of BESS: BESS will, not only feed supply in emergency situations, but also serve the following: BESS is designed for maximum flexibility with regard to site-specific voltages, frequency, phase imbalance and protection requirements. BESS will support the integration of intermittent resources into the grid by either eliminating or by reducing undesirable voltage and power fluctuations on host utility feeder or by firming the power delivered by the resource i.e. augmenting the power produced so that an expected output may reliably be achieved.”

“As intimated earlier that at present main source of power supply to the ED Kaza is from 66/22 kV Sub-Station at Pooh through 22 kV Pooh-Kaza feeder which is approximately 130 Km long, out of which 30

km falls in Kinnaur Distt. which has a very hard geographical area/conditions such as shooting stones, landslide etc as compared to Spiti geography. Due to the lengthy 22 kV network and mostly scattered load centres the voltage at receiving end remain very poor to the tune of 16 kV to 17 KV during peak hours and accordingly low voltage problem exists in Spiti during peak hours.

Therefore, BESS will help to improve grid voltage by acting as voltage regulators and responding quickly to disturbances or voltage drops. BESS will also help smooth out the output power of Solar PV plant by regulating voltage and power fluctuations.”

22. We have carefully gone through the above additional submissions.

23. It is apparent from the Petition that the earlier bidder M/s Sun Source Energy Private Limited has left the Project unconstructed and the contract with said firm has been rescinded. Subsequently, tender has been awarded to M/s Topsun Energy Limited Gujrat on 30.05.2023. The Project specific tariff has been claimed and rightly so, the Project is with BESS and this Commission in the above tariff order has not made any provision for tariff of Solar PV Projects with storage system. It is averred that the tariff for this project is required to be determined as specific project tariff because Kaza is situated at an elevation of 3,800 meters (12,500 ft.) above mean sea level and transportation charges, service charges, erection/installation charges are higher than rural and urban areas which will increase the capital cost of project. Therefore,

the tariff shall be Project specific keeping in view the above tough geographical conditions.

24. It is evident from the additional submissions that due to various issues and harsh winters, the existing 2.0 MW HEP at Rongtong is not enough to cater to all weather electricity supply to the area. As such, the proposed Project with BESS will help to improve the electricity supply in the area by regulating voltage and power fluctuations.

25. The Project is yet to be completed and commissioned as the proposed date of commissioning is 30.11.2024. No doubt, the tender has been awarded for an amount of Rs. 17.58 Crore, but the final construction cost is yet to be collected. Unless the Project is completed with BESS and the total construction cost is known and the detailed capital cost is submitted to the Commission, it would not be possible for the Commission to determine the Project Specific Tariff as claimed.

26. The Petition has been filed on 13.03.2024. The Commission vide Order dated 14.03.2024 in Suo Moto Petition No. 01 of 2024 has determined the generic levelised tariff for Solar PV Power Projects for FY 2024-25 as under :-

Sr. No.	Capacity	Generic levelised tariff (Rs. Per kWh)
1.	Projects to be set up in other than industrial areas and urban areas.	
(a)	Upto 1.00 MW	3.50
(b)	Above 1.00 MW & upto 5.00 MW	3.47
2.	Projects to be set up in industrial areas and urban areas	
(a)	Upto 1.00 MW	3.55
(b)	Above 1.00 MW & upto 5.00 MW	3.52

27. The capacity of the Project is 2.0 MWac. As per Sub-regulation (2) of Regulation 19 of the RE Regulations, 2017, the Commission may during the pendency of the Petition filed under Sub-regulation (1), allow, on such terms and conditions as it may consider necessary, a provisional tariff not exceeding the generic levelized tariff, if any, applicable to the relevant category. Since the Project is yet to be completed and the project specific tariff can be considered only on submission of a proper Petition with capital cost and all other detail, the Solar Project is entitled only for the provisional tariff which is Rs. 3.47 per kWh as per Order dated 14.03.2024 in Suo Moto Petition No. 01 of 2024.

28. The Joint Petitioners have agreed for the sale and purchase of Power. The HPSEBL is under an obligation to purchase solar power from the Project not exceeding 5.0 MW. The Petition is duly supported by the affidavits of the parties. The Commission under Sub-section (1)(b) of Section 86 of the Electricity Act, 2003 read with Regulation 50 and 50-A of the CBR, 2005 is empowered to grant consent for the approval of Power Purchase Agreement. Hence, the Petition succeeds and allowed and the PPA is ordered to be approved subject to the following terms and conditions:-

- (i) The provisional tariff of Rs. 3.47 (Rupee three and sixty two paisa only) is allowed in respect of the Project for a period of

one year and a provisional tariff of Rs. 6.0 per kWh after the commissioning of BESS till the determination of Project specific tariff. The provisional tariff of Rs. 6.0 per kWh after commissioning of the BESS shall be inclusive of the tariff of Rs. 3.47 per kWh.

- (ii) The project specific tariff shall be determined, on filing the Petition on commissioning of the Project with detail of capital expenditure, project report, operational data, capital utilization factor, site specific aspects, capital cost and expenses, calculation of adjustment of any subsidy/ incentive/ grant/ budgetary support by the central/ state Government etc. and all other details.
- (iii) The Clause 6.2 of the PPA shall be substituted as under:-
 - (a) Till the commissioning of BESS part, the HPSEBL shall pay for the Net Saleable Energy delivered and sold to it by the Company at the Interconnection Point at a fixed rate of **Rs 3.47 per kWh** determined as per Commission's order dated 14.03.2024, in Suo-Moto Petition No. 01 of 2024, in the matter of determination of generic levellised tariff for Solar PV Projects for FY 2024-25 (for the period w.e.f 01.04.2024 to 31.03.2025) under the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the renewable Energy Sources Terms & Conditions for the Tariff Determination) Regulations, 2017, and thereafter at a fixed rate of **Rs 6.0 per kWh** which shall be inclusive of the tariff of Rs. 3.47 per kWh.

- (b) The rates of **Rs 3.47 per kWh and Rs 6.0 per kWh** shall be provisional and the joint petitioners shall approach the Commission for determination of the project specific tariff as per Regulation 19 of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the renewable Energy Sources Terms & Conditions for the Tariff Determination) Regulations, 2017.
- (c) The charging/discharging record shall be maintained by company to prove healthiness of BESS on daily basis. If BESS is not functional for a week, tariff shall be applicable @3.47 per unit till BESS becomes functional.
- (d) The HPSEBL shall pay for the Net Saleable Energy delivered and sold to it by the Company at the Interconnection Point at a fixed rate of **Rs 6.0 per kWh**, inclusive of Rs. 3.47 per kWh only after the commissioning of the BESS component of the project. The Commission shall be intimated by the project developer (Joint Petitioner no. 2) within 7 days of the commissioning of the BESS part of the project.
- (e) The HPSEBL is also directed to maintain the Rongtong 2.0 MW HEP in its proper condition.

11. The terms and conditions of the Power Purchase Agreement shall be subject to provisions of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination)

Regulations, 2017, as amended from time to time and tariff order issued thereunder.

12. The Joint Petitioners are directed to execute the Power Purchase Agreement (PPA) as per the above order after carrying out the necessary additions and alterations within a period of 30 days from the date of this Order. Three copies of the executed PPA be submitted to the Commission for record.

13. Let a copy of this order be supplied to the Joint Petitioners forthwith.

The file after needful be consigned to records.

Announced

16.10.2024

-sd/-	-sd-	-sd-
(Shashi Kant Joshi) Member	(Yashwant Singh Chogal) Member(Law)	(Devendra Kumar Sharma) Chairman