

The HPSEBL and the HPPCL

Filing No. 105 of 2025

19.03.2025

Present: Sh. Kamlesh Saklani, Authorised Representative alongwith Sh. Lukesh Kumar, Chief Engineer (System Planning) for Joint Petitioner No. 1.
Sh. Vikas Chauhan, Ld. Advocate for the Joint Petitioner No. 2.

DAILY ORDER

The affidavit as directed vide order dated 12.03.2025 has come on record.

The parties stated that the meeting to discuss the feasibility of interim connection could not be held and that the issue may kindly be decided in way of affidavit submitted by the HPSEBL.

Heard. A perusal of the Petition shows that the Joint Petitioners have requested for the project specific tariff in respect of the Project with a provisional tariff till the determination of project specific tariff.

This Commission in Review Petition No. 110 of 2024 decided on 17.03.2024 has categorically held that the HPERC RE Tariff Regulations, 2017, as amended from time to time, are not applicable to the Solar PV Projects where the tariff has been determined through competitive bidding process as per the guidelines issued by the Govt. of India. Paras 54 and 55 of the said order are reproduced as under:-

54. *It is thus, clear from the Sub-regulation (2) of Regulation 3 of the above Regulations that these Regulations have no applicability where the tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Govt.*
55. *The Gol vide notification dated 19.01.2005 notified the competitive bidding guidelines under Section 63 of the Electricity Act, 2003 for procurement of solar power which have been modified from time to time. The Gol on 03.08.2017 also notified Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects vide notification No. 23/27/2017-R&R.-1. Clause 2.1 of these guidelines dated 03.08.2017 shows that procurement of electricity from grid connected Solar PV Power*

Projects having size of 5 MW and above shall be made through competitive bidding. Clause 2.1.1 reads as under:-

“2.1.1. These Guidelines are being issued under the provisions of Section 63 of the Electricity Act, 2003 for long term procurement of electricity by the ‘Procurers’ from grid-connected Solar PV Power Projects (‘Projects’) having size of 5 MW and above, through competitive bidding.”

The capacity of the Project is 10 MW. Therefore, this Commission is bound to follow the guidelines issued by the Govt. of India and therefore, the project specific tariff determination, as prayed for is not permissible.

However, the Project is likely to be synchronized soon and issue of the interim evacuation has also been raised in the Petition. In the circumstances, the Joint Petitioner No. 2 is directed to apprise the Commission on 24.03.2025 as to whether the tariff discovered by the SECI as per the competitive bidding guidelines issued by the Govt. of India is acceptable to it, failing which the Joint Petitioner No. 2 has to dispose of the power from the Project by sale in the open market through power exchanges.

List on 24.03.2025 at 11:30 AM.

Sd/-

(Shashi Kant Joshi)
Member

Sd/-

(Yashwant Singh Chogal)
Member (Law)

Sd/-

(Devendra Kumar Sharma)
Chairman