

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

Petition No.	162 of 2025
Date of Institution:	16.06.2025
Arguments Heard on:	01.07.2025
Decided on:	02.07.2025

CORAM

DEVENDRA KUMAR SHARMA
CHAIRMAN

YASHWANT SINGH CHOGAL
MEMBER (Law)

SHASHI KANT JOSHI
MEMBER

The HP State Electricity Board Ltd. through
Chief Engineer (System Operation),
Vidyut Bhawan, Shimla, HP-171004.

....Joint Petitioner No. 1.

AND

M/s Him Solar Energy Power Project,
Registered Office at Village Dhara,
Post Office Swahan, Tehsil Shri Naina Devi,
Distt. Bilaspur, H.P-174310,
through its Authorized Signatory, Sh. Dinesh Dhiman.

....Joint Petitioner No. 2.

Joint Petition under the provisions of Section 86(1)(b) of the Electricity Act 2003 read with Regulations 56 and 57 of the HPERC (Conduct of Business) Regulations, 2024, for approval of the Supplementary Power Purchase Agreement (Solar) in respect of M/s Him Solar Energy Power Project (500 kW).

Present:-

Sh. Kamlesh Saklani, Authorised Representative for the
Joint Petitioner No. 1.

Sh. Dinesh Dhiman, Authorised Representative for the
Joint Petitioner No. 2.

ORDER

This Joint Petition has been filed by the Himachal Pradesh State Electricity Board Ltd. (the Joint Petitioner No.1 or the HPSEBL for short) and M/s Him Solar Energy Power Project (the Joint Petitioner No. 2 for short) seeking approval of the Supplementary Power Purchase Agreement (SPPA for short) under Section 86 (1) (b) of the Electricity Act, 2003 (Act for short) read with Regulations 56 & 57 of the HPERC (Conduct of Business) Regulations, 2024, (CBR, 2024 for short) in respect of M/s Him Solar Energy Power Project (500 kW).

2. It is averred that the Joint Petitioner No. 1 was initially registered for the 400 kW Solar PV Project situated at Village Dhara, Post Office Swahan, Tehsil Shri Naina Devi, Distt. Bilaspur, H.P and a joint Petition was filed before the Commission on 21.03.2024, being Petition No. 45 of 2024 for the approval of the Power Purchase Agreement (PPA for short) which was allowed vide order dated 02.04.2024 and the parties signed the PPA at generic levellized tariff on 25.04.2024.

3. Further, the HIMURJA vide letter No. HIMURJA (F-7)/SPV Projects/ 2023-7952 dated 17.12.2024 has revised the capacity of the Project from 400 kW to 500 kW at the request of the Joint Petitioner

No. 2, as such, it has necessitated to sign the SPPA by amending the capacity of the Project as mentioned in PPA dated 25.04.2024.

4. We have heard Sh. Kamlesh Saklani, Authorised Representative for the Joint Petitioner No. 1 and Sh. Dinesh Dhiman, Authorised Representative for the Joint Petitioner No. 2 and have perused the entire record carefully. Sh. Dinesh Dhiman, Authorised Representative has submitted that not the Project will be governed by the tariff order dated 27.03.2025 in Suo Moto Petition No. 01 of 2025.

5. It is mentioned in the Petition that on the request of the Joint Petitioner No. 2, the HIMURJA has modified the capacity of the Solar Power Project from 400 to 500 kW. The Joint Petitioner No. 2 has placed on record the copy of provisional registration letter No. HIMURJA (F-7)/SPV Projects/ 2023-11063 dated 12.10.2023 in respect of Solar PV Project of 400 kW as also copy of letter No. HIMURJA (F-7)/SPV Projects/ 2023-7952 dated 17.12.2024 whereby the capacity of the Project has been enhanced from 400 kW to 500 kW at the request of the Petitioner with all other terms and conditions remaining the same.

6. The parties had signed the PPA on 25.04.2024 in respect of original capacity i.e. 400 kW, as per order dated 02.04.2024 in Petition No. 45 of 2024 wherein the tariff of Rs. 3.65 per kWh was

allowed as per the tariff order dated 04.11.2023 in Suo Moto Petition No. 6 of 2023. However, the Project has not been commissioned so far. Rather the capacity has been enhanced to 500 kW vide allotment letter dated 17.12.2024. Therefore, the Project is governed by the generic levelled tariff determined for the period w.e.f. 01.04.2025 to 31.03.2026 vide order dated 27.03.2025 in Suo Moto Petition No. 1 of 2025, which is valid till 31.03.2025. Thus, the Project is entitled to the tariff of Rs. 3.45 per kWh.

7. The parties have also signed the Supplementary Connection Agreement dated 06.03.2025 that the Joint Petitioner No. 1 has agreed to connect the Him Solar Energy Power Project (500 kW) at existing 11 kV Swarghat-Swahan emanating from 1x6.30 MVA 33/11kV Sub-station, Swarghat through solid tap with appropriate Protection arrangement.

8. The Petition is duly supported by the affidavits of the Joint Petitioners.

9. Since, the HIMURJA has enhanced/ modified the capacity of the Project from 400 kW to 500 kW vide letter dated 17.12.2024 and Supplementary Connection Agreement dated 06.03.2025 in respect of the revised capacity has been signed, the Joint Petitioners have made out a case for signing the Supplementary Power Purchase

Agreement by substituting the PPA signed on 25.04.2024. Hence, the Petition succeeds and allowed. The Supplementary Power Purchase Agreement is ordered to be approved subject to the following conditions:-

- (i) The tariff of Rs. 3.45 per kWh will be applicable to the Project of the Joint Petitioner No. 2 which will be subject to further adjustment of subsidy, if any, and is provisional.
- (ii) The Supplementary Connection Agreement dated 06.03.2025 and letter dated 17.12.2024 of the HIMURJA shall form part of the SPPA.
- (iii) This provisional tariff shall remain valid till 31.03.2027.
- (iv) Other terms and conditions of order dated 02.04.2024 in Petition No. 45 of 2024 shall remain the same.

13. The Joint Petitioners are directed to execute SPPA as per the above order after carrying out the necessary additions, alterations and deletions as per the above tariff order dated 27.03.2025 in Suo Moto Petition No. 1 of 2025 and RE Regulations, 2017, as amended from time to time, within 30 days from the date of this order. Three copies of the executed Power Purchase Agreement be submitted to the Commission for record.

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

The file after needful be consigned to records.

Announced
02.07.2025

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