

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub : In the matter of proposal for prescription of separate Renewable Purchase Obligation percentage for Solar Power and to direct Respondents towards execution of Power Purchase Agreement with Petitioner.

Petition No. 57 of 2010

ORDER

(Date of Hearing : 31st August, 2010)

(Date of Order : 3rd September 2010)

M/s Welspun Renewables Energy Ltd., Welspun House, 7 th Floor, Kamla City, Senapati Bapat Marg, Lower Parel (W), Mumbai.	-	Petitioner
V/s		
Secretary, Energy Department, GoMP	-	Respondent No.1
MP Urja Vikas Nigam Ltd., Bhopal	-	Respondent No. 2
M.P.Power Trading Co. Ltd., Jabalpur.	-	Respondent No. 3
M.P.Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur.	-	Respondent No. 4
M.P.Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal.	-	Respondent No. 5
M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore.	-	Respondent No. 6
MP State Electricity Board	-	Respondent No. 7

Shri Rajesh Peddu, DGM and Shri Vikas Dubey, Vice-President appeared on behalf of the Petitioner.

2. The petition is in the matter of proposal for prescription of separate Renewable Purchase Obligation percentage for Solar Power and to direct Respondents towards execution of Power Purchase Agreement with Petitioner. The Petitioner has made the following prayer :

- (a) Prescribe a separate Renewable Purchase Obligation (RPO) for Solar Power which is equal to atleast 2% of the total electricity consumption of the Distribution Licensee for period starting from FY 2013 and ending FY 2015.
- (b) Direct all Respondents to comply with the above Solar Renewable Purchase Obligation and execute the necessary Power Solar Agreement with Petitioner to this effect.

(Cont. to next page)

Sub : In the matter of proposal for prescription of separate Renewable Purchase Obligation percentage for Solar Power and to direct Respondents towards execution of Power Purchase Agreement with Petitioner.

3. During the motion hearing, the representative of the Petitioner prayed to the Commission to determine separate Renewable Purchase Obligation for solar for the obligated entities in Madhya Pradesh at the rate of 2% till FY 2011-12 and at the rate 3% starting from FY 2012-13 to FY 2014-15. The Commission informed that a draft of First Amendment to MPERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2008 proposing the Renewable Purchase Obligation for solar and non-solar sources of energy has already been issued by the Commission for seeking comments from stakeholders. The Petitioner may submit comments on the above draft Amendment by the due date and may participate in the scheduled public hearing in the matter. In view of the actions already taken by the Commission, the Commission observed that this part of the petition has been satisfied.

4. Regarding the second request for directing the Respondents to comply with the Solar Renewable Purchase Obligation, the Commission stated that once the revised Renewable Purchase Obligations are notified, the same shall be binding on all obligated entities. Thus, there is no need to issue any separate directions in this regard.

5. As regards the issuance of directions to execute the necessary Power Sale Agreement, the Commission, during the hearing, enquired from the Petitioner as to under what Section of the Electricity Act, 2003 or any other legal provisions, the Petitioner has made such a prayer. The Petitioner stated that the Renewable Energy Regulations of the Commission allow the developers to approach the Commission in case the Distribution Companies do not sign PPA. The Commission informed that such provisions would be effective only when the Distribution Companies have contracted for the entire capacity required to meet the mandated percentage of Renewable Purchase Obligations and a developer proposes to install capacity beyond this requirement. Since such a situation has not reached so far, the Commission's intervention is not called for.

6. With the above observations, the Petition No. 57 of 2010 stands disposed off.

Ordered accordingly,

(C.S.Sharma)
Member (Eco.)

(K.K.Garg)
Member (Engg.)

