



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 634/2017

Petition No.:14/2017

ORDER SHEET

31.07.2017

Before the Assam Electricity Regulatory Commission
ASEB Campus, Dwarandhar,
G. S. Road, Sixth Mile, Guwahati – 781 022
Assam Power Distribution Company limited (APDCL) ----- Petitioner

In the matter of

Petition No. 14 of 2017 filed by APDCL for approval of Purchase of 50 MW of Wind Power from PTC India Ltd under the MNRE Scheme for setting up of 1000 MW CTU Connected wind power

CORAM

Shri Naba Kr. Das Chairperson
Shri Dipak Chakravarty, Member
Shri Subhash C. Das, Member

ORDER

1. Assam Power Distribution Company Ltd (APDCL) has filed a Petition (registered as Petition No. 14 of 2017) for approval of Purchase of 50 MW of Wind Power from PTC India Ltd under the MNRE Scheme for setting up of 1000 MW CTU Connected wind power for fulfillment of RPO. The salient points of the Petition are:
 - a. MNRE vide scheme F.No.53/14/2016-WE has proposed to set up 1000 MW CTU connected Wind Power project through Competitive Bidding. For the said scheme, PTC India Ltd. has been selected as a Trading Company to sign Power Purchase Agreement (PPA) with the developer and Power Sale Agreement (PSA) with the buying DISCOMs. PTC India Ltd will be entitled to charge Trading margin over and above the price of power
 - b. Final discovered price under the reverse auction is Rs 3.46/kwh (excluding Trading margin).
 - c. As per the submitted draft PSA, APDCL will be receiving 50 MW Wind Power from M/S Mytrah Energy India Pvt. Ltd. (the developer) for 25 years.
 - d. The Ministry of Power, vide notification dated 30.09.2016 has waived off inter-state transmission charges and losses for inter-state sale of wind power projects that are awarded through competitive bidding for 25 years.
2. The Commission scheduled a Hearing at 12 noon on 31.07.2017. Mr. T.N.Dev Choudhury, CGM (Com), Mr. A.K.Goswami, GM (TRC) and Mr. N. Deb, AM (F & A) were present on behalf of Petitioner
3. The Commission initiated the Hearing, directing the Petitioner to clarify the following:
 - a. APDCL was directed to clarify whether they have negotiated with the PTC India Ltd for reducing the proposed Trading margin of 7 paise/kwh in the draft Power Sale Agreement (PSA), considering that 7 paise/kwh is the highest Trading margin that can be charged for Long Term.
 - b. As per the draft PSA, in case of default in payment, PTC India Ltd can make third party sale of power. However, no specific clause is there which specifies sharing of profit earned, if any, after meeting the dues of the developer.
4. The Petitioner clarified that they sought clarifications from PTC India Ltd. regarding the Trading Margin and it is clarified by them that PTC India Ltd will share 2paise/kwh out of the 7 paise/kwh of Trading margin with SECI. The Petitioner further stated that, all other State DISCOM has agreed to the said margin of 7 paise/kwh.

After scrutinizing the Petition and hearing the Petitioner, it is observed that the proposed power purchase of Wind Power is on a competitive basis under a National Scheme of MNRE and the same will be utilized for fulfillment of RPO, the Commission deems it fit to approve the Petition No 14/2017. However, APDCL may try to negotiate to modify the draft PSA in line with the observations made by the Commission.

Sd/-
Subhash Ch. Das
Member
AERC

Sd/-
(Dipak Chakravarty)
Member
AERC

Sd/-
(Naba Kumar Das)
Chairperson
AERC