



ASSAM ELECTRICITY REGULATORY COMMISSION

ORDER SHEET

FILE NO. AERC 785/2021

PETITION NO: 04/2021

CORAM: HON'BLE SHRI K.S. KRISHNA, CHAIRPERSON
HON'BLE SMTI B. BORTHAKUR, MEMBER
HON'BLE SHRI S.N. KALITA, MEMBER

In the matter of

Petition for adoption of tariff discovered through transparent competitive bidding process in respect of Jayanta Khaund at Region 2 (Goalpara, Bongaigaon, Barpeta, Nalbari, Kamrup (Rural) & Kamrup (Metro)).

AND

In the matter of

Assam Power Distribution Company Limited (APDCL)

----- Petitioner

Present

1. Shri Debajyoti Das, CGM (Com & EE), APDCL
2. Shri Bedabrata Sinha Choudhury, GM (NRE), APDCL
3. Md. Anamul Haque Laskar, GM (TRC), APDCL
4. Shri Sanjib Kumar Das, AGM (NRE), APDCL
5. Shri Nilmadhab Deb, AGM (F&A), APDCL
6. Shri Jayanta Khaund, Project Developer
7. Shri J.K. Sarma, Project Developer
8. Shri Abhishek Sarmah, Project Developer

ORDER 15.09.2021

1. Assam Power Distribution Company Limited (APDCL) filed a Petition for adoption of tariff determined through transparent competitive bidding process for procurement of 25 MW Solar Power from project developed by Jayanta Khaund at Region-2 (Goalpara, Bongaigaon, Barpeta, Nalbari, Kamrup (Rural) and Kamrup (Metro) before the Commission. The Petition was registered as **Petition No. 04 of 2021**.
2. The Petitioner prayed for-
 - (i) To approve the draft PPA to be entered into between the Solar Power Developer (SDP) and APDCL.
 - (ii) To adopt the tariff of Rs. 3.99 per unit for 25 MW of Solar power from project developed by M/s Jayanta Khaund from the date of SCOD.
 - (iii) To pass any such order as the Hon'ble Commission deems fit and proper under the circumstances of the case and in the interest of justice.
3. On scrutiny of the Petition certain discrepancies were noticed and query was raised before APDCL for clarification.
4. On the queries raised by the Commission, the Petitioner submitted their response on 2nd August, 2021.

5. The Petition No. 04/2021 was listed for hearing on 15.09.2021 and notices were issued accordingly to the Petitioner and the Project Developer.
6. The Petitioner and the Project Developer were heard on 15.09.2021.
7. During the course of hearing the Petitioner highlighted the salient features of the Petition and prayed before the Commission to approve the tariff and adopt the rate Rs. 3.99 per unit for 25 MW solar power discovered through competitive bidding.
8. The Commission raised the following issues and asked the Petitioner to explain the following-
 - (i) The RfS was prepared as per, MoP “Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects’ dated 3 Aug, 2017. Whether the guidelines were properly followed by APDCL?
 - (ii) Who is the competent authority to allow deviation from the Standard Bid Document?
 - (iii) The bid guidelines were changed at what stages in RfP and why?
 - (iv) Status of land.
 - (v) Justification for such high rate as compared to Solar PV projects in other states.
9. The Petitioner couldn’t provide any of the required information and sought some time to produce the same. The petitioner also mentioned that, APDCL is the competent authority to change the guidelines. However, APDCL could not reply on changes made in bid guidelines.
10. Regarding the status of land, the Project Developer stated that the land was identified at AIDC Rangjuli, but was cancelled due to forest issues. The developer is exploring land at Tea estate but is yet to finalize the land for the project.
11. Upon hearing the Petitioner, the Commission directed to submit documentary evidence of APDCL as the competent authority and allowed three weeks (03) time to submit the reply on the queries raised by the Commission.
12. The next date of hearing will be notified in due course of time.

s/d

(S.N. Kalita)
Member, AERC

s/d

(B. Borthakur)
Member, AERC

s/d

(K. S. Krishna)
Chairperson, AERC