



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 521/2015/Pt I

Petition No: 14/2016
Interlocutory Petition No.:3/2016

ORDER SHEET

29.08.2016

Before the Assam Electricity Regulatory Commission
ASEB Campus, Dwarandhar,
G. S. Road, Sixth Mile, Guwahati – 781 022

Marahar Power Controls Pvt. Ltd. ----- Petitioner
Assam Power Distribution Company limited (APDCL) ----- Respondent-1
Assam Electricity Grid Corporation Limited (AEGCL) ----- Respondent-2

Representative for Petitioner:

Mr. Miresh Sheth
Mr. Lalit Kumar Chaturvedi
Mr. Vikas Bhat

Representative for Respondent 1:

Mr. M.K Adhikary, CGM (Commercial)
Mr. K. Goswami, DGM (Com)
Mr. A.K Goswami DGM NRE
Mr. Pradip Goswami, AGM NRE
Mr. A.N Dev Choudhury AGM (TRC)
Mr. Indrajit Tahbaldar DM, Com (Tariff)

Representative for Respondent 2:

Mr. Karuna Sarma, DGM

In the matter of

Hearing dated 29.08.2016 on the Petition No. 14 of 2016 and an Interlocutory Petition No 03 of 2016 filed by Marahar Power Controls Pvt. Limited requesting for determination of Tariff for their 10 MW Solar PV plant proposed to be set up at Mikirgrant, Bamuni-Mouza Chalchali Nagaon Assam.

CORAM

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

ORDER

1. A Hearing was held on 29th August, 2016, on the Petition No. 14 of 2016 and an Interlocutory Petition No.03 of 2016 filed by Marahar Power Controls Pvt. Limited requesting for determination of Tariff for their 10 MW Solar PV plant proposed to be set up at Mikirgrant, Bamuni-Mouza Chalchali Nagaon Assam.
2. The MOU with APDCL was signed and extended upto 15/05/2016 which has expired now .A request letter for extension of MOU has already been submitted to APDCL by the petitioner but, till date, no reply has been received by the developer from the utility.
3. A letter has been written to APDCL and AEGCL by the petitioner on power evacuation plan a copy of which has been submitted to AERC. Till date no reply from APDCL and AEGCL has been received by the petitioner regarding the evacuation of power.

4. APDCL mentioned that, fulfillment of RPO obligation on solar power is already completed for the FY 2015-16. The representative of the Respondent 1 prayed to the Commission that there should not be any obligation for them to purchase of excess energy generation from solar after their fulfillment of RPO obligation on solar power. The Respondent No 1 also drew attention to the advice given by the Commission to the State Government vide letter No AERC/94/2004/13 dated 30th May 2016 and requested that the matter may be clarified. The Commission may also while determining the Tariff considers the CERC generic Tariff.
5. The Commission heard both the Petitioner & Respondent and ordered the following:
 - 5.1 The Commission directed the Respondent 1 to clarify the position regarding renewable of MoU/PPA with the petitioner which has expired and submit the clarification on the execution of the PPA to the Commission within the next 30 days.
 - 5.2 The Commission reiterated that the present RPO trajectory may not be same over the years and it may increase keeping in mind the guidelines issued by the Ministry of Power, (MOP) and the latest National Tariff Policy. However, the Commission emphasized on the point that APDCL should endeavor to procure power from renewable energy sources as the local generation is not sufficient to meet the present energy demand of the state and also to encourage generation from RE sources.
 - 5.3 The Commission directed APDCL to read the advice offered to the Government of Assam vide letter No AERC/94/2004/13 dated 30th May 2016 in totality, keeping in mind the guidelines laid down by latest National Tariff Policy on the matter regarding the procurement of Renewable energy by the Distribution Utilities. The Commission clearly indicated in the said letter that the Solar Power projects which are proposed to be set up by various entrepreneurs in Assam and have signed MoU/PPA with APDCL till 30th May 2016 may sell power to APDCL at the rate determined by the Commission. However, the Commission also directed APDCL not to consider any new MoU/PPA with the prospective solar developers till a policy decision is taken by State Government.
 - 5.4 The Commission directed the petitioner to publish notice giving a brief summary of their Solar Project in local daily News-papers and also the information to be made available in their Web-site within next seven days from date of this order. The Petitioner should get the draft notice approved by AERC which will be given within 24 Hrs of submission.
 - 5.5 The Commission also directed the Petitioner and the Respondents (APDCL and AEGCL) to have a joint meeting and to arrive at a mutually acceptable decision on the power evacuation plan. The Commission also asked both the parties to sort out all other technical matters.

Sd/-
(Subhash Ch. Das)
Member
AERC

Sd/-
(Dipak Chakravarty)
Member
AERC

Sd/-
(Naba Kumar Das)
Chairperson
AERC