

Petition for RPO Compliance for FY 2023-24 for Jubilant Infrastructure Ltd

Submitted Before:
Gujarat Electricity Regulatory Commission,
Gandhinagar

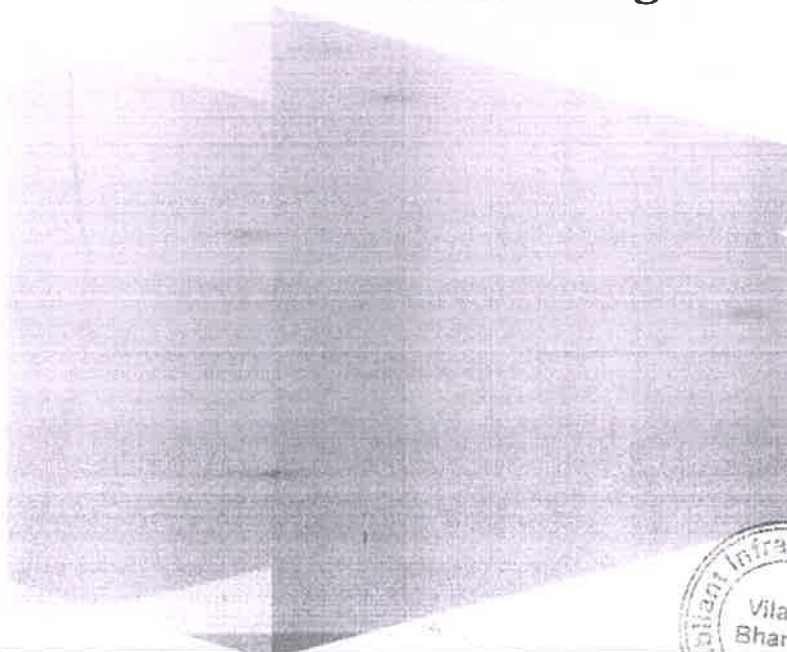


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LIST OF ABBREVIATIONS

S.No	Abbreviation	Expansion
1.	Act	Electricity Act 2003
2.	JIL	Jubilant Infrastructure Limited
3.	FY	Financial year
4.	GERC	Gujarat Electricity Regulatory Commission
5.	PPA	Power Purchase Agreement
6.	DGVCL	Dakshin Gujarat Vij Company Limited
7.	PX	Power Exchange
8.	RPO Regulations	Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations. 2010
9.	RPO	Renewable Purchase Obligation



CHAPTER 1: INTRODUCTION

1.1 COMPANY PROFILE

The Petitioner, Jubilant Infrastructure Limited (JIL), is a company incorporated in 2008 under the Companies Act, 1956 and is a wholly owned subsidiary company of Jubilant Life Sciences Limited. JIL is developing a sector-specific Special Economic Zone (SEZ) for Chemicals at Vilayat, District: Bharuch. The area of JIL-SEZ is about 125.72.42 hectares.

The Ministry of Commerce and Industry, Government of India has approved JIL as a Developer to set up Infrastructure facilities in the JIL SEZ area.

JIL, by virtue of the Notification No. 528 (E) dated 3rd March 2010, issued by the Department of Commerce, Government of India, obtained the status of deemed distribution licensee. The Commission vide its letter no. GERC/Legal/2011/SEZ/123 dated 18/01/2011 recognized M/s. Jubilant Infrastructure Ltd. as a deemed distribution licensee for distribution of electricity in the JIL-SEZ area at Vilayat, Bharuch district.

1.2 BACKGROUND HISTORY OF THE PETITION

The Jubilant Infrastructure Limited (hereinafter referred to as "JIL", or the Petitioner), a distribution licensee, filed this petition as first petition as Distribution Business of JIL has started from 26th August, 2023 inline with the Hon'ble GERC Order in Petition No. 2226 of 2023 dated August 03, 2023. Prior to 26th August, 2023 JIL was procuring power from DGVCL as HTP-1 category consumer and no obligation is lying with JIL to fulfil its RPO compliance.

Operationalisation of Distribution License

The Petitioner would like to submit that although the Petitioner has taken the Distribution License from Commission vide its letter no. GERC/Legal/2011/SEZ/123 dated 18/01/2011 but on account of certain

Jubilant Infrastructure Ltd



reasons such as low load demand, variability in load and being new to the distribution business, the distribution activities not taken forward to move as Licensee at that point of time in the year 2012-13.

Thereafter, the Petitioner approached the Commission and filed a petition during June 2021 after readiness of the distribution Network at SEZ area having a clear insight about present load in its license area including the future load demand area. The Petitioner prayed before the Commission to allow the Petitioner to start distribution business in license area as a distribution licensee. Upon the request of the Petitioner, the Commission vide its Order dated 22.07.2021 allowed the Petitioner to initiate operations as a distribution licensee and to source power directly from other distribution companies, generating sources, power exchanges and other option available in Indian Power Market and to get the benefit of competitive power market pricing, under various time horizons as per load requirements.

1.2.1 Approval for Power Procurement Plan

As directed by the Commission in earlier Tariff Order in Case No 1220 of 2012 on 29th September 2012, the Petitioner approached the Commission with the petition seeking approval of Power Procurement Plan (01st July 2023 to 30th June 2024), adoption of Tariff discovered through competitive bidding, approval for executing Power Purchase Agreement with bidder, purchase of balance power from Dakshin Gujarat Vij Company Limited (DGVCL) and Power Exchange (PX) under the provisions of Sections 63 and 86 (1) (b) of the Electricity Act, 2003 read with guidelines under Notification No. 02 of 2013 – GERC (Guidelines for Procurement of Power by Distribution Licensees), 2013.

The Commission vide order dated 03.08.2023 in Petition No 2226 of 2023 accord its approval for procurement of power through following ways with certain modification in the PPA to be signed with generator

1. 4 MW power from Philips Carbon Black Ltd as per the rate discovered in competitive bidding conducted on DEEP portal for the period from 1.07.2023 to 30.06.2024
2. 8 MW from DGVCL by executing the PPA for the period of one year starting from 01.07.2023.
3. Procurement of power, if any required, from the Power Exchanges or any other means or through entities via bilateral mode as permissible under GERC Regulations.

1.3 STRUCTURE OF PETITION

The Petitioner is submitting the present Petition for RPO Compliance for FY 2023-24 as per GERC (Procurement of Energy from Renewable Sources) Regulations, 2010.

The Petition includes the following Chapters:

- a) Chapter 1: Introduction
- b) Chapter 2: Executive summary
- c) Chapter 3: Submission of Petitioner and Prayers
- d) Annexure A: Copy of RECs



CHAPTER 2: EXECUTIVE SUMMARY**2.1 Summary of Power Purchase to be considered for RPO Compliance for FY 2023-24**

Particulars	UoM	FY
Energy sale to end consumers	MU	33.34
Distribution Losses	%	1.34%
Distribution Losses	MU	0.45
Energy Requirement at the Periphery of distribution Licenses	MU	33.34

2.2 Summary of RPO Compliance for FY 2023-24

Particulars	Amount
Power Purchase (MUs)	33.34
RPO % (Solar - 9.5%+Wind - 8.4%+Hydro - 0.05%+Others - 0.75%)	18.70%
RPO Obligation for the year (in MUs)	6.235
REC Required for compliance (Numbers)	6,230
REC Procured during FY 2023-24	6,259
Surplus/(Shortfall)	29

CHAPTER 3: Submission of the Petition**3.1 The petitioner's submission to the Hon'ble Commission**

- The Hon'ble Commission in exercise of the powers conferred under section 61, 66, 86 (1) (e) and 181 of the Electricity Act, 2003 (36 of 2003) has made the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 for promoting the sale of power from renewable energy sources and procurement of energy from renewable sources by distribution licensee within the state of Gujarat vide its Notification No. 3 of 2010 dated 17.04.2010 (herein after referred as RPO Regulations). In the RPO Regulations and its subsequent amendments, the Hon'ble Commission has specified the minimum percentage for the procurement of power from wind, solar and other sources.

2. Regulation 4 of the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 along with the GERC (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 and the GERC (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018, reads as under:

“4. Quantum of Renewable Purchase Obligation (RPO)

Each distribution licensee shall purchase electricity (in kWh) from renewable energy sources, at a defined minimum percentage of the total consumption of its consumers including T&D losses during a year. Similarly, Captive and Open Access user(s) / consumer(s) shall purchase electricity (in kWh) from renewable energy sources, at a defined minimum percentage of his/her total consumption during a year.

The defined minimum percentages are given below:

Table 1: Minimum Quantum of purchase (in %) from renewable energy sources

Year	Non-Solar RPO		Solar RPO	Total RPO
	Wind	Other (Biomass, Bagasse, Hydro & MSW etc)	Solar	
1	2	3	4	5
2017-18	7.75%	0.5%	1.75%	10.0%
2018-19	7.95%	0.5%	4.25%	12.70%
2019-20	8.05%	0.75%	5.50%	14.30%
2020-21	8.15%	0.75%	6.75%	15.65%
2021-22	8.25%	0.75%	8.00%	17.0%
2022-23	8.25%	0.75%	8.00%	17.0%
2023-24	8.40%	0.75%	9.50%	18.70%

Provided that:

- a. *Hydro power Purchase Obligation (HPO) shall be met from the power procured from eligible large hydro power projects (LHPs) including pump storage*

projects having capacity of more than 25 MW commissioned on and after 08.03.2019 and upto 31.03.2024 in respect of 70% of the total generated capacity for a period of 12 years from the date of commissioning. Free power to be provided as per the agreement with the State Government and that provided for Local Area Development Fund (LADF), shall not be included within this limit of 70% of the total generated capacity.

Provided also that hydro power imported from outside India shall not be considered for meeting HPO.

- b. Further to facilitate compliance of HPO, Hydro Energy Certificate mechanism as available to be utilised by obligated entities.*
- c. HPO liability of the State/Discom could be met out of the free power being provided to the State from LHPs commissioned after 08.03.2019 as per agreement at that point of time excluding the contribution towards Local Area Development Fund (LADF), if consumed, within the State/Discoms. Free power (not that contributed for Local Area Development) only to the extent of HPO liability of the State/Discom shall be eligible for HPO benefit.*
- d. If the above-mentioned minimum quantum of power purchase either from Solar or Wind or Large Hydro Power Plant of capacity above 25 MW and commissioned after 8th March, 2019 as per MoP, Government of India Notification No. F. No. 15/2/2016-H-I (Pt.) dated 08.03.2019 or Others (including Biomass, Bagasse & Bio-fuel based cogeneration, MSW and Small/Mini/Micro Hydro) is not available in a particular year, then in such cases, additional renewable energy available either from Solar or Wind or Large Hydro Power Plant of capacity above 25 MW and commissioned after 8th March, 2019 as per MoP, Government of India Notification No. F. No. 15/2/2016-H-I (Pt.) dated 08.03.2019 or Others shall be utilised for fulfilment of RPO.”*

3. As provided in the above table, the RPO for FY 2023-24 has been fixed at 18.70% consisting of 8.40% from Wind, 9.50% from Solar and 0.80% from ‘Others’ category of Renewable Sources of energy.

4. Further, Regulation 5 of the Principal Regulations provides an alternate mechanism for fulfilment of RPO which reads as under:

“5. Certificates under the Regulations of the Central Commission 5.1 Subject to the terms and conditions contained in these Regulations, the Certificates issued under the Central Electricity Regulatory Commission’s (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 shall be the valid instruments for the discharge of the mandatory obligations set out in these Regulations for the obligated entities to purchase electricity from renewable energy sources.....”

5. The Hon’ble APTEL in its judgement dated 25.04.2014 in Appeal No. 24 of 2013 and IA No. 39 of 2013 directed the State Commission that after completion of the financial year, the State Commission has to review the actual performance in respect of RPO and pass necessary directions as per the Regulations either suo-moto or on a petition filed by an obligated entity. Such review should be subjected to public notice to invite suggestions and objections from all the stakeholders.

6. In view of the above mentioned Regulations and directives, The Petitioner submits the RPO compliance details for FY 2023-24:

i. The power purchase by JIL from various sources during FY 2023-24 is as below

Table 2: Total power purchased during FY 2023-24

Quarter	Power from DGVCL (MU’s)	Power from Power Exchange (MU’s)	Power from PCBL (MU’s)	Total Power consumed (MU’s)
1 st Quarter	0	0	0	0
2 nd Quarter	1.42	1.91	3.27	6.60
3 rd Quarter	1.55	3.67	8.18	13.40
4 th Quarter	1.15	3.98	8.20	13.33



FY 2023-24	4.12	9.56	19.65	33.34
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- ii. The RPO targets applicable on power purchase from power exchange under open access in various quarters are calculated as below:

Table 3: RPO targets on purchases

Quarter	Total Power Purchase (MU's)	Target Wind (MU's)	Target Biomass, Bagasse, Hydro & MSW (MU's)	Target Solar (MU's)	Total Target (MU's)
RPO Targets		8.40%	0.75%	9.50%	18.70 %
1st Quarter	0	0	0	0	0
2nd Quarter	6.60	0.56	0.05	0.63	1.24
3rd Quarter	13.40	1.13	0.10	1.28	2.51
4th Quarter	13.33	1.11	0.10	1.27	2.48
FY 2023-24	33.34	2.80	0.25	3.18	6.23

As per relevant regulations target, 6.23 MU's are required to be purchased from Renewable sources or 6230 numbers of RECs to be procured by the Petitioner for fulfillment of Renewable Power Purchase obligation for the FY 2023-24.

Considering the above, Petitioner procured 6259 number of RECs during the Financial Year 2023-24. Details of procurement of REC is as below :

Table 3: REC Procured details for FY 2023-24

Quarter	REC to be procured (Nos)	REC Procured (Nos)	Short / (Excess) (Nos)	Purchase Date (Nos)	Certificate No. and Date

1 st Quarter	0	0	0	0	
2 nd Quarter	1240	4000	(2760)	28-Nov-23	PTC-REC BT-032 dt. 30.11.2023
3 rd Quarter	2510	1800	710	01-Mar-2024	PTC-REC BT-070 dt. 01.03.2024
4 th Quarter	2480	459	2021	15-Apr-2024	PTC-REC BT-106 dt. 15.04.2024
FY 2023-24	6230	6259	29		

7. In view of the aforesaid submitted details, The Petitioner would like to highlight that under para 2 (d) of Regulation 4.1 of the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 read with subsequent amendments that

d. If the above-mentioned minimum quantum of power purchase either from Solar or Wind or Large Hydro Power Plant of capacity above 25 MW and commissioned after 8th March, 2019 as per MoP, Government of India Notification No. F. No. 15/2/2016-H-I (Pt.) dated 08.03.2019 or Others (including Biomass, Bagasse & Bio-fuel based cogeneration, MSW and Small/Mini/Micro Hydro) is not available in a particular year, then in such cases, additional renewable energy available either from Solar or Wind or Large Hydro Power Plant of capacity above 25 MW and commissioned after 8th March, 2019 as per MoP, Government of India Notification No. F. No. 15/2/2016-H-I (Pt.) dated 08.03.2019 or Others shall be utilised for fulfilment of RPO.

8. As the Petitioner procured the requisite number of RECs to fulfill its RPO obligation for the FY 2023-24 it requests the Hon'ble commission to consider and approve RPO Compliance of FY 2023-24.

3.2 Prayer to the Hon'ble Commission: -

It is most respectfully prayed that this Hon'ble Commission may be pleased to:

- a) Admit the RPO Compliance Petition for FY 2023-24.
- b) Allow exemption towards RPO Compliance of JIL for the period from 01.04.2023 to 25.08.2023 as licence activity started from 26.08.2023 and power for the licensee period was taken from DGVCL as HTP-1 consumer.
- c) Allow relaxation towards RPO Compliance of JIL for FY 2023-24.
- d) Afford reasonable opportunity of personal hearing before passing any orders in the matter.
- e) Allow additions/ alterations/ changes modifications to the application at a future date.
- f) Allow any other relief, order or direction, which the Hon'ble Commission deems fit to be issued.
- g) Condone any inadvertent omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter this filing and make further submissions as may be required at a future date.

Declaration that the subject matter of above petition has not been raised by the Petitioner before any other competent forum, and that no other competent forum is currently seized of the matter or has passed any orders in relation thereto.

For Jubilant Infrastructure Ltd.

(Authorized Signatory)

Date: - 13/05/2025

Place: - Bharuch

