

adani

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Ports and
Logistics

Please accept the fees subject to
verification of GER (Fees, Fines &
Charges) Regulations.

Varun (Executive-Legal)
06/08/20

A.O/ As per MR No. 4574 H.G/16
of RS. 10,000 = 00 Received by MEF

Date: 30th Jul, 2020

Ref: MUL/GERC/RPO/2019-20/30072020

To,
The Secretary,
Gujarat Electricity Regulatory Commission (GERC)
6th Floor, GIFT ONE,
Road 5-C, Zone 5, GIFT CITY,
Gandhinagar-382355, Gujarat - India

AD (Legal) / Ex (Legal)
Process
PK
04/08/2020
G/8/20

Sub.: Submission of Petition for RPO Compliance of MUL for FY 2019-20

Dear Sir,

We file herewith the application (Original + 4 copies) for RPO compliance, as per GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and its amendments, of MPSEZ Utilities Limited for FY 2019-20 for kind consideration of the Hon'ble Commission.

Detail of the payment for this application is as below:

Particulars	Details
(1) Name of the Petitioner/Applicant	MPSEZ Utilities Limited
(2) Address of the Petitioner/ Applicant	Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S.G. Highway, Khodiyar, Navrangpura, Ahmedabad - 382 421
(3) Petition No., if any	
(4) Subject Matter	RPO Compliance of MUL for FY 2019-20
(5) Details of fee remitted:	
(a) UTR No.	AXISCN0054474340
(b) Date of remittance	29-07-2020
(c) Amount remitted	10,000/-
(d) Bank name & Branch	Axis Bank Ltd., Law Garden

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

For MPSEZ Utilities Limited

Authorized Signatory

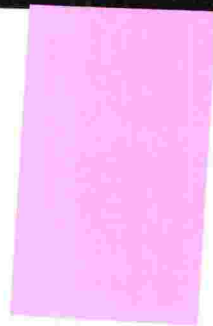


MPSEZ Utilities Limited
(Formerly MPSEZ Utilities Private Limited)
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle, S. G. Highway,
Khodiyar, Ahmedabad - 382421
Gujarat, India

Tel: +91 79 2555 5801
Fax: +91 79 2555 6490
info@adani.com
www.adani.com
CIN: U45209GJ2007PLC051323

GERC
Inward No - 2841
Date: 4 AUG 2020

Registered Office: Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S. G. Highway, Khodiyar, Ahmedabad - 382421, Gujarat, India



Government of Gujarat



સત્યમેવ જયતે

Rs.
50

Certificate of Stamp Duty

Certificate No. : IN-GJ17620623122764S

Certificate Issued Date : 28-Jul-2020 11:44 AM

Account Reference : IMPACC (AC)/ gj13042811/ MUNDRA/ GJ-BJ

Unique Doc. Reference : SUBIN-GJGJ1304281173842094029334S

Purchased by : SHAH NIRAV ANILBHAI

Description of Document : Article 4 Affidavit

Description : AFFIDAVIT

Consideration Price (Rs.) : 0
(Zero)

First Party : SHAH NIRAV ANILBHAI

Second Party : Not Applicable

Stamp Duty Paid By : SHAH NIRAV ANILBHAI

Stamp Duty Amount(Rs.) : 50
(Fifty only)



LB 0003179597



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BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR

Filing No. 18849 new
Case No. _____

IN THE MATTER OF

Filing Petition for Compliance of the Gujarat Electricity Regulator Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission

AND

PETITIONER

MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle,
S.G Highway, Khodiyar,
Ahmedabad - 382 421



THE PETITIONER RESPECTFULLY SUBMIT AS UNDER:

1. MPSEZ Utilities Limited (hereinafter referred to as "MUL" or "Petitioner") (Formerly known as MPSEZ Utilities Private Limited) is a company incorporated under the Companies Act, 1956 having its registered office at Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S.G. Highway, Khodiyar, Ahmedabad-382 421.
2. 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, the Hon'ble Commission has specified the minimum percentage for the procurement of power from Wind, Solar and Other Sources for the period from FY 2010-11 to FY 2012-13.
3. Subsequently, the Hon'ble Commission has issued the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 vide notification no. 2 of 2014 dated 04.03.2014. The Hon'ble Commission has fixed the RPO targets for the obligated entities through the aforesaid regulations for the period from FY 2010-11 to FY 2016-17.

Nirav Shah



4. The Hon'ble Commission has notified the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018 vide notification no. 1 of 2018 dated 21.04.2018. The Hon'ble Commission has fixed the RPO targets for the obligated entities through the aforesaid regulations for the period from FY 2017-18 to FY 2021-22.
5. The RPO target specified by the Hon'ble Commission to be fulfilled by the obligated entities during FY 2019-20, as per Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018, are as under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in term of energy in kWh)			
	Total	Wind	Solar	Others (Biomass, Bagasse, MSW, etc.)
2019-20	14.30	8.05	5.50	0.75

6. The Petitioner has achieved RPO of 19.75% against 14.30% stipulated in GERC (Procurement of Energy from Renewable Energy Source) (Second Amendment) Regulation, 2018 for FY 2019-20.

The status of RPO compliance for FY 2019-20 is tabulated as under,

Particular	FY 2019-20
Energy Requirement in MUs	341.48
RE Procurement	
Wind Energy to be procured (@ 8.05%)	27.49
Solar Energy to be procured (@ 5.50%)	18.78
Biomass/Biogas/Others (@ 0.75%)	2.56
Total (@ 14.30%)	48.83
Compliance (Non-Solar)	
Wind in MUs	50.36
Non-Solar REC in MUs	0.00
Compliance in MUs	50.36
Compliance (as % of Energy Requirement)	14.75%
Compliance (Solar)	
Solar in MUs	7.59
Solar REC in MUs	9.55
Compliance in MUs	17.13
Compliance (as % of Energy Requirement)	5.02%
Total Compliance (as % of Energy Requirement)	19.76%
Total Shortfall/(Surplus) in MUs	(18.66)

Khizar Shah



7. The Petitioner would like to submit that they have complied with the RPO requirement for FY 2019-20. However, there is a surplus of 18.66 MUs on overall basis.
8. The Petitioner respectfully submit that it has made necessary arrangement to fulfill its obligation by entering into long term power purchase agreement. Accordingly, the Petitioner has achieved Non-solar RPO of 14.75% against the prescribed RPO of 8.80%.
9. The Petitioner respectfully submit that it has fulfill its obligation by using renewable attribute of Solar Projects for captive consumptions of its consumer as per Gujarat Solar Policy – 2015 and Purchase Renewable Energy Certificates (RECs) for remaining, in view of Regulation 5.1 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010. Accordingly, the Petitioner has achieved solar RPO of 5.02% against the prescribed RPO of 5.50%.
10. The petitioner would like to highlight that the clause 4.1 and 4.2 of the GERC (Procurement of energy from Renewable Sources) Regulation, 2010 and subsequent amendments provides that

"4.1 Each distribution licensee shall purchase electricity (in KWh) from renewable 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 in the table.

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in term of energy in kWh)			
	Wind	Solar	Others (Biomass, Bagasse, MSW, etc.)	Total
(1)	(2)	(3)	(4)	(5)
2019-20	8.05	5.5	0.75	14.30

If the above mentioned minimum quantum of power purchase either from solar or wind or Others (Including Biogas, Biomass, Bagasse, Hydro and MSW) is not available in a particular year of FY 2017-18 to 2021-22, then in such cases, additional renewable energy available either from Solar or Wind or Others shall be utilized for fulfillment of RPO in accordance with Column 5.

"4.2 The Commission may, suo-motu or at the request of a licensee, revise the percentage targets for a year as per clause 4.1 of these Regulations keeping in view supply constraints or other factors beyond the control of the licensee."

Kiran Shah



Hence, Aforesaid regulation confers powers upon commission to allow shortfall of Solar RPO to be compensated through surplus of Non-solar RPO in line with GERC (Procurement of energy from Renewable Sources) Second Amendment, 2018 Regulation.

11. Based on details submitted herein above, the Petitioner humbly requests the Hon'ble Commission to kindly allow to compensate shortfall of 1.65 MUs solar RPO by surplus of 20.31 MUs Non-Solar RPO for FY 2019-20 as reasons for shortfall, were beyond the control of the Petitioner.

Prayers:

In the facts and circumstances mentioned above, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

- a. Consider the submissions as above.
- b. Allow to compensate shortfall of Solar RPO with surplus Non-Solar RPO for FY 2019-20.
- c. Allow additions / alterations / changes modifications to the submissions.
- d. Condone any inadvertent omissions/errors/shortcomings.
- e. Afford reasonable opportunity of personal hearing before passing any orders in the matter.
- f. Grant any relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.



For, MPSEZ Utilities Limited

Place: Mundra

Date: 28.07.2020

Nirav Shah

(Authorized Signatory)



**BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR**

Filing No. _____

Case No. _____

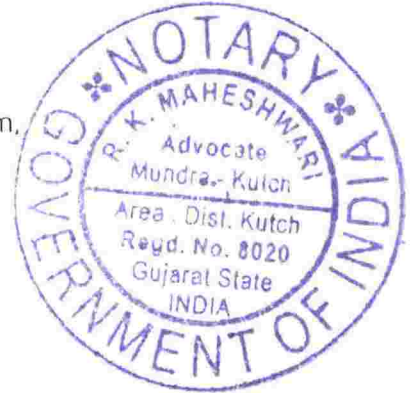
IN THE MATTER OF

Filing Petition for Compliance of the Gujarat Electricity Regulator Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission

AND

PETITIONER

MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle,
S.G Highway, Khodiyar,
Ahmedabad - 382 421



AFFIDAVIT IN SUPPORT

I, Nirav Anil Shah, son of Shri Anil Madhusudan Shah aged about 50, on behalf of MPSEZ Utilities Limited, Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S.G Highway, Khodiyar, Ahmedabad - 382 421, do hereby solemnly affirm and state as under :

1. I say that I am duly authorized by Petitioner Company and am conversant with the facts of the present case and hence, competent to swear the present affidavit.
2. I say that I have read contents of the accompanying submissions and I have understood the contents of the same.
3. I say that the contents of the accompanying submissions are based on the records of petitioner maintained in normal course of business and believed by me to be true.

Nirav Shah
DEPONENT

VERIFICATION

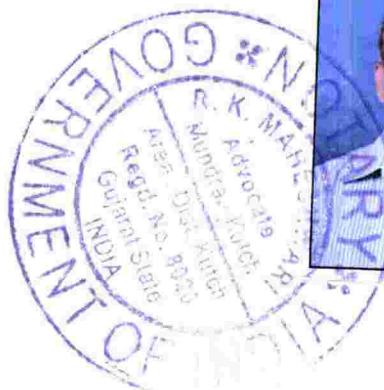
I, the deponent above named, do hereby verify the contents of the above affidavit to be true to the best of my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Ahmedabad on this 28th day of July, 2020

Nirav Shah
DEPONENT

30896/20
28/7/2020

Signed Before me
[Signature]
RAVILAL K. MAHESHWARI
Advocate Notary
At - Mundra Dist. - Kutch
Gujarat (India)



adani

Ports and
Logistics

Ref: MUPL/GERC/RPO/2019-20/18082020
Date: 18th August, 2020

To,

The Secretary,
Gujarat Electricity Regulatory Commission (GERC)
6th Floor, GIFT ONE,
Road 5-C, Zone 5, GIFT CITY,
Gandhinagar-382355, Gujarat - India

Sub.: Declaration for MUPL Petition of RPO Compliance for FY 2019-20

Ref.: 1. MUPL Petition for RPO compliance for FY 2019-20 dated 04.08.2020
2. GERC/Legal/2020/No.0881 dated 13.08.2020

Dear Sir,

In reference to the petition filed by MPSEZ Utilities Limited (Petitioner) for RPO compliance for FY 2019-20 on 04.08.2020, we hereby give the following declaration to the Hon'ble Commission:

"Petition for RPO compliance for FY 2019-20 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".

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

For MPSEZ Utilities Limited

Authorised Signatory



MPSEZ Utilities Limited
(Formerly MPSEZ Utilities Private Limited)
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle, S. G. Highway,
Khodiyar, Ahmedabad - 382421
Gujarat, India

Tel: +91 79 2555 5801
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info@adani.com
www.adani.com
CIN: U45209GJ2001PLC051323

Registered Office: Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S. G. Highway, Khodiyar, Ahmedabad - 382421, Gujarat, India