

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
AT PANCHKULA**

Case No. HERC/PRO-46 of 2019

Date of Hearing : 22.01.2020

Date of Order : 22.01.2020

In the Matter of

Petition under Section 62 of the Electricity Act, 2003 for determination of tariff of 1.2 MW Biogas-based power plant.

Petitioner

M/s. MOR Bio Energy Private Limited.

Respondents

1. Haryana Power Purchase Centre, Panchkula (HPPC)
2. Haryana Renewable Energy Development Agency (HAREDA)

Present On behalf of the Petitioner

1. Shri Raj Kumar, Director

Present on behalf of the Respondents

1. Smt. Sonia Madan, Advocate, HPPC.
2. Shri Vikas Kadiyan, Xen/HPPC
3. Shri O.D. Sharma, Project Director, HAREDA
4. Shri R.S. Poonia, Project officer HAREDA

Quorum

**Shri D.S. Dhesi,
Shri Pravindra Singh Chauhan,
Shri Naresh Sardana,**

**Chairman
Member
Member**

INTERIM ORDER

1. The case was heard by the Commission on 22.01.2020, as scheduled.
2. The Commission, vide its Order dated 03.10.2019, had constituted a Committee comprising of the officers of HPPC and HAREDA, which was required to submit detailed findings on all the relevant parameters. However, due to certain reasons, the Committee could not submit its report. The Ld. Counsel for the HPPC submitted an email dated 29.12.2019 from the Petitioner, wherein the Petitioner has requested to postpone the inspection

due to weather conditions. Further, the representatives of HAREDA, gave brief description of the process of power plant of the Petitioner.

3. The Commission observes that in compliance with the Orders of the Commission dated 03.10.2019, Grid Connectivity has already been granted to the Petitioner and the power from the power plant of the Petitioner has started flowing into the Grid. The Ld. Advocate appearing for HPPC apprised the Commission about clause no. 6.10 of the PPA signed with the Petitioner, which provides as under:-

“Generation and injection of infirm power by the Seller prior to the Commercial Operation Date (CoD) shall be paid @ 30% of the tariff applicable”.

The Commission, however, observes that the HERC RE Regulations applicable in such cases has no provision for infirm power as such.

The Commission, after considering all the facts and circumstances of the case, decides that the power being injected prior to CoD shall be paid @ 30% of APPC rate, as an interim measure till the final disposal of the Petition upon determination of applicable tariff. This, the Commission expects, shall ensure that the project remains viable as the CoD after 'trial run' (to demonstrate the claimed capacity of the project) may take some more time as also submitted by the Petitioner herein. HPPC is directed to keep an account of the amount paid upto the actual date of CoD.

4. Further, the Committee of HPPC and HAREDA constituted as per Commission order, is now directed to carry out the inspection regarding CoD of the Power plant, up to 15.03.2020 and submit the detailed report regarding parameters considered by the Petitioner in its Petition for tariff determination.
5. The case shall be next heard on 25.03.2020 at 11:30 AM.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 22nd January, 2020.

Date: 22.01.2020 (Naresh Sardana) (Pravindra Singh Chauhan) (D.S. Dhesi)
Place: Panchkula Member Member Chairman