

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

**Case No. HERC/Petition No.- 33 of 2023**

**Date of Hearing : 13.09.2023**  
**Date of Order : 14.09.2023**

**In the Matter of**

**Petition under Section 62, 86(1)(b) and 86(1)(e) of the Electricity Act, 2003 read with the provisions of the HERC (terms and conditions for determination of tariff from renewable energy sources, renewable purchase obligation and renewable energy certificate) Regulations, 2021 for determining project specific tariff of the 10.72 MW Solar PV project at village Kuranganwali, District Sirsa, Haryana**

**Petitioner** M/s. Greenyana Solar Pvt. Ltd.  
**Respondents** 1. Haryana Power Purchase Centre, Panchkula (HPPC)  
2. Haryana Renewable Energy Development Agency (HAREDA)

**Present On behalf of the Petitioner**

1. Smt. Shikha Ohri, Advocate

**Present on behalf of the Respondents**

1. Smt. Sonia Madan, Advocate, HPPC  
2. Shri R.K. Poonia, Project Officer, HAREDA

**Quorum**

**Shri R.K. Pachnanda** **Chairman**  
**Shri Naresh Sardana** **Member**

**INTERIM ORDER**

1. The case was heard on 13.09.2023, as scheduled, in the court room of the Commission.
2. Ms. Shikha Ohri, the learned counsel appearing on behalf of the petitioner submitted at the outset that an advance copy of the rejoinder to the reply/ objections submitted by HPPC was served through e-mail. However, owing to restricted movement in Delhi due to the G-20 summit, they were unable to file a hard copy of the rejoinder in the registry of the Commission. It was further submitted that they have not received a copy the reply/ comments filed by HAREDA and therefore, no reply to the same has been filed.
3. The Commission observed that the petitioner has claimed a tariff of Rs. 4.42/ Kwh in their petition. Considering that, the Commission asked the learned counsel for the petitioner as to how and why they have not adhered to Clause 4.2 of the PPA which states that the tariff determined shall be subject to the ceiling tariff of Rs. 2.75/ Kwh, while raising the claim of Rs. 4.42/ Kwh under this petition.
4. The learned counsel, on this aspect, clarified that they are conscious of the fact that the PPA provides for the ceiling tariff of Rs. 2.75/ Kwh and are not refuting the applicability of the same. The claim of Rs. 4.42/ Kwh has been made considering the value claimed for various parameters. Ms. Ohri further submitted that the plant was commissioned in

February 2023, and as per prevailing Regulations, it is incumbent upon them to place on record all the documents so as to substantiate the claimed parameters.

5. Ms. Madan, the learned counsel appearing on behalf of the respondent (HPPC) pointed out that in Petition No. 53 of 2022 filed by HPPC, seeking approval of source as well as the approval of the Power Purchase Agreement (PPA) to be executed with M/s Greenyana Solar Pvt. Ltd. For purchase of solar power for 25 years from 10.72 MW project located at Sirsa, Haryana, the petitioner expressly consented for incorporation of the ceiling tariff, which was mutually agreed by the petitioner and the respondent pursuant to which PPA was executed with the incorporation of ceiling tariff under Clause 4.2. the petitioner therefore, is estopped from claiming a tariff higher than the ceiling tariff now. Since, Ms. Ohri has put to rest the issue by clarifying the applicability of the ceiling tariff, today during the hearing, no further discussion is required. Ms. Madan also submitted that the plant was commissioned in 2020 and it was only the PPA between HPPC and M/s Greenyana that was signed in 2023. It was mentioned that the plant has been operative since 2020 and the actual parameters ought to have been substantiated by the petitioner accordingly.
6. Shri R.K. Poonia, Project Officer, HAREDA, provided a copy of their reply to the petitioner during the hearing.
7. Ms. Ohri, sought time to study the reply and file a common rejoinder to the replies filed by HPPC and HAREDA.
8. Acceding to the request of the petitioner, the Commission adjourns the case. The petitioner is directed to file its rejoinder, within one week from the date of issue of this order with copy to the respondents. The respondents may, if so desire, file their replications, within one week thereafter.
9. The case shall be next heard on 08.11.2023.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 14.09.2023.

Date: 14.09.2023  
Place: Panchkula

(Naresh Sardana)  
Member

(R.K. Pachnanda)  
Chairman