

# adani

Ref: MUL/GERC/RPO/2021-22/28022023

Date: 28<sup>th</sup> February, 2023

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

**Sub.: Submission of Petition for RPO Compliance of MUL for FY 2021-22**

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 2021-22 for kind consideration of the Hon'ble Commission.

Detail of the payment for this application is as below:

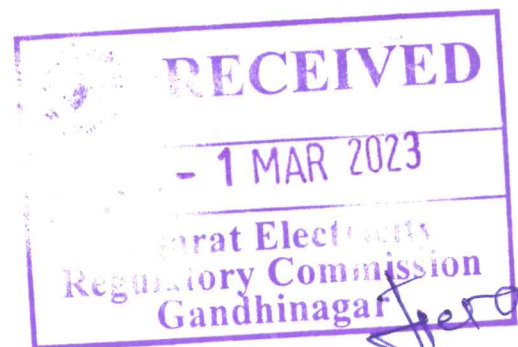
Particulars	Details
(1) Name of the Petitioner/Applicant	MPSEZ Utilities Limited
(2) Address of the Petitioner/ Applicant	Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S.G. Highway, Khodiyar, Navrangpura, Ahmedabad – 382 421
(3) Petition No., if any	.....
(4) Subject Matter	RPO Compliance of MUL for FY 2021-22
(5) Details of fee remitted: (a) UTR No. (b) Date of remittance (c) Amount remitted (d) Bank name & Branch	AXSK230580031480 27-02-2023 10,000/- 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  
Adani Corporate House, Shantigram,  
Nr. Vaishno Devi Circle, S. G. Highway,  
Khodiyar, Ahmedabad - 382421  
Gujarat, India

Tel +91 79 2555 7334  
Fax +91 79 2555 6099  
info@adani.com  
www.adani.com  
CIN: U45209GJ2007PLC051323

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

1

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

**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.



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 2021-22, 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.)
2021-22	17.00	8.25	8.00	0.75

6. The Petitioner has achieved RPO of 16.86% against 17.00% as stipulated in GERC (Procurement of Energy from Renewable Energy Source) (Second Amendment) Regulation, 2018 for FY 2021-22.

The status of RPO compliance for FY 2021-22 is tabulated as under,

Particular	FY 2021-22
<b>Actual Energy Requirement in MUs</b>	<b>385.24</b>
RE Procurement	
Wind Energy to be procured (@ 8.25%)	31.78
Solar Energy to be procured (@ 8.00%)	30.82
Biomass/Biogas/Others (@ 0.75%)	2.89
Total (@ 17.00%)	65.49
<b>Compliance (Non-Solar)</b>	
Wind Procured in MUs	47.09
Non-Solar Attributes in MUs	0.005
Compliance in MUs	47.10
Compliance (as % of Energy Requirement)	12.23%
<b>Compliance (Solar)</b>	
Solar Procured in MUs	3.29
Solar Attributes in MUs	14.58
Compliance in MUs	17.86
Compliance (as % of Energy Requirement)	4.64%
<b>Total Compliance (as % of Energy Requirement)</b>	<b>16.86%</b>
<b>Total Shortfall/(Surplus) in MUs</b>	<b>0.53</b>

7. The Petitioner respectfully submits that it has made necessary arrangements to fulfill its non-solar RPO by entering into long term power purchase

agreement with Wind Turbine Generators (WTG). The Petitioner has also considered the non-solar attributes allocated by GUVNL as per Gujarat Waste to Energy Policy – 2016 under the "Others" category of renewable purchase obligation. Accordingly, the Petitioner has achieved non-solar RPO of 12.23% against prescribed RPO of 9.00% for the FY 2021-22.

8. The Petitioner respectfully submits that it has fulfilled its Solar RPO mainly by using renewable attributes of Solar rooftop projects which are installed at its consumer's end as per Gujarat Solar Policy – 2015. The Petitioner has also procured solar energy through exchange to fulfill its solar RPO. Accordingly, the Petitioner has achieved solar RPO of 4.64% against prescribed RPO of 8.00% for the FY 2021-22.
9. The Hon'ble Commission in the Petition No. 1785 of 2019 has directed Petitioner vide its order dated 31.08.2020 to fulfill the shortfall of 1.441 MUs during FY 2017-18 in Solar RPO within FY 2020-21 by procurement of Solar Renewable Energy or Solar Renewable Energy Certificates (RECs). However, the Petitioner could not be able to procure Solar RECs due to following reasons which were beyond its control:
  - a. The Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24<sup>th</sup> July, 2020 in APPEAL NO. 113 of 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks. Accordingly, the trading of RECs has been postponed by Indian Energy Exchange (IEX) vide its circular No. IEX/MO/363/2020 dated 28<sup>th</sup> July, 2020, which is enclosed as an Annexure-I.
  - b. Further, IEX vide its Circular No. IEX/MO/369/2020 dated 25th August, 2020 regarding Conduct of REC trading session communicated that since Hon'ble APTEL vide its order dated 11.08.2020 in the aforementioned appeals, directed that "**List of matter for directions on 28.08.2020 (through video conferencing). Interim order dated 24.07.2020, which expires on 21.08.2020, is extended till the next date of hearing.**" Accordingly, future REC trading session shall be schedule in accordance with the Hon'ble APTEL's directions. IEX Circular No. IEX/MO/369/2020 dated 25th August, 2020 regarding Conduct of REC trading session is enclosed as an Annexure-II.
  - c. The Hon'ble APTEL has not issued final order in this matter till 31.03.2021.
10. The Petitioner respectfully submits that they had procured solar RECs to fulfill the shortfall of 1.441 MUs during FY 2017-18 as per the directive of the Hon'ble Commission vide its order dated 31.08.2020 in the Petition No. 1785 of 2019 during the FY 2021-22. The Petitioner has also submitted RE

certificate in this regard to the Hon'ble Commission vide letter no. MUL/GERC/RPO/Mar22/08042022 dated 8<sup>th</sup> April, 2022, which is enclosed as an Annexure-III.

11. The petitioner would like to highlight that the clause 4.1 of the GERC (Procurement of energy from Renewable Sources) Regulations, 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)
2021-22	8.25	8.00	0.75	17.00

*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.*

In view of above, the Petitioner would like to submit that surplus non-solar RPO of 12.42 MUs shall be adjusted against shortfall solar RPO of 12.95 MUs for the FY 2021-22.

12. The Petitioner would like to highlight that the clause 4.2 of the GERC (Procurement of energy from Renewable Sources) Regulations, 2010 and subsequent amendments provides that:

*"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."*

Hence, aforesaid regulation confers powers upon the Hon'ble Commission to revise the minimum percentage target for purchase of power from renewable energy sources for the FY 2021-22.

In view of above, the Petitioner requests Hon'ble Commission to revise solar RPO targets for FY 2021-22 accordingly.

**Prayers:**

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

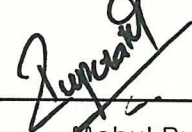
- a. Consider the submissions as above.
- b. To revise the percentage target of purchase from renewable energy sources for FY 2021-22.
- c. Allow to compensate shortfall of Solar RPO with surplus Non-Solar RPO for FY 2021-22.
- d. Allow additions / alterations / changes modifications to the submissions.
- e. Condone any inadvertent omissions/errors/shortcomings.
- f. Afford reasonable opportunity of personal hearing before passing any orders in the matter.
- g. Grant any relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.

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.

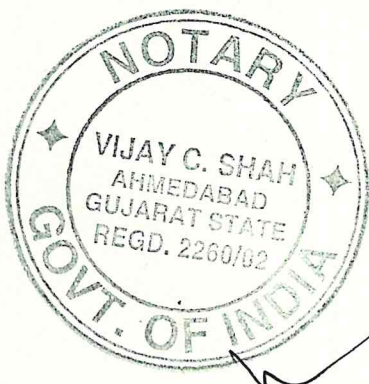
Place: Ahmedabad

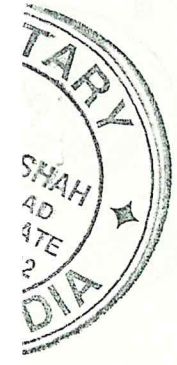
Date: 28.02.2023

For, MPSEZ Utilities Limited

  
Mehul Rupera

(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

S. No. 1542/2023

VIJAY C. SHAH  
NOTARY  
GOVT. OF INDIA

28 FEB 2023

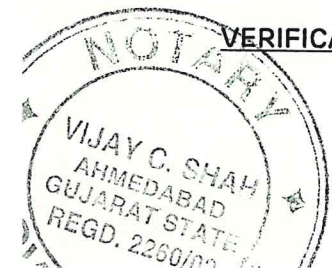
AFFIDAVIT IN SUPPORT

I, Mehul Rupera, son of Shri Tejpal Shantilal Rupera aged about 47, Director 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.

*Mehul Rupera*  
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 28<sup>th</sup> day of February, 2023.

*Vijay C. Shah*  
DEPONENT



SOLEMNLY AFFIRMED  
BEFORE ME

225  
VIJAY C. SHAH  
NOTARY  
GOVT. OF INDIA  
28 FEB 2023





**Circular No.: IEX/MO/363/2020**

**Date: 28 July 2020**

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## **Postponement of July 2020 REC trading session**

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Dear Members,

Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24<sup>th</sup> July 2020 in APPEAL NO. 113 OF 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks.

Accordingly, in compliance of the directions of the Hon'ble APTEL, REC trading session scheduled on 29.07.2020 shall be postponed.

Any further development will be intimated accordingly to the Members.

Members are requested to kindly take note of the same.

**For and on behalf of  
Indian Energy Exchange Limited**

**(Sd\ -)  
Amit Kumar  
Senior Vice President  
(Market Operations)**



Circular No.: IEX/MO/369/2020

Date: 25 Aug 2020

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## Conduct of REC trading session

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Dear Members,

It is continuation of the IEX Circular No IEX/MO/363/2020 dated 27.07.2020, wherein it was informed that the Hon'ble Appellate Tribunal for Electricity (APTEL) vide its order dated 24<sup>th</sup> July 2020 in APPEAL NO. 113 OF 2020 and related matters inter-alia held that the trading of RECs scheduled on 29.07.2020 shall be postponed by four weeks.

Further, Hon'ble APTEL vide its order dated 11.08.2020 in the aforementioned appeals, directed that

***“List the matter for directions on 26.08.2020 (through video conferencing). Interim order dated 24.07.2020, which expires on 21.08.2020, is extended till the next date of hearing.”***

Accordingly, future REC trading session shall be scheduled in accordance with the Hon'ble APTEL's directions.

Any further development will be intimated accordingly to the Members.

Members are requested to kindly take note of the same.

**For and on behalf of  
Indian Energy Exchange Limited**

(Sd\ -)  
**Amit Kumar**  
**Senior Vice President**  
**(Market Operations)**

# adani

**Annexure-III**

Ref: MUL/GERC/RPO/Mar22/08042022

Date: 8<sup>th</sup> April, 2022

To,

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

**Sub: Submission of Renewable Energy Certificate (REC)**

Dear Sir,

We have purchased RE Certificates (1441 nos.) of solar type on 30th Mar-2022 to fulfill RPO in accordance of sub-clause 5.1 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010.

The copy of RE certificate bearing number- C-IEX\_SL001632 issued by Indian Energy Exchange is submitted here-with in accordance of clause 5.3 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010.

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

For **MPSEZ Utilities Limited**  
**Authorised Signatory**

Encl.: As above.

CC: Dy. Director, Gujarat Energy Development Agency, Gandhinagar

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

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



## **RE Certificate for Buyer**

**Issued On -30-Mar-2022**

Number C-IEX\_SL001632

**Serial No.- IEX\_0001441**

**MPSEZ Utilities Ltd**

1,441 Certificates

REC Type- SOLAR

This certifies that MPSEZ Utilities Ltd is the holder of 1,441 SOLAR non transferable certificates, bought on 30 March,2022, through Indian Energy Exchange Ltd.

This certificate represented hereby is issued and shall be held subject to all the provisions of the regulations and the By-laws of Honorable CERC and Indian Energy Exchange Ltd and any amendments thereto.

WITNESS the signatures of its duly authorized officers this 30 March,2022.

**[Name and Designation of Authorized Signatory]**

**Amit Kumar**

**Sr VP Market Operations**

**Indian Energy Exchange Ltd**

**[Computerized Generated Report, Signature is not required]**