

BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION

No. 16 C-1, Miller Tank Bed Area, Vasanth Nagar, Bengaluru- 560 052

Dated: 17th December, 2019

Present:

Shri Shambhu Dayal Meena	..	Chairman
Shri H.M. Manjunatha	..	Member
Shri M.D. Ravi	..	Member

ORDERS

Preamble:

1. The Commission, based on the information furnished by the State Load Dispatch Center, had noted that ACC Limited, Kudithini Cement Works, Bellary (hereinafter referred to as the 'Company'), an obligated entity, had not complied with the Solar and Non-solar RPO for FY18 as mandated in the KERC (Procurement of Energy from Renewable Sources) Regulations, 2011, to an extent of 705.23 MWh Solar RPO and 1538.68 MWh Non-Solar RPO. Thus as per the Regulations, the Company had to comply with deficit in Non-solar RPO to an extent of 1692.55 MWh (110% of shortage) and Solar RPO to an extent of 775.75 MWh (110% of shortfall). Hence, the Commission had issued notice on 10.04.2019 to show cause, as to why action under Section 142 of the Electricity Act, 2003, should not be initiated against the Company for failure to comply with the aforesaid Regulations.



2. Whereas, the company had furnished its reply on 23.04.2019. The Company in its reply on 23.04.2019 had furnished details in respect of RR. No: EHT06 instead of RR. NO: GRHT-16. The Commission, after examining the reply noted that the Company has not furnished appropriate reply for having met Solar and Non-Solar RPO.
3. Whereas, the Commission directed the Company to appear before it on 29.08.2019, with relevant facts and figures to substantiate the compliance of Solar and Non-solar RPO for RR.No. GRHT-16 for FY18.
4. Whereas, the Company's representative Sri Aramugum Chief Manager (Finance) appeared before the Commission on 29.08.2019 and made written submissions. It is noted from the submissions that, the Company has submitted the Joint Statement of SLDC.
5. In the joint statement, the SLDC has considered the energy as 23739 MWh through Open Access, for which the Solar RPO, without shortfall, works out to 652.82 MWh and Non-Solar RPO without shortfall works out to 1424.34 MWh. The Company has submitted the energy purchased under wheeling arrangements for Solar energy vide official Memorandum dated 29.01.2018 for 1500 MWh and dated 22.11.2017 for 900 MWh, in respect of RR No GRHT-16 (in total 2400 MWh Solar Energy). Thus the Company has met the Solar RPO of 652.82MWh within the time stipulated in the Regulations.
6. Further, Regulation 4(iii) of KERC (Procurement of Energy from Renewable Sources) (Fifth Amendment) Regulations, 2017, is as under

Provided also that, the excess solar energy purchased beyond the specified RPO in an year, shall be allowed to be adjusted against the shortfall in Non-solar RPO, if any for that year.

7. Based on the above Regulation, after adjusting the excess solar energy purchased during FY18, against the Non-solar RPO of 1424.34 MWh, the Company has also complied with Non-Solar RPO.

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8. From the above, it is noted that the Company has complied with both Solar and Non-solar for FY18 within the specified time limit and SLDC has also produced the joint Statement stating that the RPO has met by the Company.

9. Hence, the following orders: -

ORDER

The Commission notes that, as per the written submission made on 29.08.2019, the ACC Limited Kudithini Cement Works, has purchased 2400 MWh (Two thousand Four hundred only) Solar Energy, under wheeling arrangement. The Solar Energy is purchased within the time specified in the Regulations and hence, the Company has met the Solar RPO of 652.82 MWh for FY18. Further, as per Regulation 4(iii) of KERC (Procurement of Energy from Renewable Sources) (Fifth Amendment) Regulations, 2017, the excess solar energy purchased beyond the specified RPO in an year, shall be allowed to be adjusted against the shortfall in Non-solar RPO, if any for that year. Keeping in view the above Regulation and after adjusting the excess solar energy purchased during FY18, against the Non-solar RPO of 1424.34 MWh, the Company has complied with Non-Solar RPO also. Therefore, in view of the Company having fully met the Non-solar and Solar RPO for FY18, the Commission hereby treats the proceedings initiated against the Company, as closed.


(SHAMBHU DAYAL MEENA)

CHAIRMAN

17/12/19


(H.M.MANJUNATHA)

MEMBER

17/12/2019


(M.D.RAVI)

MEMBER