

OP No. 54/2020

No. N/126/2020

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**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,**  
**No.16, C-1, Millers Tank Bed Area, Vasanth Nagar, Bengaluru-560 052.**

**Dated: 10.03.2022**

**Present**

**Shri H.M. Manjunatha**

**: Officiating Chairperson**

**Shri M.D. Ravi**

**: Member**

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**BETWEEN:**

Sri Krishna Solar Energy LLP  
A limited liability partnership company  
having its registered office at  
No.30, 9<sup>th</sup> A Main, 36<sup>th</sup> Cross, 5<sup>th</sup> Block,  
Jayanagar,  
Bengaluru-560 041.

(Represented by its Partner  
Smt. Hemalatha Mariyappa)

..... **PETITIONER**

(Represented by Sri Dore Raj, Advocate)

**AND:**

1. Bangalore Electricity Supply  
Company Limited, (BESCOM)  
A Company Registered under the  
provisions of Companies Act, 1956  
having its Registered Office  
at K.R. Road,  
Bengaluru-560 001.  
(Represented by its Managing Director)

2. Karnataka Renewable Energy  
Development Limited (KREDL)  
A Company Registered under the  
provisions of Companies Act, 1956  
having its Registered Office  
at # 39, "Shanti Gruha",  
Bharat Scouts and Guides Building,  
Opp. The Chief Post Master General Office,

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Palace Road,  
Bengaluru-560 001  
(Represented by its Managing Director)

3. State of Karnataka  
Department of Energy,  
Vikasa Soudha,  
Dr. Ambedkar Veedhi,  
Bengaluru-560 001.  
(Represented by its Additional Chief Secretary)

....**RESPONDENTS**

(Respondent No.1 represented by Smt. Sumana Naganand,  
for Justlaw Advocates, Respondent No.2 represented by Sri Samarth  
Kashyap, Advocate)

### **ORDERS**

1. The petitioner has initially filed the present petition under Section 62 R/w Section 64 R/w Section 86 (1) of the Electricity Act, 2003, praying for the following reliefs to:
- a) Call for records;
  - b) Approve the Schedule Commissioning Date as 18 months from the date of approval of the PPA;
  - c) Apply the tariff of Rs.6.51 per unit as per the Power Purchase Agreement dated 16<sup>th</sup> March 2017 as Annexure-P7;
  - d) Pass such other incidental order as may be appropriate under the facts and circumstances of the present case.
2. During the progress of the proceedings of the case on 10.03.2022 through Video-Conferencing, the learned counsel for the 1<sup>st</sup> respondent (BESCOM) filed Memo dated 10.03.2022 in response to petitioner's memo dated 03.02.2022, wherein the respondent No. 1 agreed to extend the

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time for commissioning of the Project till 09.09.2022, with such other terms & conditions stated in the said Memo.

3. The extract of the memo dated 10.03.2022 by the 1<sup>st</sup> Respondent – BESCO is hereunder;

- i. To commission the project and inject energy into the grid within six months starting from 10.03.2022 i.e., 09.09.2022, after obtaining all statutory approvals and adhering to the present norms agreeable to BESCO.
- ii. The petitioner will be entitled to the tariff as determined by this Commission in its Generic tariff orders for solar power that is prevailing on the date of commissioning of the plant.
- iii. In the event that the petitioner fails to commission the plant on or before 09.09.2022, keeping in view the fact that BESCO has achieved its Solar RPO targets set out by MNRE and the surplus energy available in the state, the respondent herein reserves the liberty to terminate the PPA, if the petitioner fails to commission the solar power project and inject the power into the grid on or before 09.09.2022, the petitioner will not be entitled to any further extension of time to commission the plant.

4. The Commission on perusal of the records and hearing from both counsel and in view of the contents of the Memo dated 10.03.2022, the following Order is passed.

**ORDER**

- a) The petitioner is allowed to commission the Project within six months from the date of this order on obtaining all statutory approvals; and
- b) The petitioner shall be entitled to Generic Tariff for Solar Power Projects that would be prevailing as on the date of commissioning of the Project.
- c) The petition is disposed of accordingly.

Sd/-  
(H.M. MANJUNATHA)  
Officiating Chairman

Sd/-  
(M.D. RAVI)  
Member