



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17.**

No. F.11(1800)/DERC/2020-21/CF 6865/

**Application No. 32/2020**

**In**

**IA No. 2 of 2020**

**In**

**Petition No. 58/2014**

**In the matter of :**     **Application for seeking certain correction in the Commission's Order dated 22.07.2020.**

**Tata Power Delhi Distribution Ltd.**

**.... Petitioner**

**Coram:**

**Hon'ble Sh. Justice S S Chauhan, Chairperson**

**Hon'ble Sh. A.K. Singhal, Member**

**Hon'ble Dr. A. K. Ambasht, Member**

**Appearance:**

1. Ms. Molshree, Adv. TPDDL

**ORDER**

(Date of Order: 13.11.2020)

1. The instant Correction Application has been filed by TPDDL seeking certain corrections in the order dated 17.07.2020 in IA No. 2 of 2020 in Petition No. 58 of 2014.
2. The applicant has submitted the following:
  - i. that at Para 1 & 2, the Impugned Order records that this Commission has accorded its approval to the Supplementary Power Purchase Agreements executed between the Review petitioner and the two entities, namely M/s SEI Jyotishwaroop Power Private Ltd. and M/s SEI Renewable Energy private Limited. It appears that inadvertently the name of the third entity has been omitted and accordingly, it is humbly prayed that the Impugned Order is corrected to record that the Supplementary Power Purchase Agreements has been executed between the Review petitioner and three SEI entities namely M/s SEI Jyotishwaroop Power Private Ltd., M/s SEI Renewable Energy Private Ltd. and M/s Ravikiran Energy Pvt. Ltd. respectively on 17.01.2020
  - ii. that at Para 4(i) of the Impugned Order, the date from which the extension allowed to the project will commence has been inadvertently,

wrongly recorded as 20.12.2020 instead of 20.12.2019 (i.e. the date on which the letter was issued.) The error is merely in recording the year i.e. 2020 instead of 2019.

- iii. that at para 4(i) of the Impugned Order, the relevant date to commence the said extension to the projects has been inadvertently, wrongly recorded as 20.11.2019 instead of 20.12.2019 (i.e. the date on which the letter was issued). Relevant extracts of the aforementioned letter is reproduced below:-

*"With reference to the above mentioned letter, seeking in-principal approval for extension of 4 months in Scheduled COD (SCOD) of 90MW Solar Projects out of 180 MW of SEI Solarvana Pvt. Ltd. considering the reasons indicated in the letter dated 01.10.2019 of Principal Secretary, Govt. of Madhya Pradesh, has been examined by the Commission. Accordingly, the extension of 4 (four) months in SCOD for the said project, from the date of issuance of this letter, is approved subject to :*

*"a "SEI undertaking to indemnify TPDDL for the losses due to delay in commissioning.*

*b. Risk for non-compliance of RPO for the intervening period due to delay in commissioning has to be hedged by TPDDL.*

*c. Any arrangements made by TPDDL, due to this delay in SCOD of 90 MW SEI Solarvana Pvt. Ltd., in order to cater to the demand for the intervening period shall not have extra bearing on Power Purchase Costs over and above the levelised tariff approved for the SEI Solarvana Pvt. Ltd."*

3. The submissions of the Petitioner have been considered and it is observed that the Petitioner has entered into six PPAs dated 15.07.2015 with various SPVs of Sun Edison Holding (Singapore) Pte. Ltd. As the projects were facing hindrance in completion of the project, the Petitioner agreed to extend the Scheduled Commercial Operation Date (SCOD) by 18 months and entered into the first Secondary PPAs with Sun Edison entities. First Secondary PPAs were approved by Commission vide Order dated 18.09.2018. However, SCOD could not be achieved by three entities namely M/s SEI Jyotiswaroop Power Private Ltd., M/s SEI Renewable Energy Private Ltd. and M/s Ravikiran Energy Pvt. Ltd. The Applicant approached this Commission seeking further extension of SCOD by another four months in respect of aforesaid three entities through Second Supplementary PPAs, which were approved by the Commission vide Order dated 22.07.2020. However, as pointed out by the applicant, the Order records

names of only two entities namely M/s SEI Jyotiswaroop Power Private Ltd., M/s SEI Renewable Energy Private Ltd. It is also observed that in para 4(i) of the Order, the date of 20.12.2019 is mentioned as 20.12.2020.

4. In view of the above, the following corrections are made in the Order dated 22.07.2020
  - i. In para 1 & 2 the expression "M/s SEI Jyotiswaroop Power Private Ltd., and M/s SEI Renewable Energy Private Ltd." shall be substituted by "M/s SEI Jyotiswaroop Power Private Ltd., M/s SEI Renewable Energy Private Ltd. and M/s Ravikiran Energy Pvt. Ltd."
  - ii. In para 4(i) the date "20.12.2020" shall be substituted by "20.12.2019."
5. Regarding the contention of the Petitioner that the date of extension for SCOD is inadvertently, wrongly recorded as 20.12.2019 instead of 20.11.2019, the Commission observes that though the date of earlier extension was upto 20.11.2019, the Commission vide letter dated 20.12.2019 approved further extension for four months from the date of issue of letter i.e. 20.12.2019; and if there is any gap, the same shall stand covered and deemed to be extended by the extension letter. The parties have entered into supplementary PPAs also on the basis of the aforesaid letter, therefore, the correction of date as prayed for appears to be reasonable. The parties are supposed to go by the letter of the Commission. It is in these circumstances the date for extension of SCOD is corrected as 20.12.2019.
6. Vide the aforesaid order dated 22.07.2020, the Petitioner was directed to modify Second Supplementary PPAs to the extent indicated in the Order; and to submit duly signed Second Supplementary PPAs within one month. The Petitioner is granted one month's time to submit the modified Second Supplementary PPAs from the date of issue of this Order.
7. The Petition is disposed of, accordingly,

**Sd/-**  
**(A.K. Ambasht)**  
**Member**

**Sd/-**  
**(A.K. Singhal)**  
**Member**

**Sd/-**  
**(Justice S S Chauhan)**  
**Chairperson**