Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.

F.11(2328)/DERC/2025-26/8449

Petition No. 27/2025

In the matter of:	**Petition u/S 86 of the Electricity Act, 2003 seeking approval of the Power Sale Agreement dated 13.03.2025 for 1500 MW of Solar Power with 750MW/3000MWh Energy Storage System from SECI's 2000 MW of Solar Power with 1000 MW/4000 MWh Energy Storage System ISTS Scheme (Tranche XVII) in terms of Delhi Electricity Regulatory Commission (Renewable Purchase Obligation and Renewable Energy Certificate Framework Implementation) Regulations, 2021 read with Delhi Electricity Regulatory Commission (Business Plan) Regulations, 2023**.

BSES Rajdhani Power Ltd. **… Petitioner**

Vs.

Solar Energy Corporation of India **…Respondent**

Coram:
Sh. Ram Naresh Singh, Member
Sh. Surender Babbar, Member

Appearance:
1. **Mr. Buddy Ranganadhan, Ld. Sr. Advocate for the Petitioner**
2. **Mr. Dushyant Manocha, Ld. Counsel for the Petitioner**
3. **Ms. Ashika Jain, Ld. Counsel for the Petitioner**
4. **Mr. Mukul Arya, Ld. Counsel for the Petitioner**

Order

(Date of Order: 24.11.2025)

1. The instant Petition has been filed by the Petitioner, BSES Rajdhani Power Ltd. (BRPL), praying, *inter-alia* to approve the Power Sale Agreement dated 13.03.2025 for 1500 MW of Solar Power with 750 MW/3000 MWh Energy Storage System from SECI's 2000 MW of Solar Power with 1000 MW/4000 MWh Energy Storage System ISTS Scheme (Tranche XVII) executed between Petitioner and SECI.

Petitioner's Submissions

2. The Petitioner has submitted that:

I. The Petitioner is a distribution licensee in terms of Section 14 of the Electricity Act, 2003 (hereinafter "EA, 2003") read with the Delhi Electricity Reforms Act, 2000 (hereinafter "DERA, 2000") and operating in the South and West areas of Delhi in terms of the distribution license issued by the Commission.

II. The Respondent, Solar Energy Corporation of India (hereinafter "SECI"), a company incorporated under Companies Act, 2013, is a Central Public Sector

Undertaking under the administrative control of the Ministry of New and Renewable Energy (hereinafter "MNRE"). SECI was set up on 20.09.2011 to *inter alia* facilitate the implementation of the Jawaharlal Nehru National Solar Mission and to achieve targets set out therein. SECI is also designated as a trader for the purchase and is responsible for the implementation of several schemes of the MNRE.

III. On 13.04.2021, the Commission notified the Delhi Electricity Regulatory Commission (Renewable Purchase Obligations and Renewable Energy Certificate Framework Implementation) Regulations, 2021 (hereinafter, "RPO Regulations, 2021") in terms of which, the Petitioner is mandated to procure a portion of electricity from renewable sources in order to fulfil its defined Renewable Purchase Obligations (hereinafter "RPO Obligations, 2021").

IV. In addition to the RPO Regulations, 2021, the Commission has also notified the Delhi Electricity Regulatory Commission (Business Plan Regulations), 2023 (hereinafter "BP Regulations, 2023").

V. On 09.06.2023, the Ministry of Power (hereinafter, "MOP") issued Guidelines for Tariff Based Competitive Bidding Process for Procurement of Firm and Dispatchable Power from Grid Connected Renewable Energy Power Projects with Energy Storage Systems (hereinafter "MOP Guidelines"). The MOP Guidelines were formulated under Section 63 of EA, 2003 for long term procurement of firm and dispatchable power by the 'Procurers' from Renewable (RE) Power Projects (hereinafter, "RE Projects"), through competitive bidding.

VI. In light of the MOP Guidelines, on 31.07.2024, SECI prepared and floated a Request for Selection, bearing No. SECI/C&P/IPP/11/0011/24-25 (hereinafter, "RfS") for selection of Solar Power Developers (hereinafter, "SPDs") on Build Own Operate (BOO) for setting up of 2000MW ISTS- Connected Solar PV Power Projects with 1000 MW/ 4000 MWh Energy Storage Systems (hereinafter, "ESS") in India under Inter-State Transmission System connected Tranche – XVII Scheme (SECI-ISTS-XVII) on the terms and conditions mentioned therein (hereinafter, "Tranche – XVII Scheme"). Therefore, SECI invited proposals for setting up of ISTS- connected Solar PV Power Projects in accordance with the MOP Guidelines and standard Power Purchase Agreements (hereinafter, "PPA").

VII. In pursuance to the above, several bidders participated, and the tariff was discovered through e-Reverse Auction process on 09.12.2024. Pursuant thereto, the Petitioner was offered from SECI (*vide* letter dated 18.12.2024) the option to off-take 2000 MW capacity to be procured on a long-term basis, from the following bidders:

Sl. No.	SPD	Capacity	Declared CUF (%) for power supply in other than peak hours	Energy (MWh) committed during Peak Hours (18:00 Hrs – 24:00 Hrs.) on daily basis	Discovered Tariff through e- RA (INR/kWh)	Scheduled Commencement of Supply Date
1.	NTPC Renewable Energy Limited	500	24.63%	1000	3.52	24 months from effective date of PPA
2.	Sembcorp Green Infra Private Limited	150	30.00%	300	3.52	
3	Solarcraft Power India 17 Private Limited	150	30.19%	300	3.52	
4	Hero Solar Energy Private Limited	270	29.00%	540	3.52	
5	Reliance NU Suntech Private Limited	930	19.00%	1860	3.53	
	Total	2000		4000		

*****SECI's trading margin of INR 0.07/kWh shall be applicable over and above discovered tariff.*

Further, on 10.02.2025, SECI once again informed the Petitioner of the tariff discovered and the capacities being offered, as under:

ISTS Solar Tranche XVII Scheme – Solar with ESS

Sl. No.	SPD	Capacity	Discovered Tariff through e- RA (INR/kWh)	CUF	Scheduled Commencement of Supply Date	Remarks
1.	NTPC Renewable Energy Limited	500	3.52	24.63	24 months from effective date of PPA	1. Normal Solar Power shall be supplied during solar hours at mentioned CUF. 2. Additionally, half of the contracted capacity shall be supplied in 4 hours during Peak Hours from 18:00 Hrs. – 24:00 Hrs., i.e., 1000 MW x 4 Hrs.
2.	Sembcorp Green Infra Private Limited	150	3.52	30.00		
3.	Solarcraft Power India 17 Private Limited	150	3.52	30.19		
4.	Hero Solar Energy Private Limited	270	3.52	29.00		
5.	Reliance NU Suntech Private Limited	930	3.53	19.00		
	Total	**2000**				

VIII. In response, the Petitioner issued a communication dated 17.02.2025 confirming its acceptance to the above offer, however, for 1500 MW Solar power with 750 MW/3000 MWh ESS at discovered tariff of Rs. 3.52 – 3.53 / kWh, plus applicable trading margin of SECI. This acceptance was, however, subject to the Commission's approval.

IX. Thereafter, on 18.02.2025, SECI while acknowledging the consent given by Petitioner, shared the draft PPA along with a draft PSA with Petitioner. *Vide* the same email, it was indicated by SECI that there would be a prior in-principle approval required of the Commission for signing the PSA on an expeditious basis.

X. *Vide* letter dated 19.02.2025, the Petitioner sought approval of the Commission to grant its in-principle approval for the execution of the PSA with SECI for the Solar Project at a discovered tariff of Rs. 3.52 – 3.53/kWh, plus applicable SECI's trading margin.

XI. On 07.03.2025, the Commission, after considering various factors, was pleased to accord its in-principle approval for signing PSA for Solar Project at discovered tariff of Rs. 3.52-3.53/kWh plus SECI's applicable trading Margin upto the maximum of Rs. 0.07 /kWh.

XII. Accordingly, the Petitioner entered into a Power Sale Agreement (hereinafter, "PSA") with SECI on 13.03.2025.

XIII. It is pertinent to note that SECI has already approached the Ld. CERC seeking adoption of tariff by way of Petition No. 234/AT/2025.

XIV. In the meantime, SECI has entered into PPAs with SPDs namely, Solarcraft Power India 17 Private Limited for 150MW: Sembcorp Green Infra Private Limited for 150MW: Reliance NU Suntech Private Limited for 700 MW: and NTPC Renewable Energy Limited for 500 MW on 02.04.2025, 03.04.2025, 30.04.2025 and 02.05.2025 respectively, on a back-to-back basis.

XV. In light of the above factual background, the Petitioner is filing the present Petition seeking approval of the PSA for 1500 MW solar power with 750 MW/3000 MWh Energy Storage Systems (ESS) under ISTS connected Tranche XVII Scheme, on the following grounds:

A. The discovered tariff is the result of competitive bidding and has as such resulted in a competitive tariff. Given the nature of the power, it would also help the Petitioner meet its RPO obligations.
B. MOP Guidelines have been followed by SECI in letter and spirit whilst conducting the bidding process and the PSA, which is the result of the competitive bidding process, is also aligned with the RfS issued by SECI and consequently, the MOP Guidelines.
C. The tariff at which the Petitioner will be able to procure power under the present PSA, i.e., Rs. 3.52-3.53/kWh plus Rs. 0.07/kWh trading margin of SECI is market aligned and is one of the most competitive in the renewable energy category. Therefore, it is not only in the Petitioner's interest but also in the interests of the consumers at large that the Commission may be pleased to allow the present Petition in the terms prayed.
D. The present procurement will help to meet the load profile of the Petitioner as per the Power Supply Deficit scenario at a reasonable cost on a long-term basis. Moreover, the Commission has, after taking into account the relevant factors, already granted its in-principle approval.

Commission's Analysis

3. The instant Petition has been filed by the Petitioner seeking approval of the Power Sale Agreement dated 13.03.2025 for 1500 MW of Solar Power with 750MW/3000MWh Energy Storage System from SECI's 2000MW of Solar Power with 1000MW/4000MWh Energy Storage System ISTS Scheme (Tranche XVII) executed between Petitioner and SECI.

4. The Commission vide its Letter dated 07.03.2025 has already granted *in-principle* approval for the execution of the PSA with SECI for the Solar Project at a discovered tariff of Rs. 3.52 – 3.53/kWh, plus applicable SECI's trading margin up to the maximum of Rs 0.07/kWh.

5. The Petitioner has also informed that SECI has entered into PPAs with SPDs namely, Solarcraft Power India 17 Private Limited for 150MW: Sembcorp Green Infra Private Limited for 150MW: Reliance NU Suntech Private Limited for 700 MW: and NTPC Renewable Energy Limited for 500 MW on 02.04.2025, 03.04.2025, 30.04.2025 and 02.05.2025 respectively, on a back-to-back basis. As given in the PSA, Energy committed by the SPDs is given below: -

Energy commuted by the SPDs as per their covering letters and subsequent mails – 500 MW Solar PV Power Project						
SPD	Project Capacity (MW)	Energy MUs				Rate (Rs. /kWh)
		Declared	Min. (-15%) until 10 years from COD	Max. (+10%) until 25 years of PPA	Min. (-20%) thereafter 25 years from PPA	
NTPC Renewable Energy Limited	500	1079.533	917.603	1187.486	863.626	3.52
Saqmbcorp Green Infra Private Limited	150	394.470	335.300	433.917	315.576	3.52
Solarcraft Power India 17 Private Limited	150	396.968	337.423	436.665	317.575	3.52
Reliance NU Suntech Private Limited	700	1165.878	990.996	1282.466	932.702	3.53
	Total (MUs)	3036.849	2581.322	3340.534	2429.479	

6. The matter was heard and reserved for Orders on 06.08.2025.

7. As submitted by the Petitioner, SECI has already approached Ld. CERC seeking adoption of tariff by way of Petition No. 234/AT/2025, Ld. CERC has disposed of the aforesaid Petition vide its Order dated 01.10.2025 wherein, specific finding as to the Trading Margin has been given, which is reproduced hereunder: -

"34. The Petitioner, SECI, has also prayed to approve the trading margin of Rs.0.07/kWh to be charged to the end Procurer/Discoms or any other entity over & above the PPA tariff on the sale of power as specified in the RfS document and specified in the Firm and Dispatchable Power Guidelines.

35. In this regard, Clause (1)(d) of Regulation 8 of the Trading Licence Regulations provides as under:

> *"For transaction under long term contracts, the trading margin shall be decided mutually between the Trading Licensee and the seller."*
>
> *The above provision gives choice to the contracting parties to mutually agree on Trading Margin for long-term transactions.*

36. The above provision gives the choice to the contracting parties to mutually agree on a trading margin for long-term transactions. However, the proviso to Regulation 8(1)(d) of the Trading Licence Regulations provides as under:

*"8(1) (d) * * * * * Provided that in contracts where escrow arrangement or irrevocable, unconditional and revolving letter of credit as specified in clause (10) of Regulation 9 is not provided by the Trading Licensee in favour of the seller, the Trading Licensee shall not charge trading margin exceeding two (2.0) paise/kWh."*

37. Regulation 8(1)(f) of the Trading Licence Regulations provides as under:

> *"For transactions under Back to Back contracts, where escrow arrangement or irrevocable, unconditional and revolving letter of credit as specified in clause (10) of Regulation 9 is not provided by the Trading Licensee in favour of the seller, the Trading Licensee shall not charge trading margin exceeding two (2.0) paise/kWh."*

38. The above two provisions are exceptions to the main provision as regards trading margin. However, in case of failure by SECI to provide an escrow arrangement or irrevocable, unconditional, and revolving letter of credit to the Solar power generators, the trading margin shall be subject to a ceiling of Rs.0.02/kWh specified in Regulation 8(1)(d) and Regulation 8(1)(f) of the Trading Licence Regulations."

8. The PSA dated 13.03.2025 signed by the Petitioner with SECI for 1500 MW of Solar Power with 750 MW/3000 MWh Energy Storage System from SECI's 2000 MW of Solar Power with 1000 MW/4000 MWh Energy Storage System ISTS Scheme (Tranche XVII) is hereby approved. Regarding fixation of Tariff and Trading Margin, the parties shall comply with the directions passed by Ld. CERC in Petition No. 234/AT/2025.

9. The Petition is disposed of in the above terms.

10. Ordered accordingly.

Sd/-	***Sd/-***
(Surender Babbar)	**(Ram Naresh Singh)**
Member	**Member**