

BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION, BENGALURU

Y/04/2012/Vol-10

1253

Dated: 14.12. 2018

Present: Shri M.K. Shankaralinge Gowda .. Chairman

Shri H.D. Arun Kumar .. Member

Shri D.B. Manival Raju .. Member

In the matter of RPO Compliance for FY17 by Praxiar India P. Ltd., Ginigera, Koppal.

ORDERS

Preamble:

The Commission, based on the information furnished by the State Load Dispatch Center, had noted **Praxair India Private Limited, Ginigera, Koppal [hereinafter referred to as 'the Company']**, had not complied with Solar RPO for FY-17 to an extent of **322.41MWh** and Non-Solar RPO to an extent of **2364.35MWh** as mandated in the KERC (Procurement of Energy from Renewable Sources) Regulations, 2011. Thus, as per the Regulations the company had to meet Solar RPO to an extent of **354.65 MWh** (110% of shortage) and Non-Solar RPO to an extent of **2600.79 MWh** (110% of shortage). Hence, a notice was issued 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.

Whereas, the Company had furnished its reply on 11.12.2017 stating that it has purchased 115 solar RECs and wheeled 33960 MWh for meeting the Non-solar RPO. The Commission after examining the reply had noted that the Company had stated that it has purchased non-solar energy of 33960 MWh against requirement of 2364.35 MWh and that it has purchased 115 solar RECs against requirement of 322.41 MWh. However, the Company had not furnished any documents to substantiate that it has met both solar and Non-solar RPO. Hence, one more notice

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was issued to the Company to appear before the Commission on 05.07.2018 with relevant facts and figures to substantiate its claim of compliance of both solar and non-solar RPO.

Whereas, the representative of the Company, appeared before the Commission on 05.07.2018 as directed in the Notice dated 22.06.2018 and requested for time to comply with RPO. Hence, the Commission provided a final opportunity to the Company to appear before the Commission **on 31.07.2018 at 3.00 PM**, with relevant facts and figures regarding compliance of Solar and Non-Solar RPO.

Whereas, the representative of the Company, appeared before the Commission on 31.07.2018 and submitted the compliance report.

On verification, the Commission noted that the Company had purchased 115 solar RECs bearing S.No. PXI/25052016/SL/00019 dated 25.05.2016 and 240 solar RECs bearing S. NO. IEX\_ 0000240 dated 25.07.2018, totaling to 355 solar RECs. Thus, the Company has met its solar RPO for FY17. Further, with respect to the Non-Solar RPO compliance, the Commission vide letter dated 12.09.2018 directed SLDC, to verify the data submitted by the Company for having consumed wind energy of 3,39,63,000 units.

The SLDC vide their letter dated 20.09.2018, has confirmed that the Company has purchased 240 number of solar RECs bearing S.No. IEX 0000240 on 25.07.2018 and 115 solar RECs bearing S.No. PXI/25052016/SL/00019 on 25.05.2016 totaling to 355 Solar RECs. Similarly, SLDC has confirmed that the Company has purchased 1118 MWh of wind energy as per GESCOM OM NO. 15830-14 dated 27.06.2016, 1120 MWh of wind energy as per GESCOM OM NO. 15859-73 dated 27.06.2016, 1850 MWh of wind energy as per OM SETBC/ee-2/aee-2/11864-67 dated 23.02.2017 and 1625 MWh of wind energy as per OM SETBC/ee-2/aee-2/11868-72 dated 23.02.2017, totaling to 5713 MWh.

In view of the above submissions made by the Company and the SLDC and after verifying the documents submitted, the Commission is of the view that the

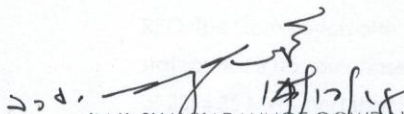
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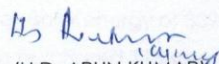
Company has met its Non-solar RPO to the extent of 2364.35 MWh without any penalty, as the same is complied within the time stipulated in the Regulations. For this purpose, the Commission has considered 1850 MWh of wind energy as per OM SETBC/ee-2/aee-2/11864-67 dated 23.02.2017 and 1625 MWh of wind energy as per OM SETBC/ee-2/aee-2/11868-72 dated 23.02.2017, aggregating to 3475 MWh. Further, in respect of Solar RPO, the company has purchased 240 number of solar REC's bearing S.No. IEX 0000240 on 25.07.2018 and 115 solar REC's bearing S.No. PXI/25052016/SL/00019 on 25.05.2016 aggregating to 355 Solar REC's and therefore, has met the solar RPO of 343.15 MWh (110% of shortage), after considering the shortfall of 207.41 MWh for FY17.


3. Hence, the following orders, -

**ORDER**

The Commission notes that, the **Praxair India Private Limited, Ginigera, Koppal**, has purchased **3475 MWh [Three Thousand four hundred and seventy-five only] non-solar wind energy** to meet its Non-Solar RPO of 2364.35 MWh and has purchased **355 solar REC's** [Solar REC's bearing S.No. IEX 0000240 on 25.07.2018 and 115 solar REC's bearing S.No. PXI/25052016/SL/00019 on 25.05.2016 totaling to three hundred and fifty-five only]. Thus, for FY17, the Commission decides to set off 2364.35 MWh [Two thousand three hundred and sixty-four point three-five only] MWh [including the fractional MWh] out of 3475 MWh wind energy purchased against the Non-solar RPO and 343.15 MWh [three hundred and fort three point one five only] out of 355 Solar REC's purchased against Solar RPO. Further, **keeping in view the Hon'ble Supreme Court's order staying the trading of REC's, the Commission hereby condones the delay in purchase of solar REC's by the company, for complying with the solar RPO for FY17. Therefore, the Company having fully met its Solar and Non-solar RPO for FY17, the Commission hereby treats the proceedings initiated against the Company as closed.**

  
(M.K. SHANKARALINGE GOWDA)  
CHAIRMAN

  
(H.D. ARUN KUMAR)  
MEMBER

  
(D.B. MANIYAL RAJU)  
MEMBER  
14/12/18