

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj, Chairman
Adv. A.J Wilson, Member (Law)

OP No 19/2021

In the matter of : Petition seeking approval of draft Tripartite Power Purchase Agreement (TPPA) duly initialled by the petitioner and co-petitioner along with the respondent in terms of the Commission's common Order dated 24.04.2020 in OP 58 of 2019 & OP 58A of 2019

Petitioner : M/s INOX Renewables Ltd

Petitioner represented by : Sri. Mayank Bugani, Advocate INOX
Sri. Sonti Venkatesh, INOX
Sri. Suku Nair, Consultant INOX

Co-petitioner : M/s Damodar Jagannath Malpani

Co-petitioner represented by : Sri.Kailas. B, Malpani Group

Respondents : Kerala State Electricity Board Ltd (KSEB Ltd)

KSEB Ltd represented by : Sri. KGP Nampoothiri, Executive Engineer

First Hearing on : 29.04.2021

Second hearing on : 22.06.2021

Daily Order dated 24.06.2021

1. M/s. INOX Renewable Limited (M/s INOX) (petitioner) and M/s D J Malpani (Co-petitioner) on 12.03.2021, filed a petition before the Commission with the following prayers.
 - a) *Grant approval of the duly initialed TPPA draft enclosed and allow to the petitioners to execute the formal PPA with the*

respondent, KSEB Ltd.

- b) *Pass such other Order or orders as this Hon'ble Commission may wish to pass for doing substantial justice in the matter and to uphold the provisions of the Act of 2003.*
2. The Commission admitted the petition as OP 19/2021. First hearing on the petition conducted through video conference on 29.04.2021. Based on the deliberations during the hearing, the Commission vide interim Order dated 26.05.2021 directed the petitioner's M/s Inox Wind Energy Limited and M/s D J Malpani and the respondent M/s KSEB Ltd to comply the following, latest by 20.06.2021 and submit the same to this Commission for consideration.
- (1) Modify the Clauses of the draft initialled Tripartite Agreement signed between the parties as per the directions contained under paragraph 9 of this order.
 - (2) Submit all the schedules referred in the draft TPPA along with the modified draft TPPA before the Commission.
 - (3) A copy of the Annexure G referred in the NCLT Order dated 25.01.2021 shall also be submitted before the Commission.
3. In compliance of the direction of the Commission, M/s INOX, vide letter dated 01.06.2021 submitted the following details before the Commission.
- (i) Schedules and Annexures to the petition
 - (ii) Copy of Annexure G referred in NCLT order
- However, the petitioner M/s Inox Wind Energy Limited, not submitted the draft initialled Tripartite Agreement signed between the parties after incorporating the suggestions of the Commission issued vide interim order dated 26.05.2021.
4. The second hearing on the petition was conducted on 22.06.2021 through video conference. Adv. Mayank Bugani presented the matter on behalf of the INOX and Sri KGP Nampoothiri, Executive Engineer presented the matter on behalf of the petitioner KSEB Ltd. Sri. Mayank Bugani, Counsel of the petitioner submitted that INOX forwarded the draft initialled TPPA to KSEB Ltd vide letter dated 11.06.2021. KSEB Ltd submitted that, they had received the same on 17.06.2021. KSEB Ltd requested for 2 weeks' time to file the draft initialled TPPA after getting approval of the Board.
5. Based on the deliberations during the hearing, the Commission hereby directs the petitioner and the respondent the following.

- (i) KSEB Ltd shall submit the initialled TPPA latest by 02.07.2021 to the Commission.
- (ii) The next hearing on the petition is scheduled on **13.07.2021 at 11 AM** through video conference.

Sd/-
Adv. A.J. Wilson
Member (Law)

Sd/-
Preman Dinaraj
Chairman

Approved for issue

C R Satheeshchandran
Secretary (i/c)