

**KERALA STATE ELECTRICITY REGULATORY COMMISSION**  
**THIRUVANANTHAPURAM**

Present : **Shri. Preman Dinaraj, Chairman**  
**Shri. K. Vikraman Nair, Member**

**OP No 35/2019**

In the matter of: Approval of draft PPA to be signed between KSEB Ltd and GJ Eco Power Pvt Ltd from 10 MW MSW based Waste to Energy (WtE) Plant located at Brahmapuram, Cochin

Petitioner : GJ Eco Power Pvt Ltd

Respondent : K S E B Ltd.

Petitioner represented by : Shri James Adai, Director  
Shri. Abhilash Abel, Business Head  
Shri. Sanooj K S , Co- Ordinator  
Shri. Amith Viswanath, Head (Cor. affrs)  
Shri. Rino Rajan  
Shri. Shaji Sebastian,  
Smt. Neenu Skaria

Respondent represented by : Shri. Bipin Sankar, Deputy CE, TEAC  
Shri. K G P Nampoothiri, EE, TRAC  
Smt. Supriya Jasmine G , EE, TRAC  
Smt. Anitha K, AEE, Commercial

**Daily order dated 08.03.2019**

1. M/s. GJ Eco Power Private Limited, ( herein after referred to as the petitioner ) on 20.12.2018 filed a petition before the Commission for the approval of Draft Power Purchase Agreement (PPA) to be entered with KSEBL for supplying electricity from 10MW Waste to Energy Plant to be established at Brahmapuram, Kochi. The background of the petition is as follows:

(i) M/s. GJ Eco Power Private Limited is the concessionaire to M/s. Kochi Municipal Corporation (KMC) for the 10MW Waste to Energy Project proposed by Kochi Municipal Corporation for the Waste Disposal of Kochi Municipal Corporation and surrounding area. M/s. KMC had entered into a concession agreement with M/s. GJ Eco Power Private Limited on 17.02.2016. As per the concession agreement, the concessionaire M/s. GJ Eco Power Private Limited is entrusted with the 'design, build, finance, operate and transfer' the 10MW Waste to

Energy Plant at Brahmapuram, Kochi. The period of concession agreement was for 20 years from the date of award of concession. During the period of concession agreement, the electricity generation and supply was the responsibility of M/s. GJ Eco Power Private Limited.

- (ii) The Council of Kochi Municipal Corporation also granted approval to their concessionaire M/s. GJ Eco Power Private Limited for entering into Power Purchase Agreement with KSEBL for supply of power from the Project.
  - (iii) The Commission vide order dated 06.03.2018 in OP No 10/2017 had approved the tariff for the electricity generated from 10MW Waste to Energy Plant at Brahmapuram, Kochi at Rs. 6.17/unit for a period of 20 years from the Commercial Operation Date (COD). The Commission has also ordered that the incumbent distribution licensee KSEBL shall purchase the electricity generated from 10MW Waste to Energy Plant at tariff approved by the Commission.
2. The Commission admitted the petition as OP No. 35/2019 and conducted the hearing on 07.03.2019 at the Court Hall of the Commission. Sri James Adai, Director representing the petitioner, submitted that signed power purchase agreement is a prerequisite for achieving financial closure of the project. The draft PPA was mutually discussed and initialed by the petitioner and the respondent KSEB Ltd. Considering the importance of the waste disposal of the Kochi Municipal Corporation and its surrounding area, the petitioner has been taking earnest effort to start the construction of the project at the earliest.
  3. Shri. Bipin Sankar, Deputy Chief Engineer, KSEB Ltd submitted that the articles of the draft PPA was mutually discussed and agreed, and as such no further comments to offer.
  4. During the hearing, the Commission, has discussed the various articles of the draft PPA and noted that, as per the Article-3 of the draft PPA, the contracted capacity at the interconnection point is 9.76 MW. However, as per the order of the Commission dated 06.03.2018 in OP No. 10/2017, the tariff for the electricity generated from the waste to energy plant was determined for an installed capacity of 9.76 MW as specified by the petitioner therein, and the auxiliary consumption approved for tariff determination is 15% as per the prevailing norms for 'waste to energy plants'. Thus the net capacity available at the interconnection point is excluding the auxiliary consumption from the total installed capacity of 9.76 MW. The petitioner M/s G.J. Eco Power Pvt Ltd and the respondent KSEB Ltd shall clarify this.

5. The Commission also noted discrepancies under various articles of the draft PPA, including Article-2, Article 5.8, and Schedule-4 and discussed the same during the hearing. The Commission hereby clarify that, these discrepancies have to be corrected before issuing final order on approval of the PPA to be signed between the G.J Eco Power Pvt Ltd and KSEB Ltd.
6. The petitioner M/s G.J Eco Power Pvt Ltd and the respondent KSEB Ltd shall clarify the issue discussed in paragraph 4 above, within 10 days from the date of this order. The petitioner and respondent can file additional clarifications, if any, within the time stipulated above.

**Sd/-**  
**K.Vikraman Nair**  
**Member**

**Sd/-**  
**Preman Dinaraj**  
**Chairman**

**Approved for Issue**  
**Sd/-**  
**Secretary**