

**BEFORE THE HONOURABLE KERALA STATE ELECTRICITY
REGULATORY COMMISSION**

At its office at CV Raman Pillai Road, Vellayambalam, Thiruvananthapuram.

FILING NO **/2022**
CASE No.

IN THE MATTER OF:

Petition under Regulation 17(2)(i) of the KSERC (Terms and Conditions for Determination of Tariff) Regulations 2021 and in compliance with the directions of Hon'ble Commission dated 14.06.2022 in OA No 13/2020 in the matter of TU 2018-19, order dated 21.06.2022 in OA No 22/2022 in the matter of TU 2019-20 and order dated 24.06.2022 in OP No 23/2022 in the matter of TU 2020-21 seeking approval for the PPA with National Thermal Power Corporation Limited for procuring power from Kudgi Super Thermal Power Plant and PPA with Neyveli Lignite Corporation Limited for procuring power from Neyveli New Thermal Power Station (2 x 500MW).

AND

PETITIONER:

Kerala State Electricity Board Limited,
Vydyuthi Bhavanam, Pattom, Thiruvananthapuram

Applicant

Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited

AFFIDAVIT VERIFYING THE APPLICATION

I, Jayaraj V., son of N.Vasudevan aged 51 years residing at TC 16/34, Lakshmi Mandiram, Thycadu P.O., Jagathy, Thiruvananthapuram do solemnly affirm and state as follows:

I am the **Chief Engineer (Commercial & Tariff)** of the Kerala State Electricity Board Limited, Vydyuthi Bhavanam, Pattom, Thiruvananthapuram, and the **petitioner** in the above matter and I am duly authorized by the Board to make this affidavit on its behalf. I solemnly affirm at Thiruvananthapuram on this the **.11.2022 that**

- (i) Contents of the above petition are true to my information, knowledge and belief. I believe that no part of it is false and no material has been concealed there from.
- (ii) That the statements made in paragraphs of the accompanying application now shown to me are true to my knowledge and are derived from the official records made available to me and are based on information and advice received which I believe to be true and correct.

Deponent

Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited, Vydyuthi Bhavanam,
Pattom, Thiruvananthapuram – 695 004

VERIFICATION

I, the above named deponent, solemnly affirm at Thiruvananthapuram on this the **.11.2022** that the contents of the affidavit are true to my information, knowledge and belief, that no part of it is false and that no material has been concealed there from.

Deponent

Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited, Vydyuthi Bhavanam,
Pattom, Thiruvananthapuram – 695 004

Solemnly affirmed and signed before me

Advocate and Notary

**BEFORE THE HON'BLE KERALA STATE ELECTRICITY REGULATORY
COMMISSION**

In the matter of : Petition under Regulation 17(2)(i) of the KSERC (Terms and Conditions for Determination of Tariff) Regulations 2021 and in compliance with the directions of Hon'ble Commission dated 14.06.2022 in OA No 13/2020 in the matter of TU 2018-19, order dated 21.06.2022 in OA No 22/2022 in the matter of TU 2019-20 and order dated 24.06.2022 in OP No 23/2022 in the matter of TU 2020-21 seeking approval for the PPA with National Thermal Power Corporation Limited for procuring power from Kudgi Super Thermal Power Plant and PPA with Neyveli Lignite Corporation Limited for procuring power from Neyveli New Thermal Power Station (2 x 500MW).

Petitioner :Kerala State Electricity Board Limited
Vydyuthi Bhavanam, Pattom, Thiruvananthapuram

KSEBL most humbly submit the following:

1. Kerala State Electricity Board Limited (KSEBL), is an integrated State Public Sector power utility company constituted by the State Government. KSEBL is carrying out the Generation, Transmission and Distribution functions through three strategic business units. The distribution business unit has been meeting the energy requirement of the consumers by optimally Scheduling power from own generating stations and purchasing power from various sources prudently and economically such that benefit is passed on to the entire consumers of the State.
2. Regulation 17 (2) (i) of the KSERC(Terms and Conditions for determination of Tariff)Regulations,2021 stipulates that as on the 1st day of April, 2022, or thereafter, all modifications/ extension of the existing PPAs and all the PPAs of the units which have declared their COD on or after 1st April 2018 shall have to be approved by the Commission. The relevant regulation is extracted below:

Quote:

"17 (2) Existing generating stations, -

(i) where the Commission has, at any time prior to 1st day of April, 2022, approved a power purchase agreement between a generating business/ company or a licensee and a distribution business/ licensee the tariff for supply of electricity by the generating business/ company to the distribution business/ licensee shall be in accordance with such agreement and for such period as approved by the Commission:

Provided that as on the 1st day of April, 2022, or thereafter, all modifications/

extension of the existing PPAs and all the PPAs of the units which have declared their COD on or after 1st April 2018 shall have to be approved by the Commission:.....”

Unquote:

3. Moreover, in the orders dated 14.06.2022 in OA No 13/2020 in the matter of TU 2018-19, order dated 21.06.2022 in OA No 22/2022 in the matter of TU 2019-20 and order dated 24.06.2022 in OP No 23/2022 in the matter of TU 2020-21, Hon'ble Commission has directed that KSEB Ltd shall file petition for obtaining fresh approval for the Power Purchase Agreement from CGS whose COD was delayed even though the PPA of such projects are signed earlier before the notification of the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2021.
4. Out of the power purchase contracts already entered by KSEBL, following central generating stations, from which KSEBL has allocation as per GoI policy are commissioned after April 2018 for which approval of Hon'ble Commission is not taken.

Sl.No.	Project	MoP allocated Quantum (MW)	Date of signing PPA	Date of Commercial Operation
1	Kudgi Super Thermal Power Plant Stage-I (2400MW) owned by NTPC	111.72	3/11/2010	Sept 2018
2	Neyveli New Thermal Power Station (1000MW)	32.4	10/12/2010	Feb 2021

5. **PPA with National Thermal Power Corporation Limited for power from Kudgi Super Thermal Power Plant:** Kudgi Super Thermal Power Station Stage-I (3X800 MW) owned by NTPC is located in the State of Karnataka. The tariff of the Station is determined by Central Electricity Regulatory Commission as per the CERC (Terms and Conditions for determination of tariff) Regulations as amended from time to time. KSEBL entered into PPA with NTPC for procuring power from the Station on 3-11-2010. A copy of the PPA is enclosed as **Annexure-1**. As per the PPA, the allocation of capacity from the Station to the State of Kerala shall be as decided by GOI based on the existing GOI policy. The station was commissioned on 15-9-2018. At present KSEBL has an allocation of 111.72MW form the project. Hon'ble Commission has been accounting power from this project in the power purchase expenses of KSEBL.
6. **PPA with Neyveli Lignite Corporation Limited for power from Neyveli New Thermal Power Station (2 x 500MW) at Neyveli:** Neyveli New Thermal Power Station (2 x 500MW) owned by NLC is located in the State of Tamilnadu. The tariff of the Station is determined by Central Electricity Regulatory Commission as per the

CERC(Terms and Conditions for determination of tariff) Regulations as amended from time to time. KSEBL entered into PPA with Neyveli Lignite Corporation Ltd. for procuring power from the Station on 10-12-2010. A copy of the PPA is enclosed as **Annexure-2**. As per the PPA, the allocation of capacity from the Station to the State of Kerala shall be as decided by GOI based on the existing GOI policy. The station was commissioned on February 2021. At present KSEBL has an allocation of 32.4MW form the project. Hon'ble Commission has been accounting power from this project in the power purchase expenses of KSEBL.

7. The instant petition is filed seeking approval of Hon'ble Commission for the PPA with National Thermal Power Corporation Limited for procuring power from Kudgi Super Thermal Power Plant and PPA with Neyveli Lignite Corporation Limited for procuring power from Neyveli New Thermal Power Station (2 x 500MW) as submitted in the instant petition.

Prayer

Considering the submissions made above, KSEBL humbly request approval of Hon'ble Commission for the PPA with National Thermal Power Corporation Limited for procuring power from Kudgi Super Thermal Power Plant and PPA with Neyveli Lignite Corporation Limited for procuring power from Neyveli New Thermal Power Station (2 x 500MW) as submitted in the instant petition.

Chief Engineer(Commercial & Tariff)