

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT  
PANCHKULA**

**HERC/Petition No. 27 of 2025**

**IA No. 13 of 2025**

**Date of Hearing : 06.08.2024**

**Date of Order : 12.08.2024**

**In the Matter of**

**Petition under Section 86(1)(b) and Section 63 of the Electricity Act, 2003 read with the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking approval of source and adoption of tariff for the procurement of 500 MW RTC Power at a tariff of Rs. 5.35/kWh on a medium-term basis for a period of 6 years (five years plus extended one year) selected through tariff-based competitive bidding process i.e. Tender No. 116/HPPC/MTT/2024.**

**Petitioner**

Haryana Power Purchase Centre, Panchkula (HPPC)

**Respondent**

Nil

**Present**

1. Ms. Sonia Madan, Advocate, HPPC
2. Mr. Lovepreet Singh, Advocate
3. Ms. Seema Sidana, Xen, HPPC
4. Mr. Satish, representative of M/s. Jindal Power Limited

**Quorum**

**Shri Nand Lal Sharma  
Shri Mukesh Garg**

**Chairman  
Member**

**ORDER**

**Brief Background of the case**

1. The present petition has been filed by HPPC, a joint forum of Haryana Distribution licensees for power purchase/trading, seeking source approval and adoption of tariff for procurement of 500 MW RTC power, on medium term basis for a period of 6 years (five years plus extended one year), at the tariff discovered through Competitive bidding.
2. **HPPC's submissions: -**
  - 2.1 That the HPPC had issued Tender No. 116/HPPC/MTT/2024 on DEEP portal as per the standard bidding document issued by Ministry of Power, GOI on 11.06.2024 seeking offers for procurement of 500 MW RTC Power for a supply period of 5 +1 years i.e. extendable up to one year. The Petitioner intended to procure electricity through Public Private Partnership (the "PPP") on Finance, Own and Operate (the "FOO") basis, and therefore, decided to carry out the bidding process through PFC

Consulting Ltd for selection of a corporate entity(ies)/trading licensee as the Bidder to whom the contract may be awarded for production of electricity and supply thereof as per the terms and conditions specified in the Bidding Documents. The last date of submission of bid was extended through 6 different corrigenda, thereby making the last date of submission of bid as 04.12.2024.

2.2 That the Technical bids were opened on 05.12.2024, wherein 7 bids were submitted following bidders:-

- i. Sembcorp Energy India Limited
- ii. Jindal Power Limited
- iii. Sai Wardha Powergen Ltd.
- iv. Ambitious Power Trading Company Limited
- v. Adani Enterprises Limited
- vi. OPG Power Generation
- vii. NTPC Vidyut Vyapar Nigam Limited

2.3 That the financial bids in the matter were opened on 06.01.2025 and the results of the same are tabulated hereunder for ready reference:-

Name of the bidder	Bid Quantity (MW)	Base fixed cost	Cost of Generation	Cost Transmission charges (Rs./kWh)	Cost Transmission losses	Total
Sembcorp Energy India Limited	100	2.995	2.995	0	0	5.99
NTPC Vidyut Vyapar Nigam Limited	100	2.99	2.99	0	0	5.98
Sai Wardha Power Generation Private Limited	100	2.995	2.995	0	0	5.99
OPG Power Generation Pvt Ltd	155	2.81	2.81	0.26	0.06	5.94
Jindal Power Limited	100	3.01	3.01	0	0	6.02
Adani Enterprises Ltd	100	3.25	3.25	0	0	6.50
Ambitious Power Trading Company Limited	100	3.03	3.03	0	0	6.06

2.4 That an E-Reverse Auction was held on 06.01.2025 on DEEP Portal and the rates discovered therein are as under:

Name of the bidder	Bid Quantity (MW)	Base fixed cost	Cost of Generation	Cost Transmission charges (Rs./kWh)	Cost Transmission losses	Total
Jindal Power Limited	200	2.695	2.695	0	0	5.39
Ambitious Power Trading Company Limited	200	2.695	2.695	0	0	5.39
NTPC Vidyut Vyapar Nigam Limited	150	2.695	2.695	0	0	5.39
OPG Power Generation Pvt Ltd	155	2.535	2.535	0.26	0.06	5.39
Sembcorp Energy India Limited	100	2.71	2.71	0	0	5.42
Adani Enterprises Ltd	500	2.75	2.75	0	0	5.50
Sai Wardha Power Generation Private Limited	100	2.79	2.79	0	0	5.58

2.5 That the multiple bidders had quoted similar tariff of Rs. 5.39/kWh and the offered quantum exceeded the requisite capacity, the selection criteria, as stipulated in Clause 5.2 of the Section B, Request For Proposal (Tender document) was considered.

2.6 That in line with the foregoing condition, the bidder with the maximum capacity i.e., Jindal Power Limited and Ambitious Power Trading Company Limited, both offering 200 MW, highest and equal bid quantities, were declared as the First and Second selected Bidders and M/s OPG Power Generation Pvt. Ltd was considered as the third selected bidder, offering second highest quantum (155 MW) for the remaining quantity for allocation i.e., 100 MW.

2.7 That after the completion of e-reverse auction, some of the bidders increased their offered quantity and offered to match the lowest discovered tariff and the total quantity thus, offered was 875 MW as tabulated below:

S.No.	Bidder Name	Offered Quantum (MW)	Tariff (Rs/kWh)
1	Jindal Power Limited	200	5.39
2	Ambitious Power Trading Co. Ltd	200	5.39
3	OPG Power Generation Pvt. Ltd.	155	5.39
4	Sembcorp Energy India Ltd.	100	5.39
5	NTPC Vidyut Vyapar Nigam Ltd. (NVVN)	220	5.38
	<b>Total</b>	<b>875</b>	

2.8 That the SCPP in its 81st meeting held on 21.02.2025 was apprised about the outcome of bidding process. SCPP directed those further negotiations be conducted with the bidders in the next meeting. Accordingly, in the 82nd meeting of SCPP dated 07.03.2025, the discovered tariff was further reduced to Rs. 5.35/kWh. SCPP asked the bidders to confirm their revised offer in writing.

2.9 That the SCPP, in its 83rd meeting held on 17.04.2025 and 18.04.2025, decided the selected bidders and their allocated quantities for meeting the requisitioned quantity of 500 MW, based on the quantities offered by the bidders during the E-Reverse Auction stage and in line with Clause 5.2 of the tender document.

2.10 That the demand power supply deficit in the State of Haryana is projected to range between 1800 MW to 4400 MW for the upcoming 5 years, owing to non-availability of power from CGPL Mundra, Faridabad Gas Power Plant (FGPP) and J&K Baglihar Hydro Power Project. Further, the availability of power from thermal power plants reduces owing to reduced coal availability during the rainy season is expected to exacerbate the supply constraints. As a result, the Petitioner urgently requires additional power procurement to ensure uninterrupted electricity supply.

2.11 That pursuant to the decision of SCPP dated 07.03.2025, the revised offers were communicated by the bidders, which are summarized as under:-

S. N	Name of the bidder	Capacity (MW)	Fixed Cost (Rs /kWh)	Cost of Generation (Rs /kWh)	Cost of Transmission Charges	Cost of Transmission Losses	Total Tariff (including Fixed Cost) (Rs/kWh)
				<b>Variable Charge (Rs/kWh)</b>			
1.	Jindal Power Limited	200	2.675	2.675	0.0	0.0	5.35
2.	Ambitious Power Trading Company Limited	200	2.675	2.675	0.0	0.0	5.35

3.	NTPC Vidyut Vyapar Nigam Limited	220	2.675	2.675	0.0	0.0	5.35
4.	Sembcorp Energy India Limited	100	2.675	2.675	0.0	0.0	5.35
5	OPG Powergen Pvt. Ltd.	155	2.515	2.515	0.26	0.06	5.35
	<b>Total</b>	<b>875</b>					

- 2.12 That the SCPP, in its 83rd meeting held on 17.04.2025 and 18.04.2025, decided the selected bidders and their allocated quantities for meeting the requisitioned quantity of 500 MW, based on the quantities offered by the bidders during the E-Reverse Auction stage and in line with Clause 5.2 of the tender document, subject to the approval of the Hon'ble HERC, the details of which are as under:

S. N	Name of the bidder	Capacity (MW)	Fixed Cost (Rs /kWh)	Cost of Generation (Rs /kWh)	Cost of Transmission Charges	Cost of Transmission Losses	Total Tariff (including Fixed Cost) (Rs/kWh)
				Variable Charge (Rs/kWh)			
1.	Jindal Power Limited	200	2.675	2.675	0.0	0.0	5.35
2.	Ambitious Power Trading Company Limited	200	2.675	2.675	0.0	0.0	5.35
3	OPG Powergen Pvt. Ltd.	100	2.515	2.515	0.26	0.06	5.35
	<b>Total</b>	<b>500</b>					

- 2.13 That the salient terms and conditions of the Power purchase Agreement to be executed with the selected bidders are reproduced hereunder for ready reference –

### **3.1 The Procurement Contract**

*3.1.1 Subject to and in accordance with the provisions of this Agreement, Applicable Laws and the Applicable Permits, the Utility hereby awards to the Supplier the procurement contract set forth herein [for producing electricity at the Power Station" if Supplier is NOT a Trading Licensee] for supply thereof to the Utility (the "Procurement Contract") for a period of 6 years and the Supplier hereby accepts the Procurement Contract and agrees to implement the same subject to and in accordance with the terms and conditions set forth herein.*

- 2.14 That in view of the Demand Supply Projections made for the upcoming 5 years, a deficit of nearly 1800 MW to 4400 MW is foreseeable after taking into account all the contracted sources of power. The table depicting the current Demand-Availability projections (considering all contracted sources as on 01.04.2025) for next five years based on the mode of peak demand from FY 2025-26 to 2030-31 is appended.
- 2.15 That this medium-term power will help in maintaining the energy balance i.e. power sent during winter season will be received back during summer season. It is pertinent to point out that during FY 2023-24, banking could not be done due to non-availability of surplus power, as even during daytime of winter season, Haryana was deficit in power. The banking data of previous year is tabulated below:

Sr.no	Period	Total Banked LU
1.	November, 2021- March, 2022	-9051.83
2.	November, 2022- March, 2023	-7922.88
3.	November, 2023- March, 2024	-2380.43

Note : (-) represents power supplied by HPPC

The foregoing data evince that power available for banking during winter months is reducing year-on-year. Thus, it cannot be said that Haryana is surplus in power round the clock, but only in a few slots in a day during lean season.

- 2.16 That all the state generators i.e., HPGCL, Aravali & CLP avail annual maintenance during the lean period (Nov-March) and thus, overall availability of power with Haryana further reduces as is evident from the table below:-

Maintenance Schedule of Various Plants					
Sr. No.	Name of Generating unit	Period of Outage		Purpose	Remarks
		From	To		
1.	210 MW Unit- 6, PTPS, Panipat	05.01.2025	20.03.2025 (75 days)	Capital overhauling for RLA of turbine, Max DNA Work & Station C&I work	
2.	250 MW Unit-7, PTPS, Panipat	15.03.2025	08.04.2025 (25 days)	Mini Overhauling for Boiler works & Condenser cleaning	
3.	250 MW Unit-8, PTPS	30.03.2025	23.04.2025 (25 days)	Mini Overhauling for Boiler works & Condenser cleaning	
4.	600 MW, Unit-1, RGTTP, Hisar	29.12.2024	13.03.2024 (75 days)	Installation of De-NOx system for statutory compliance of new environment NOx norms & Capital Overhauling	
5.	300 MW Unit-1, DCRTTP, Yamunanagar	01.10.2024	29.11.2024 (60 days)	For installation of De-NoX system for statutory compliance of new environment NOx norms along with Capital overhauling works.	Already requested vide this office memo no. 245/GMP-47 dated 10.07.2024 and subsequent mail dated 18.07.2024.
6.	300 MW Unit-2, DCRTTP, Yamunanagar	11.11.2024	20.12.2024 (40 days)	For installation of De-NoX system for statutory compliance of new environment NOx norms along with Capital overhauling works.	

- 2.17 That the justifiability and the feasibility of the procurement of medium term RTC power as enumerated above is evident from the projected deficit and the rising cost of power, as is seen from the trends of the power exchange and recent tenders floated by various State Electricity Utilities. Following points are noteworthy in this regard:-

- (a) The offered power was considered as feasible and rational for the State considering various aspects. It is worthwhile here to mention that the Petitioner had earlier floated Tender No. 104 and Tender No. 114 for procurement of medium-term power, where the discovered tariff was found higher than the

current tender process. The details of previous medium tenders are tabulated hereunder for ready reference:-

Sr. no	NIT/No.	Date	Period of Supply	Required Quantum (MW)	Allocated Quantum (MW)	Discovered Tariff (Rs/kWh)
1.	NIT/104	27.02.2023	01.04.2024 to 31.03.2029	1000	360	5.79
2.	NIT/114	15.03.2024	01.10.2024 to 31.09.2029	500	527	5.78

- (b) That the tariff discovered in recent medium-term tender floated by other State Electricity Utilities is comparable to the tariffs derived against present NIT-116. The results of medium-term power procurement tender floated by other state utilities through DEEP Portal, downloaded from official website of DEEP Portal are as under:

Name of the utility	Supply period	Quantum Requisitioned (In MW)	Quantum Cleared (In MW)	Lowest Tariff Discovered (Rs/Kwh)
Tamil Nadu Generation And Distribution Corp.	01.09.2024 to 31.08.2029	1000	75	15
Assam Power Distribution Company Ltd	01.04.2024 to 31.03.2026	200	100	7.98
Uttarakhand Power Corporation Limited (UPCL)	01.12.2023 to 31.03.2027	300	40	6.28
Noida Power Company Limited (NPCL)	01.04.2024 to 31.03.2029	125	95	5.19
RUVNL	01.07.2023 to 30.06.2028	160	80	5.3

The foregoing results of medium-term tender are indicative of the market prices and the reasonability in the consideration of HPPC for procurement of medium-term power.

- (c) That the tariff of power procured through Indian Energy Exchange Limited (hereinafter referred to as "IEX") during the summer/paddy season in the year 2024 was higher than the corresponding period in years 2023 and 2022. The quantum of power purchased from the exchange during the FY 2024-2025 and the cost thereof are tabulated below:

Period	2024-25		
	Quantum at Regional Periphery (LU)	Total Cost (Lakhs)	Landed cost at State Periphery (Rs/ Kwh)
Apr	64.71	317.87	5.09
May	3733.86	23518.38	6.52
Jun	2601.23	14963.82	5.96
July	1865.45	10294.42	5.73
Aug	782.22	4093.72	5.43
Sept	236.84	1272.96	5.55
Oct	620.24	2458.82	4.11
Nov	10.46	86.01	8.56
Dec	213.73	852.68	4.15
Jan	62.07	259.84	4.36
Feb	174.86	720.17	4.28
Mar	187.78	880.11	4.88
<b>Total</b>	<b>10553.46</b>	<b>59718.79</b>	<b>5.86</b>

- (d) That the landed weighted average rate for power procured through Exchange is much higher than the tariff sought to be adopted in the instant Petition (even with escalation). Further, for the time slots where rates in the power exchange are higher, there is difficulty in clearance of requisite bid quantum. Thus, the purchase of power through the exchange to meet the deficit is thus, a costly and unreliable arrangement. The procurement of power through medium term procurement as sought in the instant petition has been therefore, considered in the interest of the State.
  - (e) While considering the reasonability of procurement of power through instant tender, it has also been taken note of that the PFFCL had conducted a medium-term tender for procurement of 4500 MW power for a period of five years under Shakti B(v) scheme of GOI. The financial bid was opened on 07.07.2023 and the weighted average tariff discovered at the generator busbar was Rs. 5.30/kWh. A total of 472 MW was allocated to Haryana, however, PPA was signed for a quantum of 393.94 MW.
  - (f) That the Petitioner is facing deficit of power to meet the demand of the consumers of the State due to non-availability of power from CGPL Mundra, Faridabad Gas Power Plant (FGPP) and J&K Baglihar Hydro power project. Further, the availability of power from thermal power plants reduces owing to less availability of coal from coal mines in rainy season. All the foregoing reasons are worth a consideration for procurement of power through medium term Power Purchase Agreements to ensure availability of power.
- 2.18 That upon evaluation of the power demand, it is submitted that procuring 500 MW power at a tariff of Rs. 5.35 per KWh on a medium-term basis will be feasible and beneficial for the State and will help fulfill power requirement over the next five/ six years.
- 2.19 That Discoms have an obligation to supply 24x7 uninterrupted power supply in its licensed area. The Electricity (Rights of consumers) rules notified by Ministry of Power, Gol, also strive to establish that the consumers have the right to get reliable services and quality electricity from the distribution licensee(s) of his area. Accordingly, HPPC is making all the necessary steps and gear up its sources to ensure quality service and un-interrupted power supply in its licensed area. HPPC is fulfilling the demand with tied up long term/medium term sources and arranging the power to meet the deficit through long/medium term tender(s). Beside these, the remaining deficit power is arranged through short-term tenders on yearly basis. Any demand beyond aforementioned tie-ups is being met through Power Exchanges which also act as load balancing instrument to cater the instantaneous variation of demand during the day.

- 2.20 That considering the position of power deficit in the State and growing requirement for power, the Petitioner is seeking the kind indulgence of this Hon'ble Commission to approve medium-term power sources discovered against NIT-116/HPPC/MTT/2024. It is pertinent here to mention that the validity of bids submitted against NIT-116/HPPC/MTT/2024 is till 30.06.2025.
- 2.21 That the following prayers have been made:-
- a. Allow the present Application and list and hear the captioned Petition on an urgent and expeditious basis: and
  - b. Grant approval of source for the procurement of 500MW RTC power on medium-term basis for a period of 6 years (five years plus extended one year) from the bidders namely M/s Jindal Power Limited (200 MW), M/s Ambitious Power Trading Company Limited (200 MW), and M/s OPG Powergen Pvt. Ltd. (100 MW) as per Tender document;
  - c. Adopt tariff i.e. Rs 5.35/Kwh discovered through competitive bidding (NIT-116/HPPC/MTT/2024) under Section 63 of the Electricity Act, 2003;
  - d. Grant approval for execution of draft PPA to be executed between HPPC and the selected bidders for procurement of medium-term power against NIT-116.
  - e. Pass any such further order(s) or direction(s) that this Hon'ble Commission may deem fit and necessary in the facts and circumstances of the case.

### **Proceedings in the Case**

3. The case was initially heard on 03.06.2025, wherein the petitioner (HPPC) mainly reiterated the contents of its petition, which for the sake of brevity are not being reproduced here. Upon hearing the parties, the HPPC was directed to file the details of tentative landed cost of power for all the three bidders, for all the six years, with break-up of various components viz. fixed cost, variable cost, transmission charges, transmission losses, GNA charges and any other cost, within two weeks from the date of issue of this order.
4. In compliance to the directions of the Commission, HPPC filed the requisite information, under an affidavit dated 23.06.2025. HPPC has submitted as under:-
- 4.1 That in compliance with the above-mentioned direction of this Hon'ble Commission, the details of tentative landed cost of power for all three bidders, for all six years, with a break-up of various components viz. fixed cost, variable cost, transmission charges, transmission losses, GNA charges, and any other cost, are hereunder provided. It is respectfully submitted that the data set forth below is illustrative in nature, based on consideration of presently available parameters and assumptions as regards prevalent situation, and is subject to variation depending upon Wholesale Price Index (WPI),



actual transmission charges & losses, and other statutory adjustments applicable at the time of supply.

- 4.2 That the relevant clauses of Article 11 and 12 of the PPA regarding determination of Fixed and Variable Charges. The computation of fixed and variable charge is subject to Wholesale Price Index (WPI) escalation, which has been considered for all three bidders as per the terms of PPA.

**I. WPI-Linked Escalation of Fixed Charge -**

- 4.3 That as per the provisions of the Power Purchase Agreement (PPA) under Medium-Term Tender No. 116/HPPC/MTT/2024, the Base Fixed Charge agreed upon for the supply of power shall be subject to annual escalation based on the Wholesale Price Index (WPI). In accordance with Clause 11.3 of the PPA, the Base Fixed Charge shall be revised annually to account for 20% of the variation in WPI, calculated between January 31 immediately preceding the Bid Date and January 31 immediately preceding the relevant Accounting Year.
- 4.4 That further Clause 11.4 of the PPA provides the methodology for computing the revised Fixed Charge payable in each Accounting Year. The escalated Fixed Charge shall be payable monthly for the power declared available by the Supplier. However, the Utility's payment obligation shall in no event exceed the Fixed Charge corresponding to Normative Availability of 85% of the Contracted Capacity, defined as the Capacity Charge. The Agreement further provides that the Availability shall be reconciled annually on a cumulative basis to determine the final Fixed Charges payable.

**II. WPI-Linked Escalation of Variable Charge -**

- 4.5 That as per the provisions of Article 12 of the Power Purchase Agreement (PPA) under Medium-Term Tender No. 116/HPPC/MTT/2024, the Variable Charge is payable by the Utility to the Supplier for each unit (kWh) of electricity supplied at the Delivery Point. In accordance with Clause 12.2, the Variable Charge quoted for the Base Year—referred to as the Base Variable Charge—shall comprise components such as fuel/generation cost and transportation cost, including the domestic transportation element wherever applicable. The Base Variable Charge shall be subject to annual revision based on inflation trends, as governed by Clause 12.3 of the PPA.
- 4.6 That further Clause 12.3.2 provides the specific formula for escalation of the generating cost component of the Base Variable Charge. It stipulates that this component shall be increased annually to reflect 50% of the variation in the Wholesale Price Index (WPI) occurring between January 31 immediately preceding the Base Year and January 31 immediately preceding the relevant Accounting Year. For instance, if the WPI rises by

5% during the said period, the generating cost component of the Variable Charge shall increase by 2.5%.

### III. Wholesale Price Index (WPI) Trends and Implications-

- 4.7 That the landed tariff figures submitted herein are inclusive of WPI based on previous trend. In order to present a transparent assessment of the potential variation in landed tariff due to WPI escalation, the Petitioner is placing on record the trend of WPI (as on January) over the past 10 years. The table reproduced below is the official WPI Index starting from 2015 up to 2025, as published by the Ministry of Commerce and Industry:

Year	WPI IN January
2025	155
2024	151.2
2023	150.7
2022	143.8
2021	126.5
2020	123.4
2019	119.2
2018	116
2017	112.6
2016	108
2015	110.8

- 4.8 That a review of the month-wise Wholesale Price Index (WPI) data from 2015 to 2025 evidences a consistent annual increase in inflation over the past decade. For instance, the WPI in January 2015 was 110.8, which rose to 108.0 in January 2016, 112.6 in January 2017, 116.0 in January 2018, 119.2 in January 2019, 123.4 in January 2020, 126.5 in January 2021, 143.8 in January 2022, 150.7 in January 2023, and 151.2 in January 2024, and 155.0 in January 2025. This reflects cumulative annual growth rate (CAGR) of approximately **3.41%**, with higher spikes in certain years (e.g. 13.7% from 2021 to 2022). The upward movement is similarly seen across other months as well. Such patterns affirm the necessity of WPI-linked escalation clauses in long-term and medium-term power procurement agreements, as provided under Article 11 and 12 of the Power Purchase Agreement (PPA). The escalation mechanism, which accounts for 20% of the WPI variation, is a prudent and calibrated approach that provides reasonable cost recovery to the supplier while safeguarding consumer interests. The Petitioner respectfully submits that the Hon'ble Commission may kindly take note of this inflation trajectory while considering the approval of tariffs and associated escalation frameworks. The month-wise data of the Wholesale Price Index (WPI) for the years 2015 to 2025 is produced hereunder and is also being appended herewith for the kind perusal of the Hon'ble Commission.

Month	2025	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
January	155	151.2	150.7	143.8	126.5	123.4	119.2	116	112.6	108	110.8
February	154.9	151.2	150.9	145.3	128.1	122.2	119.5	116.1	113	107.1	109.6
March	154.8	151.4	151	148.9	129.9	120.4	119.9	116.3	113.2	107.7	109.9

April	154.2	152.9	151.1	152.3	132	119.2	121.1	117.3	113.2	109	110.2
May	154.1	153.5	149.4	155	132.9	117.5	121.6	118.3	112.9	110.4	111.4
June		154	148.9	155.4	133.7	119.3	121.5	119.1	112.7	111.7	111.8
July		155.3	152.1	154	135	121	121.3	119.9	113.9	111.8	111.1
August		154.4	152.5	153.2	136.2	122	121.5	120.1	114.8	111.2	110
September		154.7	151.8	151.9	137.4	122.9	121.3	120.9	114.9	111.4	109.9
October		156.7	152.5	152.9	140.7	123.6	122	122	115.6	111.5	110.1
November		156.4	153.1	152.5	143.7	125.1	122.3	121.6	116.4	111.9	109.9
December		155.7	151.8	150.5	143.3	125.4	123	119.7	115.7	111.7	109.4

Considering, the CAGR of 3.41% in WPI from the financial year 2026-27 to FY2030-31, the fixed cost and variable cost for two bidders namely Jindal Power Limited and Ambitious power trading Company Limited is tabulated below:

Year	Projected WPI IN January	WPI Increase (%)	Escalation (20%)	Escalation (50%)	Revised* Fixed Cost	Revised** Variable Cost
2026	160	3.41	1.01	1.02	2.693	2.721
2027	166	6.94	1.01	1.03	2.712	2.768
2028	171	10.60	1.02	1.05	2.732	2.817
2029	177	14.37	1.03	1.07	2.752	2.867
2030	183	18.28	1.04	1.09	2.773	2.919

$$* \text{ Revised Fixed Cost} = \text{Base fixed Cost} * (1 + 0.20 \times \frac{WPI_{YEAR} - WPI_{2025}}{WPI_{2025}})$$

$$** \text{ Revised Variable Cost} = \text{Base Variable Cost} * (1 + 0.50 \times \frac{WPI_{YEAR} - WPI_{2025}}{WPI_{2025}})$$

Similarly, for M/s OPG, the fixed cost and variable cost is tabulated below:

Year	Projected WPI IN January	WPI Increase (%)	Escalation (20%)	Escalation (50%)	Revised Fixed Cost	Revised Variable Cost
2026	160	3.41	1.01	1.02	2.532	2.883
2027	166	6.94	1.01	1.03	2.550	2.933
2028	171	10.60	1.02	1.05	2.568	2.985
2029	177	14.37	1.03	1.07	2.587	3.039
2030	183	18.28	1.04	1.09	2.607	3.094

#### IV. Monthly Transmission Charges are computed based on monthly data from April 2024 to February 2025-

- 4.9 That the monthly transmission charges per unit (₹/kWh), as incurred by the Haryana Power Utilities under the Inter-State Transmission System (ISTS), have been analysed for the period April 2024 to March 2025. The analysis is based on actual billing and reconciliation data for each respective month.

- 4.10 The monthly per unit transmission charge (₹/kWh) has been computed using the following formula given below:

$$\text{Per Unit Transmission Charge } \left( \frac{\text{₹}}{\text{kWh}} \right) = \frac{\text{Total Transmission Charges (₹)}}{\text{GNA(MW)} * \text{No. of days in themonth} * 24}$$

Where: GNA of Haryana for billing = 5068 MW

Month	Total Transmission charges (₹)	Transmission Charges (₹/kWh)
April 2024	1,46,63,08,763	0.40
May 2024	1,60,50,48,385	0.44
June 2024	1,54,39,01,144	0.42
July 2024	1,69,25,06,264	0.46
August 2024	1,53,87,69,286	0.42
September 2024	1,80,00,89,577	0.49
October 2024	1,70,55,58,805	0.47
November 2024	1,64,03,57,862	0.45
December 2024	1,77,18,66,099	0.49
January 2025	1,66,41,09,520	0.46
February 2025	1,79,86,80,184	0.49

The Average ISTS Transmission Charges for the FY 2024-25 works out to be ≈ **₹0.45/kWh.**

#### V. Methodology for Calculation of ISTS Loss (₹/kWh)-

- 4.11 That the Petitioner has undertaken a detailed computation of daily ISTS transmission losses and their monetary impact (in ₹/kWh) for the entire period from 01.04.2024 to 31.03.2025, based on the actual transmission loss percentages recorded each day. The losses ranged approximately from 2.99% to 4.41%. The average loss percentage for the financial year 2024-25 has been calculated as 3.65% and same has been used for calculating landed tariff at Haryana periphery. The transmission loss (Rs/kWh) has been calculated using the formula prescribed for landed tariff computation, as under:

$$\text{ISTS Loss} = \left\{ \frac{(\text{Fixed cost} + \text{variable cost} + \text{transmission charges})}{1 - \text{Transmission Loss}\%} \right\} - (\text{Fixed cost} + \text{Variable Cost} + \text{Transmission Charges})$$

- 4.12 That while the fixed and variable charge has been taken as per the bid, the transmission charges have been considered uniformly for the computation. The resulting values reflect the financial value of energy loss during transmission, which is ultimately borne by the procuring utility. This granular analysis provides transparency

in tariff assessment and is consistent with the Hon'ble Commission's directive to furnish cost break-up based on actual transmission losses.

#### VI. Calculation of Total Landed Tariff at Haryana Periphery

- 4.13 The total landed tariff at the Haryana periphery (in ₹/kWh) for each of the three selected bidders has been computed by summing all relevant cost components, including Fixed Cost, Variable Cost (Cost of Generation), State Transmission Utility (STU) Charges and Losses, and Inter-State Transmission System (ISTS) Charges and Losses. The detailed year-wise projection of the landed tariff for each bidder is provided below:

##### Landed Tariff for M/s Jindal Power Limited and M/s Ambitious Power Trading Company Ltd.

Particulars	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29 -30	FY 30-31
Fixed Cost (Rs./kWh)	2.675	2.693	2.712	2.732	2.752	2.773
Variable Cost (Rs./kWh)	2.675	2.721	2.768	2.817	2.867	2.919
Tariff at delivery point (Rs./kWh)	5.350	5.414	5.480	5.549	5.619	5.692
Transmission Charges (Rs./kWh)	0.45	0.45	0.45	0.45	0.45	0.45
Transmission Losses @ 3.65% (in Rs./kWh)	0.220	0.222	0.225	0.227	0.230	0.233
Total Tariff (Rs./kWh)	6.020	6.086	6.155	6.226	6.299	6.375

##### Landed Tariff for M/s OPG Powergen Pvt. Ltd.

Particulars	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29 -30	FY 30-31
Fixed Cost (Rs./kWh)	2.515	2.532	2.550	2.568	2.587	2.607
Variable Cost (Rs./kWh)	2.835	2.883	2.933	2.985	3.039	3.094
Tariff at delivery point (Rs./kWh)	5.350	5.416	5.483	5.553	5.626	5.701
Transmission Charges (Rs./kWh)	0.45	0.45	0.45	0.45	0.45	0.45
Transmission Losses @3.65%(Rs./kWh)	0.220	0.222	0.225	0.227	0.230	0.233
Total Tariff at Haryana Periphery (Rs./kWh)	6.020	6.088	6.158	6.230	6.306	6.384

- 4.14 That it is pertinent here to mention that all three successful bidders under the Medium-Term Tender No. NIT/116, including Jindal Power Limited (JPL), Ambitious Power Trading Company Limited, and OPG Powergen Pvt. Ltd., has, as a special case, extended the validity of their bids till 31.08.2025 to facilitate the completion of the regulatory and administrative processes. The bidders considering its long-standing relationship with the Haryana Power Purchase Centre (HPPC) and the power requirement of the State of Haryana, has also confirmed that the Bank Guarantee

submitted as Bid Security originally valid till 30.06.2025 is under extension, and the revised Bank Guarantee valid up to 31.08.2025 shall be submitted shortly. However, it is pertinent to mention that bidders have conveyed that this extension is final and granted purely as a matter of exception.

- 4.15 That it prayed that the Hon'ble Commission may be pleased to finalize and approve the tender at the earliest, so that the power capacity can be reserved and secured in the interest of the State of Haryana.

### **Commission's Order**

5. The Commission heard the arguments of the petitioner at length as well as perused the written submissions placed on record by the petitioner. The Commission has considered the submissions of the petitioner herein that the bids are valid up to 31.08.2025.
6. The Commission observes that the supply period as per clause 1.1.1 of the Request for Qualification (RfQ) floated by HPPC is for the period from 01.04.2025 to 31.03.2030, which will be mandatorily extended up to 1 year. However, Ms. Seema Sidana, Xen, HPPC present during the hearing informed that the validity of bids has been extended till 31.08.2025 and as per clause 3.1.1 of the draft Agreement for Procurement of power, the period of supply is six years i.e. it shall start from the date of actual supply of power which shall remain valid up to a period of six years. Further, while answering the observation of the Commission regarding the assurance if any given by the bidders at the contract rate, the Ms. Sonia Madan, the learned counsel for the petitioner submitted that clause 10.3 of the draft Agreement for Procurement of Power, provides as under:-

#### ***"10.3 Substitute Supply***

*In the event the Availability of the Power Station is reduced on account of scheduled maintenance, unscheduled maintenance, delay in commercial operation, shortage of Fuel or Force Majeure, the Supplier may, supply electricity from any alternative source, and such supply shall, for payment of Fixed Charge and Variable Charge, be deemed to be supply under and in accordance with the provisions of this Agreement. Provided further that such supply of electricity from any alternative source shall be limited to 180 (one eighty) days at a time and 365(three hundred and sixty five) days for the entire Contract Period. For the avoidance of doubt, the Parties agree that in the event the Utility rejects any supply of electricity offered hereunder from an alternative source, the Supplier shall be deemed to be in compliance with this Agreement for the purpose of determination of Availability and payment of Fixed Charge.*

*Provided also that the Supplier may supply the Contracted Capacity in a flexible manner by bundling with renewable sources and storage power as per Government of India orders in this regard.”*

Further, Shri Satish, representative of M/s. Jindal Power Limited, present during the hearing submitted that 200 MW power is proposed to be supplied from 1200 MW thermal power plant in Orissa and has sufficient available capacity and resources to supply the contracted power to Haryana. Thus, the power supply to Haryana is assured.

Additionally, there are damages clauses under clause 4.3 and 11.6 of the draft Agreement for Procurement of Power.

7. The Commission observes that there is a gap of 3000 MW in maximum and minimum demand being met on each day. Accordingly, the discoms are directed to reduce the 'peak demand' by taking appropriate demand side management measures to flatten its load curve. The transmission and distribution transformer capacity augmentation essential for shifting of AP as well as industrial load from night to day time, is directed to be completed within two months. The Commission has further observed that Discoms have sold large quantum of power in the power exchange (s) at a price lower than the average purchase price. The Commission is constrained to note that HPPC has procured 7740 MUs in the FY 2023-24 on short term basis at average rate of Rs. 6.79/unit, aggregating to Rs. 5257 crore and has sold 1751 MUs at average rate of Rs. 4.38/unit, aggregating to Rs. 767 crore, in the same financial year. In this regard, the Discoms are directed to take suitable steps to ensure that cheaper and reliable power is made available to the electricity consumers of the State. Further, a long-term planning of power procurement, considering the forecasted demand, is required so that reliable power is made available to the electricity consumers of the State of Haryana, at optimum and firm cost. The options of power procurement should be explored with responsibility and accountability of the generator to supply power at firm tariff. A quarterly compliance report of the abovesaid directions, may be submitted in the Commission on or before 10<sup>th</sup> of the month following the end of the quarter.
8. Having observed as above, the Commission has taken note of the salient features of the proposed power and that the same is in the interest of the State of Haryana. The Commission has also considered the submissions of HPPC that deficit in power supply of approximately 1000-3300 MW is being foreseen in next six years, considering all the contracted sources of power. Further, during winter season, generators with around 1910 MW capacity are going for scheduled maintenance on account of installation of De-NoX system for statutory compliance of new environment NOx norms along with Capital overhauling works, for 25 to 75 days, which is likely to be extended.

The Commission has perused the submissions of HPPC that in the previous biddings for medium term power, discovered tariff was Rs. 5.79/kWh (01.04.2024 to 31.03.2029) to 5.78/kWh (01.10.2024 to 30.09.2029). Further, the tariff discovered by other states in recent medium-term tender floated by them ranges from Rs. 5.19/kWh to Rs. 15/kWh. HPPC had procured 10553.46 LU of short-term power from IEX during the FY 2024-25 at average landed cost of Rs. 5.86/kWh. The Commission has also taken note of the submissions of HPPC that for the time slots where rates in the power exchange are higher, there is difficulty in clearance of requisite bid quantum. HPPC has averred that the purchase of power through the exchange to meet the deficit is a costly and unreliable arrangement. The procurement of power through medium term procurement as sought in the instant petition has been therefore, considered in the interest of the State.

9. The Commission is conscious of the fact that with the demand may rise significantly in the coming years due to fast paced urbanization and industrialization. Further, the power requirement of AP tube-well consumers as well as air conditioning load and the supply of power especially during the peak period is often inadequate. The supply side has been continuously constrained because of non-availability of power from a few large sources viz. Coastal Gujarat Power Ltd. (Mundra), Faridabad Gas Power Plant (FGPP, NTPC) and J&K Baglihar Hydro power project. Further, non-availability of certain intra-state thermal generators, particularly China make power plants, due to technical glitches/unforeseen circumstances, cannot be ruled out. Additionally, the short-term rates in the power exchanges are also expected to be exorbitant during the peak months as the power demand in the entire northern region increases during these months.
10. Subject to the directions given above, regarding submission of a quarterly compliance report on or before 10<sup>th</sup> of the month following the end of the quarter, the Commission has considered it appropriate to accord source approval as prayed for in the petition, in the best interest of the electricity consumers of the State of Haryana. The Commission adopts the tariff and approves the PPA to procure the power, as prayed for in the present petition.

In terms of the above order, the present petition is disposed of.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 12.08.2024.

Date: 12.08.2024  
Place: Panchkula

(Mukesh Garg)  
Member

(Nand Lal Sharma)  
Chairman