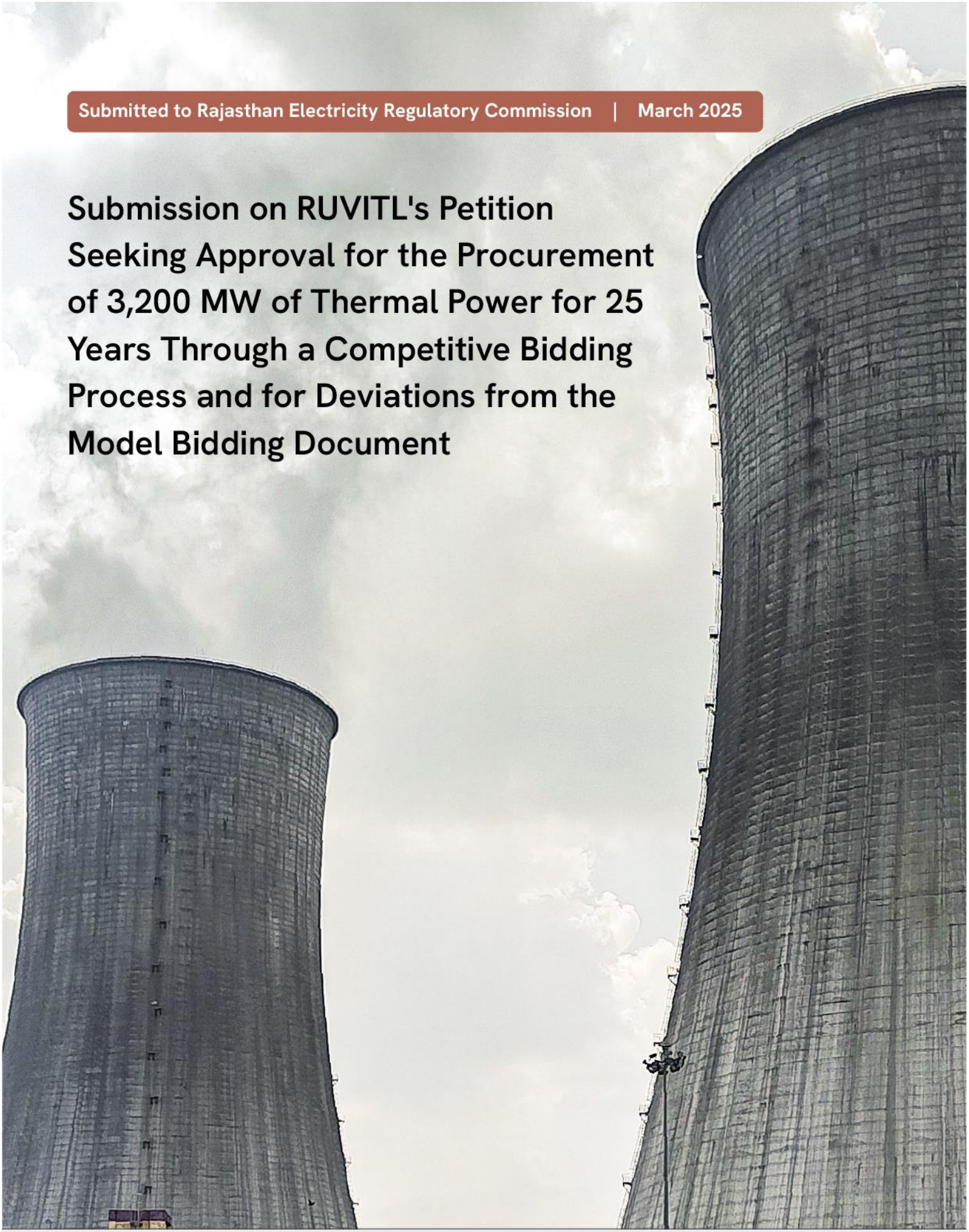
Submitted to Rajasthan Electricity Regulatory Commission | March 2025

Submission on RUVITL's Petition Seeking Approval for the Procurement of 3,200 MW of Thermal Power for 25 Years Through a Competitive Bidding Process and for Deviations from the Model Bidding Document



CENTRE FOR ENERGY, ENVIRONMENT & PEOPLE

climate risk horizons

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1. INTRODUCTION

Rajasthan Urja Vikas & IT Services Limited (RUVITL) has submitted a Petition under Section 86(1)(b) and other applicable provisions of the Electricity Act, 2003, before the Rajasthan Electricity Regulatory Commission (RERC), seeking approval for the procurement of 3,200 MW (4×800 MW) of power for 25 years through a competitive bidding process. The procurement is based on the Model Bidding Documents issued under the Ministry of Power (MoP), Government of India (GoI) Guidelines dated 06.03.2019 for the procurement of electricity from thermal power stations to be set up on a Design, Build, Finance, Own, and Operate basis, with fuel sourcing. Under the Petition, RUVITL has also sought approval for proposed deviations/amendments to the Model Bidding Documents.

RERC has made the petition available on its website for public objections and suggestions. This submission is being made in response to the petition filed by RUVITL, as published on the Commission's website. We respectfully request the Commission to consider this submission for inclusion in the record. The comments and suggestions are organised under the following sections:

- General Comments
- Comments on methodology for demand estimation and resource planning
- Comments on modification/amendments from Model Bidding Documents
- Additional data and information requirement
- Additional comments/suggestions

2. GENERAL COMMENTS

2.1 Lack of Economic Justification and Viability of Thermal over Solar with BESS

The Petitioner has rightly decoupled the renewable energy (RE) procurement component from the thermal baseload power it intends to contract. It may be noted that while making a case for this separation, the Petitioner has highlighted the need to reassess its solar requirement due to the increased focus on decentralised solar energy systems, particularly under the KUSUM Scheme and PM Surya Ghar Muft Bijli Yojana Scheme, and the prioritisation of localised solar solutions over large-scale, centralised projects. These factors will also influence the baseload capacity required to support the grid, as greater reliance on distributed RE reduces the need for continuous coal-based generation. Furthermore, modular Battery Energy Storage Systems (BESS) could offer a cheaper and faster alternative to meet short- and medium-term power requirements in a RE-dominant scenario. Given the uncertainty in future load profiles, the rapid uptake of DRE and BESS, and the potential for consumer migration, the economic rationale for locking into a 25-year round-the-clock (RTC) baseload coal power contract appears unclear and warrants reconsideration.

In this context, an analysis by Climate Risk Horizons (*see Annexure I of this Submission*), which projects tariffs for the proposed 3,200 MW thermal power plant and compares them with a scenario where the 3,200 MW coal-based TPP is replaced by Solar + BESS, reveals significant

potential savings. The study estimates annual savings of ₹5,959.9 crore for energy generated at 75% PLF during the first year (2031-32) alone. Over the course of ten years, the cumulative savings are projected to reach ₹58,146 crore.

The Petition fails to provide any economic analysis demonstrating that investment in coal-based thermal power is the least-cost option for meeting the additional round-the-clock (RTC) demand and is unclear why other options such as firm dispatchable renewable energy (FDRE) or short-term and medium-term power purchases through bilateral contracts or from the market are not being considered as viable alternatives. In the absence of adequate justification regarding the need and economic viability of the proposed power procurement and significant savings on adopting Solar + BESS, we submit that the petition should not be approved.

2.2 Approval from Commission

The Petitioner has filed this petition seeking approval for the procurement of 3,200 MW of power and amendments to the Model Bidding Documents. However, the Petitioner had initiated the process for competitive bidding without the prior approval from the Commission. It had notified on 12.12.2024, vide letter no. RUVITL/CE/SE(PP)/F./D.2591, that it had sent an advertisement for Notice Inviting Tender (NIT) for the long-term procurement of 3,200 MW (4×800 MW) of power for 25 years through a competitive bidding process in two national level daily newspapers (*refer to Annexure II of this Submission*). The advertisement, as seen on the newspapers, has been attached to in *Annexure III* of this Submission.

Additionally, the Petitioner has informed in its Petition that it had previously floated a single composite tender (now cancelled) for the establishment of a 3,200 MW (4×800 MW) coal-based thermal power plant, along with 8,000 MW of solar power projects in Rajasthan for long-term supply of power (25 years). However, it is noted that the Petitioner did not seek prior approval of the Commission for proceeding with the composite tender or for any deviations it may have proposed in the Model Bidding Documents towards the composite tender.

In view of the above, it is requested that the Petitioner be directed to provide justification for floating the NIT and tenders without obtaining prior approval from the Commission. Furthermore, the Commission may take suitable steps to ensure that the Petitioner strictly adheres to the timelines, policies, guidelines, and regulations prescribed under the Electricity Act, 2003 and compliance with the applicable regulatory framework.

2.3 Availability of Transmission Network

The Petitioner has sought approval for the procurement of power but has failed to provide any details regarding the requirement for the development and upgradation of the transmission network within the state. Transmission system considerations are particularly significant in this case, as RUVITL, in its tender, has committed to providing 100% of the fixed charges based on normative availability. This necessitates meticulous planning and close

coordination with the State Transmission Utility (STU) to ensure reliable power evacuation and network stability. Therefore, it is requested that the Petitioner be directed to re-assess the availability of transmission corridors in consultation with the STU. The Petitioner should also define a clear timeline for any necessary transmission network enhancements in coordination with the STU and submit the same at the time of tariff adoption.

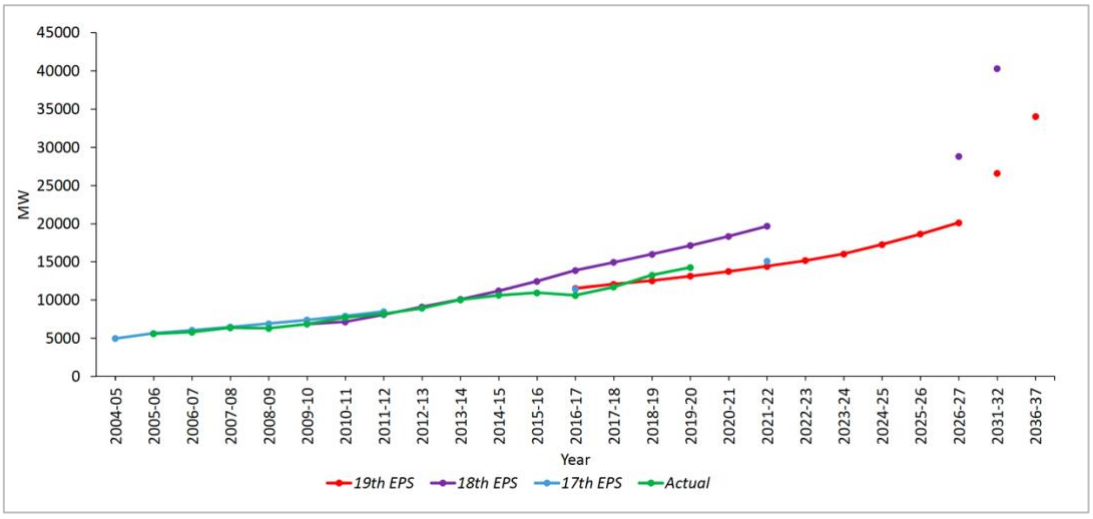
3. COMMENTS ON DEMAND ESTIMATION AND RESOURCE PLANNING

3.1 Reliance on CEA Estimates

The Petitioner relies on the Resource Adequacy Plan (RAP) prepared by the CEA. However, several issues with the plan raise concerns about RAP's accuracy. Firstly, the RAP projects demand for the state as a whole without distinguishing between the demand from open access and captive consumers versus that of the Discoms. This lack of segregation could lead to an overestimation of the Discoms' actual demand. Secondly, the projections are based on peak demand, whereas in a renewable energy (RE) rich scenario, the more relevant metric is net-peak demand, which accounts for the variability of RE generation. These factors are likely to inflate the projected demand and, consequently, its stated need for new capacity additions.

In addition, it is important to note that the CEA projections in the 18th Electric Power Survey (EPS) significantly deviated from the actual demand in Rajasthan, resulting in over-investment in generation in the past (*see Figure 1*). Therefore, it is essential for the State Discoms to conduct long-term demand forecasting using appropriate methods and their own data, while also considering CEA estimates. This approach will help minimize deviations from actual demand and ensure prudent capacity planning.

Figure 1: Actual demand in Rajasthan against projections of 17th to 19th EPS



3.2 EAC Demand Estimation

The Petitioner has submitted estimates from the Energy Assessment Committee (EAC); however, they contain multiple issues and lack detailed information on the overall current

availability and the anticipated availability from various sources. The estimates fail to account for the latest tie-ups made by the State and do not include a breakdown of existing tie-ups with Central Public Sector Undertakings (CPSUs). Furthermore, the RREC (Power Purchase & Procurement Process of Distribution Licensees) Regulations, 2004 mandate forecasting by Discoms and Gencos, considering maintenance schedules of the plants. The Regulations also

Table 1: Year-wise Plant Load Factor (PLF) and Availability of thermal power plants run by RVUNL

S. No.	Name of Power Station	Capacity (MW)	FY 2022-23		FY 2021-22		Fy 2020-21	
			PLF (%)	Availability (Hourly) (%)	PLF (%)	Availability (Hourly) (%)	PLF (%)	Availability (Hourly) (%)
1	SSTPS	1500	49.27	66.91	28.32	77.17	7.53	95.47
2	SSCTPP	1320	40.51	56.66	51.06	69.31	68.14	84.54
3	KSTPS	1240	73.46	80.19	63.56	85.95	47.83	88.85
4	KaSTPP	1200	58.12	76.52	67.97	82.86	57.93	93.79
5	CTPP	1000	63.14	78.84	52.77	60.50	76.09	87.86
6	CSCTPP	1320	62.87	93.83	48.72	68.70	67.25	91.25

mandate forecasting by the STU while incorporating its own maintenance plans. It is worth noting that the availability and Plant Load Factor (PLF) of most of RVUNL's generating stations have been consistently low (*see Table 1*), leading to an abnormal power shortage in the State. This factor should be duly considered while finalising the estimated power requirement for 2029-30. The EAC is required to finalise the overall projections by factoring in these considerations, which, as per the attached documents, has not been done.

3.3 Contradictions in Assumptions of Resource Adequacy Plan (RAP)

The Petitioner submits that the baseline requirement for the contracted thermal capacity of 20,532 MW (comprising 19,710 MW of coal-based capacity and 822 MW of gas-based capacity) by FY 2032 is derived from the RAP prepared by the CEA and subsequently adopted by the State of Rajasthan (*see Paragraph 14 of the Petition*). In Section 3.0 of the RAP (*refer to Pg 93 of the Petition*), it is stated that the study was conducted based on the 20th EPS projections for annual energy requirement and state-level peak demand projections. However, as recorded in the Minutes of the 28th Meeting of the Energy Assessment Committee (*see Annexure 3 of the Petition*), held on 07.01.2022, the Committee adopted a Compounded Annual Growth Rate (CAGR) of 6.88% for peak demand assessment and 6.18% for energy requirement assessment for the period FY 2023 to FY 2030. These growth rates were derived from the 19th EPS conducted by the CEA (*refer to Pg 54 of the Petition*). This hints at a circularity in the assumptions underlying the RAP, as the peak demand projections appear to have been based on the 19th EPS rather than the more recent 20th EPS projections, thereby raising concerns regarding the validity and consistency of the adopted methodology.

4. COMMENTS ON MODIFICATION/AMENDMENTS FROM MODEL BIDDING DOCUMENTS

Without prejudice to our primary contention that there is no economic or technical justification for the proposed power procurement, should the procurement be approved, we submit the following observations on specific clauses of the draft bidding documents.

Table 2: Comments on the proposed deviations from the Model Bidding Documents

Sr No.	Page No.	Clause No.	Remarks/Comments
1	443	1.1.1	The standard bidding document prescribes a 36-month period for the commencement of supply. However, a significant deviation of one to two years is being sought without any justification. This delayed commissioning contradicts the bidder's claim of shortages starting from 2030, undermining the urgency cited in the procurement case. Furthermore, the delay primarily benefits the project developer while imposing additional costs on consumers, as the Petitioner will be forced to procure the shortfall from short-term sources, which are typically more expensive. Therefore, it is requested to disapprove this modification to the MBD.
2	449	1.2.5	The bid security amount has been reduced from ₹5 lakh per MW (as specified in the Model Bidding Document (MBD)) to ₹3 lakh per MW without any justification for this reduction. Additionally, the MBD stipulates that the bid security is non-refundable after 60 days from the Bid Due Date. However, this clause has been removed without providing any rationale.
3	457	3.2.2	Instead of omitting the extension clause, it should be modified to grant the utility the first right of refusal. Since the utility, by signing the PPA, effectively pays for building the asset, it should have priority access to the depreciated, low-cost resource if the power from this capacity is required beyond the PPA term.
4	458	4.1.2	No rationale has been provided for extending the time limit from 60 days to 180 days for meeting the Conditions Precedent. Additionally, since the Power Supply Agreement (PSA) will be signed pursuant to tariff approval by RERC, the omission of subclause "c" lacks clear justification.
5	460	5.1.4	There is no justification for requiring competitively bid projects to comply with CERC/RERC regulations, which are intended for projects developed under Section 62. Additionally, reducing the normative availability from

			90% to 85% could compromise the plant's flexible operation and is therefore not advisable.
6	464	13.4.3	Infirm power should be purchased at the fuel charge quoted in the bid, rather than in accordance with CERC/RERC regulations governing this issue. This approach would also align with Clause 14.1.2, ensuring consistency in the pricing mechanism.
7	465	21.4.4 21.4.5 21.6.2	Normative availability should be 90%
8	470	22.3.1	A proviso should be added to clearly state that any upward increase in fuel costs due to a change in the coal source shall not be permitted.
9	470	22.4.1	Since separate Fuel Supply Agreements (FSAs) are often signed for each unit, the requirement to have a firm and committed FSA should be linked to the Commercial Operation Date (COD) of each individual unit, rather than the last unit being commissioned. This will ensure uninterrupted fuel supply for units that are commissioned early or on time, preventing the entire capacity from being affected by delays in the commissioning of the final unit.
10	472	22.10.2	The modification disproportionately places the risk of fuel linkage or shortage on the utility, even though the issue cannot be attributed to the utility. Given that neither the utility nor the Commission would wilfully delay approval, there is no justification for increasing the Fixed Charge payable under such circumstances.
11	474	24.4	It is recommended to contractually mandate flexibilisation, as it will be essential for the sector. New coal plants should be required to demonstrate ramp-up and ramp-down rates as prescribed by the CEA/CREC, with appropriate penalties imposed for failure to meet these norms or schedules.
12	474	31.4	At the end of the contract term, the utility should have the right to source low-cost power from this asset if needed. Therefore, the clause should focus solely on ensuring this right and avoid making predictive statements regarding future fuel sourcing options.
13	475	34	It is inappropriate to rely on current rules, which could be amended or repealed at any time, for critical contractual provisions such as Change in Law. Instead, contractually binding provisions are necessary to ensure consistency and enforceability throughout the entire term of the contract.

5. ADDITIONAL DATA AND INFORMATION REQUIREMENT

5.1 In **Paragraph 10** of the Petition (*refer to Page 08 of the Petition*), the Petitioner has referred to the 31st Meeting of the EAC which was held on 12.04.2023 and 17.04.2023. However, the minutes of the meeting have not been annexed to in the Petition.

5.2 In Paragraph 20 of the Petition (*refer to Page 12 of the Petition*), the Petitioner has stated that it had submitted a letter of intimation to the *Rajasthan Electricity Regulatory Commission (RERC)* regarding the initiation of a tariff-based competitive bidding process for securing capacity from thermal power projects bundled with solar power to meet the long-term electricity demand of Rajasthan DISCOMs. However, the said letter has not been annexed to the present Petition. The omission to annex this crucial document raises serious doubts regarding the veracity of the Petitioner's assertions and the credibility of its claim. The absence of such supporting evidence calls into question whether due intimation was, in fact, made to the *RERC*, thereby warranting closer scrutiny.

5.3 In Paragraph 24 of the Petition (*refer to page 13 of the Petition*), the Petitioner mentions that a pre-bid meeting of prospective bidders for the first tender (now rescinded) was conducted on 12.08.2024. The Petitioner has not attached any minutes of said meeting to verify the claims it has made in the Petition.

5.4 In Paragraph 28 of the Petition (*refer to page 15 of the Petition*), the Petitioner mentions that it apprised the Government of Rajasthan of its decision to cancel the erstwhile bidding process for procurement of 8,000 MW of solar capacity. The Petitioner has not attached any document attesting to the same.

5.5 In Paragraph 28 of the Petition (*refer to page 15 of the Petition*), the Petitioner has stated that the Finance Department accorded approval for procurement of 3,200 MW of thermal capacity. Any document in support of this approval has not been attached with the Petition.

5.6 The Ministry of Power notified the Guidelines for Resource Adequacy Planning Framework for India on 28.06.2023. Clause 3.7 of Section 3 of the Guidelines require the state distribution licensees to "*undertake a Resource Adequacy Plan (RAP) for a 10-year horizon (Long-term Distribution Licensee Resource Adequacy Plan (LT-DRAP))*". As per Clause 3.8, the LT-DRAP is to be utilised for justifying the licensee's plan to meet their Peak demand and energy requirement. However, no such plan has been submitted by any of the three distribution licensees of the state. Therefore, it is submitted that the discoms may be directed to submit their respective resource adequacy plans in an adequate timeframe and the same to be considered before the bidding process is commenced.

5.7 In Paragraph 33 (*refer to page 18 of the Petition*), the Petitioner has submitted that it has modified the model bidding documents and that some of the modifications have been based on inputs received from prospective bidders of the previous tender in the

pre-bid meeting held on 12.08.2024.[1] The Petitioner further submitted that the modifications proposed to the model bidding documents have been ratified by a 'committee'. However, there is no clarification on which committee is being referred to here. Additionally, no supporting document for attesting to the ratification by this 'committee' has been annexed to in the Petition. It is therefore submitted that the Petitioner be directed to clarify which 'committee' is being referred to in the said paragraph. Furthermore, the Petitioner should also be directed to furnish all documents and correspondence regarding the ratification received from the 'committee'.

6. ADDITIONAL COMMENTS/SUGGESTIONS

6.1 Given the uncertainty in the need for round-the-clock (RTC) power, the PPA should include provisions that safeguard flexibilisation requirements and allow the utility to schedule power in line with its actual demand.

6.2 Since the utility may not require the full contracted capacity at all times, the PPA should include mechanisms for trading surplus power in the market. Specific clauses enabling supply to third parties and trading in the open market should be designed to maximize benefits for the utility and contribute to overall grid efficiency.

6.3 The draft PPA rightly requires the Supplier to seek prior approval from the utility before making any change in ownership. However, it should also mandate that the utility immediately inform the Commission of such changes. The Commission's decision should determine whether to approve or disapprove the ownership change.

6.4 The utility should be required to make public all draft agreements, including the Power Supply Agreement (PSA) and Fuel Supply Agreements (FSAs), along with the final signed versions. These documents should be published on the utility's website in an easily accessible format to ensure transparency.

6.5 Post-bidding, the utility should publish the winning bid along with the name of the successful entity. Additionally, it should provide an anonymous comparison of the winning bid against the L2 and L3 bids to enhance transparency and accountability.

[1] We have previously highlighted that the minutes of said pre-bid meeting have not been made public.

7. ANNEXURES

7.1 Annexure – I: Projected tariffs and potential savings of substituting the planned 3200 MW Coal TPP with Solar+BESS

Projected tariff for a 3,200 MW expansion of a coal based power plant in Rajasthan would be ₹6.86/kWh at 75% PLF, and ₹8.08/kWh at 55% PLF if the power plant is commissioned within 6 years (i.e. by 2031). These figures are based on conservative estimates related to current average capital cost of developing a new coal based power plant in the country, which has been taken at ₹9.5/MW and current average variable cost during 2024-25 of all coal based thermal power plants that are operating within Rajasthan (both state and privately owned). A further comparison of substituting overall cost of generation from a 3200 MW coal based power plant and procuring the same amount of energy from Solar + 4hr Batter Energy Storage System (BESS) (co-located) will lead to a massive **annual savings of 5,959.9 crore** for energy generated at 75% PLF during the first year (2031-32) itself. Over the course of ten years cumulative savings will be ₹58,146 crore, this can potentially cover the replacement cost of a new battery pack for the system within 3-4 years (conservatively at existing prices).

This analysis is based on very conservative figures. The actual tariff for the proposed coal based power plant expansion is likely to be higher as latest capital and variable costs have been used for the analysis and no escalation has been applied to either of the cost components in the course of 6 years till 2031. Data at both state and national level suggests the variable and capital costs have inflated at a minimum annual rate of 3%. The savings analysis is made based on the latest tariff for SECI tender awarded at ₹3.52/kWh for 4hr solar+ co-located BESS in India.

Capacity (MW)	3,200
Plant Availability Factor	85.00%
Annual Generation at 55%PLF (MU)	13,105
Annual Generation at 75%PLF (MU)	17,870

Projected Tariff of 3200 MW Coal TPP(₹/kwh)										
Year	1	2	3	4	5	6	7	8	9	10
Tariff at 55% PLF	8.08	8.03	7.99	7.95	7.91	7.88	7.85	7.82	7.79	7.77
Tariff at 75% PLF	6.86	6.83	6.81	6.79	6.77	6.76	6.74	6.73	6.72	6.72

4hr RE + Storage substitution Savings Total (₹ in Cr.)										
Year	1	2	3	4	5	6	7	8	9	10
Savings at 55% PLF	5969.5	5911.0	5855.6	5803.6	5754.9	5709.8	5668.5	5631.2	5597.9	5568.9
Savings at 75% PLF	5959.9	5918.1	5879.6	5844.6	5813.1	5785.4	5761.6	5741.9	5726.6	5715.6

7.2 Annexure II

Figure 2: Notice of RUVITL notifying the publication of advertisements in two national-level daily newspapers

RAJASTHAN URJA VIKAS AND IT SERVICES LIMITED
(Formerly Known as Rajasthan Urja Vikas Nigam Ltd.)
(A Government of Rajasthan Undertaking)
Corporate Identity Number (CIN) - U40104RJ2015SGC048738
Regd. Office - Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur-302005
Work Office at: 1st Floor, HUDCO Building, Jyoti nagar, Jaipur- 302005
E-mail:ce.RUVNL@rajasthan.gov.in; Website: www.energy.rajasthan.gov.in/RUVNL

No. RUVITL/CE/SE(PP)/F. /D. 2591 Jaipur, Dated: 12/12/2024

The PRO
JVVNL
Jaipur.

Sub: Publication of Notice Inviting Tender.

On the subject cited above, an NIT through e-Tender against TN-06/RUVITL/FY 2024-25 to procure upto 3200 MW power is being sent herewith for publication in Two Nos. National Level daily newspaper (All Editions) i.e. The Hindustan Times and The Times of India as per norms on the date falling the receipt of this communication.

The power purchase is exempted from RTPP Act.

Encl: As above

BSJaiswal
(B.S. Jaiswal)
Superintending Engineer (PP)

Copy submitted to the following for information please :

1. The Managing Director, RUVITL, JVVNL / AVVNL / JdVVNL , Jaipur/Ajmer/Jodhpur.
2. The Director(Finance), RUVITL, Jaipur
3. The Superintending Engineer(S&M//PP/Billing/RA), RUVITL Jaipur
4. The Chief Accounts Officer, RUVITL, Jaipur
5. The Sr. Accounts Officer(RUVITL), Jaipur with request to be present during opening of the Bids and to collect the Earnest Money Deposit received from bidders.
6. The DD(HR), RUVITL, Jaipur
7. O/c, M/f

BSJaiswal
Superintending Engineer (PP)

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Regd. Office - Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur-302005
Work Office at: 1st Floor, HUDCO Building, Jyoti nagar, Jaipur- 302005
E-mail:ce.RUVNL@rajasthan.gov.in; Website: www.energy.rajasthan.gov.in/RUVNL

NOTICE INVITING TENDER

RUVITL on behalf of Rajasthan Discoms invites online bids under the guidelines for long term procurement of power from 3200 MW (4 x 800 MW) coal based thermal power stations set up on Design, Build, Finance, Own and Operate (DBFOO) basis & sourcing fuel allocated to Rajasthan under Para B (iv) of the SHAKTI policy of Ministry of Coal, GoI, for 25 years as per specification under TN-06/RUVITL/FY 2024-25.

Tender document is expected to be available for downloading in the last week of this month. Prospective bidders should regularly visit website to keep themselves updated regarding timelines, clarification, amendments etc, if any.

May visit website https://www.mstcecommerce.com/auctionhome/ppa/index.jsp https://energy.rajasthan.gov.in/ruvks/#/home/dptHome for further details.

Superintending Engineer

Not to be published

BShauk

(B.S. Jaiswal)
Superintending Engineer

7.3 Annexure III

Figure 3: Advertisement of NIT in the newspaper

RAJASTHAN URJA VIKAS AND IT SERVICES LIMITED

(Formerly Known as Rajasthan Urja Vikas Nigam Ltd.)
(A Government of Rajasthan Undertaking)
Corporate Identity Number (CIN) - U40104RJ2015SGC048738
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Raj.Samwad/C/24/9050 RUVITL/PR-83 (2024) **Superintending Engineer (PP)**