**BEFORE THE KERALA STATE ELECTRICITY REGULATORY COMMISSION**

**K.P.F.C. BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM**

**THIRUVANANTHAPURAM, KERALA**

**PETITION NO. OF 2021**

**IN THE MATTER OF:**

CIAL Infrastructures Ltd,

(A subsidiary of Cochin International Airport Ltd)

Regd. Office: XI/318E, Cochin International Airport Bldg.

 Kochi Airport P O, Nedumbassery,

 Ernakulam – 683 111, Kerala - Petitioner

**Versus**

Kerala State Electricity Board Ltd,

Vydyuthi Bhavanam, Pattom, - **Respondent**

Thiruvananthapuram-695004.

**PETITION UNDER SECTION 86 (1) (b) OF THE ELECTRICITY ACT 2003, KERALA STATE ELECTRICITY REGULATORY COMMISSION (RENEWABLE ENERGY AND NET METERING) REGULATIONS 2020 AND OTHER APPLICABLE REGULATIONS FOR APPROVAL OF THE POWER PURCHASE TO MEET THE SOLAR RPO AT THE LOWEST OFFERED BY THE PETITIONER TO KSEBL.**

 **MOST RESPECTFULLY SHOWETH:**

**DESCRIPTION OF PARTIES**

1. The Petitioner CIAL Infrastructures Ltd, (hereinafter referred as “CIAL INFRA‘**’**) is a Company registered under the Companies Act, 2013, is a wholly owned subsidiary of Cochin International Airport Ltd.(CIAL).The parent company, CIAL is floated by the Government of Kerala in 1994.
2. The Respondent is The Kerala State Electricity Board Limited, (hereinafter **‘KSEB’**) is a company under the Companies Act, 2013 and is a distribution licensee within the meaning of Section 2(27) of the Electricity Act, 2003 undertaking distribution and supply of electricity in the State.

**BRIEF FACTUAL BACKGROUND**

1. The parent company of the Petitioner, CIAL, is the World’s First Airport to be fully powered by solar energy. The Airport has also received ‘Champion of the Earth’ award from the United Nations in 2018 for contributions towards developing solar energy for the operations of the airport. Electricity has been an integral part of the day-to-day life of every human being. The tremendous increase in population and the development taking place in the agricultural, industrial and service sectors, the demand for electricity often exceeds the capacity of the existing plants. The petitioner looks forward to having a mutually beneficial and productive association with the KSEBL, the respondent herein in the renewable energy sector.
2. The petitioner had originally envisaged the 10 MW solar PV power plant at Ettukudukka, Payyannur, Kannur district as a CPP project. Since the power consumption at CIAL has been steadily increasing, the petitioner has been adding capacity progressively during the last five years to remain as power neutral and hold the prestigious status as a fully solar powered airport.
3. With the approval of Board of Directors chaired by the Honourable Chief Minister, the parent company, CIAL, had taken a considered decision to purchase 34 acres of land at Payyannur and started the installation of 10MW PV solar plant during March 2020. The Board of Directors of CIAL as a policy decision, had entrusted the ownership and implementation of the said 10MW plant at Etukudukka, Payyannur to its wholly owned subsidiary, CIAL Infrastructures Ltd, the petitioner herein.
4. The petitioner had also remitted Rs 5.49 Crores with KSEBL during the month of June 2020, for augmenting the capacity of the 110 kv substation at Kankol, Payyannur for giving grid connectivity to the petitioner’s solar plant and the same has been completed by KSEBL and subsequently sanction for energization was received from Electrical Inspectorate.
5. It is submitted that the unprecedented Covid Pandemic situation and the resultant travel restrictions in the international and domestic sectors, has brought down the air passenger movements in the country. This has drastically reduced the traffic at the airport, which in turn has reduced the traffic and operations, which in turn reduced the energy consumption to about 1,00,000 units per day. Once the situation is normalized and restrictions on travel are lifted, the petitioner expect the consumption to touch approximately 2,00,000/- per day and then the airport will consume the entire units generated by the new plant at Etukudukka, Payyannur Plant. In this regard the respondent has informed that as per Electricity rules 2005, for providing connectivity as a Captive Generator, the requirements are that not less than 51% of the electricity generated shall be used at airport in each year. **Copy of the letter issued by the petitioner to the KSEBL No. CIL/Fin/202-21/489 dated 03/02/2021 is produced herewith and marked as** **Annexure-A. Copy of the letter No. KSEB/TRAC/KSERC/2021-22/100 dt 05.05.2021 is produced herewith and marked as Annexure-B. Copy of letter No. CIL/Fin/2021-22/265 dated 16/08/2021 issued by the petitioner to the KSEBL is produced herewith and marked as** **Annexure-C.**
6. The connectivity agreement of 10MW Solar P V plant at Etukudukka, Payyannur with KSEBL has been signed on 22nd September 2021 and the plant is ready for commissioning. The energisation sanction has also been received from Electrical Inspectorate. The power generated from the above solar Plant can be used to meet KSEBL renewable Power Obligations (RPO) for a short-term period, as decided by KSEBL which will enable the petitioner to contribute daily approximately 48,000 units of renewable power to the grid, minimizing the carbon foot prints. The petitioner has offered the above power to KSEBL at the rates commensurate with that is being finalised for other agencies by KSEBL for this purpose. **Copy of the Connectivity Agreement dt 22nd September 2021 is produced herewith and marked as Annexure D.**
7. The petitioner also informed the respondent to their readiness and willingness to sell the excess power from the above project for meeting the renewable Power Obligations of KSEBL for a short-term period of two years. The petitioner also offered the same rate which KSEBL received from SECI through a transparent bidding process for purchase of solar power @2.37/Unit excluding trading margin of Rs. 0.07/Unit. The petitioner gave the proposal for two years at the same rate as offered by SECI expecting that the operations of the airport would be back to normal within this period and consumption of power will automatically go up. **Copy of the offer letter No. CIL/Fin/2021-22/278 dated 27/08/2021 issued to the KSEBL by the petitioner is produced herewith and marked as Annexure-E.**
8. The KSEBL has instructed the petitioner to fast track the process to obtain permission from this Honourable Commission. The Respondent vide its Letter dated CE (C&T)/CIAL-Etukudukka/2021-2022/174 dated 08/09/2021 has intimated the petitioner that as per the existing guidelines of Ministry of Power, Purchase of Solar Power on short term basis can only be done through transparent process of tariff based competitive bidding and the tariff so discovered has to be adopted by the Hon’ble KSERC and PPA to be approved by KSERC and directed the petitioner to approach Hon’ble KSERC for the proposal to sell power to the Respondent for two years from the 10 MW Solar PV Power Plant at Etukudukka at Kannur. **Copy of the Letter dated CE (C&T)/CIAL-Etukudukka/2021-2022/174 dated 08/09/2021 issued by KSEBL to petitioner is produced herewith and marked as** **Annexure-F.**
9. Hence this petition is necessitated. It is, therefore, respectfully prayed that this Hon’ble Commission may be pleased to:
10. *Admit the present Petition;*
11. *Approve the procurement of power by Kerala State Electricity Board Limited from* CIAL Infrastructures Ltd- *Solar PV Power Project of 10MW capacity established at* Etukudukka, Payyannur*, including the rate offered @ Rs 2.37 per unit and sign of PPA with KSEBL*
12. Pass any such further Order or Orders as this Hon’ble Commission may deem just and proper in the circumstances of the case.-

**PETITIONER**

PLACE: Thiruvananthapuram

DATED: 24/09/2021

**BEFORE THE JOINT ELECTRICITY REGULATORY COMMISSION**

**K.P.F.C. BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM**

**THIRUVANANTHAPURAM, KERALA**

**PETITION NO. OF 2021**

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CIAL Infrastructures Ltd,

(A subsidiary of Cochin International Airport Ltd - Petitioner

**Versus**

Kerala State Electricité Board Ltd - Respondent

**AFFIDAVIT**

I, Jose Thomas P, S/o. Sri. P M Thomas, aged about 60 years, resident of CC41/546, Periappuram, Soumya Nagar, Alinchuvadu, Vennala P O, Ernakulam – 682 028 do hereby solemnly affirm and state as under:

1. I am the Executive Director of CIAL Infrastructures Ltd and competent & authorized to represent the Petitioner and I am fully conversant with the facts of the case and able to depose to the present affidavit.
2. I have gone through the accompanying Petition and I say that the contents stated therein are based on the records of the Petitioner maintained in the normal course of business and believed by the deponent to be true.
3. The Annexures to the Petition are true copies of their originals

**DEPONENT**

**VERIFICATION:**

I, the deponent above named do hereby solemnly affirm that the contents stated are true to my knowledge, no part of it is false and nothing material has been concealed there from.

Verified at Thiruvananthapuram on this the 24th day of September 2021.

**DEPONENT**