



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2254 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 and Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019 seeking for approval of Power Purchase Agreements executed between respective Project Developers and UPPCL, and adoption of tariff discovered through Request for Selection (RfS) invited for procurement of power through TBCB process from grid connected solar plants connected to selected segregated agriculture feeder of distribution substation with cumulative capacity of 2553.5 MW for sale of power to UPPCL vide the PPA through RESCO mode under feeder level solarization of PM KUSUM Component C-2 Scheme.

AND

IN THE MATTER OF

1. U.P. New & Renewable Energy Development Agency (UPNEDA),

Vibhuti Khand, Gomti Nagar, Lucknow – 226010

2. Uttar Pradesh Power Corporation Ltd. (UPPCL),

Shakti Bhawan, 14-Ashok Marg, Lucknow – 226001.

... Petitioner(s)

VERSUS

1. M/s BN UP KUSUM Solar 1 Pvt. Ltd.

1st Floor, BN Corporate Park, Plot No. 18, Sector-135, Noida,
Gautam Budh Nagar – 201301

..... Respondent

FOLLOWING WERE PRESENT

1. Sh. Divyanshu Bhatt, Advocate, UPPCL & UPNEDA

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2. Sh. Abhayaditya Singh, Advocate, UPPCL & UPNEDA
3. Sh. Rakesh Agarwal, SPO-I, UPNEDA
4. Sh. Sanjay Chaurasia, S.E (PPA), UPPCL

ORDER

(DATE OF HEARING: 11.11.2025)

1. The Petitioner(s) have filed instant Petition seeking approval of PPAs executed between Project Developers & UPPCL and adoption of tariff discovered through Tariff Based Competitive Bidding (TBCB) process from grid connected solar power plants under Feeder Level Solarization of 'PM KUSUM' Component-C2 Scheme. The prayers of the Petitioner(s) are as follows:
 - a) Admit the instant Petition.
 - b) Approve the 28 PPAs executed between Project Developers and UPPCL which have been annexed as Annexure 1 to Annexure 28 in the present Petition.
 - c) Adopt the tariff rate for procurement of power from the Project Developers to UPPCL as has been provided in the 28 PPAs.
 - d) Pass such orders that this Commission may deem fit in the present facts and circumstances of the case.

Background of the case:

2. The Petitioner(s) have mainly submitted the following in the Petition:
 - a) The MNRE has issued "Guidelines for implementation of Pradhan Mantri Kisan Urja Suraksha evam Utthan Mahabhiyan ('PM KUSUM') Scheme for farmers with the following components:
 - (i) Component A: Setting up of 10,000MW decentralized Ground/ Stilt mounted grid connected Solar or other Renewable Energy based power plant.
 - (ii) Component B: Installation of 14 Lakh stand-alone Solar Agriculture Pumps.
 - (iii) Component C: Solarization of 35 Lakh Grid connected agriculture pump including Feeder Level Solarization.
 - b) The MNRE vide its OM dated 17.01.2024 vide notification number F.No. 32/645/2017-SPV Division, notified the 2024 "Guidelines for implementation of PM

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KUSUM Scheme", wherein under Component C of the scheme, it was targeted to achieve 2,000MW of grid connected renewable power plants for segregated Agriculture Feeders. Subsequently, MNRE issued OM's dated 14.02.2024, 01.03.2024 & 04.04.2024 for clarification regarding new Comprehensive guidelines of PM KUSUM Component C, Amendment in the Scheme, Detailed Milestone for release of Central Financial Assistance (CFA) respectively. Thereafter, UPNEDA issued an office order dated 28.05.2024 for disbursal of Viability Gap Funding (VGF) to RESCO developer. On 09.12.2024, UPPCL had also shared revised list of Distribution sub-stations with agriculture feeder of proposed capacity under the C-2 Component of 'PM KUSUM' Scheme.

- c) UPNEDA issued a Notice Inviting Tender (NIT) in two daily newspapers (a) Hindustan (Hindi) and Hindustan Times (English) for procurement of power through TBCB process from grid connected solar plants connected to identified segregated agriculture feeders of distribution substations with cumulative capacity of 2553.5MW for sale of power to UPPCL through RESCO mode under feeder level solarization of 'PM KUSUM' Component C-2 scheme on the terms and conditions contained in the RFS No. 03/UPNEDA-PMKUSUM-C-2/FLS/2024 dated 19.07.2024.
- d) After the bids were received by UPNEDA against the NIT, the same were evaluated by the Bid Evaluation Committee (BEC). The successful bidders in the bidding process were issued the Letter of Award (LoA) and subsequently PPAs were signed.
- e) Earlier, UPNEDA had filed Petition No. 2131 of 2024 before the Commission seeking approval of Bidding Documents (i.e., Draft RfS & PPA) for procurement of 3205 MW grid connected Solar power through TBCB process for 25 years period under Component- C i.e., Feeder Level Solarization of PM KUSUM Component C-2 Scheme. The Commission vide its Order dated 06.12.2024 in said Petition approved the Bidding Documents along with certain deviations with direction to UPPCL to verify list of substations and their capacity and UPNEDA to ensure identification of public land before the last date of bid submission. Further, the Commission, vide order dated 06.12.2024, had also directed to ensure alignment of the tender documents considering the position of the agricultural feeders and substations and allotment of substations to the lowest bidders. Accordingly, Petitioner(s) had reidentified the

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mixed feeders and substations and thereafter, total capacity for which bids were received was for 2553.5 MW as against the original capacity of 3205 MW.

Additional Submissions:

3. On 04.09.2025, Petitioner(s) filed additional submission and have mainly submitted the following:
- The process as per the 'PM KUSUM' (Component C-2) Scheme commenced with the publishing of the Tender Notice in two No. of Newspapers (1 No. in Hindi and 1 No. in English) with wide circulation and reach. The tender Notice was published in English in the newspaper "The Hindu" while in Hindi it was published in the newspaper "Dainik Jagran". These notices were published in the newspaper on 19.07.2024. In this regard, under the captioned Petition, while annexing the correct annexure at Annexure 36, it was inadvertently stated in para 14 that tender notice has been published in the newspaper - "Hindustan" (Hindi) and "Hindustan Times" (English). The Petitioner(s) tendered an apology for the said inadvertent error and oversight.
 - Pre-bid meeting was held on 06.08.2024, wherein 232 potential bidders participated (58 physically and 174 virtually). Based on the queries and suggestions received from the potential bidders, various corrigenda were issued. Vide the Corrigendum 1, amended Draft RFS and PPA were issued, while Corrigendum 2-6 were issued for extension of date for submissions of the Bid.
 - The Commission vide its Order dated 06.12.2024 in Petition No. 2131/2024, granted liberty to Petitioner(s) to finalize the list of substations and the corresponding capacity one week before the last date of bid submission. The last date of the Bid submissions was 09.01.2025 as per Corrigendum 8 dated 18.12.2024. The list of sub-stations and corresponding capacity was finalized vide Corrigendum 9 dated 02.01.2025 and was uploaded on the website.
 - There was a difference in the cumulative capacity of all feeders mentioned as 2549.5MW in the detailed list of sub-stations (at Annexure A-30) and cumulative capacity mentioned in the Corrigendum 8 & 9 due to revision in capacity to 2553.5MW. This difference was due to the fact that capacity of the Saijani sub-station of MVVNL in Badaun District, which was initially computed as 2MW, was

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subsequently revised to 5.5MW, as per the communication dated 17.12.2024 received from UPPCL. Further, another substation being BMU-30150 of 0.5MW capacity was also added to the list, thereby increasing to the finalized capacity of 2553.5MW.

- e) The bidding was conducted on the ISN-ETS portal. It is submitted that the Technical Bid opening date was 10.01.2025 and the financial bid opening date was 29.01.2025. Following are the details of the substations, corresponding capacity, and the bids received:
- (i) Total substations: 1002 (2553.5 MW).
 - (ii) Bidders participated in tender: 235.
 - (iii) Selected Bidders: 153.
 - (iv) No. of substations on which bids received: 494 (1529.1 MW).
 - (v) Additional bid offer received for 72 substations (157.3 MW) under clause A.2.7 of the RFS.
 - (vi) LoAs issued for 566 substations (1686.4 MW).
- f) Subsequently, the successful bidders were issued LoAs between 04.02.2025 and 09.07.2025. Detailed tabular representation of the timelines of the bidding process, from the date of floating tender to the issuance of Letter of Awards (LoAs) is reproduced herein below:

S. No.	Date	Activity
1.	19.07.2024	Tender Notice Published in Newspaper: (i) The Hindu (English) (ii) Dainik Jagran (Hindi)
2.	06.08.2024	Pre-Bid Meeting: Participants: (i) 58 (Physical Mode) (ii) 174 (Virtual Mode)
3.	20.08.2024	Corrigendum-1: Based on suggestions & comments received in Pre-bid Meeting 06.08.2024 the Amended RFS and Draft PPA
4.	09.09.2024	Corrigendum-2: Date extension
5.	07.10.2024	Corrigendum-3: Date extension
6.	19.10.2024	Corrigendum-4: Date extension
7.	08.11.2024	Corrigendum-5: Date extension
8.	25.11.2024	Corrigendum-6: Date extension
9.	06.12.2024	RFS Approval from the Commission in Petition No. 2131/2025
10.	12.12.2024	Corrigendum-7: Revised RFS & Draft PPA amendment as per UPERC order Dated 06.12.2024 uploaded
11.	17.12.2024	Pre-Bid Meeting: To address various queries concerning the RFS and Draft PPA (Online/ Offline Mode) Participants: (i) 51 (Physical Mode) (ii) 315 (Virtual Mode)

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S. No.	Date	Activity
12.	18.12.2024	Corrigendum-8: Date extension (Modify 5.5 MW), Capacity- 2553 MW
13.	02.01.2025	Corrigendum-9: Capacity- 2553.5 MW (i.e., Added 0.5 MW)
14.	10.01.2025	Technical Bid Opening
15.	29.01.2025	Financial Bid Opening
16.	04.02.2025	LoA Issued (103 Nos./ 401.9 MW)
17.	22.02.2025	LoA Issued (39 Nos./ 144.1 MW)
18.	12.03.2025	LoA Issued (220 Nos./ 591 MW)
19.	19.03.2025	Lottery System Procedure (11 Substations/ 26.4 MW)
20.	21.03.2025	LoA Issued (07 Nos./17.1 MW)
21.	04.04.2025	LoA Issued (123 Nos./ 370.9 MW)
22.	19.04.2025	LoA Issued (25 Nos./65 MW)
23.	23.04.2025	LoA Issued (48 Nos./ 93.5 MW)
24.	09.07.2025	LoA Issued (01 Nos./ 2.9 MW)

Records of Proceedings:

4. During the hearing, Sh. Divyanshu Bhatt, Counsel of UPPCL submitted that instant Petition was filed in continuation to the earlier Petition No. 2030/2025 and requested for reserving the matter for Order. The Commission observed certain discrepancy with respect to details of Respondent No. 4 & 6, Sh. Bhatt apologized for the typographical error and stated that an additional affidavit would be filed in this regard. After hearing, the Commission reserved the Order in the matter subject to additional submissions to be file by UPPCL.

Reply of the Respondent

5. On 10.09.2025, Respondent filed its reply and has mainly submitted the following:
- a) Respondent has no objection to the approval of PPA and request the Commission to grant approval of PPA.
- b) The MNRE vide its OM dated 04.04.2024, provided detailed milestones in respect of the projects being developed under the PM KUSUM C Scheme. In the said OM, it was provided that 30% of the Central Financial Assistance (CFA) shall be disbursed only after various conditions were completed by the Developer, including Financial Closure and Escrow Agreement. Further, as per Article 4.6 of the PM KUSUM Guidelines as well, there was a requirement for the Discom/UPPCL to maintain Escrow Arrangement. In this regard, this Commission may issue necessary directions to the Discom for executing the Escrow Agreement with the Developers in order to facilitate the timely completion of its obligations by the Developer and issuance of the CFA for completing the Project.

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c) The Commission may issue necessary directions to UPPCL for allocating the bay and granting connectivity to the developer and take any necessary steps in this regard, including execution of a connectivity agreement, if required.

6. On 21.11.2025, Petitioner(s) have jointly filed their additional affidavit stating that all the PPAs executed under the present subject Petition are strictly in accordance with and without any deviation from the provisions of the approved draft PPA as approved by the Commission vide its Order dated 06.12.2024 in Petition No. 2131 of 2024.

Analysis & Decision

7. UPNEDA & UPPCL have jointly filed this Petition seeking adoption of tariff discovered through TBCB process for procurement of 57.5 MW from grid connected Solar PV power plants under 'PM KUSUM' Component-C2 and approval of 28 number PPAs executed between Project Developers and UPPCL.

8. The Commission, vide its Order dated 06.12.2024 in Petition No. 2131/2024, had approved the bidding documents (i.e., RfS & PPA) along with certain deviations for procurement of 3205MW of Solar PV based power under the 'PM KUSUM' Component-C2 Scheme. Further, the Commission, vide its Order dated 08.10.2025 in Petition No. 2230 of 2025, has held that the Bidding was conducted as per the approved bidding documents and had adopted the tariff for the 25 number of PPAs. The relevant extracts of the said Order dated 08.10.2025 are as follows:

"10. The Bid Conformity Certificate was issued by Bid Evaluation Committee wherein it has certified that the instant bid process was conducted as per the provisions of the Bidding document dated 19.07.2024. Further, UPNEDA confirmed that it had conducted the bid dated 19.07.2024 in adherence to the Commission's approved documents. The relevant extract of the said UPNEDA's submission are as follows:

"Tariff based Competitive Bidding Process conducted by U.P. New and Renewable Energy Development Agency (UPNEDA), Lucknow vide RfS no. 03/UPNEDA-PM KUSUM-C2/FLS/2024 dated: 19-07-2024 for Selection of Solar Power Generators (SPGs) through Tariff Based Competitive Bidding for setting up of Grid Connected Solar Power Plant for Solarization of segregated agriculture feeders at distribution substation cumulative capacity of 2553.5 for sale of power to UPPCL at various locations in the state of Uttar Pradesh through RESCO Mode under PM KUSUM component-C2 Scheme.

This is to certify that the bid evaluation in respect of above bid process has been done in Conformance with the provisions of the vide RfS no. 03/UPNEDA-PM KUSUM-C2/FLS/2024 dated: 19-07-2024."

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11. In view of above discussions, it emerges that selection of successful Bidders has been done and the tariff discovered in terms of approved Bidding document. It is observed that out of total approved capacity of 3205 MW, Petitioner(s) had revised the Bid Capacity to 2553.5 MW in terms of the Order dated 06.12.2024. However, in the present case 25 number of PPAs were executed only for 118.2 MW and for the remaining PPAs executed, Petitioner has acknowledged that Petitions has been filed which are under different stage of proceedings. Therefore, in terms of Section 63 of the Act, the Commission adopts the individual tariff for the solar power project, as agreed to by the successful bidders and UPPCL and approves these 25 numbers of PPAs as detailed in para 9 of this Order."

9. Details of the successful bidder i.e., project developers with whom UPPCL executed PPA and have been placed for approval in present Petition are as under:

S. No.	Name Of Developer	SPV Name	Location	S/s Name	Project Capacity (MW)	Accepted Tariff (INR/kWh)	PPA Signed
1	A1 Agriglobal Ltd.	BN UP Kusum Solar 1 Pvt. Ltd.	Firozabad	Lalau	2	2.9	06.05.2025
2			Firozabad	Banwara	2.5	2.9	06.05.2025
3			Firozabad	Itoly	2.1	2.9	06.05.2025
4			Firozabad	Rupaspur	1.7	2.9	06.05.2025
5			Firozabad	Abbaspur	2	2.9	06.05.2025
6			Firozabad	Jatpura	2.5	2.9	06.05.2025
7			Firozabad	Nagla Girdhari	1.8	2.9	06.05.2025
8			Firozabad	Pachokhara	1.9	2.9	06.05.2025
9			Aligarh	Lodha	2.7	2.9	06.05.2025
10			Agra	Arnota	2.9	2.9	06.05.2025
11			Agra	Pinahat	1.1	2.9	06.05.2025
12			Agra	Kheragarh	1.2	2.9	06.05.2025
13			Aligarh	Singharpur	2	2.9	06.05.2025
14			Farrukhabad	Bhoodnagariya	2.5	2.9	06.05.2025
15			Farrukhabad	Kamlaganj	2.7	2.9	06.05.2025
16			Farrukhabad	Khimsepur	1.7	2.9	06.05.2025
17			Farrukhabad	Shamsabad	3	2.9	06.05.2025
18			Agra	Naripura	1.1	2.9	06.05.2025
19			Agra	Gubroth	1.3	2.9	06.05.2025
20			Agra	Behadi	4.2	2.9	06.05.2025
21			Agra	Humaupur	1.4	2.9	06.05.2025
22			Agra	Inayatpur	1.4	2.9	06.05.2025
23			Agra	Iradatnagar	3.9	2.9	06.05.2025
24			Agra	Rooppur	1.2	2.9	06.05.2025
25			Agra	Wajidpur	1.1	2.9	06.05.2025
26			Aligarh	Kazimabad	2.7	2.9	06.05.2025
27			Agra	Papari nagar	1.6	2.9	06.05.2025
28			Agra	Barna	1.3	2.9	06.05.2025
	Total (MW)				57.5		

10. The Commission, through its earlier Orders, had approved following quantum of power and the number of PPAs under the same bidding documents:

S. No.	Order Dated	Petition No.	No. of PPAs approved	Capacity Approved (MW)
1.	08.10.2025	2230/2025	25	118.2
2.	19.11.2025	2268/2025	25	82.6
3.	27.11.2025	2275/2025	25	61.6

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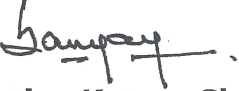




S. No.	Order Dated	Petition No.	No. of PPAs approved	Capacity Approved (MW)
4.	02.12.2025	2278/2025	18	56.7
5.	28.11.2025	2282/2025	27	82.2
6.	03.12.2025	2283/2025	28	72.4
7.	04.12.2025	2292/2025	26	68.9
8.	09.12.2025	2253/2025	29	67.5
9.	12.12.2025	2284/2025	25	71.9
by. Total			228	682

11. Therefore, in terms of Section 63 of the Act, the Commission adopts the individual tariff for the solar power projects, as agreed to by the successful bidders and UPPCL and approves these 28 numbers of PPAs for 57.5 MW power, as detailed in para 9 of this Order. Further, the Commission, advises Petitioner(s) to take proactive steps^{by} and facilitate Solar Project Developers in ensuring timely completion of the project in order to achieve the objectives of the 'PM KUSUM' Scheme, which would ultimately help the consumers through optimising the power purchase cost of UPPCL.

The Petition stands disposed of in terms of above.


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 15.12.2025

