

**Agenda for the monthly meeting of Solar Power Developers with
Secretary, Ministry of New and Renewable Energy**

Date	28.04.2021
Time	12.00 pm

Part-I: Critical Issues		
S.No	Issue Description	Presenter
1.	<p>Impact on RE projects due to the second COVID wave.</p> <p>The second wave of COVID-19 with consequent lockdowns in more than 10 States has resulted again in restriction in movement, shortage of labour, unavailability of human resources in Government offices resulting in delay in approvals, etc. SPDA request MNRE to consider:</p> <ul style="list-style-type: none"> - Blanket extension in timelines for SCOD and FC by three months for projects. - MNRE may consider extension in new bid submission for some time. <p>Status:</p> <p>a. SPDA requested Ministry that banks are currently not disbursing without an extension letter provided to States. Furthermore, States like MH are renegeing on contracts. SPDA suggested that specific clauses to be added such a way that discourages re-negotiation, if increase in BCD limit to fall on account on SPDs etc. In addition the process should have less paperwork and more support in this regard</p> <p><i>MNRE will examine the request to arrive at a decision.</i></p> <p>b. MNRE discussed this with MD,SECI regarding extension of bids for 1785 MW tender which can be extended but didn't see reasons how it will be beneficial for SECI. <i>No decision was taken.</i></p>	<p>Mr Vinnet Mittal CEO, Avaada Energy</p>
2.	<p>Delay in readiness of PGCIL evacuation infrastructure : GIB potential areas.</p> <p>As per the Hon'ble Supreme Court order 19.04.2021, a Committee being set up to evaluate the feasibility of deployment of underground high voltage transmission lines in potential GIB areas. Until the committee submits its report to the SC, a considerable delay is expected in the construction of evacuation infrastructure by PGCIL/ STU.</p> <p>SPDs seek clarity and necessary action to avoid delay in under-construction projects in GIB potential areas. Way forward for new bids until the committee presents a report.</p> <p>Request to consider suitable extension in granting ISTS waiver for transmission & connectivity.</p> <p>Status: SPDA sought advice and clarity on this issue from MNRE and suggested</p>	<p>Rajat Seksaria CEO, Acme Group</p>

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	<p>a. Joint representation to reinstate the order for priority area rather than potential area.</p> <p>b. Already awarded projects should be considered under existing project instead of new projects. As it was suggested that there is a contractual obligations are underway, materials have been ordered and there is both time and financial implication.</p> <p><i>MNRE discussed regarding the process that the State Govt will submit a feasibility report to the commission. Based on findings it will examine the issue so that decision can be arrived by the Hon'ble SC and only then we should approach Hon'ble SC with specific request. MNRE assured they can expedite the matter.</i></p> <p>SPDA further elaborated that the dilemma is since it isn't directly addressed to the developers. Therefore it sought clarity for under construction projects if relief for extension would be provided incase the project is halted or to continue with work which will also be in violation with the SC order.</p> <p><i>It was decided by Ministry, a dedicated stakeholder meeting will be scheduled with CEA, Power grid, State Transcos, SECI, and industry members to deliberate on this issue.</i></p>	
3.	<p>Recommendation to Power Ministry for reinstatement of a clause for allowing waiver of ISTS access charges for RPO obligated entities.</p> <p>The MoP order, while approving extension of ISTS charges waiver for RE projects till June 30, 2023, has excluded the extension of this waiver for entities having a Renewable Purchase Obligation (RPO) which in contrast to the previous order dated August 5, 2020.</p> <p>SPDs requests Ministry to</p> <ul style="list-style-type: none"> - Restore ISTS access charges and losses waiver for entities having RPO Obligations, irrespective of whether this power is within RPO or not, in line with the previous MOP order dated August 5, 2020. - Provide clarity on the applicability of the exemption to both ISTS access charges and losses. <p>Status: MNRE discussed that the current ISTS waiver and losses are currently borne by DISCOMS and it did not see any merit to take this up again with MoP for exemption of payment to private players as it will be ultimately be borne by DISCOMs and undergo a stay.</p> <p>MNRE and MoP are working on an alternative for streamlining ease of open access in a time bound from concerned authorities for meeting RPO Obligations.</p> <p><i>MNRE and MoP is already considering this matter. MNRE will deliberate on this issue and take a view on it.</i></p>	<p>Manish Agarwal CEO, Sterlite Power</p>
4.	<p>Clarification reg. applicability of the ALMM Order – amended ALMM list at time of SCOD shall be applicable</p> <p>The PPAs specify the ALMM list at COD, while MNRE March 2021 notice suggests applicability to bids post-April 10, 2021.</p> <ul style="list-style-type: none"> - ALMM list to be applied on projects till date of commissioning for new projects only that shall be bid out. 	<p>Tanya Singhal, Founder and Director, SolarArise</p>

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	<ul style="list-style-type: none"> - MNRE to explicitly state that ALMM list shall not apply on projects already bid out, under construction or at the verge of commissioning. - Clarity on enlistment of foreign manufacturers. <p>Status:</p> <ol style="list-style-type: none"> a. ALMM will not be applicable for older project and it should be relaxed by RE agencies. b. It will be applicable for projects issued after one month from the date of ALMM order. c. The scheme provides for enlisting foreign manufacturers but in present circumstances of travel restrictions due to COVID-19, it will be impossible to enlist foreign manufacturers in 1.5 to 2 years. Therefore, industry players should rely instead on domestic manufacturers who are putting in new capacities. d. Developers are to refer the updated list at the time of bidding. MNRE will take 15 days for updating this as and when the domestic plant is ready. <p><i>MNRE has already informed to SECI in this regard.</i></p> <p><i>It was suggested that a meeting should be organized with so that the industry association for developers and manufacturers to design contracts, find willingness and commitment to work with each other before coming to MNRE.</i></p> <p><i>MNRE will provide collated info. regarding visibility on capacity information according to manufacturers, efficiency and technology wise to industry players.</i></p>	
5.	<p>Time Extension in FC and SCD for projects due to power procurement approval and delay in tariff adoption from Regulatory Commission.</p> <p>Suitable time extension should be provided from the date of adopting tariff or procurement approval, whichever is later.</p> <p>Status: SECI will provide this information to MNRE. SPDA has also sent a representation letter to MNRE to expedite this issue.</p>	<p>Ranjit Gupta</p> <p>CEO, Azure Power</p>
6.	<p>GST on Corporate Guarantees issued by Holding/Ultimate holding companies of SPDs in favor of lenders of SPDs.</p> <p>This GST liability @ 18% on deemed CG commission will have a significant cost increase impact on SPDs that SPDs would recover under 'change in law' from their power off-takers.</p> <p>Status: Unless there is a change in the order "Change in Law" will not occur.</p>	<p>Kishor Nair</p> <p>COO, Avaada Energy</p>
7.	<p>Alignment of LTA operationalization with SCD of the project</p> <p>MOP vide its order dated 15.01.21 had directed to CERC to issue necessary changes for alignment of LTA with SCOD of project. It has been pending for some time from CERC and request MNRE to expedite issuance of such notification.</p> <p>Status: MoP has already issued guidelines. MNRE will follow up with CERC to issue an order.</p>	<p>Parag Sharma</p> <p>CEO, O2 Power</p>

Part-II: Request MNRE to give their remarks/ status update on following issues

S. No	Issue Description
1.a	<p>Way forward to clear of PSA backlog with SECI and NTPC</p> <ul style="list-style-type: none"> - MNRE may like to postpone new bids till past PPA/PSA backlogs are cleared. <p>Status:</p> <p>SECI and NTPC are in touch with State Govt Discoms and the response is quite slow due to COVID-19 situation.</p>
1.b.	<p>Issuance of LOA's to successful bidders in 1200 MW NTPC bid, concluded in Aug' 20</p> <p>Request to take up with NTPC for expeditious issuance of LOA under the earlier concluded bid and to execute the PPA/ PSA at the earliest. It is also expected that NTPC should first conclude the bid of Aug, 2020 thereafter sign PSAs for Nokh Solar Park.</p> <p>Status:</p> <p>LOI from NTPC hasn't been issued and they have already issued another bid.</p> <p>NTPC discussed that the new bid is not a developer mode bid. NTPC will have a look for LOI issuance for connectivity and take this matter with State Discoms.</p>
2.	<p>GST rate on Solar power Generating Systems (SPGS) for period 01.07.2017 to 31.12.2018</p> <p>Under GST Regime, a concessional rate of 5% was prescribed on Solar Power Generating System (SPGS).</p> <p><i>Request MNRE to take up with MOF to issue clarification on GST Rate to remove ambiguity on applicability of GST rate on Supply of SPGS. Many Notices are issued to SPDs by GST Authorities.</i></p> <p>Status:</p> <p>MNRE will issue a letter for developers to negotiate with State Govt tax authority and simultaneously MNRE will also take this up with MoF to further clarify.</p>
3	<p>Clarification regarding Safeguard Duty (SGD) reimbursement for additional DC capacity.</p> <p>SPDs request for issuance of clarification on additional DC capacity installed to meet CUF declared in PPA irrespective of import of modules before/ after the COD.</p> <p>Status:</p> <p>MNRE will issue clarificatory order in next month.</p>
4.	<p>Delay in Payments by Various DISCOMS (Telangana, AP, Karnataka, UP, Maharashtra, Madhya Pradesh, Rajasthan, Tamil Nadu & Punjab)</p> <p>Status:</p> <p>This wasn't discussed as there is no solution on this.</p>