



Bihar Electricity Regulatory Commission

Vidyut Bhawan-II, J.L. Nehru Marg, Patna 800 021

Case No.-44/2025

In the matter of:

Petition for seeking regulatory approval to procure a total of 200 MW Solar Power with 100 MW/400 MWh Energy Storage System(ESS) under ISTS connected Tranche-XV Scheme through SECI Ltd. on long term basis including Power Sale Agreement (PSA).

And

In the matter of:

Bihar State Power Holding Company Ltd.

.....**Petitioner**

Solar Energy Corporation of India (SECI)

..... **Respondents**

Quoram:

- | | | |
|-----------------|---|----------------|
| 1. Amir Subhani | - | Chairman |
| 2. A.K Sinha | - | Member (Tech.) |
| 3. P.S Yadav | - | Member (Legal) |

Appearance:

1. Shri Murtaza Helal, C.E(PMC)	BSP(H)CL
2. Shri Amit Kumar, AEE(PMC)	
3. Shri Tarun Mukhija, Sr. Manager	SECI
4. Shri Purushotam Prasad, C.E (Comml.)	SBPDCL
5. Shri Deepak Kumar, C.E (Comml.)	NBPDCL

Date of Order	Order with Signature	Office notes as action taken on order																																				
18.11.2025	<p style="text-align: center;"><u>Case No. 44/2025</u></p> <p>The instant petition has been filed by Chief Engineer (PMC), Bihar State Power (Holding) Company Limited seeking regulatory approval to procure a total of 200 MW Solar Power with 100 MW/400 MWh Energy Storage System (ESS) under ISTS connected Tranche-XV Scheme through SECI Ltd. on long term basis including Power Sale Agreement (PSA).</p> <p>2. Petitioner's Submissions:</p> <p>Petitioner states that the Commission, in exercise of powers conferred by Sec-86 (1) (e) of the Electricity Act 2003, has set Renewable Purchase Obligation (RPO) for each year for both the DISCOMs (i.e. NBPDC and SBPDCL). The trajectory is as under:</p> <table border="1" data-bbox="261 857 1286 1160"> <thead> <tr> <th>FY</th> <th>25-26</th> <th>26-27</th> <th>27-28</th> <th>28-29</th> <th>29-30</th> </tr> </thead> <tbody> <tr> <td>WPO</td> <td>1.45%</td> <td>1.97%</td> <td>2.45%</td> <td>2.95%</td> <td>3.48%</td> </tr> <tr> <td>HPO</td> <td>1.22%</td> <td>1.34%</td> <td>1.42%</td> <td>1.42%</td> <td>1.33%</td> </tr> <tr> <td>DRE</td> <td>2.10%</td> <td>2.70%</td> <td>3.30%</td> <td>3.90%</td> <td>4.50%</td> </tr> <tr> <td>Other RPO</td> <td>28.24%</td> <td>29.94%</td> <td>31.64%</td> <td>33.10%</td> <td>34.02%</td> </tr> <tr> <td>Total RPO</td> <td>33.01 %</td> <td>35.95%</td> <td>38.81%</td> <td>41.36%</td> <td>43.33%</td> </tr> </tbody> </table> <p>3. Petitioner has submitted that there will be an anticipated shortfall of 926 MU's in Total RPO for FY 2026-27 , 2397 MU's in FY 2027-28 and the shortfall will go up to 6924 MU's in FY2029-30.</p> <p>4. SECI had issued Request for Selection (RfS) along with draft Power Purchase Agreement (PPA) and Power sale Agreement (PSA) documents to supply 1200M W Solar Power with 600MW/1200MWh Energy Storage Systems (ESS) for TBCB (i.e. Tariff based competitive bidding) under ISTS connected Tranche- XV Scheme.</p> <p>5. Based on Bihar DISCOMs requirements during peak hours (19: 00 to 23: 00 hrs.) and also to fulfill the RPO obligations, BSPHCL has requested SECI Ltd to offer RE projects coupled with a single-cycle 4-hour Battery Energy Storage System (BESS).</p> <p>6. Further, SECI has offered solar power of 200MW with assured peak 100MW/400 MWh Energy Storage System(ESS) for 4 hrs. under ISTS Tranche- XV Scheme, vide their offer letter dated 18.09.2025, at the discovered</p>	FY	25-26	26-27	27-28	28-29	29-30	WPO	1.45%	1.97%	2.45%	2.95%	3.48%	HPO	1.22%	1.34%	1.42%	1.42%	1.33%	DRE	2.10%	2.70%	3.30%	3.90%	4.50%	Other RPO	28.24%	29.94%	31.64%	33.10%	34.02%	Total RPO	33.01 %	35.95%	38.81%	41.36%	43.33%	
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tariff of Rs 3.42/kWh (excluding the trading margin of Rs 0.07/kWh).

7. The details of instant Solar power project of 200MW with 100MW/400MWh ESS offered by SECI Ltd to BSPHCL are as under:-

			BESS for any 4 Hrs between 18:00 to 24:00			
Developer	Capacity (MW)	Discovered Tariff (Rs./kWh)	Solar CUF (%)	Solar Capacity (MW)	BESS	Annual Availability @85% System Availability from BESS (MU)
M/s ACME Solar Holdings Limited	200	3.42	25.06	200	400	124.10

8. Further, petitioner pointed out that inter-state transmission charges & losses will be applicable for the instant offered Solar power as per provisions mentioned under clause 5(2) (a) of CERC (sharing of inter-State Transmission Charges and Losses) (Fourth amendment) Regulations, 2025.

9. Solar projects commissioned up to 30.06.2025 are eligible for full waiver and after 30.06.2025, the following shall be applicable.

Period of COD	Number of years from COD	% of drawl Schedule from identified generating station to be considered
1.7.2025 to 30.6.2026	25 Years	75
1.7.2026 to 30.6.2027	25 Years	50
1.7.2027 to 30.6.2028	25 Years	25
After 30.6.2028	25 Years	0

10. Also, in accordance with clause 5(2) (b)(II) of CERC (sharing of inter-State Transmission Charges and Losses) (Fourth amendment) Regulations, 2025, the instant project will be eligible for 100% ISTS charges waiver on energy supplied from the co-located BESS component.

11. SECI, in its offer letter, has mentioned that the project developer (i.e., M/s ACME Solar Holdings Limited) has assured about commissioning of the project before 30th June 2027, thereby enabling the DISCOMs (i.e., NBPDC&SBPDCL) to avail the benefit of 50% ISTS waiver on energy supplied from the solar component and 100% ISTS waiver on energy supplied from the co-located BESS component.

12. SECI, in its offer letter, has also mentioned that for hours other than Peak Hours, the penalty for shortfall in supply of energy corresponding to the minimum annual CUF will be payable by SPD. Further, for shortfall in supply of power during Peak Hours as notified by the Buying Entity, from the mandated supply of energy (i.e. up to 200MWh for each 100MW capacity), the SPD shall pay a compensation corresponding to the energy shortfall, calculated as 1.5 times PPA Tariff, on a monthly basis.

13. In response to the above offer , BSPHCL vide its letter no 385 dated 03.10.2025, gave in-principle consent for procurement of 200 MW Solar power with 100MW/400MWh Energy Storage System (ESS) from the Successful bidder (i.e. M/s ACME Solar Holdings Limited) under Tranche-XV ISTS connected Solar power project of SECI Ltd at the discovered tariff of Rs 3.42/kWh which excludes the trading margin of Rs 0.07/kWh subject to the availability of 4 hrs. of peak supply in the evening and approval of procurement by Hon'ble Commission.

14. Procurement of the proposed Solar Power coupled with BESS project will help in fulfillment of RPO along with mitigating the power required during peak hours.

15. Petitioner has further submitted that procurement of the proposed Solar Power coupled with BESS will also help in mitigating the anticipated RPO Shortfall in the coming years. It is also pertinent to mention that Central Electricity Authority (CEA), in the Long-Term Resource Adequacy Plan (LT-DRAP) published for Bihar, has also suggested for addition of 7099 MW solar capacity and 5518 MW BESS capacity by 2033-34 to meet the RPO requirement along with the anticipated peak demand reliably.

16. To cater to the power requirement during peak hour and fulfill RPO requirement of DISCOMs, BSPHCL proposes to procure a total of 200MW Solar power with BESS power from the abovesaid scheme through SECI Ltd as per details given below: -

Name of Successful Bidder	Bihar's Solar Power Allocation	BESS (MWh)	Discovered Tariff (Rs/kWh)	Trader Trading Margin (Paisa/kWh)	Applicable Tariff as per SECI offer (Rs/kWh)	Declared CUF (°/a)	Expected Annual Energy (in MU's)
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	(MW)						
M/s Acme Solar Holdings Limited	200MW	400 MWh	3.42	7	3.49	25.30	443.25
Total							443.25

17. This proposed procurement (i.e., 200MW Solar with 100MW/400MWh ESS) will contribute approximately 443.25 MU's annually (excluding approximately 124.1 MU's annually from BESS @85% System Availability from BESS) towards compliance of Other Renewable Purchase Obligation (Other RPO).

18. In this regard, petitioner has also enclosed a draft copy of PSA (Power Sale Agreement) to be executed between SECI Ltd & Bihar DISCOMs and draft copy of PPA to be executed between SECI Ltd & SPD (i.e. Solar power developer) for approval.

Commission's analysis & Order:-

19. The Commission, in the RoP dated 11.11.2025, had directed the petitioner to submit the cost-benefit analysis of the proposed procurement with details on certain important points. In compliance thereof, the petitioner vide letter no-418 dated-14.11.2025, has filed the cost-benefit analysis. The petitioner also explained the above submission in course of hearing today.

20. Going through the submissions made by the petitioner and the oral arguments placed in support of it, we find that in future, also power availability will remain surplus mainly during the solar hours. However, during the period from April to October, the portfolio of Bihar is expected to remain in deficit even to the tune of 2100 MW during Peak Hour in future.

21. Although the instant procurement may add to the surplus in solar duration, but it will also help in mitigating the deficit power scenario during peak hours wherein petitioner is relying solely on spot buying through Power Exchange(s). However, due to significantly lesser availability of power at Power Exchange(s), even at the maximum possible price, the requirement is not met.

22. The instant procurement is expected to create total tentative financial liability of 291.32 crore for 2027-28 to 2030-31 during solar hours, but total tentative financial saving for the same period is expected at Rs. 371.31 Cr against purchase of REC and GNA charges.

23. The Project is scheduled to be commissioned by 30.06 2027 which would make it eligible under the 50% 1STS transmission charges waiver regime. Moreover, energy

discharged from BESS (co-located with solar component in the current project) would attract 100% transmission charges waiver, as project would be Commissioned before 30 .06. 2028.

Order: -

In view of the above, we allow the prayer of the petitioner and accord our approval on the proposal to procure a total of 200 MW Solar Power with 100 MW/400 MWh Energy Storage System(ESS) under ISTS connected Tranche-XV Scheme through SECI on long term basis including Power Sale Agreement (PSA) at the tariff as adopted by CERC plus the trading margin of Rs 0.07 kWh payable to SECI by the procurer.

Sd/-
(P.S.Yadav)
Member

Sd/-
(A.K. Sinha)
Member

Sd/-
(Amir Subhani)
Chairman