



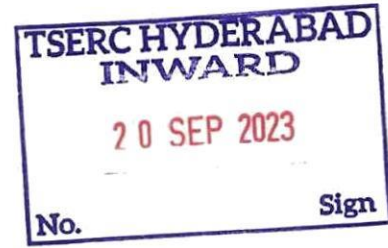
# MS AGARWAL FOUNDRIES PVT. LTD.

A Primary Steel Producer



PA/MSAF/2023-24/1129  
September 18, 2023

To  
The Commission Secretary,  
Telangana State Electricity Regulatory Commission  
11-4-660, 5<sup>th</sup> Floor, Sigareni Bhavan, Red Hills, Lakdi ka Pul  
Hyderabad



**Sub: Suo-Moto Determination of compliance of Renewable power purchase obligation of obligated entities for FY 2019-2020 (including the shortfall of FY 2018-19) FY 2020-21 (including the shortfall of FY 2018-19 & FY 2019-20) FY 2021-22 (including the shortfall of FY 2018-19, 2019-20 & 2020-21)**

- Ref 1. Public Notice Dated 30/08/2023  
2. Letter dated 19/08/2023 vide reference PA/MSAF/2023-24/907  
3. MSAF Letter no PA/MSAF/83 dated 18/02/2022  
4. MSAF Letter no PA/MSAF/2006 dated 23.02.2023

1. With reference to the public notice issued by your good office dated 30/08/2023 asking the suggestion/objection/comments as mentioned above in subject matter from all stakeholder and public at large. Further the public hearing on the subject matter is fixed on 25/09/2023.
2. In the above said scenario we would like to submit that we have informed the SLDC about our RPPO compliance for the period from FY 2018-19 to FY 2020-21 and for the period FY 2021-22 vide above mentioned reference 2,3 & 4.
3. Further also note that we have complied with the Renewable Power Purchase Obligation for the period of FY 2018-19 to FY 2021-22 by obtaining REC certificates and had met with the short fall by sourcing power from WHR (Waste heat recovery) based captive co-generation plant as per the Hon'ble TSERC order dated 09/03/2021 in O.P No 31/2020
4. Furthermore during the period of FY 2018-19 to FY2021-22 MSAF has procured electricity from a captive co -generation plant utilizing WHR . Also note that in alignment with the mentioned TSERC order. We have successfully achieved RPPO beyond the specified targets set by the Hon'ble TSERC for the period of FY 2018-19 to FY 2021-22.
5. It is also brought to your kind notice that MSAF filed a writ petition with the Hon'ble High Court of Telangana vide W.P No 36730 /2018) requesting that WHR be recognized as a renewable energy source. Consequently, the Hon'ble High Court of Telangana has directed MSAF vide their order dated 4th March,2020 to approach TS SLDC in writing by giving reference of APTEL (Appeal No 57 of 2009) & APERC



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(OPNo.7 of 2016) within two weeks from the date of the said order. MSAF has complied with the Hon'ble High Court order and have submitted the relevant orders and have requested for exemption from RPO vide their letter dated March 18,2020.

6. In response to our letter, TSSLDC vide letter dated May 08,2020 reiterated that consumption from co-generation was an exempt from RPO as per clause 3.3 of APERC Regulation 1 of 2017. However, as per TSERC regulation 2 of 2018, recognition or approval by MNRE was the bench mark for RPO exemption, and since the WHR was not recognized by MNRE, hence our request for exemption was denied.
7. Lastly MSAF has filed another writ petition vide W.P 8330/2020 before Hon'ble High Court of Telangana (Pending) seeking the relief to issue a *"direction order or orders declaring the letter No CE/SLDC/SE/EBC/DE-RE-1/F,Agarwal/D.no.41 dated 08/05/2020 issued by The Chief engineer of Southern Load Dispatch center (SLDC),wholly arbitrary, illegal and void consequently and further orders as the Hon'ble court deem fit and proper in the facts and circumstances of the case."* Further we have also prayed to the Hon'ble High Court to *"Direct the Respondents in the writ petition to draw 6% of its power requirement under regulation -2 of 2018 and pass such other and further orders as this Hon'ble Court may be deemed fit and proper in the circumstances of the case"*.
8. In the light of the above submission, we request your good office to consider the WHR process as the renewable energy source. Therefore kindly consider this letter as our submission to your public notice and acknowledge the same.

Thanking you,

Yours faithfully

**For MS Agarwal Foundries Pvt Ltd.**

Authorized Signatory

