CGRF formed under the provision of IE Act 2003, Sub Clause 42(5) as well Notifications No.2/2019 and No. 03 of 2023 of GERC (CGRF & Ombudsman)

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Complaint No.	MG-I-04-2025-26
Complainant	M/s Sicgil Industrial Gases Ltd., Plot No. 3, GIDC Estate, Ranoli, Vadodara - 391 350
Respondent	Madhya Gujarat Vij Company Limited (MGVCL)
Date of hearing	12.11.2025 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri P C Patel, ACE (RA&C) MGVCL Vadodara
Finance Member	Shri Neeraj Jangid, I/c CFM, MGVCL Vadodara
Independent Member	Shri Sajjansinh A Padwal
Representative of Consumer	Shri K.B. Dhebar
Representative of Prosumer	Shri M.M. Piprotar

The complaint dated 06.11.2025 regarding issues of wrong set off in monthly bill.

1.0 On 12.11.2025, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein the Shri Pulin Modi on behalf of the Complainant whereas Shri Dhaval Patel, Deputy Engineer - Tech and Shri H R Patel, Senior Assistant of Baroda (O&M) Division appeared as respondent on behalf of MGVCL before the Forum.

Both the parties were heard.

2.0 The brief history of the case is as under -

2.1 M/s Sicgil Industrial Gases Ltd is having a 2382 KVA HT Connection No. 13229 at Plot No. 3, GIDC Estate, Ranoli, Vadodara - 391 350 under Baroda (O&M) Division, MGVCL.

2.2 The consumer has signed Provisional Agreement on 20.09.2024 with MGVCL for wheeling of 1.77 MW capacity by injecting power from their Solar Plant connected at 66 KV Bhatput - 11 KV GETCO S/s to the point of consumption at HT Connection No. 13229 Plot No. 3, GIDC Estate, Ranoli, Vadodara - 391 350.

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2.3 The consumer has raised grievance related to billing done by MGVCL w.r.t. to the Application of GETCO losses on the energy calculation when both injection and drawl of power is within same DISCOM i.e. MGVCL and applying banking charges of Rs. 1.50 per KWH on total generation instead of the banked energy.

3.0 The representative of the complainant contended during the hearing that -

3.1 M/s Sicgil Industrial Gases Ltd has signed provisional wheeling Agreement on 20.09.2024 as per GERC (Terms and conditions for Green Energy Open Access) regulations, 2024.

3.2 They had installed 1.77 KW Ac Captive Solar Project at Village Indral, Taluka Sankeda, District Chhotaudepur and the project was commissioned in Oct'2024.

3.3 Since the project commissioning date, MGVCL Baroda (O&M) Division has incorrectly provided credit adjustment of Captive power wheeled to their consumption location.

3.4 They have repeatedly communicated their concern regarding incorrect adjustments to Baroda(O&M) Division office and also escalated the matter to DSM cell, MGVCL Corporate office, but the issue was not resolved.

3.5 The MGVCL Baroda(O&M) Division is deducting STU losses in the calculation of units though our injection and drawl is intra DISCOM i.e. MGVCL, which results in a reduced credit adjustment.

3.6 MGVCL is applying banking charges of Rs. 1.50 per KWh on total generation (Scheduled) units, instead of on the banked energy actually utilized as per regulation.

3.7 They had requested MGVCL, Baroda(O&M) Division vide letter dated 28.02.25 & 14.06.25 to remove STU charges and application of correct Banking charges, but their issue is not resolved.

3.8 They prayed to remove STU losses and application of banking charges on the banked energy actually utilized.

4.0 The respondent contended that -

4.1 1.77 MW Solar Captive generation plant commissioned in Oct'24 at Survey No. 280, 281, 289 & 290 Village Indral, Tal. Sankheda and feeding generation through 11KV feeder to 66KV Bhatpur S/S.

4.2 Existing HT connection of complainant having Consumer No. 13229, 2382 KVA is connected on 11KV GIDC - II feeder of 66KV Ranoli S/S

4.3 Since the power generation and drawl by the complainant are occurring at different locations, transmission losses were considered.

4.4 Accordingly, for billing purpose, the set-off units have been calculated after accounting for these losses as per the prevailing guidelines.

4.5 MGVCL Corporate office has issued clarifications for Implementation of GERC Green Open Access Regulation 2024 and respective Tariff Orders thereto by letter No. MGCOV/0601/07/2025 Dtd 16.07.2025. As per clarification for Banking charges at Point No. 1 and Application of GETCO losses on the energy calculation when both injection and drawl of power is within same DISCOM at Point No. 2, they will revise the bill from the date of commissioning of the project.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 The complainant has executed Solar wheeling agreement for Captive consumption with the respondent MGVCL on 20.09.2024 under Gujarat Solar Policy 2021

5.2 As per Clause 4.0 of the Agreement, the wheeling of generated solar electricity within the state shall be allowed on payment of transmission charges and transmission losses otherwise applicable to normal open access consumers as per GERC Open Access Regulations.

5.3 The GERC Open Access Regulation, 2011, Clause 12 - Applicable procedure for Open Access - Table -1, Sr. No. 9 (Page No. 19) - Long

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Term Open Access Customer connected to Distribution System for inter-se transaction of drawl and injection both within the same distribution Licensee, Applicable losses shall be Distribution loss in kind at relevant voltage level.

5.4 The Clause 33.3 GERC (T&C for Green Energy OA) Regulations, 2024. Notification No. 08 of 2024 dated 21.02.2024 provides as under

33.3 <u>The provisions of the GERC (Open Access) Regulations, 2011 which are not inconsistent with provisions under these Regulations or not covered under these Regulations shall be also applicable mutatis mutandis as part of these Regulations</u>.

Accordingly, Clause 12 related to Applicable Procedure for Open Access in the GERC Open Access Regulations 2011 shall be applicable.

5.5 The GERC Order No. 06 of 2024 dated 31.08.2024 related to Tariff framework for procurement of power by distribution licensees and Others from Solar Energy Projects and other commercial issues for State of Gujarat provides at Clause 1.1 that "...... *The provisions of this Order shall be applicable for Solar Energy Power Projects commissioned post 31st March 2023 up to the control period specified in this Order.....*"

The Solar Project of the complainant was commissioned on 15.10.2024 which is post 31.03.2024 and hence the GERC Order No. 06 of 2024 dated 31.08.2024 is applicable.

Clause 3.3 (c) of the order provides as under:

"<u>In case point of injection and drawl at a voltage level below 66 KV, lies within area of same DISCOM</u>, the wheeling of energy from Solar Project shall be allowed upon payment of Wheeling Charges and Wheeling Losses of energy fed to grid, as applicable to green energy open access transaction as per GERC (Terms and Conditions for Green Energy Open Access) Regulations, 2024 and amendments in it read with Tariff Regulations of the Commission as applicable from time to time."

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5.6 1.77 MW Solar Captive generation plant located at Survey No. 280, 281, 289 & 290 Village Indral, Tal. Sankheda and feeding generation through

11KV feeder to 66KV Bhatpur S/S, whereas existing HT connection of complainant having Consumer No. 13229, 2382 KVA is connected on 11KV GIDC - II feeder of 66KV Ranoli S/S. Thus the complainant is generating solar electricity at 11 KV and drawing electricity at 11 KV within the same DISCOM.

5.7 Accordingly, transmission loss is not applicable and only distribution loss as approved by GERC in the respective tariff order is applicable (for HT consumer, 7.25% w.e.f. 1.04.2025 as per Tariff Order dated 31.03.2025).

5.8 The provisions related to Banking facility as per GERC (T&C for Green Energy Open Access) Regulations, 2024. Notification No. 08 of 2024 dated 21.02.2024

"17.6. Banking facility and charges

1) *Banking facility shall be permitted to the consumers availing Green Energy Open Access.*

2) *For the purpose of these Regulations, the banking means surplus green energy injected in the grid in 15 minutes time block basis and credited with the distribution licensee energy by the Green Energy Open Access consumers and that shall be drawn along with charges to compensate the distribution licensee by the open access consumer.*

3) *The banking of energy shall be evaluated for energy accounting on 15 minutes time block basis. The difference between the injected energy from green energy generator available at consumption point and consumer's consumption in same 15 minutes time block basis shall be considered as banked energy.*

4) *The consumption of banked energy shall be permitted on billing cycle basis in a manner specified as under:*

   In the billing cycle, the banked energy, if any, available during peak period (i.e. Time of Use -ToU period specified in the Tariff Orders of the Commission for respective distribution licensees from time to time) shall be allowed to be utilized during the peak period and the off-peak period (i.e. period other than peak period) by the Green Energy Open Access consumer.

   Provided further that in case of the banked energy available during off-peak period (i.e. period other than the peak period) shall be utilized only during off-peak period by the green energy open access consumer.

5) ....

6) *The permitted quantum of banked energy by the green energy open access consumers shall be at least 30% of total consumption of electricity from the distribution licensee by the consumers during the billing period.*

.............”

All the above provisions are also specified in Option-1 under Clause 3.5 of the Agreement dated 20.09.2024.

Accordingly, Banking charges are applicable only on the permitted quantum of the Banked Energy and not on the entire generation.

ORDER

1.0 The Forum has come to the conclusion that

1.1 Transmission losses are not applicable when both injection and drawl of power is within the same Distribution Licensee. Accordingly, the GETCO transmission losses are not applicable on the Solar power both injected and consumed by the complainant within MGVCL. Only Distribution loss as approved by GERC in the respective tariff order is applicable (for HT consumer, 7.25% w.e.f. 1.04.2025 as per Tariff Order dated 31.03.2025) for computation of energy for billing.

1.2 Banking charges are payable only on the permitted quantum of Banked energy as per GERC (T&C for Green Energy OA) Regulations, 2024, Notification No. 08 of 2024 dated 21.02.2024.

1.3 Respondent is directed to revise the set of calculations considering all the above within 15 days and credit the amount in the bill account of complainant's HT Connection no. 13874 and detailed break up shall be communicated to the complainant through a letter.

1.4 With this Order, the consumer's representation / application stands disposed off.

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(M M Piprotar)
Representative of
Prosumer

(K B Dhebar)
Representative of
Consumer

(Dr S A Padwal)
Independent
Member

(N R Jangid)
Finance Member

P C Patel
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. ***The Office address of the Ombudsman is*** *: The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Ground Floor & First Floor, CMIS Building Telephone Exchange, Bimanagar, Jeevandham Road, Ahmedabad 380015, in accordance with Clause No.3.19 (viii) of GERC Notification No.2 of 2019.*

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

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