

List of Data Gaps

<u>Utility</u>	: ADANI POWER LTD. (APL) - Adani Dahanu Thermal Power Station (ADTPS)
<u>Case No.</u>	: 188 of 2024
<u>Subject</u>	: MYT PETITION FOR TRUE UP OF FY 2022-23 & FY 2023-24 AND PROVISIONAL TRUE UP OF FY 2024-25
<u>Data Gaps Set</u>	: Data Gap Set – II dated -21/11/2024

Sr. No.	Reference	Data Query
1.	Beneficiation Agreement / FSA	<p>a) As per the Washery Agreement, as provided by ADTPS, Under definition, it states that FSA with SECL provides the supply of G10 and / or G11 grade for DTSPS i.e. between 4000 – 4600 kcal. However, it is observed that GCV (As billed) received is in the range of 3500 – 3900 kcal. ADTPS to provide the details of the action under taken in line with FSA for delivery of coal below the grade as specified in FSA.</p> <p>APL Response: Response to the query will be provided shortly.</p> <p>b) As per Section 2 of the Washery Agreement, the term of the agreement expires on 31st March 2022. As per ADTPS, the washing contract was signed with M/s ACB originally by RInfra on 29.04.2017 and AEML-G has continued with the same washery after takeover of business in 2018. However, no extension of the contract has been submitted by ADTPS. ADTPS to provide the extension of the agreement and to confirm the changes in terms and conditions, if any compare to original one.</p> <p>APL Response: Response to the query will be provided shortly.</p> <p>c) Post expiry of the Washery Agreement on 31st March 2022, ADTPS submitted that it has extended the same. ADTPS to provide justification on why fresh competitive bidding was not undertaken and the contract was extended.</p> <p>APL Response: Response to the query will be provided shortly.</p> <p>d) As per Query No. 4 (d), APL has to provide the treatment of coal rejects as per Coal Beneficiation Agreement for FY 2022-23 and FY 2023-24 and its underlying impact on the coal cost. However, APL has provided the details of sale of Coal Reject. The intent was to seek the related clause under Beneficiation agreement highlighting 15% reject and price of Rs. 405.75/MT. APL to provide the relevant clause reference of the same.</p> <p>APL Response: Response to the query will be provided shortly.</p>

Sr. No.	Reference	Data Query
2.	Competitive bidding of coal	<p>As per Annexure 7, ADTPS has provided the details of the competitive bidding carried out for procurement of imported coal. Based on the following observation, ADTPS to provide the clarification:</p> <p>a) ADTPS to provide the platform on which such advertisement of tender was made and reason for lower participation.</p> <p>APL Response: Response to the query will be provided shortly.</p> <p>b) In June 2022, tender was issued for procurement of 25000 – 30000 MT Coal whereby Adi Enterprises, Adani Natural Resources and Thrans Infra P. Ltd., has participated. ADTPS to disclose, any corporate relationship / related party disclosure with the said company, if any.</p> <p>APL Response: Response to the query will be provided shortly.</p> <p>c) For May 2022, Tender was issued for 40000 MT – 50000 MT, however, no quotes has been provided of different parties.</p> <p>APL Response: Response to the query will be provided shortly.</p>
3.	Reply to Query 16.	<p>As per APL Response to the said query, it was stated that the purchase consideration for transfer of ADTPS from AEML to APL was Rs. 815 Crore and the transaction has been funded through equity. As per MYT Petition submitted by APL, Equity as on 01/04/2024 is Rs. 670 Cr and Debt is Rs. 120.45 Crore resulting in total amount of Rs. 790 Cr. APL to provide the clarification on the treatment of the difference in the value as per Regulatory Accounts and how the same will be benefitted to the consumers.</p> <p>APL Response: It is submitted that vide the interim order dated 20.09.2024 in IA 47 of 2024 in Case No. 154 of 2024 the Hon’ble Commission at para 2(iii) & 4 of the Order has observed the following:</p> <p><i>“2 (iii) Post transfer of ADTPS, the Project will be owned, operated and maintained by APL and hence, the Petitioner is filing the present Petition seeking approval of the PPA between AEML-D and APL without any change in basic terms and conditions agreed under existing Power Procurement Arrangement between AEML-D and AEML-G</i></p> <p><i>4. Accordingly, the Commission allows AEML-D to continue the procurement of power from ADTPS owned and operated by new entity i.e. APL with the same terms and conditions of the existing Power Procurement Arrangement between AEML-D and AEML-G till further Order in the present matter, subject to the condition that there would be no adverse impact on the supply of power or Tariff payable by the consumers or any other adverse consequences.</i></p>

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		Thus, as evident from the above, the PPA between APL and AEML has been approved at the same terms and conditions as that existed between AEML-G and AEML-D therefore, the sale/purchase consideration for the said transaction of divestment of ADTPS from AEML to APL including the funding arrangement is not considered for the purpose of true up.
4.	Annexure 8 of the replies to the data gaps	Landed cost as provided for FY 2024-25 does not reconcile with F2.3. APL to provide the reconciliation for the same. APL Response: The corrected value was provided in response to Data Gap (Annexure 8 of replies). Accordingly, Form 2.3 will be updated in the revised Petition.
5.	Annexure 11 of the replies to the data gaps	GCV as provided for FY 2023-24 in Annexure 11 and GCV Sheet in Petition format needs to be reconcile. APL Response: There are minor variations in monthly GCV values between Annexure 11 and as per GCV sheet in the Petition. The monthly values as per Annexure 11 shall be considered in the revised Petition.
6.	Annexure 13 of the replies to the data gaps	Donation of Rs. 60 Lacs in FY 2022-23 and Rs. 79 Lacs for FY 2023-24 has been added in the income tax. ADTPS to ensure whether such charges are claimed in ARR. If yes, under which head and nature of donation. APL Response: It is submitted that out of Rs. 60 Lakhs in FY 2022-23, no expense has been included in A&G expense and nothing has been claimed in ARR. Similarly, out of Rs. 79 Lakh in FY 2023-24, only Rs. 7 Lakh has been included in A&G expense of FY 2023-24 and claimed in ARR. The said expense of Rs. 7 Lakh was towards contribution to police welfare fund.
7.	Annexure 15 of the replies to the data gaps	APL has provided the Provisional H1 accounts for AEML as a whole and not for generation function. APL to provide the Provisional accounts for H1 for Generation Function. APL Response: The provisional accounts for H1 of FY 2024-25 for generation function in excel format is attached herewith as Annexure P48 (Soft copy only) .
8.	Annexure 19 of the replies to the data gaps	a) It is observed that the declared availability in certain months is higher than maximum possible availability as per the computation provided by ADTPS. ADTPS to justify the same. APL Response: While declaring availability, ADTPS estimates the units to be generated considering estimated Aux. consumption. However, for Availability calculation, in the denominator, units to be generated is calculated considering normative

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		<p>Aux. consumption. Since ADTPS considers estimated Aux. consumption lower than normative Aux. consumption (as actual Aux consumption used to remain lower than normative Aux consumption in the past), the Availability in some of the months is more than 100%. It is clarified here that for the months where PAF has been shown as more than 100% as per ADTPS calculations, MSLDC has considered the PAF as 100% in the certificates issued for PAF and PLF, in accordance with MYT Regulations, 2019.</p> <p>b) PAF to be reconciled with Annexure 19 and F2.2 for FY 2022-23 and FY 2023-24.</p> <p>APL Response: It is submitted that in F2.2 of the Petition model, APL has considered the PAF figures as appearing in MSLDC certificates for PAF and PLF for FY 2022-23 and FY 2023-24.</p>
9.	Annexure 27 of the replies to the data gaps	<p>It has been observed that Rs. 15 Crore has been incurred for legal and professional service for Power Distribution Services Ltd. Considering the nomenclature, the said expenses are for distribution function and hence ADTPS to justify the reason for including the same in Generation function. Also, since the amount for FY 2022-23 and FY 2023-24 remains same, ADTPS to provide the nature of expenses accounted in the said head.</p> <p>APL Response: It is submitted that while Power Distribution Services Ltd. is only the name of the group company (), from where corporate services have been availed. This Company has nothing to do distribution of electricity. The services from group company are availed for AEML as a whole. The said services relate to common services of Central Procurement, Group Finance, HR, Centralized IT services, Administration, Security etc. and accordingly allocated to the three divisions of AEML – Generation, Transmission and Distribution – in the ratio of turnover.</p>
10.	Reply to Query 30. (b)	<p>As per APL, there was inadvertent delay in payment for imported coal in July 2024 to M/s AEL. This was a oneoff event. However, it is clarified here that AEL has not charged any penalty to APL (earlier AEML-G). APL to provide the payment terms as per the contract and reason for delay in payment.</p> <p>APL Response: Response to the query will be provided shortly.</p>
11.	Reply to Query 51. (a) and 59 (i)	<p>As per the query, ADTPS was to provide the details of minimum quantum offtake as per agreement with washery (if any) and any action to be taken for lower offtake. As per ADTPS, due to washery issues, ADTPS is not diverting coal from mines to washery and directly transporting raw coal itself.</p> <p>However, it is observed that as per Washery Agreement, Annual Contracted Quantity of 24.52 Lakh tonnes of Raw Coal agreed to be supplied under FSA. As per Clause 9.5, Washery needs to dispatch minimum of 38 rail rakes per month (4000 MT per rake)</p>

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		<p>irrespective of the raw coal delivered. In event of failure to achieve the dispatch the clean coal, Liquidated damages shall be applicable as per Section 10.4. As per clause 9.10, it will be responsible of washery to make alternative arrangement to deliver the washed coal due to default/ failure on part of washery operator or force majeure situation. As per Section 10.4 (b)(i), the liquidated damages to be charged in case of failure to provide clean coal on washery is provided.</p> <p>Considering the above relevant clause under Washery arrangement, ADTPS to provide the action undertaken on the washery and details of any Liquidated damages charged to washery for failure to provide the clean coal in FY 2022-23 and FY 2023-24. In case no action is taken, ADTPS to provide the clarification for the same.</p> <p>APL Response: Response to the query will be provided shortly.</p>
12.	Reconciliation of Coal Quantum	<p>Certain difference in coal quantum has been observed in different annexure and ADTPS to provide the reconciliation of the same</p> <p>APL Response: The coal quantity reconciliation for washed coal and raw coal has been provided in Annexure P24. Hence the reconciliation of quantity in the table below is provided with respect to figures provided in Annexure P24.</p>

Reconciliation of the Coal quantum

a) Washed Coal

Coal Qty (MT)			FY 2022-23	FY 2023-24	Remarks
Washed Coal Yield	Annexure 4	Washery	11,56,876	11,25,513	This the quantity lifted from mine and delivered to washery. Please refer “Coal lifted from SECL” sheet in Annexure P24.
		Clean Coal	9,83,344	9,56,686	This is the clean coal received from washery. Please refer “Yield-Loading basis” and “Washery Recon” sheets in Annexure P24.
		Yield	85.00%	85.00%	
Sale of Coal Rejects	Annexure 5	Washery	11,56,876	11,25,513	Figures same as that of Annexure P4.
		Reject	1,70,882	1,63,231	15% of the above quantity. However, in Nov 2022 and Sept 2023, raw coal quantity of 3116.39 MT and 5596 MT (clean coal quantity of 2648.94 MT and 4858.82 MT respectively) were reduced from coal rejects quantity. The same was because in Q2 of FY 2022-23 and Q2 of FY 2023-24, the weighted average ash content of clean coal was more than 36%. As per Section 10 (b) (iii) of the washery contract, in case the weighted average ash content is more than 36%, the washery is required to pay penalty of 100% washing charges and provide addnl. Yield of 2.5% for every 1% increase in weighed average ash content. Accordingly addnl. Clean coal quantity of 2648.94 MT and 4858.82 MT were provided free of cost by washery in Nov 2022 and Sept 2023, which can be verified from “Washery Recon” sheets in Annexure P24. The corresponding quantity of raw coal was deducted from coal rejects quantity. The calculations of 2648.94 MT and 4858.82 MT is provided herewith as Annexure P49 (Soft copy only) .
		Clean Coal	9,85,993	9,62,282	Derived quantity
		Loss	14.77%	14.50%	
Washery Incentive	Annexure 7	Qty Dispatched	10,38,629	9,34,020	This refers to the clean coal quantity dispatched from washery end on loading basis. Please refer “Recon” and “Washery Recon” sheets in Annexure P24. Washery

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					incentive and penalty is calculated considering clean coal dispatched from washery on loading basis and clean coal received at ADTPS on loading basis.
		Washed Coal Received	10,27,844	9,28,965	This refers to the clean coal quantity received at ADTPS end on loading basis.
		Additional qty agst TM	18,325	12,165	This quantity refers to additional clean coal provided by washery due to failure to meet target of Total Moisture on quarterly basis as per washery contract. Please refer "Washery Recon" sheet in Annexure P24, which shows that addnl. Clean coal has been provided by washery to APL free of cost.
Fuel Cost Break-up	Annexure 8	RR Net Wt.	10,58,112	9,38,246	This is the coal quantity dispatched from washery on receipt basis. Please refer "Recon" sheet in Annexure P24.
		Receipt Qty.	10,47,025	9,33,181	This is the coal quantity received at ADTPS. Please refer "Transit Loss" sheet in Annexure P24.
		Raw Coal	12,44,837	11,03,818	This refers corresponding Raw coal quality (derived by grossing up the RR Net Wt. quantity with 85%)
Coal Stock	Annexure 9	Receipt Qty.	10,47,025	9,33,181	
		Consumption	10,25,772	8,68,100	
		Landed Cost	5,421.86	5,211.70	This landed cost including transit loss is without other charges (tribal land rent, salary of railway staff, railway license fee, rake handling charges etc.). Please refer column "T" of files in Annexure 9 for landed cost including transit loss calculations (including other charges)
Coal Consumption	F2.2	Consumption	10,25,772	8,68,100	
		Landed Cost	5,401.55	5,227.71	This is landed cost excluding transit loss. The landed cost including transit loss provided in F2.3 sheet of petition model is matching with column "T" of files in Annexure 9.
Transit Loss quantum	Annexure 23	RR Qty Dispatched	10,38,629		Same quantity as Annexure 7.
		Washed Coal Received at ADTPS	10,27,752		Same quantity as Annexure 7.

b) Raw Coal

Coal Qty (MT)			FY 2022-23	FY 2023-24	Remarks
Fuel Cost Break-up	Annexure 8				
	Raw Coal	RR Net Wt.	9,90,200	12,83,490	This quantity is quantity dispatched from mine on receipt basis. Please refer "Recon" sheet in Annexure P24. This quantity is as per Railways invoices.
		DTPS Receipt / GRN	9,81,816	12,64,871	This quantity is quantity received at ADTPS. Please refer "Transit Loss" sheet in Annexure P24.
		Raw Coal	9,92,571	12,87,927	This quantity is quantity as per the invoices of SECL. There is slight difference between RR Net Wt. and this quantity, since both are measured by different entities.
Coal Stock	Annexure 9	Receipt Qty.	9,81,816	12,64,871	
		Consumption	9,46,779	12,21,307	
		Landed Cost	4,873.38	4,879.75	This landed cost is including transit loss.
Coal Consumption	F2.2	Consumption	9,46,779	12,21,307	
		Landed Cost	4,832.12	4,808.48	This landed cost is excluding transit loss.

Additional Submission:

Query no. 31 (a) of Datagaps Set I dated 08.11.024 - APL to provide the MSLDC certificate with respect to the ramp rate as claimed for performance RoE for FY 2022-23.

Query no. 45 (a) of Datagaps Set I dated 08.11.024 - APL to provide the MSLDC certificate with respect to the ramp rate as claimed for performance RoE for FY 2023-24.

APL Response: In response to the above queries, APL had submitted that AEML-G has filed a Petition before the Hon'ble Commission to specify the methodology for determining ramp rate for intra-State generating stations (Case no. 49 of 2024) which is pending for adjudication. In the mean time, APL (earlier AEML-G) had calculated the Ramp rate as per minute by minute basis for ADTPS and accordingly has claimed the addnl. RoE for FY 2022-23 and FY 2023-24. In this regard, the MSLDC Ramp rate certificates for ADTPS for FY 2022-23 and FY 2023-24 is available now and are attached as **Annexure P50 (Soft copy only)**. MSLDC has calculated the Ramp rate for ADTPS using NLDC methodology. As per MSLDC

certificate, ADTPS is not eligible for addnl. RoE towards Ramp rate in FY 2022-23 and is eligible for addnl. RoE of 0.5% towards Ramp rate in FY 2023-24. The same are submitted without prejudice to APLs contention that Ramp rate should be calculated on minute by minute basis, rather than following NLDC methodology.