

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 48/MP/2019

Subject : Petition under Regulations 32 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and Medium Term Open Access in inter-State transmission and related matters) Regulations, 2009 and Detailed Procedure dated 15.5.2018 for extension of time for filing of documentation under Clauses 5.1 and 9.2 of the Detailed Procedure and deemed stage-II connectivity accorded by Power Grid Corporation of India Limited to ReGen Wing Farm (Vagari) Pvt. Ltd.

Date of Hearing : 28.2.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I.S.Jha, Member,

Petitioner : ReGen Wind Farm (Vagarai) Pvt. Limited

Respondent : Power Grid Corporation of India Limited

Parties present : Ms. Ranjita Ramachandran, Advocate for the Petitioner
Ms. Joyti Prasad, PGCIL
Shri Swapnil Verma, PGCIL
Shri Ranjeet Singh Rajput, PGCIL

Record of Proceeding

Learned counsel for the Petitioner submitted that the present Petition has been filed for seeking inter-alia direction to PGCIL to record compliance under clause 9.2.1. (ii) of the Detailed Procedure issued under Connectivity Regulations in light of the investment made by the RPPL (the parent company of the Petitioner). Learned counsel for the Petitioner further submitted as under:

(a) The Petitioner is the lead generator of a consortium with thirteen members who are establishing a 600 MW Wind Farm at Pugulur in the State of Tamil Nadu. The Petitioner, as the lead generator, made an application to CTU for grant of connectivity for 600 MW and for use of the CTU's transmission system to transmit electricity through the ISTS. CTU vide its letter dated 16.8.2016, intimated about the grant of 600 MW connectivity and directed the Petitioner to sign Connection Agreement which was entered into between the parties on 7.2.2017.

(b) As per requirement of the Detailed Procedure issued by CTU for grant of Connectivity for Stage-II, the Petitioner has acquired approximately 50% of the land out of total land required for setting of 600 MW wind farm.

(c) As per Regulation 8A of the Connectivity Regulations, 100% subsidiary companies can be allowed to transfer their connectivity and LTA to the parent company and vice versa only after one year of achieving commercial operation of renewable energy generation station(s). However, prior to coming into force of this provision, the parent company was utilizing the LTA and connectivity granted to a subsidiary and vice-versa.

(d) As per clause 9.2 of the Detailed Procedure, the Petitioner is required to demonstrate release of 10% of the funds through equity and provide an Auditor's certificate confirming the same.

(e) CTU vide its notice dated 11.1.2019, requested the Petitioner to submit the documents before 14.1.2019 failing which the Stage-II connectivity would be revoked. In response, the Petitioner vide its letter dated 31.1.2019 informed the CTU regarding difficulties faced by it in complying with the provisions of the clauses 9.2 and 9.3.1 of the Detailed Procedure and sought for extension of time for filing the requisite documents.

(f) The Petitioner has substantially fulfilled the requirement under clause 9.2 by investing of 10% through equity. The investments have been made by RPPL (the Petitioner is a 100% subsidiary of RPPL) in respect of proposed project. The Petitioner vide its letter dated 8.2.2019 submitted an undertaking in compliance of the conditions specified under clause 9.2.2 of the Detailed Procedure. The Petitioner vide its letter dated 14.2.2019, reiterated its compliance and submitted list of land locations for compliance under clause 9.2.2 of the Detailed Procedure. However, no response has been received from the CTU in this regard.

(g) Since, the CTU has not accepted the compliance yet, the Petitioner apprehends that the deemed Stage-II connectivity granted to the Petitioner may be revoked by the CTU. Therefore, the Petitioner has filed the present Petition.

2. Learned counsel for the Respondent submitted that the Petitioner is not fulfilling the conditions specified in the Detailed Procedure.

3. In response to the Commission's query as to why the Respondent did not reply to the Petitioner's letter dated 14.2.2019, the representative of the Respondent submitted that CTU will send its reply by tomorrow. The Commission directed the Respondent to give the reply to the Petitioner letter dated 14.2.2019 with reason by 1.3.2019.

4. The Commission admitted the Petition and directed to issue notice to the Respondent. The Commission directed the Respondent to file its reply by 12.3.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, on or before

20.3.2019. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account

5. Learned counsel for the Petitioner requested the Commission to direct the Respondent not to take any coercive action against the Petitioner till disposal of the Petition. Considering the submission of the Petitioner, the Commission directed the Respondent not to take any coercive measure against the Petitioner till the next date of hearing.

6. The Petition shall be listed for hearing in due course for which separate notice shall be issued.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**