



INDIAN WIND POWER ASSOCIATION

(Northern Region Council)

**Dated: 24-02-2022**

To,  
The Secretary,  
Central Electricity Regulatory Commission  
3 rd & 4 th Floor, Chanderlok Building,  
36, Janpath, New Delhi- 110001

**Subject: Indian Wind Power Association (IWPA-NRC) submissions in the matter of “Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021” dated 16-12-2021.**

Dear Sir,

At the outset, we extend our gratitude to Central Electricity Regulatory Commission (CERC) for inviting the stakeholder’s comments in the matter of “Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021” dated 16-12-2021.

We enclose herewith our considered observations/suggestions on the “Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021” dated 16-12-2021. We may further be allowed to represent/submit additional submission, if any, at the time of stakeholder’s meeting/discussion.

Thanking you,

Yours faithfully,  
For Indian Wind Power Association (NRC)

(K.R Nair)  
President



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**OBSERVATIONS/SUGGESTIONS**

Sr. No.	Clause No	Draft Regulation	Proposed	Suggestion/observations
1	2.1	(ag) “Renewable Energy Generating Station” or “REGS” means a generating station based on a renewable source of energy with or without Energy Storage System and shall include Renewable Hybrid Generating Station;	(ag) “Renewable Energy Generating Station” or “REGS” means a generating station based on a renewable source of energy with or without Energy Storage System and shall <u>may</u> include Renewable Hybrid Generating Station;	As per the definition provided for REGS, the REGS has to include RHGS in its energy source mix. It implies that connectivity will be granted to project with RHGS configuration only.  However, there might be generators who want to install RE project without RHGS configuration.
	2.1	(ah) “Renewable Hybrid Generating Station” or “RHGS” means a generating station based on hybrid of two or more renewable source(s) of energy with or without Energy Storage System, connected at the same inter-connection point;		Additionally, as per the para 5.2 of the Explanatory Memorandum (EM) to GNA Regulations, 2021, two separate categories (a) generating stations including REGS (b) Renewable Hybrid Generating Stations are clearly mentioned whereas connectivity quantum also varies amongst the above categories. Connectivity quantum for generating station including REGS is equal to installed capacity whereas the connectivity quantum for Renewable generating hybrid station is less than or equal to installed capacity.  Therefore, we request you to include such generators (who want to instal RE project without RHGS configuration) by appropriately modifying the definition of REGS.
2	3.2	Each application for grant of Connectivity shall	Each application for grant of	Under various Regulations like 3.5, 3.7 etc, the



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		be accompanied by a non-refundable application fee of Rs.5 lakh along with applicable taxes.	Connectivity shall be accompanied by a <del>non-refundable</del> application fee of Rs.5 lakh along with applicable taxes.	application fees towards connectivity and GNA will be refunded under certain conditions. The term “non-refundable” expressed under Regulation 3.2 and 3.3 is contrary to above quoted Regulations and therefore create ambiguity in this Regulations. To bring clarity the term “non-refundable” shall be removed.
	3.3	Each application for grant of GNA shall be accompanied by a non-refundable application fee of Rs.5 lakh along with applicable taxes	Each application for grant of GNA shall be accompanied by a <del>non-refundable</del> application fee of Rs.5 lakh along with applicable taxes	
3	4.1 (b)	(b) Captive generating plant with capacity for injection to ISTS of 50 MW and above;	Clarity Needed	It is evident that a captive generator is also a user. Under the draft GNA Regulations the generators have to apply for connectivity and shall be granted deemed GNA. No transmission charges shall be paid by generators. On other hand, buying entities shall have to apply for GNA and are obliged to pay transmission charges.  The present draft GNA Regulation is ambiguous pertaining to status of Captive generating station whether as “a generator” or “a user”. We therefore, request Hon’ble Commission to provide clarity on the same.
4	4.1 (e)	(e) REGS or standalone ESS with an installed capacity of 5 MW and above applying for grant of Connectivity to ISTS through the electrical system of a generating station already having Connectivity to ISTS: Provided that such an entity applying for grant of Connectivity to ISTS has an agreement with the said generating station to share its electrical system and dedicated transmission lines, if any.		In our opinion allowing capacity to connect to electrical system of generating station already having Connectivity to ISTS will allow effective utilization of the existing system.  We could not understand the reason for Limiting the capacity to 5MW and above for connectivity to ISTS network. If there is possibility of connecting capacity below 5 MW

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				<p>in the system then it shall also be allowed for its effective utilisation.</p> <p>Therefore, we request Hon'ble commission to make appropriate changes or may allow lower capacity like 1MW and above for grant of Connectivity to ISTS through the electrical system of a generating station already having Connectivity to ISTS.</p>
5	4.3	<p>A generating station, already connected to or intending to connect to intra-State transmission system shall also be eligible as an Applicant for Connectivity.</p>	<p>Clarity Needed</p>	<p>We appreciate that the Hon'ble Commission has considered projects connected to or intended to connect Intra state transmission system as an eligible applicant for ISTS connectivity.</p> <p>It is pertinent to note that RE generators are facing prolonged energy payment default by state DISCOMS. On account of such continuous defaults, RE generators are finding it difficult to sustain without energy Payments. The proposed Regulation will open a new power sale avenue for generators (already connected or intended to connect to intra state transmission system) to Connect to ISTS system and sell their power to ISTS consumers outside their incumbent state.</p> <p>In view of the above, the RE generators should be allowed to directly apply for ISTS connectivity (via STU network). Methodology for connecting to Intra State and ISTS system simultaneously for specifically identified quantum of capacity of the generating station may be added in the Regulation or the Detailed Procedure to be issued subsequently</p>

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				<p>Depending on the geographical location of the generating station it may be permitted to physically connect to ISTS:</p> <ul style="list-style-type: none"> <li>(i) through STU network and ISTS separately for respective quantum or</li> <li>(ii) through STU network to ISTS using the same physical connection the generating station is already having at STU injection point. The quantum proposed to be injected to ISTS may be bifurcated by metering and energy accounting at appropriate STU/ ISTS nodes. Or</li> <li>(iii) A generating station connected to either STU network or ISTS may be permitted connectivity and GNA for sharing identified quantum of capacity between STU and ISTS by introducing appropriate accounting practices.</li> </ul> <p>Further, Prima facie there is no project capacity capping for such generators to apply for ISTS connectivity. However, for sake of clarity, we request Hon'ble Commission to provide clarity on this.</p>
6	4.3 and 5.1	<p>“4.3 A generating station, already connected to or intending to connect to intra-State transmission system shall also be eligible as an Applicant for Connectivity. ....</p> <p>5.1 An Applicant, which is a generating station including REGS, shall apply for grant of Connectivity to the Nodal Agency for the</p>	Clarity needed	<p>In para 5.4 (Connectivity to both ISTS and intra-State transmission system) of EM to draft GNA Regulations, the Regulations 4.3 and 5.1 are mentioned to avoid any redundant transmission systems.</p> <p>Regulations 4.3 delineates that generating</p>

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		<p>quantum equal to the installed capacity of the generating station:          Provided that if such an Applicant already has Connectivity to intra-State transmission system for part of its installed capacity, it may apply for Connectivity to the ISTS for a quantum not exceeding the balance of the installed capacity;</p>		<p>station of any project capacity already connected to or intending to connect to intra-State transmission system shall also be eligible as an Applicant for ISTS Connectivity.</p> <p>Regulations 5.1, provides generating plant having connectivity to intra state transmission system for part of its installed capacity shall also apply for connectivity to ISTS for quantum not exceeding the balance of the installed capacity.</p> <p>There might be a scenario wherein the Generator having connectivity with STU network for a particular capacity and would like to transfer the same quantum through ISTS network also. In such cases the proposed restriction will work as deterrent.</p> <p>We therefore request Hon'ble Commission to provide clarity that both Regulations 4.3 and 5.1 are independent of each other and have different prospects.</p>										
7	8.2 And 8.3(b)	<p>(a) Conn-BG2 towards terminal bay(s) shall be furnished on the basis of number of terminal bay(s) allocated as under:</p> <table border="1" data-bbox="449 1133 814 1321"> <thead> <tr> <th>Voltage level of allocated terminal bay</th> <th>Conn-BG2 (per terminal bay)</th> </tr> </thead> <tbody> <tr> <td>132 kV</td> <td>Rs. 2 crore</td> </tr> <tr> <td>220/230 kV</td> <td>Rs. 3 crore</td> </tr> <tr> <td>400 kV</td> <td>Rs. 6 crore</td> </tr> <tr> <td>765 kV</td> <td>Rs. 12 crore</td> </tr> </tbody> </table>	Voltage level of allocated terminal bay	Conn-BG2 (per terminal bay)	132 kV	Rs. 2 crore	220/230 kV	Rs. 3 crore	400 kV	Rs. 6 crore	765 kV	Rs. 12 crore		<p>Under competitive bidding scenario one has to bid tariff at competitive rate to win the bid. The generators while quoting tariff consider many factors impacting the tariff or may impact the tariff. Bidder also factor in the Connectivity cost as it is also a vital cost component.</p> <p>It would be beneficial for applicants if CONN-BG2 towards ATS shall also be provided as provided for terminal bay. The Amount of CONN-BG2 towards ATS shall be the ceiling Amount. This will help bidder to incorporate</p>
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				<p>the pecuniary impact of Connectivity in a better way to arrive at the bid tariff.</p> <p>Therefore, we request Hon'ble Commission that Conn-BG2 shall be separately mentioned for ATS and terminal Bay.</p>
8	8.3 (b)	<p>The Nodal Agency, within 6 (six) months of furnishing of Conn-BG1 as per clause (a) of this Regulation, shall intimate to such entity, (i) amount of Conn-BG2 to be furnished towards ATS and terminal bay(s), which shall not exceed the estimated cost intimated under Regulation 7.2 of these regulations, (ii) the timeline for completion of ATS and terminal bay(s), and (iii) firm date of start of Connectivity:</p> <p>Provided that if such ATS and terminal bay(s) are planned for more than one entity, Conn-BG2 shall be furnished in proportion to the quantum of Connectivity applied for by such entities:</p>	Clarity Needed	<p>The Applicant which applies first should not be saddled with full cost of ATS.</p> <p>It may be clarified that amount of Conn-BG 2, for an applicant shall be calculated in proportion to the installed capacity of such applicant.</p> <p>For ex- An Applicant applies for connecting 500 MW and as part of ATS, transmission licensee decides (keeping in view CEA / CTU transmission planning) to construct a 765 kV line.</p> <p>Further, suppose this is the only applicant at that point of time &amp; other applicants will apply subsequently.</p> <p>In such a case, Conn-BG 2 amount payable by Applicant shall not be equal to full cost of 765 kV line but only should be proportionate to 500 MW.</p> <p>Also, ATS should be bifurcated into (i) Common system strengthening &amp; (ii) System strengthening specific to a generator</p>

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				<p>Conn-BG 2 amount should be sum of (i) amount for system strengthening done specifically for a particular generator and (ii) for common strengthening - amount should be in proportion to the connectivity quantum of each generator.</p> <p>Further, system strengthening is usually a multi- purpose exercise such as increasing ATC, correcting poor voltage profile, improving stability, adding resilience, benefitting other entities not part of ATS. The total estimated ATS cost should be reduced by appropriate amount so as not to burden the applicants with an undue amount of Conn BG - 2.</p>
9	8.3	<p>(c) In the event the Nodal Agency, does not intimate the details as per clause (b) of this Regulation within 6 (six) months, the Nodal Agency shall furnish the reasons for such non-intimation to the entity with a copy to the Central Commission within one month of expiry of such period of six months with a probable date by which the details of Conn- BG2 and such timeline shall be furnished:</p>	Clarity Needed	<p>Under competitive bidding scenario one has to complete milestone within the specified timelines. Any delay in achieving the milestone results into penalty to bidder. Since RE projects have shorter gestation period, timeframe associated with each activity plays a vital role in achieving timely execution of project.</p> <p>We appreciate that applicant is eligible for withdrawing connectivity application and BG is refunded in case if no intimation is provided by nodal agency within six months but it will bring applicant back at square one condition pertaining to its project Connectivity. As mentioned above the execution time for wind and solar project is shorter under such</p>

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				<p>condition coming back to square one after spending 9 months (2 months in principle approval where ATS is required + 1 month consent for execution of ATS and Conn-BG-1 submission + 6 months intimation by nodal agency) will certainly affect the timely execution of project.</p> <p>We therefore request that the intimation period by nodal agency shall be reduced to 1 month or max to 2 months.</p>
10	8.3 proviso (c)	<p>Provided that in the event of non-intimation by Nodal Agency within six months, the entity shall have the option of withdrawing the application for Connectivity and in such a case, the Conn-BG1 shall be returned within one month of exercising option of withdrawal by the entity and application shall be closed.</p>	Clarity needed	<p>As per the proviso, non-intimation by nodal agency within six months will allow entity to withdraw its connectivity application and refund of con BG-1. However, the proviso is silent about refund of application fees. Clarity on refund of application fee is needed.</p> <p>We therefore request under such conditions refund of 100% application fees shall be allowed.</p>
11	10.7 (c ) and 16.3	<p>The Connectivity Agreement, inter alia, shall include the following and other details as may be stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1:          .....          (c) Provision that in case of non-payment of transmission charges under Regulation 13 of the Sharing Regulations for more than 3 months from the due date, the same may be recovered by</p>	Clarity Needed	<p>Provision to encash Conn BG 1, 2 &amp; 3 in case of non-payment of transmission charges is not clear with respect to REGS as under this draft Regulations REGS / generators are not obliged to pay transmission charges as the user is to pay the charges</p>

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		encashing Conn-BG1, Conn-BG2 and Conn-BG3, as required as per provision of Regulation 16.3 of these regulations.		
	16.3	In case of non-payment of transmission charges under Regulation 13 of the Sharing Regulations for more than 3 months from the due date, such transmission charges shall be recovered by encashing Conn-BG1 (if subsisting), Conn-BG2 and Conn-BG3, as required. Connectivity shall be revoked from the date when Conn-BG2 is not sufficient to cover transmission charges under Regulation 13 of the Sharing Regulations.		
12	16.2	Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.	The Conn-BG2 & Conn-BG3 should be returned within 3 months' time period corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.	The logic behind keeping the BGs up to 5 years beyond commissioning of full capacity of the project is not understood. Returning of CON BG 2 and CONBG 3 in 5 years' time frame will have financial implications on the generators. Maintaining BG for such long period particularly when BG amount for large capacity plant would be very high.  In view of above we request Hon'ble Commission to return the Conn-BG2 & Conn-BG3 within 3 months' time period corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.
13	22.2 (d)	Entities covered under Regulation 4.1 and clause (iii) of Regulation 17.1 of these regulations shall furnish one-time GNA charge for Rs. One lakh per MW for the quantum of GNA one month		The REGS under this proposed Regulations are bearing huge financial implication in the form of application fees and CONN-BGs (1,2 &3) particularly for projects of higher capacities.

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		<p>prior to the start date of GNA. In case, such charges are not furnished by the entity within the specified timeline, the same shall be recovered by encashment of Conn- BG1, Conn-BG2 and Conn-BG3 as required. The proceeds of such onetime GNA charge shall be used for reducing Monthly TransmissionCharges under the Sharing Regulations.</p>		<p>The one-time GNA charge of Rs. One lakh per MW under Regulations 22.2 (d) will put additional financial burden on REGS. We therefore request Hon’ble Commission to not levy such charge on REGS.</p>
14	24.2	<p><b>24.2.</b> For entities covered under Regulation 7.1 and where Conn-BG2 and Conn-BG3, as applicable, has been furnished as per Regulation 8.2 of these regulations, the following shall apply:</p> <p>(a) In case of relinquishment of full quantum of Connectivity, (i) subsisting Conn-BG1 shall be encashed, (ii) subsisting Conn-BG2 shall be encashed if the terminal bay(s) are already developed or construction of which has already been awarded for implementation and (iii) subsisting Conn-BG3 shall be encashed.</p> <p>(b) In case of relinquishment of part quantum of Connectivity, (i) subsisting Conn-BG2 shall be encashed in proportion to the relinquished quantum of Connectivity if the terminal bay(s) are already developed or the construction of which has already been awarded for implementation and (ii) subsisting Conn-BG3 corresponding to the relinquished quantum of Connectivity shall be encashed. Conn-BG1 shall be returned in terms of Regulation 16.1 considering full capacity after excluding such</p>		<p>In our opinion objective of encashing BGs against relinquishment of connectivity quantum is to protect the investment made to develop the transmission system.</p> <p>Further, it is requested that relinquishment charges shall be compensatory in nature. The relinquishment charges shall be levied only till the time the capacity remains unutilized or stranded.</p> <p>In view of above, we request Hon’ble Commission to make appropriate amendment in this clause.</p>

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		relinquished quantum.		
15	37 37.1 37.9	<p><b>37. Arrangement for Transition</b>  <b>37.1.</b> If an application for grant of Connectivity or grant of Long term Access or grant of Medium Term Open Access has been made in accordance with the Connectivity Regulations and the same is yet to be granted as on the date of coming into effect of these Regulations, the applicant shall have the option of, either (a) to withdraw the application, in which case the application fee and bank guarantee, if any, shall be returned, or (b) to convert the application as an application made under these regulations by complying with the requirements under these regulations, which shall be processed in accordance with these regulations:            Provided that such option shall be exercised by the applicant within one month of coming into effect of these Regulations, failing which the application shall be closed and the application fee and bank guarantee, if any, shall be returned.  <b>37.2.</b> If Connectivity has been granted but Long Term Access has not been granted in accordance with the Connectivity Regulations and Connectivity is yet to become effective as on the date of coming into effect of these regulations, the same shall be treated as under:            (a) The entity shall have the option of, either (i) to convert the Connectivity granted under the Connectivity Regulations as Connectivity made under these Regulations complying with the requirements under these regulations, or (ii) to surrender such Connectivity.</p>	<p>This draft regulation stipulates that the existing Connectivity, LTA, MTOA, Short term Access etc are to be transitioned and aligned with the GNA regulations once it is notified. The methodology for transition for various scenario is also explained in the draft regulation.</p> <p>However, the time schedule/ duration stipulated to exercise option to change over to GNA and for furnishing fresh BGs etc appears to be too short to comply with ( i.e one month to exercise option to change over or surrender connectivity, LTA. etc, two months to provide new BGs, execute fresh agreements aligning to GNA etc.</p> <p>For any agency to change over / align to new regulation, provide fresh/ additional BGs etc they need to comprehensive study for understanding every aspect</p>	<p>As a large number of generating companies and buyers have to undergo transition it might take longer time. We would request the Hon'ble Commission to review the time lines for transition and provide longer time so that a smooth transition takes place. The penal provisions for delay in compliance also needs review.</p>

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	<p>(b) Such option under clause (a) of this Regulation shall be exercised by the applicant within one month of coming into effect of these Regulations, failing which the Connectivity granted under the Connectivity Regulations shall be considered as surrendered.</p> <p>(c) In case the Connectivity is surrendered in terms of option (ii) of clause (a) of this regulation or clause (b) of this regulation, Conn-BG1 and Conn-BG2, if any, furnished under the Connectivity Regulations shall be returned. Provided that in case the construction of terminal bay has been awarded for implementation under ISTS through CTU, Conn-BG2 furnished under the Connectivity Regulations shall be encashed.</p> <p>(d) In case, the entity exercises the option to convert the Connectivity granted under the Connectivity Regulations as Connectivity under these Regulations in terms of option (i) of clause (a) of this regulation, the Nodal Agency shall, within next 30 days, intimate the amount of Conn- BG1, Conn-BG2 and Conn-BG3, to be paid by such entity in terms of Regulation 8 of these regulations, after adjusting bank guarantee, if any, paid by such entity under the Connectivity Regulations.</p> <p>(e) Conn-BG1, Conn-BG2 and Conn-BG3 shall be furnished by the entity within two (2) months of intimation under clause (d) of this Regulation.</p> <p>(f) On furnishing of Conn-BG1, Conn-BG2 and Conn-BG3 under clause (e) of this Regulation, existing agreements between the entity and the Nodal Agency shall be aligned with provisions of</p>	<p>of it. The detailed Procedure in accordance with the GNA regulations will be notified by the Nodal Agencies within three months of notification of the GNA regulations only . For a flawless and smooth transition all the agencies involved would require to study and understand not only the GNA regulations but the Detailed Procedures as well.</p> <p>For furnishing fresh BGs enhancing Bank Limits for BG might be a deterrent and therefore a longer time period might be required for the generating companies to arrange for fresh BGs.</p> <p>As such a relook in these issues is desirable.</p>	
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	<p>Regulation 10.3 of these regulations.</p> <p>(g) On alignment of existing agreements under clause (f) of this Regulation, the entity shall become Connectivity grantee for all purposes under these regulations.</p> <p>(h) In case the entity fails to furnish Conn-BG1, Conn-BG2 and Conn- BG3 as intimated by the Nodal Agency in terms of clause (d) of this Regulation,(i) the Connectivity granted to the entity under the Connectivity Regulations shall be revoked by the Nodal Agency and (ii) Conn-BG1 furnished, if any, under the Connectivity Regulations shall be encashed and (iii) Conn-BG2 furnished, if any under the Connectivity Regulations, shall be returned:</p> <p>Provided that in case the construction of terminal bay has been awarded for implementation under ISTS through CTU, Conn-BG2 furnished under the Connectivity Regulations shall be encashed.</p> <p><b>37.3.</b> If Connectivity and Long Term Access have been granted in accordance with the Connectivity Regulations but either both Connectivity and Long term Access are yet to become effective or Connectivity is effectiveand Long term access is yet to become effective as on the date of coming into effect of these regulations, the same shall be treated as under:</p> <p>(1) The quantum of Connectivity granted under the Connectivity Regulations, for which Long term Access has not been granted shall be treated in terms of clause (1) of Regulation 37.6 or Regulation 37.2 depending on whether such Connectivity quantum is effective or not effective.</p>		
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	<p>(2) Where Long term Access has been granted on the existing system, the treatment of such Long term Access and corresponding quantum of Connectivity shall be as under:</p> <p>(a) The entity shall have the option of, either (i) to convert the Long term Access granted under the Connectivity Regulations as GNA under these Regulations, or (ii) to surrender such Long term Access.</p> <p>(b) Option under clause (a) of this Regulation shall be exercised by the entity within one month of coming into effect of these Regulations, failing which such Long term Access granted under the Connectivity Regulations shall be considered as surrendered.</p> <p>(c) In case the Long term Access is surrendered in terms of option (ii) of clause (a) of this Regulation or clause (b) of this Regulation, the Application Bank Guarantee, if any, submitted by the entity under the Connectivity Regulations shall be returned.</p> <p>(d) In case, the entity exercises the option (i) of clause (a) of this Regulation to convert the Long term Access granted under the Connectivity Regulations as deemed GNA under these Regulations, it shall furnish Conn-BG1 for Rs. 50 lakhs and Conn-BG3 @ Rs. 2 lakh/MW corresponding to such Long term Access quantum within two (2) months of exercising such option. In case any Conn- BG2 has been furnished under the Connectivity Regulations, the same shall be treated as Conn-BG2 under these regulations. Subsequent treatment of Conn-BG1, Conn-BG2 and Conn-BG3 shall be in terms of</p>		
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	<p>Regulations 16.1 to 16.4 of these regulations. Bank Guarantee, if any, furnished by such entity under the Connectivity Regulations shall be adjusted.</p> <p>(e) On furnishing of Conn-BG1 and Conn-BG3 under clause (d) of this Regulation, the Long term access shall be treated as GNA deemed to have been granted under these regulations and the existing agreements between the entity and the Nodal Agency shall be aligned with provisions of these regulations.</p> <p>(f) In case the entity fails to furnish Conn-BG1 and Conn-BG3 in terms of clause (d) of this Regulation, the Long term access granted to the entity under the Connectivity Regulations shall be considered as surrendered in terms of clause (b) of this Regulation.</p> <p>(g) The quantum of Connectivity for the quantum of Long term access which has been converted into GNA under clause (e) of this regulation, shall be treated as Connectivity granted under these regulations.</p> <p>(3) Where Long term Access has been granted with system augmentation, the treatment of such Long term Access and corresponding quantum of Connectivity shall be as under:</p> <p>(a) The entity shall have the option of, either (i) to convert the Long term Access granted under the Connectivity Regulations as GNA under these Regulations, or (ii) to surrender such Long term Access.</p> <p>(b) Option under clause (a) of this Regulation shall be exercised by the applicant within one month of coming into effect of these Regulations,</p>		
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	<p>failing which the Long term Access granted under the Connectivity Regulations shall be considered as surrendered.</p> <p>(c) In case the Long term Access is surrendered in terms of option(ii) of clause (a) or clause (b) of this Regulation, the Construction Bank Guarantee furnished under Connectivity Regulations shall be encashed to the extent of estimated cost of ATS has been awarded for implementation, subject to capping of the bank guarantee already furnished and balance, if any, shall be returned. The quantum of Connectivity granted under the Connectivity Regulations for such quantum of Long term Access which has been surrendered shall be treated as per clause (1) of this regulation.</p> <p>(d) In case, the entity exercises the option (i) of clause (a) of this Regulation to convert the Long term Access granted under the Connectivity Regulations as GNA deemed to have been granted under these regulations, the Construction Bank Guarantee already furnished shall be treated as Conn-BG1 for Rs 50 lakhs and balance as Conn-BG2 under these regulations. In case no construction bank guarantee has been furnished pursuant to signing of PPA and PSA, it shall furnish Conn-BG1 for Rs. 50 lakhs and Conn-BG3 @ Rs. 2 lakh/MW corresponding to such Long term access quantum within two (2) months of exercising the option (i) under clause (a) of this Regulation. In case any Conn-BG2 has been furnished under Connectivity Regulations, the same shall be treated as Conn-BG2 under these regulations. The Conn-BG1, Conn-BG2 and</p>		
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		<p>Conn-BG3 shall be treated in terms of Regulations 16.1 to 16.4 of these regulations.</p> <p>(e) On conversion of Construction bank guarantee as Conn-BG1 and Conn-BG2 or furnishing of Conn-BG1 and Conn-BG3 in terms of clause (d) of this Regulation, as applicable, the Long term Access granted under the Connectivity Regulations shall be treated as GNA deemed to have been granted under these regulations. The existing agreements between the entity and the Nodal Agency shall be aligned in line with provisions of these regulations.</p> <p>(f) In case the entity fails to furnish Conn-BG1 and Conn-BG3 in terms of clause (d) of this Regulation, the Long term access granted to the entity under the Connectivity Regulations shall be considered as surrendered in terms of clause (b) of this Regulation.</p> <p>(g) The quantum of Connectivity for the quantum of Long term access which has been converted into GNA under clause (e) of this Regulation, shall be treated as Connectivity granted under these regulations.</p> <p>-----</p>		
16		ISTS WAIVER	Clarity Needed	<p>Under this draft notification, transmission charges towards ISTS are proposed to be paid by the entities drawing power from ISTS. The entities injecting power will not be charged for the power injected as long as the injection remains within the entities' GNA.</p> <p>The regulations seem ambiguous pertaining to the ISTS waiver which was granted by the MoP vide notification dated 21.06.2021 on the</p>



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				<p>transmission of electricity generated from solar and wind sources for projects to be commissioned on June 30, 2025.</p> <p>The notification also provides a waiver of transmission charges for trading of electricity generated/supplied from solar, wind, PSP, and BESS in the Green Term Ahead Market and Green Day Ahead Market till June 30, 2023.</p> <p>As per the proposed Regulations, GNA is delinked from the contracts, whereas in the existing one, there is an identified buyer and seller. Since there is no identified buyer or seller and the buyer has to pay all the charges towards the usage of ISTS network, it will become difficult to identify the eligible entity for the ISTS waiver.</p> <p>We therefore request the commission to give clarification on whether entities purchasing power from RE or from sources eligible for a waiver of transmission charges under MOP notification will also get a waiver under this regulation.</p>
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