

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 180/MP/2023

- Subject** : Petition under section 79 of the Electricity Act, 2003 read with Regulations 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009, as amended from time to time, seeking refund of Rs. 3.5 Crore from Central Transmission Utility of India Limited (CTUIL), which has been wrongfully collected towards surrender of connectivity at 765/400/220 Kv Bhuj II Pooling Station of PGCIL, located at Bhuj, Gujarat.
- Date of Hearing** : 13.9.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri A.K Goyal, Member
Shri P.K. Singh, Member
- Petitioner** : Adani Wind Energy Kutch Five Limited (AWEK5L)
- Respondent** : Central Transmission Utility of India Limited (CTUIL) and Ors.
- Parties present** : Shri Hemant Singh, Advocate, AWEK5L
Shri Lakshyjit Singh Bagdwal, Advocate, AWEK5L
Shri Robin Kumar, Advocate, Advocate, AWEK5L
Shri Swapnil Verma, CTUIL
Ms. Priyansi Jadia, CTUIL
Shri Ranjeet S. Rajput, CTUIL

Record of Proceedings

Adani Wind Energy Kutch Five Limited (AWEK5L), a renewable energy generator, was granted Stage-II connectivity for 130 MW at the 765/400/220 kV Bhuj II Pooling Station, towards which the Petitioner furnished a CONN-BG of ₹5 crore. At the request of the Petitioner, the CTUIL shifted its Stage-II connectivity from the Bhuj-II Pooling Sub-station to the Bhuj-I Pooling Sub-station, and the petitioner accordingly surrendered its connectivity of the Bhuj-II Pooling Sub-station. The CTUIL, vide letter dated 11.2.2021 revoked its connectivity at Bhuj-II Pooling Sub-station and on 31.3.2021 granted Stage-II connectivity to the Petitioner at Bhuj I Pooling Sub-station. The CTUIL initiated action for



partial invocation of the CONN-BG (worth ₹5 crore furnished by it qua Bhuj-II PSS) towards recovery and realisation of ₹3.5 crore (i.e., equivalent to the BG amount, which is to be furnished by connectivity grantee in terms of Revised Procedure, 2021). Therefore, the Petitioner opened an FD for ₹3.5 crore so that the BG of ₹5 crore is not encashed.

2. The learned counsel for the Petitioner submitted that the instant petition is filed seeking a refund of ₹3.5 crore from CTUIL, which was collected from the Petitioner purportedly towards surrender of connectivity at Bhuj II Pooling Station of PGCIL, on the ground that there is no such provision under the Pre-revised Procedure, 2018 and the Revised Procedure, 2021 permitting such collection of money.

3. After hearing the learned counsel for the Petitioner, the Commission directed as follows:

- (a) Admit the petition.
- (b) Issue notice to the Respondents.
- (c) Serve a copy of the petition on the Respondents.
- (d) Respondents to file their reply by 16.10.2023 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 6.11.2023.

4. The Petition shall be listed for hearing on 22.12.2023

By order of the Commission

sd/-
(V. Sreenivas)
Joint Chief (Law)

