

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.223/MP/2023 along with IA No. 53/2023

- Subject : Petition under Sections 79 (1)(f) and 79(1)(c) of the Electricity Act, 2003, read with Regulation 8 and Regulation 26 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008 and Detailed Procedure framed thereunder and approved by this Commission, in relation to arbitrary, unlawful and mala fide acts on part of Respondent No.1 SLDC in refusing to process Petitioner's Application for Standing Clearance for grant of Short Term Open Access (STOA) for August 2023 and grant the same within timelines stipulated in the Detailed Procedure.
- Date of Hearing : 23.8.2023
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Tadas Wind Energy Private Limited (TWEPL)
- Respondents : Karnataka Power Transmission Corporation Limited (KPTCL) and Anr.
- Parties Present : Shri Rohit Sharma, Advocate, TWEPL
Ms. Pratiksha, Advocate, TWEPL
Shri Aditya Narayan, Advocate, TWEPL
Shri Jatin Lalwane, Advocate, TWEPL
Shri Nikhil Purohit, Advocate, TWEPL
Shri V. M. Kannan, Advocate, KPTCL
Shri Shahbaaz Hussain, Advocate, KPTCL
Shri Harimohann, Advocate, KPTCL
Shri Alok Mishra, NLDC

Record of Proceedings

At the outset, learned counsel for the Petitioner prayed for an adjournment and also for additional time to file a rejoinder as the Respondent No.1, KPTCL, filed its reply only belatedly. Learned counsel pointed out that the Respondent No. 2 has not filed its reply in the matter. Learned counsel further submitted that presently, in terms of interim directions of the Commission vide Record of Proceedings for the hearing dated 28.7.2023, the Respondent No.1 has considered the Petitioner's application for standing clearance for the month of August, 2023, on the basis of the single application without insisting upon seven different applications for each group, and such interim directions may be continued till the next date of hearing.

2. In response to the specific query of the Commission with regard to the rationale for seeking seven different registrations for each group, learned counsel for the Respondent No.1, KPTCL, submitted that the Respondent has already filed its detailed reply. Learned counsel further referred to the said reply and pointed out that



prior to June 2023, when the Petitioner was supplying power to HESCOM (i.e. intra-State transactions), it was not liable to provide the independent schedule for the purpose of DSM as the Karnataka Electricity Regulatory Commission (Forecasting, Scheduling, Deviation Settlement and related matters for Wind and Solar Generation Sources) Regulations, 2022, granted an option to the generator to provide for an aggregate schedule of all the wind and solar generators at a pooling station through a QCA, and accordingly, the DSM would be based on the schedule provided at the pooling station. Learned counsel submitted that from June, 2023 onwards, the Petitioner has been engaged in the inter-State transactions. Learned counsel added that it is not possible for the Respondent to measure deviation at the pooling station for the reason that the under-injection of the Petitioner may be compensated by the over-injection of the other generator connected to the same meter.

3. The representative of the Respondent No.2, NLDC submitted that NLDC had already conveyed to the Respondent No.1 that there was no need for the submission of seven separate applications for the single project of the Petitioner.

4. Considering the submissions of the learned counsel for the parties, the Commission adjourned the matter and permitted the Petitioner to file its rejoinder within two weeks. The Commission further directed that till the next date of hearing, the Respondent No.1 will continue to consider the Petitioner's application for standing clearance for subsequent months on the basis of a single application without insisting upon seven different applications for each group.

5. The Commission also directed the Petitioner and the Respondent No.1, KPTCL to provide an SLD of the Connectivity of the Petitioner's Wind Power Plant & other generators connected with the Bidnal sub-station and the location of the interface meter, on an affidavit, within two weeks. The Commission directed the KPTCL to depute a technical person well conversant with the matter for the next date of hearing.

6. The Petition along with IA shall be listed for hearing on **15.9.2023**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**