

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 77/MP/2023

- Subject** : Petition under section 79 of the Electricity Act, 2003, read with section 38 and Regulations 33A (Power to Relax) and 33B (Power to Remove Difficulty) 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, thereby invoking the regulatory powers of the Commission, as well as its Power to Relax and to Remove Difficulties, seeking the guidance of the Commission on implementation modality of the dedicated line that is necessary to operationalize the connectivity granted to Hindustan Zinc Ltd. for 200 MW as a Bulk Consumer.
- Date of Hearing** : 12.7.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Serentınca Renewable India Private Limited (SRIPL) and Anr.
- Respondent** : Central Transmission Utility of India Limited (CTUIL) and Anr.
- Parties present** : Shri Sanjay Sen, Sr. Advocate, SRIPL
Shri Avijeet Lala, Advocate, SRIPL
Ms. Shreevidya Nargolkar, Advocate, SRIPL
Ms. Mandakini Ghosh, Advocate, SRIPL
Shri Swapnil Verma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Shri Lashit Sharma, CTUIL

Record of Proceedings

The instant petition has been filed by Serentınca Renewable India Private Limited (SRIPL) and Hindustan Zinc Limited (HZL), the Petitioners in terms of advice from Central Transmission Utility of India Limited (CTUIL) vide letter dated 10.02.2023, for implementation modalities for the dedicated transmission system required for connectivity. SRIPL (a renewable energy developer) and HZL entered into a Power Delivery Agreement (PDA) for a capacity of 200 MW. HZL was granted connectivity and open access by CTUIL



for its Zinc smelter plant located in Rajasamand district of Rajasthan from the drawl point, i.e. 400/200 kV Kankroli ISTS Sub-station of PGCIL.

2. Learned senior counsel for the Petitioners submitted that the instant petition is filed under the regulatory powers of the Commission, as well as its Power to Relax and to Remove Difficulties, seeking guidance from the Commission on the implementation modalities of the dedicated line that is necessary to operationalize the connectivity granted to Hindustan Zinc Ltd. for 200 MW as a Bulk Consumer. He submitted that Petition No. 183/TL/2020 has also been filed for grant of Transmission Licence for establishing, operating, and maintaining the said Project under Regulation 24 (Power to Relax) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009. Learned senior counsel prayed to allow SRIPL to implement the dedicated transmission line through its Special Purpose Vehicle (SPV) or through HZL.

3. The Commission observed that the Electricity Act, 2003, and Regulations notified thereunder do not allow the bulk consumer to construct a dedicated transmission line, and only a generator/ transmission licensee can construct a dedicated transmission line. Learned senior counsel for the Petitioners sought some time to seek instructions from the Petitioners.

4. The representative of CTUIL submitted that there is no provision in the Electricity Act, 2003 or in the 2009 Connectivity Regulations for construction of a dedicated transmission line by a bulk consumer. He submitted that the line proposed by the Petitioners is not a “dedicated transmission line” but a “connectivity line” connecting the generator and the bulk consumer. The Commission, in order dated 5.1.2022 in Petition No.124/MP/2021, held that such matters shall be decided on a case to case basis depending upon the specific circumstances and facts of the case. Therefore, the Petitioners are required to get directions from the Commission on the modalities for implementation of the dedicated transmission line in the instant case.

5. After hearing the parties, the Commission directed them to file their written submissions with a copy to the other parties by 2.8.2023.

6. The petition shall be listed for further hearing along with Petition No. 183/TL/2023 on 23.8.2023.

By order of the Commission

sd/-

(V. Sreenivas)
Joint Chief (Law)

