

EDF Renewables India Pvt Ltd
1st Floor, Eastern Wing, Thapar House, 124 Janpath, New Delhi – 110 001

Comments on the draft of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (First Amendment) Regulations, 2023

Clause No.	Clause under the Amendment	Suggested Changes	Rationale
Xi (b)	(b) (i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and (ii) Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity."	(b) (i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and (iii) Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity." (ii) Achievement of Financial Closure for the Project through equity or loan along with proof of release of 10% of the project cost to be provided within one year from the date of grant of connectivity, failing which connectivity will be revoked.	While we support this condition on acquiring land, we would like to highlight that any investor, especially for Wind Power Projects (which works on land secured on point basis and each turbines land location is scattered) would certainly require securitisation of land secured through the related State's Nodal agency, so that investments are de-risked; and also comfort regarding availability of evacuation before disbursement of funds for lands. As for point (ii), in case of Wind Power Projects, the cost of land expected, may be estimated at 1.5% - 2% of the project cost. Thus to achieve the 10% figure, the outflow needs to be out of the advances paid to WTG supplier (since Substation & Transmission Line contracts can be entered into only after connectivity is ascertained). This would require entering into long term commitments, which investors & lenders would be hesitant till the connectivity for evacuation is secured. Thus, in the interest of long term development of wind energy, the provision for submitting proof of 10% investment at the time of application for connectivity may kindly be removed. The developers may be required for submitting the proof of 10% investment along with submission of Financial Closure, as required under clause 9.3.

EDF Renewables India Pvt Ltd

1st Floor, Eastern Wing, Thapar House, 124 Janpath, New Delhi – 110 001

Xi (a)	(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:	(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency or on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be: a1) Letter of Award (LOA) or Power Purchase Agreement (PPA) entered into with any procurer willing to procure RE energy on bilateral basis, subject to submission of the following: i) GNAre available or applied by the concerned procurer for atleast the quantum of such PPA. ii) Proof of investment of atleast 10% of project cost to be submitted within one year from the date of grant of connectivity.	As the country aims to increase its non-fossil fuel-based power capacity to 50% of total capacity by 2030, significant addition of Renewable Energy (RE) capacity is required. In addition to utility tenders, other PPAs of the likes of bilateral PPAs are also required to achieve this target. A PPA/LOA from any procurer on bilateral basis should also be eligible to apply for connectivity. The bilateral PPAs may not be based on tariff based competitive bidding. In such cases, submission of proof of the buyer having GNAre for atleast the quantum of such PPA at the time of making application and submission of proof of investment of 10% of the cost of project within one year from the date of grant of connectivity may be made mandatory addition
--------	---	--	--

EDF Renewables India Pvt Ltd

1st Floor, Eastern Wing, Thapar House, 124 Janpath, New Delhi – 110 001

24.6	<p>Revocation of Connectivity</p> <p>(1)(a) Connectivity shall be revoked for the corresponding capacity, if the Connectivity grantee fails to achieve COD either in full or in parts on or before,</p> <p>(i) the scheduled date of commercial operation of the generation project, for cases covered under clause (xi)(a) of the Regulation 5.8, as intimated at the time of making application for grant of Connectivity or as extended or delayed commissioning permitted by the Renewable Energy Implementing Agency or the distribution licensee or the authorized agency on behalf of distribution licensee, as the case may be.</p>	<p>1)(a) Connectivity shall be revoked for the corresponding capacity, if the Connectivity grantee fails to achieve COD either in full or in parts on or before,</p> <p>(i) the scheduled date of commercial operation of the generation project, for cases covered under clause (xi)(a) of the Regulation 5.8, as intimated at the time of making application for grant of Connectivity or as extended or delayed commissioning permitted by the Renewable Energy Implementing Agency or the distribution licensee or the authorized agency on behalf of distribution licensee, as the case may be, even if an earlier date has been intimated at the time of making application for grant of Connectivity.</p>	<p>It needs to be clarified that the connectivity shall not be revoked if the developer fails to achieve COD either in full or in parts on or before, the scheduled date of commercial operation of the generation project, even if an earlier date has been intimated at the time of making application for grant of Connectivity.</p> <p>This is necessary as the application for connectivity is made after receipt of LOA and prior to PPA being signed which happens after considerable period of time. Thus the date of connectivity is generally given in the application considering the PPA will be signed within 1-2 months of LOA. In case PPA signing is delayed, the corresponding SCOD will be later than the date of connectivity given in the application.</p>
------	---	---	--