

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 35/MP/2024

Subject	Petition under Section 79 of the Electricity Act, 2003 read with Regulation 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 and amendments thereof praying before this Hon'ble Commission to exercise its powers to "Remove Difficulty" arising out of the operation of the said Regulations.
Date of Hearing	6.3.2024
Coram	Shri Jishnu Barua, Chairperson Shri Arun Goyal, Member Shri P. K. Singh, Member
Petitioner	ReNew Surya Vihaan Private Limited
Respondents	Central Transmission Utility of India Limited & Anr.
Parties Present	Ms. Mannat Waraich, Advocate, RSVPL Shri Mridul Gupta, Advocate, RSVPL Shri Siddharth Sharma, CTUIL

Record of Proceedings

The instant petition has been filed by ReNew Surya Vihaan Private Limited (RSVPL), praying to the Commission to exercise its powers under Section 79 of the Electricity Act, 2003, read with Regulation 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 ("2022 GNA Regulations") to remove difficulty to prevent the hardship being caused to the Petitioner on account of the interpretation of the said Regulations.

2. Learned counsel for the Petitioner submitted that the Petitioner has been granted LTA for its 100 MW Solar Power Project at Jaisalmer for which a Construction BG of ₹5 crore (@₹ 5 lakh per MW) was furnished by it under the 2009 Connectivity Regulations. After the notification of the 2022 GNA Regulations, the CTUIL has decided to retain the Construction BG of the Petitioner towards Connectivity Bank Guarantee under the 2022 GNA Regulations by splitting the Construction BG into the Conn-BG1 of ₹50 lakh and balance as Conn-BG2 citing the Regulation 37.3(3)(d) of the GNA Regulations 2022. However, the Petitioner is exempted from furnishing Conn-BG2 in terms of the proviso of Regulation 8.2 of the 2022 GNA Regulations as connectivity is granted at a terminal bay constructed by another Connectivity grantee. Further, the Construction BG of ₹5 crore furnished by the Petitioner as per the 2009 Connectivity Regulations is in excess of the amount to be deposited as per the 2022 GNA Regulations (i.e. Conn-BG 1 of ₹50 lakh



and Conn-BG 3 @₹ 2 lakh/MW). She requested relaxation of the provisions of the 2022 GNA Regulations and direction to CTUIL to refund the excess amount paid by the Petitioner as per the 2009 Connectivity Regulations.

3. The Representative of the CTUIL mainly submitted that the difference in amounts to be deposited as BG is due to the difference between the entities granted connectivity under the previous regulation (i.e. Connectivity Regulations 2009) and the entities under GNA Regulation 2022.

4. After hearing the parties, the Commission directed as follows:

(a) Admit. Issue notice to the Respondents.

(b) The Respondents to file a reply by 15.4.2024, after serving a copy to Petitioner, who will file its rejoinder, if any, by 20.5.2024.

(c) The Petitioner to submit the scheduled COD and the current status of its 100 MW solar project covered in the present petition on affidavit by 23.3.2024, with an advance copy to the Respondents.

(d) The CTUIL to submit the details of all the Bank Guarantees (for Connectivity & LTA) submitted by the Petitioner as per the 2009 Connectivity Regulations for its 100 MW solar project covered in the present petition and the current status of the bank guarantees furnished by the Petitioner, on affidavit by 23.3.2024.

5. The Commission also directed the parties to comply with the directions within the timeline and observed that no extension of time will be granted.

6. The petition will be listed for hearing on 6.6.2024.

By order of the Commission

Sd/-

(V. Sreenivas)
Joint Chief (Law)

