

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.346/MP/2025 along with IA No.23/2025

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 challenging the Revocation Notice dated 10.03.2025 (received on 11.03.2025) issued by Central Transmission Utility of India Limited to ReNew Green (MHP) One Private Limited and seeing directions against revocation of connectivity.

Petitioners : ReNew Green Energy Solutions Pvt. Limited and Anr.

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **18.3.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Vishrov Mukerjee, Advocate, ReNew Green
Shri Girik Bhalla, Advocate, ReNew Green
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Shri Rishabh Saxena, Advocate, CTUIL
Shri Gajendra Sinh, WRLDC
Shri Alok Mishra, WRLDC
Shri Rahul Shukla, WRLDC
Shri Ashok Rajan, WRLDC

Record of Proceedings

Learned counsel for the Petitioners submitted that the present Petition had been filed *inter alia* challenging the Revocation of Connectivity Notice dated 10.3.2025 (received on 11.3.2025) issued by the Respondent, CTUIL revoking the connectivity dated 16.6.2022 for 117 MW Wind Power granted to the Petitioner No.2 herein. Learned counsel mainly submitted as under:

- (a) CTUIL has revoked the Petitioner No.2's connectivity in terms of Regulation 24.6(1)(a)(ii) of the GNA Regulations allegedly for the failure of Petitioner No.2 in commissioning the Project within 6-month time period (i.e., by 30.12.2023) from the tentative SCOD indicated by the Petitioner in its connectivity application (i.e., 30.6.2023).

(b) Firstly, for the purposes of Regulation 24.6(1)(a)(ii), the 6-month period ought to have been considered from the start date of connectivity. In this case, Petitioner No.2 had applied for the connectivity for 150 MW (117 MW+ 33 MW) under erstwhile Connectivity Regulations, 2009, and CTUIL granted the Stage II connectivity for 117 MW with the start date of connectivity as 30.6.2023 being the tentative timeline for the commissioning of the Project as indicated in the connectivity application.

(c) Pursuant to the notification of the GNA Regulations, Petitioner No.2 applied for the transition of the above connectivity and sought the connectivity start date as 31.1.2024. Accordingly, in its final grant of connectivity by CTUIL vide letter dated 18.1.2024, the connectivity start date was mentioned as 31.1.2024, subject to the availability of the common transmission system augmentation under the GNA. However, when the GNA was made effective, the connectivity start date was 10.8.2024. Thus, CTUIL ought to have considered the date of 10.8.2024 for the calculation of the 6-month period as indicated in Regulation 24.6(1)(a)(ii) of the GNA Regulations, and not 31.12.2023, which was the date mentioned in the application filed under the erstwhile regime. As a consequence of CTUIL's decision to consider 30.12.2023 for computing the 6 months, a peculiar situation has arisen wherein the connectivity of the 117 MW, which operationalised on 10.8.2024, is liable to be revoked on the very same date it is operationalised.

(d) Secondly, this computation of timelines is contrary to the intention of the Commission as indicated through the First Amendment to the GNA Regulations vide which Regulation 24.6 was inserted and the Statement of Reasons (SoR) published for the same. While addressing the comments and suggestions of the developers to allow the relaxation in case of non-commissioning of the Project due to Force Majeure, the Commission, in the SoR, has specifically observed that if a developer is affected by unforeseen events, then it can take appropriate legal remedies.

(e) In the present case, for 117 MW of Wind connectivity, a total of 35 WTGs have already been erected and all towers for the Dedicated Transmission Line (DTL) have also been erected. Petitioner No. 2 has not been able to commission the wind capacity solely on account of RoW issues faced in completing stringing for a stretch of about 5 km out of 32.4 km DTL. Also, the widespread RoW issues at Beed, Maharashtra, have also affected the other developers as well as the transmission licensee and have even been recognised by MEDA.

(f) Without prejudice to the above, Regulation 24.6 of GNA Regulations is not applicable to the present case. The said Regulation deals with revocation of the connectivity for entities where the connectivity has been made effective and the connectivity grantee has not achieved COD within 6 months after the SCOD intimated at the time of making an application for the grant of connectivity for cases covered under Regulation 5.8(xi)(b) or (xi)(c). Evidently, Regulation 24.6 refers to the cases falling under Regulation 5.8. i.e. envisaging application filed directly under the GNA Regulations. However, in the present case, the Stage II connectivity application by Petitioner No.2 was filed under the erstwhile regime of the Connectivity Regulation, 2009, and then subsequently transitioned and made effective under the GNA Regulations. Since the revocation is pegged to the SCOD indicated at the time of making the connectivity application under Regulation 5.8(xi)

of the GNA Regulations, it cannot be made applicable to entities such as Petitioner No.2, which had not applied under the GNA Regulations. In this regard, the reliance was also placed on the Commission's order dated 15.3.2025 in Petition No.35/MP/2024 [ReNew Surya Vihaan Pvt. Ltd. v. CTUIL].

(g) Also, the Petitioners, vide letter dated 7.2.2025, had indicated the CTUIL the status of the Project as well as the various unforeseen events that had impacted the commissioning of the Project and, consequently, had urged CTUIL to provide a suitable extension in the validity of the connectivity granted till the commissioning of the Project. However, the said representation has not been considered by CTUIL.

(h) In terms of the above, the Petitioners have a *prima facie* case and the balance of convenience in their favour. The Petitioners would suffer an irreparable loss and harm if the interim prayers, as prayed for in IA No.23/2025, were not granted by the Commission. Accordingly, the Commission may stay the operation of CTUIL's Revocation Notice dated 11.3.2025 and also injunct CTUIL from allocating Petitioner No.2's 117 MW connectivity to any other developers till the pendency of the present proceedings.

2. Learned counsel for the Respondent, CTUIL, while opposing the submissions made by the learned counsel for the Petitioners, mainly submitted as under:

(a) Insofar as the reference to the Petitioners' letter dated 7.2.2025 is concerned, the said letter was issued in response to the CTUIL's Notice dated 24.1.2025 whereby the CTUIL had asked the Petitioners to update the information regarding the commissioning of balance capacity (117 MW) for appropriate action in terms of Regulation 24.6.

(b) As per Regulation 24.6(i)(a)(ii) of the GNA Regulations, if the connectivity and corresponding GNA has been made effective and if the connectivity grantee fails to achieve the COD within 6 months from the SCOD as informed at the time of connectivity, its connectivity is liable to be revoked for the corresponding capacity not commissioned for the cases covered under land routes.

(c) CTUIL is bound to act in terms of the mandate of the said Regulation, and it does not permit CTUIL to inquire into the grounds/reasons which led to the delay in the commissioning of the Project.

(d) The averment that Petitioner No.2 had filed its Stage II connectivity application under erstwhile Connectivity Regulations, 2009, and Regulation 24.6 of the GNA Regulations, therefore, does not apply in its case, is also entirely misconceived. In this regard, reliance was placed on the definitions of "GNA," "GNA Grantee", Regulations 5.8, 22.4, 24.6, and 37.2, as well as the transition application made by Petitioner No.2 under the GNA regime and the compliance made thereof. The reliance placed on the Commission's order dated 15.3.2025 in Petition No.35/MP/2024 is also misplaced. The facts and issues involved in the said case were entirely different.

3. Considering the submissions made by the learned counsel for the parties, the Commission permitted both sides, to file their written submissions on the IA within

three days with a copy to the other side, and subject to this, the Commission reserved the order in IA.

4. Further, the Commission also admitted Petition No. 346/MP/2025 and directed the parties to complete the pleading therein within six weeks, with three weeks for each side.

5. The Petitioner was directed to file progress status of the Project within two weeks.

6. CTUIL and the Petitioner to file on an affidavit within two weeks the information/details after physical verification at site, as per the Format annexed with the ROP.

7. The Petition will be listed for the hearing on **22.5.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)

Particular	Format	
	Wind Power Project (76MW)	Wind Power Project (48MW)
Date of application for connectivity		
Connectivity Route (LoA/PPA/Land or Land BG)		
Quantum of Connectivity granted		
Start Date of Connectivity		
SCOD of project as per application/ revised SCOD by REIA		
Maximum period for project execution with LD as per PPA		
Date of final grant after transition in GNA Regulations		
Dedicated transmission system (under Petitioner's scope)		
Common Transmission System augmentation for connectivity		
Capacity commissioned (in MW)		
Expected COD of balanced capacity		
Date of effectiveness of connectivity/ GNA		
Date of Revocation of connectivity		
Date of applicability of Revocation		

Note: All statements to be supported by relevant documentary evidences

Particular as on date.....	Wind Power Project –MW				
	Required/ applied	Installed/ acquired/com pleted	Status of balance		Remarks/ expected date of completion
			at site	Schedule of supply	
WTG (nos)					
Land (for no of WTG)					
WTG foundations					
WTG erections - Tower					
WTG erections - Nacelle					
WTG erections – Hub and Blade					
CEA approval for energization					
Status of charging/ trial run					
Particulars related to Dedicated Transmission System:					
	Require d	Completed	Status of balance	CEA approval for energization	Status of charging/ trial run
No. of Pooling Stations:					
DTL Tower foundations (nos.)					
DTL towers erection(nos.)					
DTL stringing (ckm)					
Terminating bays					
Particular of Financial Closure (FC)					
	Complia nce date	Actual Date of Financial closure	Date FC submitte d to CTUIL	CTUIL remarks on FC, if any	Remarks
1.					

Particular of funding of the project:					
	Loan Disbursement by the lender		Payment released to parties either from loan/equity		Committed Amount as on date (in Rs.)
	Amount (Rs.)	Date	Amount (Rs.)	Date	
1.					
Status of Bilateral Billing for Transmission Charges:					
Transmission system for which bilateral billing is being done	Particulars of bilateral billing				
	Billing month	Bill date	payment date	Pending Amount, if any (in Rs.)	LPS trigger date, if applicable

Note: All statements to be supported by relevant documentary evidences