

Dated: April 08, 2025

Reference: R&P/Apraava/CERC/Comments/2025/April/14

To,
Shri Harpreet Singh Purthi,
Secretary, Central Electricity Regulatory Commission,
8th Floor, Tower B, World Trade Centre,
Nauroji Nagar, New Delhi, 110029

Subject: Comments on “Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Fourth Amendment) Regulations, 2024.” (hereinafter referred to as “**Draft Regulations**”)

Respected Sir,

By way of an introduction, Apraava Energy Private Limited (Apraava) is a diversified power company in India, owning and operating multiple renewable energy project, transmission assets and Advanced Metering Infrastructure projects.

The Hon’ble Commission vide public notice (No. L-1/261/2021/CERC) dated 03.03.2025 invited comments / suggestions / Objections on the subject Draft Regulation. Our comments on the same has been enclosed as **Annexure I**.

We request the Hon’ble Commission to take our views on record.

Thanking you
Yours Sincerely,



Jogendra Behera
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We welcome the Hon'ble Commissions effort to notify the draft 4th Amendment in GNA Regulations and introducing the concept of restricted access during Solar hours & Non-Solar hours and thereby facilitating the enhanced connectivity quantum and better utilization of transmission network. With regards to the draft Regulations our Comments are as below:

Draft Regulation	Comment/Suggestion
<p>5.2a (a) Connectivity Bank Guarantee Conn-BG1 and Conn-BG3 under Regulation 8 of these regulations shall be furnished by the existing grantee for such additional generation capacity;</p>	<p>Modified clause:</p> <p>5.2a (a) No Additional Connectivity Bank Guarantee Conn-BG1 and Conn-BG3 under Regulation 8 of these regulations shall be furnished by the existing grantee for such additional generation capacity; Provided that if the existing grantee is not seeking non-solar hour connectivity, then the proportionate Conn-BG should be returned to the existing grantee.</p> <p>Rationale: Existing grantee has already submitted the Conn BG1 and Conn BG2 and Conn BG3 for the desired connectivity quantum for 24 hours connectivity. As the same connectivity is splitted for Solar hour and non-solar hour connectivity, then the BG should also be splitted in the ratio of Solar hour and Non-Solar. Further, if existing grantee is seeking additional connectivity, then there should be no need of submission of additional Conn-BG. Moreover, if the existing grantee is not seeking non-solar hour connectivity then the proportionate Conn-BG should be returned to existing grantee.</p>
<p>5.2a (c) In case additional capacity for which approval is sought under Regulation 5.2 of these regulations is REGS (with or without ESS) or ESS (except PSP), the scheduled date of commercial operation for such additional capacity shall not be later than 18 months from date of approval by the Nodal Agency;</p>	<p>Modified clause:</p> <p>5.2a (c) In case additional capacity for which approval is sought under Regulation 5.2 of these regulations is REGS (with or without ESS) or ESS (except PSP), the scheduled</p>



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	<p>date of commercial operation for such additional capacity shall not be later than 18 24 months from date of approval by the Nodal Agency.</p> <p>Rationale: Similar to new project 24 months of time should be allowed so that developers can get sufficient time to execute the project. Shorter time may attract penalties for delay.</p>
<p>2nd Proviso of Reg 5.11(b) Provided further that if the quantum of Connectivity that can be made available for non-solar hours is less than 50 MW, such RES or RHGS shall not be considered for conversion as an entity with restricted access.</p>	<p>2nd Proviso of Regulation 5.11(b) may be deleted. Provided further that if the quantum of Connectivity that can be made available for non-solar hours is less than 50 MW, such RES or RHGS shall not be considered for conversion as an entity with restricted access.</p> <p>Rationale: Any connectivity left in the system should be aggregated and can be allotted to applicant of connectivity for the better utilization of transmission network.</p>
<p>Shareholding Amendment to Regulation 11A 6.1. A new Clause (6) shall be added after Clause (5) of Regulation 11A of the Principal Regulations, as under:</p> <p>(6) Any changes in shareholding pattern of the Connectivity grantee upto CoD of the project shall be subject to the following:</p> <p>(a) The promoters of the Connectivity grantee shall not cede control (where control shall mean the ownership, directly or indirectly, of more than 50% of the voting shares of such Company or right to appoint majority Directors) of the Company.</p> <p>(b) In case the Connectivity grantee has multiple promoters (but none of the shareholders have more than 50% of voting rights and paid-up</p>	<p>Modified clause:</p> <p>11A(6)(b) In case the Connectivity grantee has multiple promoters (but none of the shareholders have more than 50% of voting rights and paid-up share capital), the cumulative shareholding pattern shall not fall below 50%be maintained and cannot be changed upto COD of the project.</p> <p>Rationale: Similar to sub clause (a) of clause 6 of Regulation 11 A this should also be allowed in case of multiple promoters. Further, similar provision has been allowed for the successful bidder (in case project is being executed through SPVs) in a sample Request for Selection (RfS) documents issued by SECI for the development of RE Projects, extract of one of such RfS No. SECI/C&P/IPP/13/0019/24-25 dated 30.10.2024 has been mentioned in the explanatory memorandum published by the Hon'ble commission.</p>



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share capital), the shareholding pattern shall be maintained and cannot be changed upto COD of the project.

(c) Any change in shareholding pattern other than covered in sub-clauses (a) and (b) shall require prior approval of the nodal agency and shall be filed for information of commission within 45 days of such approval. Nodal Agency may allow such application considering the practical requirement for change in shareholding.

(d) In case any change in control or shareholding pattern of the Connectivity grantee is carried out in contravention to sub-clauses (a) to (c) of this Clause, the Connectivity shall be revoked, Bank Guarantee submitted under subclause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be encashed, and Conn-BG1, Conn-BG2 and Conn- BG3 shall be treated in terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.

Further Regulation 11 A(6) should not be implemented in a retrospective basis mainly for the case where shareholding pattern has already got changed before commissioning.