

Ref no: SRIPL/GNA4/01

Date: 03/04/2025

To
The Secretary,
Central Electricity Regulatory Commission
3rd and 4th Floor, Chanderlok Building, 36
Janpath, New Delhi-110 001

Subject: Comments/suggestions on draft Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Fourth Amendment) Regulations, 2025.by Serentica Renewables India Private Limited.

Ref:- Public Notice via Commission letter Ref No. L-1/261/2021/CERC dated 03.03.2025.

Dear Sir/Mam,

With reference to the public notice issued by the Honorable Commission for the subject matter of providing comments/suggestions/objections on the draft regulations formed. Please find attached Comments/suggestions from **Serentica Renewables India Private limited ("SRIPL")** attached as Annexure-1 to this letter.

For your kind perusal and consideration, please.

Thanking You,

For,
Serentica Renewable India Private Limited



(Kunal Kaistha)
AVP:- Regulatory Affairs.



Serentica Renewables India Private Limited Comments/ on draft Central Electricity Regulatory Commission hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Fourth Amendment) Regulations, 2025.

Changes in Proposed Amendments

S. No	Provision/Clause No.	Suggested Change in Provision/Clause No (Changes in bold and underline/strike off)	Rationale/Comments
	5.2 (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; 5.2 (e) The entity which has already made an application or has been granted approval by the Nodal Agency under Regulation 5.2 of these Regulations prior to the	5.2 (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 <u>24 months (if capacity <1000MW) or 30 months (if capacity >1000MW)</u> from date of approval by the Nodal Agency. <u>In case such additional capacity is owned by any other entity, the charges for sharing the dedicated transmission system including the sub pooling station shall be either mutually</u>	The proposal to set a 24/30-month timeline for the commercial operation date (COD) of additional capacity implemented through Solar, ESS & wind sources aligns with the timelines established in the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected ESS, Solar, Wind Power Projects respectively issued by the Ministry of Power (MoP) on February 12, 2025. These MoP guidelines stipulate a 24 (for project <1000MW)/30 (for project <1000MW)-month period from the date of the Power Purchase Agreement (PPA) signing to the

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	<p>date of effectiveness of these amendments, shall furnish the scheduled date of commercial operation for such additional capacity, within a period of two weeks from effectiveness of these regulations:</p> <p>Provided that, in case such additional generation capacity is REGS (with or without ESS) or ESS (other than PSP), the scheduled date of commercial operation for such additional capacity shall not be later than 18 months from the date of effectiveness of these amendments or date of approval by the Nodal Agency, whichever is later.</p>	<p><u>agreed or as provided in para Annexure IV. (1).(e) to (g) to this regulation.</u></p> <p>.....</p> <p>5.2(e) The entity which has already made an application or has been granted approval by the Nodal Agency under Regulation 5.2 of these Regulations prior to the date of effectiveness of these amendments, shall furnish the scheduled date of commercial operation for such additional capacity, within a period of two weeks from effectiveness of these regulations:</p> <p>Provided that, in case such additional generation capacity is REGS (with or without ESS) or ESS</p>	<p>scheduled commissioning date for these different RE fuel sources. This period accounts for the unique challenges associated with wind project development, such as site selection, resource assessment, and environmental clearances.</p> <p>Project Development Considerations: Projects often require extensive planning and development phases, including detailed wind resource assessments, land acquisition, and securing various permits. A 24/30-month timeline provides a realistic and achievable framework for developers to address these aspects effectively.</p> <p>The regulation 5.2 allows additional generation capacity or ESS owned by any other entity to be added behind the same connectivity.</p>

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		(other than PSP), the scheduled date of commercial operation for such additional capacity shall not be later than <u>24 months (if capacity <1000MW)/ 30 months (if capacity >1000MW)</u> from the date of effectiveness of these amendments or date of approval by the Nodal Agency, whichever is later.	<p>"5.2 Notwithstanding anything contained in Regulation 5.1, a generating station or ESS, with prior approval of CTU, shall be eligible to add, within the quantum of Connectivity granted to it, additional generation capacity or ESS, including the capacity owned by any other entity:..."</p> <p>Such second party owned capacity would seek sharing of dedicated transmission system including subpooling station for evacuation of power. If mutual agreement on sharing of cost is not possible then methodology specified in Annexure IV should apply. This way capacity owned by second party entities would get clarity on cost sharing thereby encouraging better utilization of connectivity.</p>
2	The draft GNA third		

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	amendment regulation dated 31.07.2024 "15.3 Any entity which acquires or holds 51% or more shareholding of the company or its subsidiary owning the REGS, may, after COD of full capacity or such split part in terms of Regulation 15.2 of these regulations, apply to the Nodal Agency for transfer of Connectivity for the full capacity or the spilt capacity, as the case may be. The Nodal Agency shall issue a revised grant of Connectivity on submission of applicable Conn-BG2 and Conn-BG3 by such entity. The original grantee may substitute its Conn-BG2 and Conn-BG3 with revised Conn-BG2 and Conn-BG3, to be intimated by CTU. On the issue	"15.3 Any entity which acquires or holds 51% or more shareholding of the company or its subsidiary owning the REGS <u>or additional generation capacity or ESS owned by an entity other than the connectivity grantee being installed under regulation 5.2 of this regulation</u> . may, after COD of full capacity or such split part in terms of Regulation 15.2 of these regulations, apply to the Nodal Agency for transfer of Connectivity for the full capacity or the spilt capacity, as the case may be. The Nodal Agency shall issue a revised grant of Connectivity on submission of applicable Conn-BG2 and Conn-BG3 by such entity. The original grantee may substitute its Conn-	Additional generation capacity or ESS owned by an entity other than the connectivity grantee being installed under regulation 5.2 of this regulation would require utilization of connectivity of incumbent grantee for evacuation of power. While the proposed draft regulation 15.3 of GNA third amendment regulation allows subsidiary (or parent) to utilize connectivity of parent (or subsidiary) but falls short of clarifying of utilization by a second entity under regulation 5.2. Hence, the proposed amendment.

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	of a revised grant of Connectivity, such entity shall enter into a fresh Connectivity Agreement and be responsible for compliance with all applicable regulations:"	BG2 and Conn-BG3 with revised Conn-BG2 and Conn-BG3, to be intimated by CTU. On the issue of a revised grant of Connectivity, such entity shall enter into a fresh Connectivity Agreement and be responsible for compliance with all applicable regulations."	
2.	5.8 (d) The Renewable Power Park Developer shall furnish the scheduled date of commercial operation of the generating station under the park prior to grant of final connectivity."	5.8 (d) The Renewable Power Park Developer shall furnish the scheduled date of commercial operation of the generating station under the park <u>along with details of the generating station, including its capacity,</u> prior to grant of final connectivity."	In a solar park there can be multiple generators owned by different developers having connectivity or COD of different dates. Therefore, the Park developer should provide list of such generators, capacity and COD dates for better regulatory monitoring and improve's transparency in power evacuation planning.
1.	(b) The In principle or final grant of Connectivity intimated to an REGS (with or without ESS) based on solar source or an RHGS with a combination of solar source with another	(b) The In-principle or final grant of Connectivity intimated to an REGS (with or without ESS) based on a solar source or an RHGS with a combination of a solar source with another source, including	The extension from 3 months to 6 months is essential due to the following reasons: - 1. Segregation of Cases by CTUIL - Once the amendment

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	source including ESS (including cases where GNA is effective) shall be converted as an entity with restricted access (corresponding to non-solar capacity during non-solar hours) within a period of one week after the expiry of three months from date of effectiveness of this Regulation:	ESS (including cases where GNA is effective), shall be converted as an entity with restricted access (corresponding to non-solar capacity during non-solar hours) within a period of one week after the expiry of Six months from the date of effectiveness of this Regulation. <u>The incumbent connectivity grantee shall have first priority over the connectivity during non-solar hours.</u>	is officially notified it will be a responsibility of nodal agency (CTUIL) to identify the connectivity's which will be converted to restricted access. Around 45 to 50 GW RE projects are connected to various ISTS substations out of which a majority 35 GW to 40GW are solar connected. There will be substantial work at CTUILs end for segregating and intimating to each connectivity grantee restricted access. Earlier when GNA was operationalized on 5 April 2023, the first intimation for transition applications arrived from Nov 2023 onwards implying 9 months time period for revising connectivities. Hence, we humbly believe that 3 months

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			<p>is too short a time and atleast 6 months should be provided.</p> <p>2. Contingent Difficulties: - It would be very difficult for any entity to analyze and apply for connectivity under restricted access due to the following reasons:-</p> <ul style="list-style-type: none"> • Identification/acquisition of land is a time taking activity that cannot be closed in 3 months. • Financial closures and investment approvals take time as demand from BESS energy, which is expensive, is yet to be fully tested across the country. India being price sensitive and that BESS cost including charging energy cost

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			<p>exceeds Rs. 7/kwhr would face offtake challenges.</p> <p>Considering the above difficulties the existing incumbent connectivity grantee is in the best position to quickly assess and utilize connectivity during non-solar (restricted) hours, so a priority to incumbent connectivity owner must be provided for an initial period of 6 months.</p>
	11A(6) Any changes in shareholding pattern of the Connectivity grantee upto CoD of the project shall be subject to the following: (a) The promoters of the Connectivity grantee shall not cede control (where control shall mean the ownership, directly or	11A(6) Any changes in shareholding pattern of the Connectivity grantee upto CoD of the project shall be subject to the following: (a) The promoters of the Connectivity grantee shall not cede control (where control shall mean the ownership, directly or	Intercompany transfer of funds through different financial instruments like CCD & NCD's for tax benefit purpose is regularly done. These debentures are later converted into equities resulting into change in ownership of the companies implementing the projects. Therefore if the holding company is the same

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	indirectly, of more than 50% of the voting shares of such Company or right to appoint majority Directors) of the Company. (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 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	indirectly, of more than 50% of the voting shares of such Company or right to appoint majority Directors) of the Company. (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 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	having multiple wholly owned subsidiaries financially transacting with each other resulting in ownership change along the same subsidiaries should be allowed as they do not amount to any trading in connectivity and only enable fund flow for executing the project. Also, Captive Generators see rise in equity by captive user as project progresses and money is spent. So the proposed notification depicting accepted/rejected cases from CTUIL will be helpful for developers.



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	<p>considering the practical requirement for change in shareholding.</p> <p>(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."</p>	<p>requirement for change in shareholding.</p> <p>CTUIL will come out within 60 days of notification of this regulation a detailed procedure post public consultation for the cases that shall be allowed for change in shareholding.</p> <p>(d) In case any change in control or shareholding pattern of the Connectivity grantee is carried out in contravention to sub-clauses (a) to (d) of this Clause, the Connectivity shall be revoked, Bank Guarantee submitted under subclause (c) of</p>	



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		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.	
	24.6 "(d) Connectivity granted to a Renewable Power Park developer shall be revoked for the corresponding capacity, if the Connectivity and corresponding GNA has been made effective in terms of Clause (a) of Regulation 22.4 of these regulations and generating station(s) within the Power park fails to achieve COD on or before,	24.6 "(d) Connectivity granted to a Renewable Power Park developer shall be revoked for the corresponding capacity, if the Connectivity and corresponding GNA has been made effective in terms of Clause (a) of Regulation 22.4 of these regulations and generating station(s) within the Power park fails to achieve COD on or before, (i) scheduled date of commercial operation of the generation project as per	Delays in achieving COD for generating stations which within a Renewable Power Park are sometimes beyond the control of developers, often due to Force Majeure (FM) events or uncontrollable circumstances such as unforeseen regulatory changes, supply chain disruptions, extreme weather conditions, or geopolitical factors. Immediate revocation of connectivity could lead to financial distress for developers especially if they have achieved financial closure, appointed

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	<p>project as per LOA or PPA 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>(ii) <u>six months</u> after the scheduled date of commercial operation for generating station(s) being set up without LOA or PPA.</p>	<p>LOA or PPA 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>(ii) six months after the scheduled date of commercial operation for generating station(s) being set up without LOA or PPA.</p> <p>Provided that if such generating station(s) has achieved full financial closure, spent substantial money in project development and appointed EPC contractor, the Nodal Agency on an application made by the generating station(s) would grant extension of upto 6 months to</p>	<p>EPC contractor etc and made progress in the project. Additional 6 months should be allowed by CTU and any further extension by CERC. This will ensure fairness, regulatory consistency, and give an opportunity to generator to expedite the project and achieve COD.</p>

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		achieve COD, failing which the generator would have to approach CERC.	



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