CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition (Diary) No.625/2026 along with
IA (Diary) Nos. 626/2026, 627/2026 and 635/2026

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulations 11A, 41 and 42 of the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 (and its subsequent amendments), inter-alia seeking a direction upon the Central Transmission Utility of India Limited not to revoke the connectivity of 270 MW of the Petitioners, amongst other relief(s)

Petitioners : Hero Solar Energy Private Limited (HSEPL) & Anr.

Respondents : Central Transmission Utility of India Limited (CTUIL) and Anr.

Date of Hearing : **27.8.2026**

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

Parties Present : Shri Sanjay Sen, Sr. Advocate, HSEPL
Shri Hemant Singh, Advocate, HSEPL
Shri Lakshyajit Singh, Advocate, HSEPL
Shri Devyanshu Sharma, Advocate, HSEPL
Ms. Roberta Ruth Elwin, Advocate, HSEPL
Shri Jai Lal, Advocate, HSEPL
Shri Harshit Singh, Advocate, HSEPL
Shri Dharmendra Singh, Advocate, HSEPL
Shri Sajit Akhtar, Advocate, HSEPL
Shri Nitesh Singh, Advocate, HSEPL

Record of Proceedings

The learned senior counsel for the Petitioners submitted that the present Petition has been filed *inter alia* seeking a direction that Respondent No.1/CTUIL does not revoke the Petitioners' Connectivity of 270 MW, amongst other reliefs. The learned senior counsel further submitted as under:

(a) In terms of Regulation 11A (2) of the GNA Regulations, a Renewable Energy Generating Station, to whom the final grant of connectivity has been issued, is required to achieve the Financial Closure (FC) for the capacity of such connectivity, at the latest by 6 months prior to the Scheduled Date of Commercial Operation (SCOD) or firm start date of the connectivity, whichever is later.

(b) As per the final grant of the connectivity dated 14.8.2024, the firm start date of the Petitioners' connectivity was 31.12.2026. As regards the SCOD of the Project, the Petitioners have been awarded a total of 120 MW Wind-Solar Hybrid Power

Project with Assured Peak Power Supply and against the said capacity, the Power Purchase Agreement (PPA) with Respondent No.2/SECI has so far been executed only for 60 MW, under which the SCOD was 30.6.2026. Thus, as per Regulation 11A(2) of the GNA Regulations, the due date for achieving the FC worked out to 30.6.2026.

(c) Upon achieving the FC for the entire quantum of connectivity on 10.6.2026, the Petitioners submitted the requisite documents demonstrating their compliance to CTUIL on 16.6.2026, i.e., well before the due date for achieving the FC. However, CTUIL, *vide* e-mail dated 23.7.2026, raised certain deficiencies and asked the Petitioners to furnish the loan sanction letter received from Aditya Birla Capital Limited (ABCL). The Petitioners duly addressed the CTUIL's queries *vide* their e-mail dated 31.7.2026 and provided the accepted credit arrangement letter for the loan facility as received from ABCL, along with other clarifications/documents.

(d) However, CTUIL *vide* e-mail dated 21.8.2026, intimated that since the sanction letter of ABCL submitted by the Petitioners was of 31.7.2026, i.e., after the due date of 30.6.2026, the connectivity of the Petitioners is liable to be revoked and their Bank Guarantee shall be encashed.

(e) Notably, SECI, *vide* letter dated 12.8.2026, has already extended the SCOD under the PPA (for 60 MW) till the operationalisation date of the GNA/Connectivity plus 60 days, which works out to 1.3.2027. Consequently, the outer limit for achieving financial closure under Regulation 11A(2) stands correspondingly extended, and the compliance effected by the Petitioners, whether reckoned from 16.6.2026 or even from 31.7.2026, is, in any event, within the stipulated timeline.

(f) Further, the Commission *vide* order dated 10.7.2026 in Suo-Motu Petition No. 11/SM/2026, has framed a comprehensive mechanism for connectivity granted on LoAs, which have not culminated into PPAs. The said order, among others, expressly relaxes the timelines mentioned under Regulation 11A, and the provisions of Regulations 11B & 24.6 of the GNA Regulations qua an entity to whom an in-principle grant of connectivity or a final grant of connectivity has been issued on the basis of an LoA, and where the PPA has not been signed even after the lapse of more than 12 months from the issuance of the LoA. The Petitioners' names also feature in the list of eligible entities published by CTUIL in terms of the said order.

(g) The Petitioners are fully compliant with the provisions of Regulation 11A of the GNA Regulations and if CTUIL is to compute the timelines under the provisions of Regulation 11A(2) by treating the FC having been achieved on 31.7.2026, even then, at the highest, the only lapse that could be alleged against the Petitioners is a delay of one month in furnishing the mere proof/ copy of the FC documents, which is a purely ministerial/ procedural formality. The substantive requirement of Regulation 11A(2), i.e., the actual achievement of FC, stands complied with well within the time. In this regard, CTUIL may, without prejudice, be asked to examine the FC documents submitted by the Petitioners by e-mail dated 31.7.2026.

(h) Under the above circumstances, the Petitioners are also pressing for interim direction of maintaining the *status quo* vis-à-vis the 270 MW connectivity of the Petitioners at Kurnool III PS.

2. After hearing the learned senior counsel for the Petitioners, the Commission directed as under:

(a) Admit and issue notice to the Respondents

(b) The Respondents to file their replies, if any, within four weeks with a copy to the Petitioners, who may file their rejoinders, if any, within three weeks thereafter.

(c) Regarding the interim directions, the Commission deemed it appropriate to direct the parties to maintain the status quo in respect of the Petitioners' 270 MW connectivity at Kurnool III PS, subject to the Petitioners depositing an amount equivalent to Milestone Extension Charges for the extension of FC timelines as specified in the order dated 14.8.2026 in Petition No.5/SM/2026 for the period of 31 days (30.6.2026 to 31.7.2026) with CTUIL within five days from the date of issuance of this Record of Proceedings. Needless to add, such payment shall be without prejudice to the rights & contentions of both sides and shall be subject to the outcome of the present proceedings.

(d) IA (Diary) No. 627/2026 filed for an urgent listing, having served its purpose, was disposed of.

3. The Petition, along with IAs, will be listed for hearing on **27.10.2026**.

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