

**CENTRAL ELECTRICITY REGULATORY COMMISSION NEW
DELHI**

Petition No. 13/SM/2023

Coram:

Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of Order: 29.09.2023

In the matter of:

Removal of Difficulties (Second Order) in giving effect to certain provisions of Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022.

ORDER

CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 ('hereinafter 'GNA Regulations') shall come into effect from 01.10.2023. The Commission vide order dated 22.09.2023 in Petition No. 11/SM/2023 has issued certain clarifications and practice directions for the removal of difficulties raised by CTUIL and RE developers in the implementation of GNA Regulations.

2. Post issuance of Removal of Difficulty order dated 22.09.2023 in Petition No. 11/SM/2023, CTUIL vide letter dated 29.09.2023 has submitted as follows:

(a) as per para 76 & 77 of the order, generators having COD as on 01.10.23 may apply for transition /connectivity and submit Conn BG3 @ Rs. 2 Lakhs/MW to CTU if they wish to schedule their power, and CTU shall issue provisional GNA/permission to such entities which shall be treated as deemed T-GNA.

(b) some generators have represented that in view of only a few working days remaining between the release of the order by CERC (22.09.2023) and the start date of scheduling of GNA (01.10.2023), they need some more time for submission of their BG.

(c) Further, many BGs submitted by the generators have defects. BGs having minor defects are considered for grant of permission to the respective projects on the condition that the same would be subsequently amended by the parties.



BGs with major defects may be considered only after taking an undertaking from the parties for the removal of defects. The connectivity/transition agreement as stipulated under GNA shall be signed in due course on submission of the correct BG.

(d) As these generation projects are already connected to the grid and transacting their power under STOA, the power of the generation projects may get bottled up due to non-submission of requisite BGs. It is therefore requested that such generation projects connected to the grid, who apply for connectivity/transition but could not submit the BGs due to paucity of time may be given a time extension of 15 days for submission of the same, failing which their scheduling under T-GNA shall be discontinued.

3. We have considered the submissions of CTUIL. We observe that there are bank holidays for the next few days. Further, we have considered CTUIL submissions that there are some difficulties faced in the submission of BGs by generating stations that were already transacting power under STOA. We are of the considered view that power should not be bottled up for want of completion of formalities. However, at the same time generating stations should comply with the necessary requirements of submission of Bank Guarantees within a certain time frame. . Considering that GNA Regulations shall be effective from 1.10.2023 and non-submission of requisite Bank Guarantee would lead to non-scheduling of power for such quantum, we find it appropriate to consider giving time till 16.10.2023 to such Generators to submit the required Bank Guarantees. However, such generating stations shall submit an undertaking that they shall deposit the required Bank Guarantee on or before 16.10.2023 failing which the permission granted by CTU shall stand withdrawn. On receipt of the undertaking from the generating station, CTU shall grant them provisional permission till 16.10.2023 to consider such quantum for scheduling under deemed T-GNA by RLDC/NLDC.

Directions under Power to Remove Difficulty

4. Regulation 42 of the GNA Regulations vests the Commission with the power to remove difficulty under certain circumstances. Regulation 42 of the GNA Regulations is extracted as below:

“42. Power to Remove Difficulty

If any difficulty arises in giving effect to the provisions of these regulations, the Central Commission may, on its own motion or on an application made before it by affected party by order, make such provision not inconsistent with the provisions of the Act or provisions



of other regulations specified by the Central Commission, as may appear to be necessary for removing the difficulty in giving effect to the objectives of these regulations.”

2. Further, we have been vested with the power to issue Suo Moto orders and practice directions from time to time, as per the exigencies, with regards to the implementation of the GNA Regulations and matters incidental or ancillary thereto, as the case may be, as provided under Regulation 44 of the GNA Regulations. Regulation 44 of the GNA Regulations is extracted as below:

“44. Issue of Suo Moto Orders and directions

The Central Commission may from time to time issue suo moto orders and practice directions with regards to implementation of these regulations and matters incidental or ancillary thereto, as the case maybe.”

3. Considering the difficulties raised by CTUIL under GNA Regulations, in the exercise of our powers under Regulation 42 read with Regulation 44 of the GNA Regulations, we hereby issue the clarifications and the practice directions as discussed above on the issues in the foregoing paragraphs.

4. Accordingly, Petition 13/SM/2023 is disposed of in terms of the above.

sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson

