========== Forwarded message ==========
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Date: Wed, 21 Oct 2026 17:50:18 +0530
Subject: Submission of Comments on Draft CERC (Indian Electricity Grid Code) (Second Amendment) Regulations, 2026
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Dear Sir,

With reference to the Public Notice inviting comments, suggestions, or objections on the Draft Central Electricity Regulatory Commission (Indian Electricity Grid Code) (Second Amendment) Regulations, 2026, please find attached the comments and suggestions submitted by the **Sustainable Projects Developers Association (SPDA)** for your kind consideration.

We request the Hon'ble Commission to consider SPDA's submissions while finalising the draft Regulations.

Thank you.

Regards,
**Sustainable Projects Developers Association (SPDA)**

# SPDA Comments on CERC (Indian Electricity Grid Code) (Second Amendment) Regulations, 2026

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
|---|---|---|---|---|
| 1 | Regulation 19(3) – Extension for interchange of power | Renewable Energy Generating Stations (REGS) and Energy Storage Systems (ESS), except hydro PSP ESS, must provide reasons for delay, seek an extension at least 10 days in advance and remain subject to a cumulative extension limit of three months. | SPDA requests that the three-month cumulative limit be reviewed and that extensions be permitted for a reasonable period commensurate with the actual delay. The requirement to apply at least 10 days in advance should not operate as an absolute bar where delays arise from unforeseen technical issues, transmission unavailability or other circumstances beyond the developer's control. | Renewable energy project commissioning depends on multiple interfaces, including transmission readiness, evacuation infrastructure, testing and grid integration. A rigid extension limit may expose developers to compliance difficulties even where delays are not attributable to them. |

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| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 2 | Regulation 22(3)(a) and (e) – Trial run of RE projects and ESS | The draft prescribes minimum trial-run capacities and staged testing requirements for generating stations and standalone ESS, including 50 MW minimum aggregate trial-run capacity for standalone ESS and instalment-based testing for larger projects. | SPDA requests that trial-run requirements be implemented in a manner that accommodates phased commissioning, actual project configuration and the capacity for which connectivity has been granted. For standalone ESS below 50 MW, the connectivity-based provision is welcome and should be implemented consistently. The Commission may also consider appropriate flexibility where testing of the full prescribed block is constrained by transmission or grid availability. | Renewable energy and storage projects may be commissioned in phases. Trial-run conditions should facilitate safe and timely commissioning without imposing requirements that cannot reasonably be met because of grid-side constraints. |
| 3 | Regulation 22(3)(j) – Demonstration of rated capacity | "(j) it is not possible to demonstrate the rated capacity of the plant within one year from the date of COD due to transmission constraints, such plant may demonstrate the rated capacity of the plant within one year from the date of effectiveness of the GNA or one year from the date of COD, whichever is later". | SPDA supports this provision and requests that it expressly cover constraints arising from delayed transmission elements, incomplete evacuation infrastructure, restrictions imposed by the system operator and other grid-side limitations not attributable to the generating entity. The time available for demonstration should be extended where the relevant constraint continues beyond the prescribed period. | A generating station should not be disadvantaged for its inability to demonstrate rated capacity when the transmission system is not capable of evacuating the required output. The provision should provide effective relief until the constraint is resolved. |

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 4 | Proposed Regulation 25A – Scheduling of infirm power | Scheduling of infirm power is proposed to be allowed only after issuance of a successful trial-run certificate. In the absence of contractual provisions, power must first be offered to existing buyers with at least seven days' advance notice; non-response is deemed refusal. | SPDA requests that the Commission reconsider making a successful trial-run certificate an absolute prerequisite for scheduling infirm power. Scheduling should be permitted before COD, subject to applicable grid safety, metering, protection and system-operator requirements. Where the contract does not specify the treatment of pre-COD power, the framework should permit mutually agreed scheduling arrangements with existing buyers and, where they decline, sale to third parties. | Infirm power arises during the pre-commercial-operation period. Restricting its scheduling until successful completion of a trial run may limit the practical ability to schedule and sell energy generated during commissioning. A flexible arrangement can facilitate energy utilisation while retaining necessary grid safeguards. |
| 5 | Regulation 27 – Commercial Operation Date (COD) | The proposed amendment provides that a generating station or ESS may declare COD after a successful trial run under the Grid Code, even where the underlying contract prescribes additional conditions before supply under that contract. | SPDA requests that the distinction between COD under the Grid Code and commencement of contractual power supply be maintained clearly. Contractual conditions should govern the commencement of supply and associated contractual obligations, without creating uncertainty regarding regulatory COD or automatically delaying it where the prescribed Grid Code requirements have been met. | Clear separation will reduce uncertainty regarding commissioning declarations, project milestones and contractual obligations. |

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 6 | Regulations 24 and 30 – ESS and pumped storage plants | The draft extends specified Grid Code provisions and technical requirements to ESS and pumped storage plants, including technical standards for ESS of 10 MW and above connected at 33 kV and above. | SPDA requests that the applicability of the requirements be clearly mapped to standalone ESS, co-located ESS and pumped storage plants, taking account of their respective operating characteristics and connectivity arrangements. Any new technical or operational compliance requirement should be prospective, with appropriate transition provisions for projects that have already received connectivity or have achieved financial closure. | A technology-neutral but configuration-sensitive framework will support storage deployment without creating uncertainty for projects developed under existing approvals and technical requirements. |

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 7 | Regulation 45(16) – Regulation of access for defaulting entities | The draft provides for complete regulation of T-GNA access following the default trigger date, regulation of short-term contracts under GNA if dues remain unpaid after two months, and progressive monthly reductions in other access. | SPDA requests that access regulation be proportionate to the outstanding default and preceded by due notice and an opportunity to respond. Bona fide disputed amounts, where the applicable regulatory framework permits such treatment, should be dealt with separately from undisputed dues. Regulation should be limited to the extent necessary to address the default, with safeguards against disproportionate interruption of contracted renewable power supply.<br><br>The draft should also provide a clear process for verification of payment, restoration of access and treatment of delays in updating payment status across the relevant system operators. Restoration within one day of payment, as proposed, should be operationalised through a time-bound and transparent process. | Complete restrictions on access may affect renewable generators, buyers and contracted power supply beyond the immediate defaulting transaction. A graduated and transparent mechanism can preserve payment discipline while reducing unintended disruption to the electricity market. |

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 8 | Regulation 45(16), read with Regulation 3 – Default trigger date and payment security | The proposed definition of default trigger date links non-payment to 75 days after issuance of the relevant RPC account, while failure to replenish a payment security mechanism triggers default on the next bank working day after the replenishment due date. | SPDA requests a clearly defined notice and cure mechanism for payment-security defaults, including reasonable time to address banking, operational or reconciliation issues. The procedure should distinguish a genuine failure to maintain payment security from delays in processing a replenishment that has already been initiated, subject to adequate safeguards. | The consequences under Regulation 45(16) can include substantial restrictions on market access. Clear notice and cure provisions would ensure proportionate enforcement and reduce unintended consequences arising from procedural delays. |
| 9 | Regulation 48(3)(f) – Consent and sharing of savings | "with the express consent of the buyer (which may be in form of a standing consent) and in terms of mutual agreement on sharing of net savings between the generating station and the buyer" | SPDA requests that the framework recognise standing consent and allow the parties to agree in advance on the methodology for calculating and sharing net savings. Such arrangements should not require repeated transaction-specific approvals where the parties have already agreed on the applicable mechanism. | Advance agreement on consent and savings allocation can improve operational flexibility, reduce administrative delays and support efficient scheduling. |

| S. No. | Clause | Regulation | SPDA Comments / Suggestions | Rationale |
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| 10 | Regulations 48 and 49 – Scheduling revision timelines | The draft proposes two phases of shorter scheduling revision timelines, with the second phase taking effect from 1 April 2027. | SPDA requests that the revised timelines be supported by adequate system readiness, stable scheduling portals, timely publication of updated transmission availability and effective coordination among NLDC, RLDCs, SLDCs, generators and buyers. The implementation should include a transition period and a mechanism for handling portal failures, delayed system updates and other operational contingencies. | Shorter revision windows may improve grid flexibility, but implementation without adequate operational readiness may increase scheduling errors and compliance risks, particularly for variable renewable generation. |