CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 135/MP/2026

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

Date of Order: 18th November, 2026

In the matter of:

Petition under Sections 79(1)(c), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 read with the CERC Office Order dated 30.07.2025, Addendum dated 14.01.2026 issued by this Commission, Committee Report dated 05.01.2026, Regulations 13(2)(h), 27 and 28 of the CERC (Sharing on Inter-State Transmission Charges and Losses) Regulations, 2020 and Regulations 42 and 44 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 for seeking Extension of Time in SCOD for the Petitioner's project.

And in the matter of:

Ambuja Cements Limited
Adani Corporate House, Shantigram,
S.G. Highway, Khodiyar,
Ahmedabad – 382421, Gujarat, India **……Petitioner**

Versus

1. **Central Transmission Utility of India Limited,**
   First Floor, Saudamini, Plot No. 2, Sector – 29,
   near IFFCO Chowk Metro Station,
   Gurgaon, Haryana – 122001.

2. **Essel Saurya Urja Company of Rajasthan Limited,**
   G-7, Ground Floor, Shree Mansion,
   Kamla Marg, C Scheme, NA, Jaipur, Rajasthan – 3020001 **……Respondents**

Parties Present: Shri Saurav Roy, Advocate, ACL

Shri Anshu Deshpande, Advocate, ACL
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Ms. Harsha Parakh, Advocate, CTUIL

ORDER

The present Petition has been filed by Ambuja Cements Limited (hereinafter referred to as the "Petitioner"/ "ACL") seeking extension of Scheduled Commercial Operation Date ("SCOD") for the Petitioner's project under Regulation 13(2)(h) of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (hereinafter referred to as the "2020 Sharing Regulations"). The Petitioner has made the following prayers:

(a) Hold and declare extension of Scheduled Commercial Operation Date up to 02.08.2025 for 70 MW (out of 150 MW Solar Power Plant) and 08.08.2025 for the entire 150 MW capacity;

(b) Waive 100% of the ISTS charges associated with the Petitioner's Project on account of extension of SCOD;

(c) Pass such order and further order or orders as this Hon'ble Commission deems appropriate under the facts and circumstances of the present case.

Submissions of the Petitioner:

2. The Petitioner has mainly submitted as under:

(a) The Petitioner, in order to meet its power requirements, has developed the 150 MW Solar Power Plant at Essel Saurya Urja Company of Rajasthan Limited's (hereinafter referred to as "ESUCRL") 750 MW Solar Park at Phalodi-Pokhran, Rajasthan, which is intended for the captive use across the Petitioner's cement facilities in India.

(b) ESUCRL Solar Park is a joint venture entity established between the Government of Rajasthan and Essel Infra Ltd. in the ratio of 50:50. The development of the 750 MW Solar Park capacity was duly approved by the Ministry of New and Renewable Energy of India ("MNRE") vide its approval dated 14.05.2018, for implementation by ESUCRL.

(c) The original SCOD of the ESUCRL's Solar Park was 30.06.2025. Despite the Petitioner having achieved project readiness well prior to the said SCOD, various unforeseen and uncontrollable circumstances - most notably delays in allocation of land and in the commissioning and charging of the Solar Park's pooling station (akin to CTS / ISTS substation not being fully ready), which are critical for operational readiness- have

significantly impacted the project timelines.

(d) The Petitioner made an application on 11.11.2025 to the Committee constituted under Regulation 13(2)(h) of the 2020 Sharing Regulations, seeking recommendation for extension of SCOD for its 150 MW Solar Power Project for the purpose of securing waiver of ISTS charges.

(e) Despite the delays, within a short time of 9 months (i.e. from Oct'2024 till 09-Jun-2025) as against the standard implementation period of 18 months, ACL had fully installed the 150 MW capacity. CEA approved 100 MW on 20-Jun-2025 and 50 MW on 22-Jun-2025, and the Petitioner submitted the application for First Time Charging (FTC) to NRLDC on 28-Jun-2025.

(f) Despite ACL's readiness, commissioning and COD could not be achieved due to delays in solar park-related activities and procedural dependencies on governmental authorities, which were beyond ACL's control.

(g) MNRE has also acknowledged and recognised the pending solar park activities on commissioning and charging of pooling substations, and accordingly they have extended the COD timeline for solar park development to 30th September 2025 to enable ESUCRL to complete the pending activities, including charging of pooling substations and final commissioning.

(h) Petitioner achieved COD of 70 MW capacity on 02.08.2025, and for the full capacity of 150 MW on 08.08.2025, immediately upon the commissioning/charging of the Solar Park pooling station on 08.07.2025.

(i) Upon examining the Petitioner's Application dated 11.11.2025 and accompanying documents submitted with the letter dated 19.12.2025, the Committee submitted its Report on 05.01.2026 and recommended the extension of SCOD up to 08.08.2025 for the purpose of availing waiver of ISTS charges under Regulation 13(2)(h) of the 2020 Sharing Regulations.

(j) The Petitioner is seeking extension of the SCOD up to 02.08.2025 for 70 MW (out of 150 MW Solar Power Plant) and up to 08.08.2025 for the full 150 MW capacity, along with waiver of ISTS charges associated with the Project.

(k) Since the delay in achieving COD arose solely due to factors beyond the control of the Petitioner, the Petitioner is entitled to the 100% waiver of the ISTS charges.

Hearing dated 25.03.2026

3. The learned counsel for the Petitioner submitted that the present Petition has been filed seeking an extension of SCOD up to 2.8.2025 for 70 MW (out of the total 150 MW Solar Power Plant) and up to 8.8.2025 for the entire 150 MW capacity, along with waiver of the ISTS charges associated with the Project. Considering the submissions made by the learned counsel for the Petitioner, the Commission admitted the Petition.

Hearing dated 13.05.2026

4. The learned counsel for the CTUIL submitted that it adopts the recommendations of the Committee and does not wish to file any separate reply in the matter. The Commission directed the Petitioner to implead the concerned Solar Power Park, i.e., ESUCRL, as a party to the Petition and file a revised memo of parties within a week and file the following information:

(i) Copy of ESUCRL letter dated 8.5.2025 seeking extension in timeline for completion of the 750 MW Pahlodi-Pokhran Solar Power Park.

(ii) Supporting document substantiating the charging of ESUCRL Pooling Station on 8.7.2025 as recorded in the report of the Committee dated 05.01.2026.

(iii) Documents substantiating the delay in completion of facilities of ESUCRL's solar power park on account of force majeure events claimed in the instant Petition.

5. The Commission also directed ESUCRL to file the following information:

(i) What was the original timeline for completion of the 750 MW Phalodi-Pokhran solar power park, and its present status?

(ii) Reasons for delay in the Phalodi-Pokhran solar power park, if any?

(iii) Details of force majeure events claimed by the Petitioner for the delay of ESUCRL's solar power park in the instant Petition, as per the following table:

Sl. No.	Force Majeure Event*	Period of delay on account of the force majeure events (from date to date)	Number of days

*Supporting documents to be furnished

(iv) Ground on which MNRE has extended the timelines for development of the solar power park till 30th September 2025. Copy of ESUCRL's communications to MNRE seeking such extension, along with all the supporting documents in support of the grounds on which such extension was sought."

6. The Petitioner has filed amended memo of parties on 21.05.2026 impleading ESUCRL as a party to the instant Petition.

Submissions of Petitioner in Compliance with the RoP for hearing dated 13.05.2026:

7. The Petitioner, vide affidavit dated 01.06.2026, re-iterated its earlier submissions and has mainly submitted as under:

(a) The Petitioner has furnished a copy of the letter dated 08.05.2025 issued by ESUCRL to the MNRE seeking extension of timeline for completion of the 750 MW Phalodi–Pokhran Solar Park up to 30.09.2025.

(b) The Letter dated 27.06.2025 from the MNRE to ESUCRL granting the extension till 30.09.2025 explicitly records that the said extension is being granted for "pending activities: line charging of PSS and final commissioning". Prior to this, MNRE granted an extension till 31.12.2024 vide letter dated 24.09.2024.

(c) The Petitioner has furnished the copy of NRLDC Approval (Form-IV) dated 07.07.2025 granting permission for charging and trial operation of the relevant facilities at ESUCRL's Main Pooling Sub-Station. Pursuant to the said approval, ESUCRL successfully charged the Pooling Station on 08.07.2025.

(d) The Petitioner has also submitted a copy of ESUCRL's communication dated 24.12.2024, addressed to MNRE, setting out, inter alia, the force majeure circumstances affecting the development and completion of the Solar Park and seeking extension of timelines.

(e) Despite being ready ahead of the 30.06.2025 timelines, unforeseen challenges, particularly delays in allocation of land, commissioning and charging of the solar park pooling station, significantly impacted the project timelines.

Submissions of ESUCRL in compliance with the RoP for hearing dated 13.05.2026:

8. ESUCRL vide affidavit dated 01.06.2026 has submitted as under:

(a) In terms of the MNRE's Scheme dated 12.12.2014, the original timeline for completion of the Essel Solar Park was envisaged as 17.06.2017 (i.e. 18 months from the date of approval by MNRE). However, the project was delayed because the District Collector granted allotment of land for development of the Solar Park only on 23.03.2018. Consequently, ESUCRL revised the completion timeline for Essel Solar Park to Quarter 1 of 2019 in the Detailed Project Report ("DPR") submitted to MNRE, which was also approved on 14.05.2018.

(b) The timelines for development of the Essel Solar Park underwent revisions from time to time on account of various Force Majeure events and circumstances beyond the control of Essel Saurya. MNRE accordingly granted extensions of the applicable timelines from time to time.

(c) As regards the present status, commissioning of generation capacity at the Essel Solar Park was achieved in a phased manner, culminating in COD of the entire 750 MW generation capacity at Essel Solar Park on 31.12.2025, i.e. within the extended timeline granted by MNRE (detailed below). The details of the COD are as follows:

Generation Capacity at Essel Solar Park	COD
300 MW	18.06.2021
150 MW	01.07.2024
Balance 300 MW (includes Ambuja Cements 150 MW project)	**150 MW:** 02.08.2025 (70 MW), 08.08.2025 (80 MW) **150 MW**: 31.12.2025

Ground on which MNRE has extended the timelines for development of the solar power park till 30th September 2025.

(d) The MNRE, after considering the relevant facts, has granted extensions to ESUCRL (including extension up to 30.09.2025). The details of such extensions are as below:

Sl. No.	Previous deadline	Revised deadline	Document reference for such extension of commissioning at Solar Park
1.	Quarter 1 of 2019 (as per DPR)	05.02.2020	MNRE's OM dated 19.07.2019 extending the timeline for the Solar Parks awarded under MNRE's Solar Park scheme OM No. 30/26/2014-15-NSM (Essel Saurya was also awarded the project under this scheme) up to 1 year from the date of issuance of MNRE's OM dated 05.02.2019.
2.	05.02.2020	31.05.2021	MNRE's OM dated 22.01.2021 r/w MNRE's OMs dated 13.08.2020 & 19.08.2020 extending SCoD of RE Projects by 5 months on account of Covid-19 (blanket extension).
3.	31.05.2021	31.12.2021 [eligible for further extension till 31.03.2022]	MNRE's OM dated 19.08.2020 (granting extensions to all solar parks till 31.03.2022) r/w MNRE's letter dated 10.06.2021 extending commissioning timeline for Essel's Solar Park.
4.	31.12.2021	31.03.2024	MNRE's letter dated 01.09.2023 granting extension in response to Essel Saurya's letters dated 11.08.2021, 14.04.2023 (requesting for extension on account of status quo orders and

			delay in allotment of land pursuant to this litigation)
5.	31.03.2024	31.12.2024	MNRE's letter dated 24.09.2024 in response to Essel Saurya's letter dated 24.04.2024 and email dated 12.08.2024 extending commissioning timeline for Essel's Solar Park to 31.12.2024.
6.	31.12.2024	30.09.2025	MNRE's letter dated 27.06.2025 in response to Essel Saurya's letters dated 24.12.2024, 08.05.2025 and 08.06.2025 (requesting an extension on account of status quo orders and delay in allotment of land pursuant to this litigation).
7.	30.09.2025	31.03.2029	MNRE's OM dated 17.09.2025 extending the timeline for the completion of ongoing Solar Parks awarded under MNRE's Solar Park scheme OM No. 30/26/2014-15-NSM (Essel Saurya was also awarded the project under this scheme) for a period of 3 years without any additional financial implication, for completion of the ongoing parks and clearing committed liabilities. This OM is marked to all Solar Power Park Developers.

Hearing dated 11.06.2026

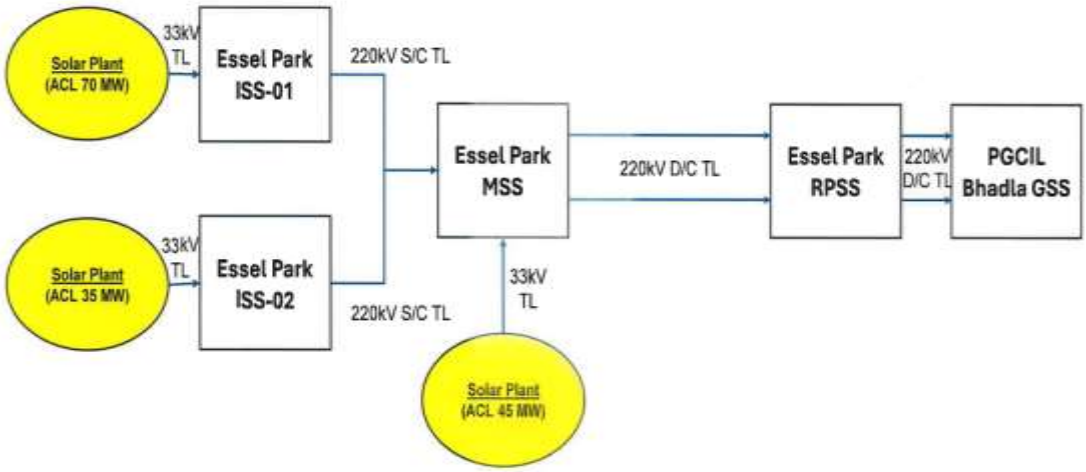
9. The Commission directed the ESUCRL to submit the date of charging of the Park Pooling Station, where the Petitioner's project was to be connected, along with the supporting document and the internal evacuation arrangement of the park and how the force majeure event has impacted the COD of the Petitioner project. The Commission also reserved the matter for orders.

Submissions of ESUCRL in Compliance with the RoP for hearing dated 11.06.2026:

10. The Respondent, ESUCRL, vide affidavit dated 25.06.2026, has submitted as under:

(a) The Pooling Substation at the Essel Solar Park, where Ambuja Cements' Project was to be connected, was charged on 08.07.2025.

(b) The internal evacuation arrangement of the Essel Solar Park is depicted in the diagram as under:



(c) As regards the impact of the Force Majeure events on the COD of Petitioner's project, the Petitioner's project was dependent upon the common infrastructure of the ESUCRL's Solar Park, including the pooling station and evacuation system. The development and completion of such infrastructure were delayed due to various Force Majeure events and circumstances beyond ESUCRL's control.

Analysis and Decision:

11. We have considered the submissions of the Petitioner and the Respondents, and the documents placed on the record. The following issue arises for our consideration:

12. The following issue arises for consideration:

Issue 1: Whether the Petitioner's project is eligible for extension in SCOD and is entitled to a 100% waiver of Inter-State Transmission System charges as if the project had achieved COD on or before 30.06.2025, under Regulation 13(2)(h) of the 2020 Sharing Regulations?

13. The above issue is dealt with in subsequent paragraphs.

14. Petitioner has submitted that it has developed the 150 MW Solar Power Plant located at ESUCRL's 750 MW Solar Park at Phalodi-Pokhran, Rajasthan. The original SCOD of the Petitioner's project was 30.06.2025. Despite the Petitioner's readiness, COD could not be achieved due to delays in commissioning of the solar park pooling station. The Petitioner achieved COD of 70 MW capacity on 02.08.2025, and the full capacity of 150 MW on 08.08.2025, immediately after charging of the Solar Park pooling station on 08.07.2025. On 11.11.2025, the Petitioner submitted a representation to the Committee constituted under Regulation 13(2)(h) of the 2020 Sharing Regulations

seeking extension of SCOD of its Project and consequent waiver of inter-State transmission charges. The Committee, vide its Report dated 05.01.2026, recommended extending the SCOD up to the actual COD of the project, i.e. 08.08.2025.

15. Petitioner has filed the present Petition seeking extension of SCOD until 08.08.2025 for its complete capacity of 150 MW, for the purpose of waiver of inter-State Transmission charges as recommended by the Committee.

16. The relevant extracts of the Committee's Report dated 05.01.2026 are as under:

> ***"6. Conclusion and Recommendation***
>
> *In view of the above facts and circumstances, and considering that:*
>
> - *The original SCOD of the project was June 2025,*
> - *Delay in commissioning occurred due to reasons beyond the control of the developer, primarily attributable to Solar Park infrastructure delays, and*
> - *MNRE has extended the Solar Park development timeline recognising these force majeure-like events, the Committee is of the considered view that extension of SCOD for the 150 MW Solar Power Project of Mis Ambuja Cements Limited up to 08.08.2025 is justified.*
>
> *Accordingly, the Committee recommends extension of SCOD up to 08.08.2025 for the purpose of waiver of ISIS charges under Regulation 13(2)(h) of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020."*

As per the above, the Committee, considering that the delay in achieving the COD occurred due to reasons beyond the control of the Petitioner and that MNRE has extended the Solar Park development timeline recognising force majeure-like events, recommended extending the SCOD of the 150 MW project of the Petitioner up to 08.08.2025, for the purpose of waiver of ISIS charges under the 2020 Sharing Regulations.

17. Regulation 13(2)(h) of the 2020 Sharing Regulations provides as under:

> *"(h) Any REGS based on wind or solar source or RHGS based on combination of wind and solar source or Battery ESS which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commercial operation (SCOD) on or before 30th June 2025 is granted extension of time to achieve commercial operation date (COD) on account of any Force Majeure event including non-availability of transmission system or for reasons not attributable to the REGS, and the project achieves COD on or before the extended date, it shall be eligible for a waiver of inter-state transmission charges as if the said REGS had achieved COD on 30.6.2025. Such extension to achieve SCOD for the purpose of this Regulation shall not exceed a period of six months at a time and not more than two times, where the extension provided is for a period beyond 30.06.2025. Such extension shall be granted by:*
>
> *(i) Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of a distribution licensee or MNRE as per the competent authority in terms of the Power Purchase Agreements, where PPA has been entered into consequent to tariff*

based competitive bidding, under Section 63 of the Act;

(ii) Commission based on recommendations of Committee to be appointed by the Commission, for cases other than covered in sub-clause (i) of this Clause. For the purpose of seeking such extension, the concerned generation project or ESS shall file an application to the Committee as notified through a separate Order by the Commission."

As per the above, the following three conditions are to be met by a RE generator to get waiver in terms of Regulation 13(2)(h):

Condition-1: RE generation project has its scheduled date of commercial operation (SCOD) on or before 30th June 2025.

Condition-2: There is a delay in the project CoD on account of any Force Majeure event, including non-availability of the transmission system, or for reasons not attributable to the REGS.

Condition-3: RE generation project has achieved COD on or before the extended date.

18. The Committee has concluded that the SCOD of the Petitioner's 150 MW Solar Project was June 2025. The Committee, finding the project eligible, recommended extending the SCOD of the Petitioner's project till 08.08.2025, and the Petitioner achieved COD on 08.08.2025.

19. In view of the above discussions, we are of the considered view that the Petitioner's project shall be eligible for waiver of inter-state transmission charges, as if the project had achieved COD on or before 30.06.2025 in terms of Regulation 13(2)(h) of the 2020 Sharing Regulations.

20. The Petition No. 135/MP/2026 stands disposed of in terms of the above.

Sd/	**Sd/**	**Sd/**	**Sd/**
(Ravinder Singh Dhillon)	**(Harish Dudani)**	**(Ramesh Babu V)**	**(Jishnu Barua)**
Member	**Member**	**Member**	**Chairperson**