

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 24/MP/2013

Coram:

**Dr. Pramod Deo, Chairperson
Shri S. Jayaraman, Member
Shri M.Deena Dayalan, Member
Shri V.S.Verma, Member**

Date of Hearing: 26.02.2013

Date of Order: 02.05.2013

In the matter of:

Petition under Central Electricity Regulatory Commission (Grant of Connectivity, long-term Access and Medium Term Open Access inter-State Transmission and related matters) Regulations, 2009 read with Regulations 24,111,114 and 115 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

And

In the matter of:

NTPC Limited, New Delhi

Petitioner

Vs

Power Grid Corporation of India Limited, Gurgaon
National Load Despatch Centre, New Delhi

Respondents

Following were present:

Shri M.G.Ramchandran, Advocate, NTPC
Shri Ajay Dua, NTPC
Shri Rohit Chabra, NTPC
Shri S.K.Sharma, NTPC
Mss Shilpa Agarwal, NTPC
Shri C.K.Mondal, NTPC
Shri A.Basu Ray, NTPC
Shri V.V.Sharma, NRLDC
Shri H.K.Chawla, NRLDC



Miss Joyti Prasad, NRLDC

ORDER

This petition has been filed by NTPC Ltd. under Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 read with Regulations 24, 111, 114 and 115 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 with following prayers:

*"(a) Take up the matter for urgent hearing;
(b) Grant connectivity and long term access to 5 MW Dadri Solar;
(c) Waive RLDC fees and charges for renewable projects; and
(d) Pass any other order as it may deem fit in the circumstances mentioned in the petition.*

2. The petitioner is setting up its solar project, namely Dadri Solar PV Power Project (hereinafter referred to as 'project') in the premises of the existing NCTPS-I, II and Dadri GPS at Gautam Budh Nagar in the State of UP with capacity of 5 MW. Power Purchase Agreement for the project has already been signed with GRIDCO. The project was likely to commence its commercial operation w.e.f 1.3.2013.

3. The petitioner has submitted that the project comprises 10 modules of 500 KW each which shall generate at 265 V and stepped up from 1.1 kV to 33



kV. A cable shall further connect the 33 kV line to NTPC gas switchyard after stepping up to 220 kV which will further be connected to 400 kV switchyard of Dadri. On the advice of CTU, the petitioner applied for Long Term Access (LTA) on 2.7.2012 for the project. The issue of grant of LTA was again discussed on 2.1.2013 in the meeting of Long Term Access for Northern Region and LTA for the project was stated to have been granted considering deemed connected status. Since the beneficiary of the project is GRIDCO, the issue of LTA was again discussed on 5.1.2013 during the LTA meeting for Eastern Region with the following agenda:

"NTPC has applied for LTA for transfer of 5 MW of Solar Power from Dadri to GRIDCO, Odisha. NTPC has informed that they intended to commission their Solar Project in January 2013. The matter has been discussed in the Connectivity/LTA meeting of Northern Region held on 2.10.2013 and it has been decided to grant the LTA for the same."

4. The petitioner has submitted that it acted in a bona-fide belief that it had deemed connectivity status for its project with the ISTS network through Dadri GPS switchyard.

5. NTPC vide its letter dated 31.1.2013 requested to CTU to provide a formal communication for grant of LTA for the project at the earliest to ensure smooth scheduling and energy accounting as per Grid Code. However, CTU vide its letter dated 7.2.2013 informed the petitioner that as per provisions of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-

Term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009, CTU is not in a position to grant LTA and further advised the petitioner to approach CERC for suitable directions to enable connectivity.

6. NTPC has therefore, approached the Commission for grant of connectivity and long term access to its 5 MW project.

7. Meanwhile, the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 (Connectivity Regulations) were amended on 26.3.2013 by including a specific provision to grant connectivity to renewable energy generating stations of 5 MW and above at the existing connection point with Central Transmission Utility. The Regulation 2 of the Connectivity Regulations provides as under:

"2. Definitions:

(1) In these regulations, unless the context otherwise requires:

(a) "Act" means the Electricity Act, 2003 (36 of 2003);

(b) "Applicant" means

(i) The following in respect grant of connectivity:

(a) A generating station with installed capacity of 250 MW and above, including a captive generating plant of exportable capacity of 250 MW and above or;

(b) A Hydro Generating station or generating station using renewable source of energy, of installed capacity between 50 MW and 250 MW.



(c) One of the Hydro Generating stations or generating stations using renewable sources of energy, individually having less than 50 MW installed capacity, but collectively having an aggregate installed capacity of 50 MW and above, and acting on behalf of all these generating stations, and seeking connection from CTU at a single connection point at the pooling sub-station under CTU, termed as the lead generator;

(d) A bulk consumer;

(e) Any renewable energy generating station of 5 MW capacity and above but less than 50 MW capacity developed by a generating company in its existing generating station of the description referred to in sub-clauses (b)(i)(a) to (c) of this clause and seeking connectivity to the existing connection point with inter-State Transmission System through the electrical system of the generating station .

* * * * *

8. Regulation 8 (1) of the Connectivity Regulations further provides as under:

“(1) The application for connectivity shall contain details such as, proposed geographical location of the applicant, quantum of power to be interchanged, that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of a bulk consumer, with the inter-State transmission system and such other details as may be laid down by the Central Transmission Utility in the detailed procedure:

Provided that where after filing of an application, there has been any material change in the location of the applicant or change in the quantum of power to be interchanged with the inter-State transmission system, by more than 100 MW in the case of applicant defined under Regulation 2(1) (b)(i) (a) and 40% of the Installed capacity in the case of applicant defined under Regulation 2(1) (b) (i) (b) and 40% of the aggregate Installed capacity in the case of applicant defined under Regulation 2(1) (b)(i) (c), such an applicant shall make a fresh application, which shall be considered in accordance with these regulations:

Provided further that the application by the applicant defined under Regulation 2(1) (b)(i) (c) shall be considered by CTU only if all the generators, whose aggregate capacity is connected at the single connection point, formalize a written agreement among themselves that the lead generator shall act on behalf of all the generators to undertake all operational and commercial responsibilities for all the collective generators connected at that point in following the provisions of the Indian Electricity Grid Code and all other Regulations of the Commission, such as grid security, scheduling and dispatch, collection and payment/ adjustment of Transmission charges, UI charges, congestion and

other charges, etc., and submit a copy of the agreement to the CTU, with the application of connectivity, along with a copy to the respective RLDC in whose control area it is located:

Provided further that the application by the applicant defined under Regulation 2(1) (b)(i) (e) shall be considered by CTU only if the existing generating station agrees to act as the "Principal Generator" on behalf of the renewable energy generating station(s) seeking connectivity through the electrical system of the generating station and formalizes a written agreement/arrangement among them to undertake all operational and commercial responsibilities for the renewable energy generating station(s) in following the provisions of the Indian Electricity Grid Code and all other regulations of the Commission, such as grid security, scheduling and dispatch, collection and payment/adjustment of Transmission charges, UI charges, congestion and other charges etc., and submit a copy of the agreement to the CTU, alongwith the application for connectivity, with copy to the respective RLDC in whose control area it is located:

Provided further that the CTU shall suitably incorporate the requirement of formal agreement amongst such generators in the detailed procedure and Connection Agreement signed with such lead generator."

9. Consequent to upon amendment in Connectivity Regulations, the issue of grant of connectivity and long term access to the petitioner`s 5 MW project no longer survives. Accordingly, this petition is dismissed as infructuous.

10. Accordingly, the petition is disposed of.

Sd/-
(M.Deena Dayalan)
Member

sd/-
(V.S.Verma)
Member

sd/-
(S.Jayaraman)
Member

sd/-
(Dr. Pramod Deo)
Chairperson

