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(भारत सरकार का उद्यम)  
**POWER GRID CORPORATION OF INDIA LIMITED**  
(A Government of India Enterprise)



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Ref. No. C/CTU/CERC

CIN : L40101DL1989GOI038121

Date: 23.01.2018

**The Secretary**

Central Electricity Regulatory Commission  
3<sup>rd</sup> & 4<sup>th</sup> Floor, Chanderlok Building,  
36, Janpath, New Delhi- 110001

**Subject: Draft Central Electricity Regulatory Commission (Grant of Connectivity and General Network Access to the inter-State transmission system and other related matters) Regulations, 2017.**

Dear Sir,

This has reference to the CERC public notice no. L-1/229/2017-CERC dated 14.12.17 inviting comments on the Draft Central Electricity Regulatory Commission (Grant of Connectivity and General Network Access to the inter-State transmission system and other related matters) Regulations, 2017.

Towards this the general comments and para-wise comments on the Draft Regulations are enclosed at Annexure-A.

Thanking you,

Yours faithfully,

(Subir Sen)

Chief Operating Officer (CTU-Plg)

Encl: As above

## **GNA Regulations – Rationale & Formulation**

1. The draft GNA Regulations are a welcome step and have been long overdue as the Connectivity Regulations, 2009 are falling short of addressing the present power sector requirements and the changing customer aspirations.

Under the present market scenario consumers are aspiring to source its power from cheapest available generation, even at times backing down their own generation. Similarly, the generations are also facing problems of not being able to enter into long terms PPAs, the PPAs themselves going into disputes, surrender of power by DISCOMs etc. Therefore, a need was felt by the market players to have flexibility with regard to change of source/sink, keeping its transmission rights intact. It appears that draft GNA Regulations aim at resolving such issues.

However, while arriving at these solutions, some of the areas have been left uncovered especially in relation to transmission systems that are highlighted as below.

2. As such, in the Power Sector, the two major players are buyers and sellers of electricity and all other players like transmission service provider, grid operator, trader, power-exchange etc are all facilitators. Traditionally, the purchase of power by SEBs (now STUs & DISCOMs) was at the bus-bar of generating station and accordingly, they used to assume responsibility for its delivery to their load points by taking active participation in planning of transmission system, agreement for payment of transmission charges and actual payment of transmission charges post-commissioning. This model has been successfully captured in the Case-I bidding like UMPP where the STUs had underwritten the transmission system at the planning stage and are now making the transmission system payment on regular basis.
3. However, in the de-licensed generation regime, there are some generators setting up merchant projects without PPA. It is these set of projects that pose challenge for the transmission planning as well as recovery of transmission charges. In fact, this situation has revealed its shortcomings wherein against a generation capacity addition target of 88,000 MW during 12th Plan, actual capacity addition has been 1,05,000 MW.

During 11<sup>th</sup> & 12<sup>th</sup> Plan, a large number of generating stations under the de-licensed regime planned to put-up their generations. These generating stations under the Connectivity Regulations, 2009 sought LTA to ISTS. Further as the States were not coming up with the power procurement bids, almost all of these generators sought LTA based on the target regions. Notably there had not been any LTA from the States to fulfill their projected load growth. As the Connectivity Regulations required to grant LTA to these applicants, the transmission planning became generation centric, in which States assumed a passive role and the agreement for bearing transmission charges was signed by the generator.

However, the uncertainty in commissioning of these generation projects (in terms of capacity and time frame) as well as uncertainty in the beneficiary which shall tie up power from such generators in real time has resulted in few pockets where the transmission systems are lightly loaded and few pockets where there is congestion. The problem has been compounded by number of the generation projects, on whose request and commitment the transmission system has been taken up for implementation, getting abandoned and delayed. Thus, even though the transmission systems so set up are being utilized by the states for meeting their increased import/export requirements, disputes are being raised w.r.t payment of transmission tariffs for such transmission projects, both by Generators as well as by States.

4. Having learnt from the experience, it is necessary that the transmission system planning needs to be again brought back to load-centric methodology wherein the adequacy of the transmission system should be seen from the perspective of the States, so that they are able to source their power from any source in the country.

The States (or more specifically DISCOMs) have twofold problems

- (i) Difficulty in assessing future import/export requirement and even if they can project they are unwilling to commit the same when it is financially linked;
- (ii) In the volatile market scenario, finding it difficult to firm up the source from which they shall buy power. In fact it is experienced that long term power procured from generating stations are being surrendered by number of States.

Therefore, these aspects should be given due consideration while framing regulations.

5. For transition to the “load-centric” planning it is necessary that the States should upfront spell out their import requirements irrespective of from where such imports are going to be met. Further to address their difficulty in projecting the future import/export requirement a healthy band may be specified in which they shall be permitted to err without any penalty.

The transmission system should then be planned in such a way that States are able to source their power requirement from almost all the generation pockets without congestion. These may off-course a certain element of conservativeness in the transmission system planning but it shall be for their own good and most importantly, it shall be based on their own requirement and agreement. These upfront import requirements shall become commitment for payment of transmission charges in future when planned system gets commissioned. Under this arrangement, almost all the transmission system augmentation shall be implemented on the commitment of the States for which there shall be minimum of the disputes, which we are experiencing now.

Further, this arrangement shall be most optimal in the sense that it shall enable States to procure cheap power available anywhere in the country. It shall ensure active participation of the States in concept to commissioning of transmission system. It shall also provide signal to the prospective generators.

6. However, there shall still be requirement of some transmission augmentation to cater to the generators that are aiming to set up merchant power stations. The entire risk of transmission system augmentation associated with such merchant generation projects cannot be shifted to the States and have to be borne by these merchant generation projects only. The augmentation of such transmission system should be backed with upfront bank guarantee to cover the investment of transmission licensee in case the same is abandoned or delayed.
7. To sum-up there are three scenarios regarding GNA
  - i) **GNA by Generation with firm PPAs** – these type of generators are mainly central sector generators which have upfront PPA with the States and such generators also include UMPPs. For such generators

the responsibility for obtaining transmission service for transmission and delivery of power lie with the States. Accordingly, they have separate PPAs with generators and BPTA/LTAA with transmission utilities/transmission licensees. In such cases Transmission Augmentation is based on the initiative and agreement of the States so the investment in transmission is secured to a large extent and hence no additional security like BG is required.

- ii) **GNA by States** – under this situation also as stated above there are upfront agreement by the States for the transmission, investment in transmission is secured to a large extent and hence no additional security like BG is required.
- iii) **GNA by Merchant Generator** – It is this situation which more prone to uncertainty with regard to utilization and recovery of transmission charges. These cases required to be handle most diligently and requires adequate security, to secure utilization and investment in the transmission system. The draft GNA regulation provides for an Access BG of Rs. 20 Lakh/MW, however it is felt that this amount may be reviewed and there should be provision for escalation of this amount on yearly basis to account for inflation.

8. Experience with LTA for the last 6 years suggests that the LTAs associated with long term PPAs once started seldom have disputes. The disputes are mainly at the time of start of LTA and with LTAs on target region. Therefore, these two aspects i.e. start date of GNA and GNAs in which PPAs are not there, need to be given special attention for both injection-end GNA and drawl-end GNA. Regarding these two crucial aspects, we would like to submit as below:

- i) **Regarding start-date of GNA:** Under the Draft GNA Regulations, the GNA is to be availed primarily by two entities viz. generator and STUs (on behalf of DISCOMs). Both these entities are required to commit their GNA requirement at least 3-4 years before actual date of operationalization. For the generators, the Draft Regulations specify that the start date shall be the date indicated in the GNA Agreement. However, for the States, the start date has not been adequately captured through any mechanism. Of course, signing of agreement

with 32 States on yearly basis is impractical but then there has to be a unambiguous mechanism to capture these dates and quantum for each of the State on timely basis.

Proposition: A generic agreement may be signed with all the States at the start of GNA regime. Thereafter, the yearly GNA quantum agreed/validated for each State may form part of the generic agreement. However, such provision need to be strengthened through clear mention of the same in the regulations.

- ii) **With regard to GNA without PPAs:** Past experience through the various Petitions filed in the CERC suggests that LTA without PPA i.e. the Target Region basis are prone to disputes. Therefore, it is necessary that realization of the transmission tariff of licensees be adequately protected till pendency of arbitration of such disputes at various judicial foras. Same should also be taken care of while amending sharing regulations.

Proposition: The Regulation may have a provision to require the GNA applicant to keep on paying applicable transmission charges and the same may be subsequently adjusted based on the outcome dispute.

- iii) **Operationalization of GNA:** The Draft Regulations stipulates that
- (a) Para-22.2: The transmission licensee shall be entitled for tariff only after the operationalization of the associated GNA

The tariff of the transmission licensee is governed by the Standard Bidding Document issued by MoP wherein the licensees are given a defined scope of work to be completed within the defined period of completion upon which they are entitled for quoted tariff. Therefore, such provision shall deprive a legitimate due of transmission licensee for the work which it has completed as per the scope given to it under the standard bidding document.

It may so also happen that the operationalization of GNA is contingent upon transmission augmentation being undertaken by more than one transmission licensee. In such case, non-completion of the transmission system by one licensee may result in non-

operationalization of LTA despite the fact that the other licensee(s) have completed their transmission system within time schedule.

As per Standard bidding documents (SBD) of Ministry of Power (MoP), Transmission licensees are subjected to review their performance w.r.t. timeline by LTTCs i.e. mainly states and they submit Contract performance guarantees accordingly. The risks regarding operation of LTA is not included in the SBD of MoP and shall further expose the transmission licensees, without adequate agreements in place. This will lead to additional disputes and the higher risk projection may deter the private investment in transmission sector, one of the guiding principle of the tariff policy.

- (b) Para-22.3: GNA shall be operationalized from the date provided in the GNA Agreement and inability of the GNA applicant to generate or supply electricity shall not absolve it from liability to pay transmission charges.

This provision implies that the entire GNA shall be operationalized from the date indicated in the Agreement irrespective of whether the Applicant is able to generate power in view of its generation getting delayed or supply power in absence of load growth committed by it. The past experience suggests that levy of transmission charges from the LTA customers with generation having delayed is not leading to realization of the charges and it only results in litigation at various fora.

Proposition: The operationalization of GNA results in re-distribution of the sharing of transmission charges amongst various DICs which inter-alia requires billing to generator DIC which is yet get into operation mode.

Under such situation, it is proposed that the operationalization of the GNA may be kept in abeyance till the availability of entire identified transmission system. Similarly, the transmission charges for whatever transmission elements get commissioned prior to the operationalization of GNA should not be put under PoC pool and should be levied to the GNA applicant, till generator is able to commission the generator and supply power.

- iv) **Establishment of Payment Security Mechanism:** Further at para-22.4, it has been stipulated in the Draft Regulations that establishment of payment security mechanism in the form of Letter of Credit shall not be a pre-condition for operationalization of the GNA.

In this regard, it needs to be appreciated that the concept of having adequate payment security mechanism for the CPSUs has been introduced in terms of recommendations of the Ahluwalia Committee "Report of the Expert Group on the Settlement of SEB Dues". The necessity of such Committee and its recommendation had arisen on account of accumulation of large amount of dues by the SEBs (now STUs/DISCOMs) towards CPSUs in the power sector. The recommendation for having payment security mechanism established by SEBs was meant for smooth and efficient operation of the CPSUs. In fact, it would not be out of place to mention that even when MoP makes allocation of power from Central Generating Stations to various States, it puts the condition that "*the allocation will be subject to the PPA entered into by NTPC with State Power Utility and will be subject to the beneficiaries ensuring compliance with the commercial and financial terms (including coverage for letter of credit)*".

Proposition: The provision of operationalization of GNA without opening of establishment of payment security mechanism should not be prescribed. Rather, the DIC that is not complying of establishment of payment security mechanism should be penalized for not complying the regulatory requirement.

9. The rules governing planning of transmission system, its recovery and its allocation to different categories of users have a large overlapping issues that need to be addressed holistically to arrive at a solution that not only meets the market and the customer aspirations but are also equitable to various categories of users of the transmission system. Accordingly, it is necessary that following regulations may be dealt holistically to have perfect sync between each of them.
- i) Transmission Planning Regulation
  - ii) GNA Regulations
  - iii) Sharing of transmission charges and losses Regulation.



10. In view of the above, it is strongly felt that the concept of GNA Regulations needs a threadbare deliberation amongst various stakeholders including CEA, CTU, POSOCO, States etc and this should be concurrently dealt with sharing and planning regulations.
11. The para wise comments on the Draft Regulations is enclosed at **Annexure-1**.

| Sl. No.    | Proposed Draft GNA regulation  | POWERGRID suggestion/Comments  | Remark |
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| 2.1<br>(c) | “Applicant for Connectivity” means:<br><br>(ii)A hydro generating station or renewable energy generating station having installed capacity of 50 MW and above individually or with an aggregate installed capacity of 50 MW and above through a lead generator ; or  | Phrase ‘lead generator’ in Regulation 2.1(c) may be capitalized.   |        |
| 2.1<br>(e) | “Available Transfer Capability (ATC)” means the transfer capability of the inter-control area transmission system available for scheduling commercial transactions (through long term access, medium term open access and short term open access) in a specific direction, taking into account the network security. Mathematically ATC is the Total Transfer Capability less Transmission Reliability Margin. | Terms ‘long term access’, ‘medium term open access’ and ‘short term open access’ may be replaced respectively with ‘Long-term contract’, ‘Medium-term contract’ and ‘Short-term contract’.   |        |
| 2.1<br>(i) | “Connection Agreement” means an Agreement defining technical conditions of connecting to the ISTS grid;  | The provision may be replaced with the following –<br>“Connection Agreement” means an agreement on technical conditions and standards for connection to the inter-State transmission system.   |        |
| 2.1<br>(n) | “Effective Date” is the date of start of billing by CTU towards transmission charges for GNA in accordance with Regulation 22 of these Regulations.  | The term ‘Effective Date’ may be defined only in terms of the date decided under GNA Agreement/intimation as the case may be.<br><br>Further, as the term Operationalization has been used much more frequently in the Draft Regulations, a definition for the |        |

| Sl. No.                             | Proposed Draft GNA regulation   | POWERGRID suggestion/Comments  | Remark |
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|                                     |   | <p>same may be provided.</p> <p>A definition has been proposed at the respective alphabetical sequence below.</p>  |        |
| 2.1 (q)                             | “General Network Access or GNA” means the non-discriminatory access to the ISTS granted by the CTU to an Applicant for an estimated maximum injection/drawal for a specified period.  | “for a specified period.” may be deleted   |        |
| 2.1 (s)                             | “General Network Access Customer or GNA Customer” means a person who has been granted GNA and shall also include the Long term Customers as defined in CERC (Grant of Connectivity, Long term Access, Medium term open access and other related matters) Regulations, 2009. | <p>May be modified as below:</p> <p>“General Network Access Customer or GNA Customer” means a person who has been granted GNA and shall also include the Long term <b>and deemed long term</b> Customers as defined in CERC (Grant of Connectivity, Long term Access, Medium term open access and other related matters) Regulations, 2009.</p>  |        |
|                                     |   | <p>The following Definition of “Operationalization” may be introduced in Para 2 (definitions):</p> <p>“Operationalization” means</p> <p>(i) for the purpose of ‘Connectivity’, date from which the concerned grantee shall be physically connected to the grid for drawl or injection (also in line with the para 9.1)</p> <p>(ii) for the purpose of GNA, the effective date from which the GNA applicant is enabled to inject or draw power to or from ISTS and the commercial liability to bear transmission charges ensue.</p> |        |
| <b>Chapter 2 General Provisions</b> |   |  |        |
| <b>3.0 Scope</b>                    |   |  |        |

**Annexure-I**

| Sl. No. | Proposed Draft GNA regulation   | POWERGRID suggestion/Comments   | Remark   |
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| 3.2     | Persons who are already connected to the state grid may be allowed to seek Connectivity and GNA to ISTS subject to payment of transmission charges corresponding to additional Connectivity and GNA and applicable state charges. | <p>May be modified as below:</p> <p>“Persons who are already connected to the state grid may <del>be allowed to seek Connectivity and GNA to ISTS subject to payment of transmission charges corresponding to additional Connectivity and GNA and applicable state charges.</del>”</p> <p>Further, with regard to Connectivity for customer already connected to State Grid following may be prescribed with the following earlier provision of Detailed Procedure (Para 1.4) :</p> <p>The applicant already connected to grid (regional or state grid) or for which connectivity is already granted under the present arrangement, shall not be allowed to apply for additional connectivity for the same capacity. In case of extension of capacity of generator or bulk consumer, however, it shall be required to make application for connectivity as per the provisions of these Regulations.</p> | <p>1. As per the definition, ‘Connectivity’ means state of getting connected to ISTS.</p> <p>2. The grant of connectivity does not entitle interchange of firm power with the Grid which is permitted only after GNA is operationalized.</p> <p>3. The quantum for connectivity shall have to be installed capacity less auxiliary compensation.</p> <p>From the above, it may be inferred that a person who is already connected to State Grid or ISTS Grid is already in a state of being connected, then how can it once again seek for getting connected; as the connectivity does not facilitate any interchange of firm power, provision for one more connectivity does not offer any value addition. To the contrary, it shall lead to duplication of the transmission infrastructure in State as well as ISTS.</p> <p>Further, the explanation given</p> |

**Annexure-I**

| Sl. No.   | Proposed Draft GNA regulation   | POWERGRID suggestion/Comments  | Remark  |
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|           |   |  | for insertion of these provision (Para 2.3.2 - Explanatory Memorandum) states that - "However there may be cases where an Applicant connected to state grid may wish to get connected to ISTS at a later stage depending on its sale purchase requirement."; however, this explanation does not address the potential idling of the infrastructure that may have been created by the STU, without even a requirement of NOC . |
| <b>5.</b> | <b>Filing of Application</b>  |  |   |
| 5.2       | The application shall be accompanied by a non-refundable application fee specified hereunder for the quantum applied , and shall be payable by Applicant along with the application for Connectivity and GNA:   | The provision may be modified as below –<br>The application shall be accompanied by a non-refundable application fee specified hereunder for the quantum applied, and shall be payable alongwith applicable taxes by Applicant with the application for Connectivity and GNA:.   |   |
| 5.3       | STUs on behalf of distribution licensees and other intra-State entities seeking GNA to ISTS, shall apply for GNA every year for the 5 year period. The Application fee shall not be levied on STUs. STUs shall indicate quantum of GNA sought at each interconnection point of STU with ISTS. | Modification proposed:<br>STUs on behalf of distribution licensees and other intra-State entities seeking GNA to ISTS, shall apply for GNA every year for the 5 year period. The Application fee shall not be levied on STUs. STUs shall indicate the <b>estimated</b> quantum of GNA sought at each interconnection point of STU with ISTS <b>which may be used as an input during planning</b> |   |

**Annexure-I**

| Sl. No.   | Proposed Draft GNA regulation  | POWERGRID suggestion/Comments                      | Remark   |  |         |   |   |   |   |
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|   |  | stage.”  |  |  |         |   |   |   |   |
| <b>6. Timeframe for processing of application</b>   |  |  |  |  |         |   |   |   |   |
| 6.1   | <p>The application for Connectivity and GNA shall be processed by the nodal agency within the time limits specified hereunder:</p> <table border="1"> <tr> <td>Nature of Application</td> <td>Time limit for processing beginning the last day of the month in which application was</td> </tr> <tr> <td>Connectivity (for applicants other than renewable generating station, Solar,</td> <td>60 days</td> </tr> <tr> <td>Connectivity (for renewable generating station, Solar , Wind Power Park Developer and GNA</td> <td>60 Days<br/>60 Days<br/>120 days when augmentation of tr. system is not required<br/>180 days where augmentation of tr. stem is required</td> </tr> </table> | Nature of Application                              | Time limit for processing beginning the last day of the month in which application was | Connectivity (for applicants other than renewable generating station, Solar, | 60 days | Connectivity (for renewable generating station, Solar , Wind Power Park Developer and GNA | 60 Days<br>60 Days<br>120 days when augmentation of tr. system is not required<br>180 days where augmentation of tr. stem is required | <p>The time-lines are suggested to be prescribed in sync with draft planning regulations and regulatory oversight as per regulation 15. Therefore, processing for all the applications shall be complete within 60 days (for all application types) from completion of planning cycle in terms of draft planning regulations and regulatory approval (if applicable).</p> | <p>Timelines for processing of Connectivity and GNA applications are not in sync with timelines in Draft Planning Regulations. E.g. GNA has to be processed within a period of 180 / 120 days depending on whether transmission system augmentation is to be carried out or not. However, as per draft planning regulations, transmission planning process for applications received upto 31st March of an year would be completed after approval of new transmission system by 15th December i.e. about 270 days. Applications received after 31st March would only be considered in the next planning cycle (year). Therefore the various time-lines for processing of applications need to be reviewed holistically.</p> |
| Nature of Application   | Time limit for processing beginning the last day of the month in which application was   |  |  |  |         |   |   |   |   |
| Connectivity (for applicants other than renewable generating station, Solar,              | 60 days  |  |  |  |         |   |   |   |   |
| Connectivity (for renewable generating station, Solar , Wind Power Park Developer and GNA | 60 Days<br>60 Days<br>120 days when augmentation of tr. system is not required<br>180 days where augmentation of tr. stem is required  |  |  |  |         |   |   |   |   |
| 6.2   | If Connectivity or GNA application, is not   | This provision may be deleted as the processing of | Different application fees post  |  |         |   |   |   |   |

**Annexure-I**

| Sl. No.                         | Proposed Draft GNA regulation   | POWERGRID suggestion/Comments  | Remark  |
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|                                 | processed by CTU as per the timeline given above, such application for Connectivity or GNA shall be processed free of cost and CTU shall return the application fee paid by the applicant.                | applications is a consultative process involving large no. of stakeholders; therefore though CTU shall endeavor to process various applications within time-lines but strict maintenance of time-lines is not under the control of CTU.  | implementation of GST attract service taxes @18%. At various places, provisions have been made for return of part or full application fees (para 6.2 & para 7.13) which shall cause administrative difficulties as the GST is submitted periodically.                     |
| 6.3                             | After granting Connectivity to an Applicant, the nodal agency shall not withdraw the Connectivity after the Applicant fulfills the requirements as stipulated in the Regulations.                         | This clause may be deleted as both connectivity and GNA is supposed to be regulated by these regulations. There cannot be grants in perpetuity as that may not be in the spirit of these regulations. There can be cases which cannot be anticipated at the time of notification of regulations; therefore, a blanket ban on "regulating" connectivity is not desirable. | There are a large no. of cases where initially generation projects were proposed and accordingly connectivity was granted; however, with the passage of time, such projects were shelved. Keeping connectivity alive for such non feasible projects may not be desirable. |
| <b>Chapter 3: Connectivity</b>  |   |  |   |
| <b>7. Grant of Connectivity</b> |   |  |   |
| 7.1                             | An Applicant defined at Regulation 2.1 (c)(i)-(iv) shall be eligible to apply for Connectivity after it registers itself at the Central Repository  |  | The provision should be notified to take effect after establishment of the Central Repository for generations.  |
| 7.2                             | An applicant shall apply for Connectivity to the nodal agency for a quantum equal to installed capacity of generating station less auxiliary power consumption in the specified format as approved by the | Modification proposed:<br>"An applicant shall apply for Connectivity to the nodal agency for a quantum equal to installed capacity of generating station less auxiliary power consumption in the specified format as approved by the Central Commission. A   |   |

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|         | Central Commission. A captive power plant shall apply for Connectivity for a quantum of maximum exportable capacity proposed to be connected to ISTS.   | captive power plant shall apply for Connectivity for a quantum equal to full installed <del>of maximum exportable</del> capacity less auxiliary consumption <del>proposed to be connected to ISTS.</del> "  |  |
| 7.3     | The application for Connectivity shall contain details such as, registration no. of Central Repository, proposed geographical location of the applicant, maximum quantum of power to be interchanged with the Draft CERC (Grant of Connectivity and General Network Access to the inter-State transmission Page 9 system and other related matters) Regulations, 2017 inter-State transmission system and such other details as per FORMAT-CON-1  | Modification proposed:<br>"The application for Connectivity shall contain details such as, registration no. of Central Repository, proposed geographical location of the applicant, <del>maximum quantum of connectivity of power to be interchanged with the inter-State transmission system</del> and such other details as per FORMAT-CON-1"   |  |
| 7.4     | In order to assess preparedness of applicant making application for the connectivity to the ISTS, an applicant ( other than renewable generating station, Solar Power Park Developer, Wind Power Park Developer or Wind-Solar Power Park Developer) shall submit along with its application, documents in support of having initiated specific actions for project preparatory activities in respect of the following milestones as applicable:<br><br>(a) <u>Site identification and land acquisition:</u> | The regulation does not provide for rejection of the applications based on assessment of preparedness; in fact the explanatory memorandum states that the grant of connectivity is to facilitate the generation developer in taking initial actions towards project development. Hence, the provision may be deleted from the regulations and the requirement of data submission may be incorporated in the application format. | At para 7.4 & 7.5, provision has been made for submission of additional details by conventional and renewable generation applicants. It is not clear whether these details with regard to achieving identified milestones are to be used as reason for rejection / closure of the connectivity applications. If not, then it should be clearly specified in the regulation to avoid any misinterpretation at a |



**Annexure-I**

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|         | <p>Details about the land required for the generation project along with extent to which the same have been acquired and taken possession of. The “requirement” of land would be considered as indicated in the proposal filed with the competent authority for seeking environmental clearance.</p> <p>In case of land to be acquired under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act, 2013, copy of notification issued for such land under Section 11 of the said Act. In all other cases, the documentary evidence in the form of certificate by concerned and competent revenue / registration authority for the acquisition / ownership / vesting of the land.</p> <p>(b) <u>Environmental clearance for the generating station:</u> Status on submission of requisite proposal, for the environmental clearance, to the concerned administrative authority (first level submission), as applicable.</p> <p>(c)<u>Forest Clearance (if applicable) for the</u></p> |                               | later date. |

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|         | <p><u>land for the generating station:</u> Status of proposal for the forest clearance to the concerned administrative authority (first level submission), as applicable.</p> <p>(d)<u>Fuel Arrangements:</u> Details on fuel arrangements for the quantity of fuel required to generate power from the power station for the total installed capacity intended for connectivity, as applicable.</p> <p>(e) <u>Water linkage:</u> Status of approval from the concerned state irrigation department or any other relevant authority for the quantity of water required for the power station, as applicable.</p> |                               |        |
| 7.5     | <p>A Renewable Energy Generating Station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer shall submit, along with its Stage-I Connectivity application:</p> <p>(a)A copy of Board Resolution, if Applicant is a company.</p> <p>(b)Project Report regarding intended type of project, implementation plan</p>  |                               |        |

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|         | <p>(c) <u>Site identification</u> wherever undertaken: Details about the land required for the project along with extent to which the same have been acquired and taken possession of or leased.</p> <p>(d) <u>Environmental clearance</u>: Status on submission of requisite proposal, for the environmental clearance, to the concerned administrative authority (first level submission), as applicable.</p> <p>(e) <u>Forest Clearance for the land</u>: Status of proposal for the forest clearance to the concerned administrative authority (first level submission), as applicable.</p> <p>(f) Authorisation issued by Central Government or State Government, as applicable.</p> |  |   |
| 7.9     | <p>Application for Stage-II Connectivity by Renewable Energy Generating Stations or Wind Power Park developer or Solar Power Park developer or Wind-Solar Power Park Developer:</p> <p>(a)An Applicant shall apply for Stage-II</p>   | <p>Modification in 7.9(e)<br/>           "The Application for Stage-II shall be accompanied by a Bank Guarantee <del>or Letter of Guarantee</del> (BG <del>or LG</del>) @ Rs. 5 Lakh/MW for the purpose of bay implementation in accordance with the Bay Implementation Agreement with CTU. Bank Guarantee <del>or Letter of Guarantee</del> shall be kept valid till application for GNA is made alongwith applicable</p> | <p>The clauses need to be modified in accordance with the Connectivity procedure for Renewables (which is under finalization)</p> |

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|         | <p>Connectivity in accordance with FORMAT-CON-2 along with notarized affidavit in accordance with FORMAT-A.</p> <p>(b)An Applicant may apply for Stage-II Connectivity alongwith application for Stage-I Connectivity or after grant of Stage-I Connectivity provided that it meets <del>it</del>meets eligibility criterion as provided in Regulation 7.9 (c) and Regulation 7.9 (d).</p> <p>(c) An Applicant other than a merchant power plant shall be eligible to apply for Stage-II Connectivity on achieving following milestones:</p> <p>(i)Financial closure of the project developer has been completed.</p> <p>(ii)Award of project through bidding by any entity authorised by the Central Government or State Government for 50 MW and above;</p> <p>or</p> <p>Execution of Long Term PPA under the provisions of Act for at least 50 MW. In case the PPA has been executed through a trader, then it must also be</p> | <p>Access Bank Guarantee. The Application for GNA shall be made within 6 months of grant of Stage-II Connectivity failing which Application for Stage-II Connectivity shall be revoked and BG <del>or</del> LG for bay implementation as provided above shall be encashed.”</p> |        |

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|         | <p>supported with a back-to-back PSA.</p> <p>(d) An Applicant not covered under Regulation 7.9 ( c ) (merchant power plant) shall be eligible to apply for Stage-II Connectivity on achieving following milestones:</p> <p>(i)Financial closure of the project developer has been completed.</p> <p>(ii)Applicant has completed at least 50% Tower Erection of dedicated Transmission Line to connect to ISTS and have installed switchgear and ICT at its pooling station.</p> <p>(e) The Application for Stage-II shall be accompanied by a Bank Guarantee or Letter of Guarantee (BG or LG) @ Rs. 5 Lakh/MW for the purpose of bay implementation in accordance with the Bay Implementation Agreement with CTU. Bank Guarantee or Letter of Guarantee shall be kept valid till application for GNA is made alongwith applicable Access Bank Guarantee. The Application for GNA shall be made within 6 months of grant of Stage-II Connectivity failing which</p> |                               |        |

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|         | Application for Stage-II Connectivity shall be revoked and BG or LG for bay implementation as provided above shall be encashed.   |  |  |
| 7.10    | All online applications received during the month shall be treated to have been made concurrently.  |  | The relative priority of connectivity applicant with regard to the application month has not been specified; however the time-lines given for processing of applications give implicit monthly priority; however, the same needs to be clearly specified.  |
| 7.11    | The applications complete in all respects, received online by 2400 hrs of the last day of the month shall be deemed to have been received during the month.   |  |  |
| 7.12    | Upon submission of the online application, auto-generated acknowledgement for receipt of application shall be issued by the nodal agency.   | Modification proposed:<br>"Upon submission of the online application, auto-system generated acknowledgement for receipt of application shall be issued by the nodal agency."   |  |
| 7.13    | After scrutiny, nodal agency shall intimate the deficiencies in the application, if any, to the applicant within one week of receipt of application. The applicant shall rectify the deficiency within one week thereafter, failing which the application shall be closed and 20% of the application fees shall be forfeited and balance shall be refunded. If the rectified application is received from the applicant after last day of the month in which application is made, | Modification proposed:<br>"After scrutiny, nodal agency shall intimate the deficiencies in the application, if any, to the applicant within <del>one week</del> 7 working days of receipt of application. The applicant shall rectify the deficiency within <del>one week</del> 7 working days thereafter, failing which the application shall be closed and 20% of the application fees shall be forfeited and balance shall be refunded. If the rectified application is received from the applicant after last day of the month in which application is made, application shall be deemed to have been made in subsequent month and processed | Different application fees post implementation of GST attract service taxes @18%. At various places, provisions have been made for return of part or full application fees (para 6.2 & para 7.13) which shall cause administrative difficulties as the GST is submitted periodically. Therefore the provision of return of application fees may be |

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|         | application shall be deemed to have been made in subsequent month and processed accordingly.   | accordingly.”   | removed. |                              |      |   |                    |   |   |  |  |  |
| 7.14    | Where after filing of an application or after grant of Connectivity, 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, the applicant shall inform the same to the nodal agency. If the nodal agency after assessment comes to the conclusion that this change would require modification in planned ISTS, the nodal agency shall inform the Applicant within a period of one month to file a fresh application accompanied by Application fees and relevant documents. The fresh application shall be considered by the nodal agency in accordance with the Regulations and the earlier application shall be closed. If no modification in the planned ISTS is required, the nodal agency shall issue revised grant incorporating the change in Connectivity. | <p>The para 7.14 may be modified as:</p> <p>“Where after filing of an application or after grant of Connectivity, there has been any <del>material</del> change in the location of the applicant or change in the quantum of power to be interchanged with the inter-state transmission system, the applicant shall <b>apply afresh</b> to the nodal agency <b>and the earlier application shall be closed. The priority of processing of the application shall be as per the fresh application. The treatment of fee in such cases shall be as follows:</b></p> <table border="1"> <thead> <tr> <th>S</th> <th>Change sought in application</th> <th>Fees</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Change in location</td> <td><b>1<sup>st</sup> change request: No fees required<br/>Subsequent requests: Fee as applicable</b></td> </tr> <tr> <td>2</td> <td>Change in the quantum of power to be interchanged with the inter-state transmission system</td> <td>For an upward revision in the connectivity quantum, the applicant shall have to pay the differential fees between the new applicable bracket of regulation 5.2 and the earlier paid amount, however, for any downward revision, there shall be no refund of the already paid fee amount.</td> </tr> </tbody> </table> | S        | Change sought in application | Fees | 1 | Change in location | <b>1<sup>st</sup> change request: No fees required<br/>Subsequent requests: Fee as applicable</b> | 2 | Change in the quantum of power to be interchanged with the inter-state transmission system | For an upward revision in the connectivity quantum, the applicant shall have to pay the differential fees between the new applicable bracket of regulation 5.2 and the earlier paid amount, however, for any downward revision, there shall be no refund of the already paid fee amount. |  |
| S       | Change sought in application   | Fees  |          |                              |      |   |                    |   |   |  |  |  |
| 1       | Change in location   | <b>1<sup>st</sup> change request: No fees required<br/>Subsequent requests: Fee as applicable</b>   |          |                              |      |   |                    |   |   |  |  |  |
| 2       | Change in the quantum of power to be interchanged with the inter-state transmission system   | For an upward revision in the connectivity quantum, the applicant shall have to pay the differential fees between the new applicable bracket of regulation 5.2 and the earlier paid amount, however, for any downward revision, there shall be no refund of the already paid fee amount.  |          |                              |      |   |                    |   |   |  |  |  |

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|         |  | <table border="1" data-bbox="797 233 1675 395"> <tr> <td data-bbox="797 233 853 395">3</td> <td data-bbox="853 233 1059 395">Combination of any of (1) and/or (2)</td> <td data-bbox="1059 233 1675 395">Higher of the fee applicable in (1) or (2)</td> </tr> </table> <p data-bbox="797 440 1675 957">If the nodal agency after assessment comes to the conclusion that this change would require modification in planned ISTS, the nodal agency shall inform the Applicant within a period of one <del>three</del> months of such request to file a fresh application accompanied by Application fees and relevant documents. The fresh application shall be considered by the nodal agency in accordance with the Regulations and the earlier application shall be closed. If no modification in the planned ISTS is required, the nodal agency shall issue revised grant incorporating the change in Connectivity. After grant of connectivity, any changes as mentioned above shall require filing of fresh application along-with applicable fees and the earlier application shall be closed."</p> | 3      | Combination of any of (1) and/or (2) | Higher of the fee applicable in (1) or (2) |  |
| 3       | Combination of any of (1) and/or (2)   | Higher of the fee applicable in (1) or (2)   |        |                                      |  |  |
| 7.18    | On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in inter-State Transmission system to be used, including State Transmission Utility, if the State network is likely to be used, process the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority (Technical Standards for | Modification proposed:<br><br>"On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in inter-State Transmission system to be used, including State Transmission Utility, if the State network is likely to be used, process the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 within such period so as to  |        |                                      |  |  |



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|         | Connectivity to the Grid) Regulations, 2007 within such period so as to meet overall timeline of grant within 60 days.   | meet overall timeline of grant as per timelines prescribed in regulation 6.1 <del>60 days</del> ”   |   |
| 7.19    | The intimation for grant of connectivity shall be communicated in accordance with FORMAT-CON-5 to the applicant within 60 days from last day of the month in which the application complete in all respects has been received.   | Modification proposed:<br>“The intimation for grant of connectivity shall be communicated in accordance with FORMAT-CON-5 to the applicant <del>within 60 days from last day of the month in which the application complete in all respects has been received</del> as per timelines prescribed in regulation 6.1.”   |   |
| 7.20    | The intimation for grant of Stage-II connectivity for Renewable Energy Generating Stations or Wind Power Park developer or Solar Power Park developer or Wind-Solar Power Park Developer shall be communicated in accordance with FORMAT-CON-6 to the applicant within 60 days from last day of the month in which the application complete in all respects has been received. | Modification proposed:<br>“The intimation for grant of Stage-II connectivity for Renewable Energy Generating Stations or Wind Power Park developer or Solar Power Park developer or Wind-Solar Power Park Developer shall be communicated in accordance with FORMAT-CON-6 to the applicant as per timelines prescribed in regulation 6.1. <del>within 60 days from last day of the month in which the application complete in all respects has been received.</del> ” |   |
| 7.21    | While granting connectivity, the nodal agency shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out (LIL) of an existing or proposed line, the nodal   | While granting connectivity, the nodal agency shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out (LIL) of an existing or proposed line, the nodal agency shall specify the <del>point of connection and</del> name of the line at which connectivity is to be granted. The nodal agency shall  | <b>Point of connection</b> is based on the ground conditions and difficult to specify at the planning stage |

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|         | agency shall specify the point of connection and name of the line at which connectivity is to be granted. The nodal agency shall indicate the broad design features of the dedicated transmission line and the timeframe for completion of the dedicated transmission line. In case of Renewable Energy Generating Station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer, while granting Connectivity, the nodal agency shall indicate one firm location and one nearby alternative location. | indicate the broad design features of the dedicated transmission line and the timeframe for completion of the dedicated transmission line. <i>In case of Renewable Energy Generating Station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer, while granting <b>Stage-I</b> Connectivity, the nodal agency shall indicate <b>two</b> alternative locations where connectivity shall be granted."</i>   |   |
| 7.22    | CTU shall indicate the firm location while granting Stage-II Connectivity. Applicant shall enter into bay implementation agreement within 30 days of grant of Stage-II Connectivity.  | At the time of Grant of Stage-II connectivity, CTU shall indicate the name of the ISTS Sub-station as follows:<br>i) In case of an existing sub-station, the bay number and Single Line Diagram is to be provided with the intimation.<br>ii) In case of a new or under construction sub-station, the confirmation of bay availability and the scheduled commissioning date of the sub-station shall be intimated as soon as finalised. In such cases, the bay shall be allocated to the Connectivity grantee after finalization of the same by CTU with the implementing transmission licensee of the sub-station.<br>Applicant shall enter into bay implementation agreement within 30 days of intimation from CTU | The clauses need to be modified in accordance with the Connectivity procedure for Renewables(which is under finalization) |

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|         |   | regarding firm bay allocation and failure to do so shall result in withdrawal of Stage-II connectivity whereby the connectivity application shall be closed, application fee will be forfeited and the BG would be returned.”   |                                 |
| 7.24    | More than one generator can use the dedicated transmission line connecting their generating station to pooling station of ISTS after formalizing all aspects including sharing of the transmission charges and losses of the transmission line among the generators. The transmission charges shall be decided amongst themselves after taking into account the norms specified in the Tariff Regulations issued by Central Commission from time to time. | In para 7.24, the following may be added:<br><br>In such cases, after formalization of all aspects, the original grantee/new user shall have to apply connectivity for the additional quantum.  |                                 |
| 7.25    | On completion of the dedicated transmission line the generator(s) shall be required to hand over the dedicated transmission line to CTU for the purpose of operation and maintenance. CTU shall be entitled to normative operation and maintenance expenses as per CERC Tariff Regulations. The line shall be under the operational control of CTU for all the purposes   | “On completion of the dedicated transmission line <del>the generator(s) shall be required to hand over the dedicated transmission line to CTU</del> CTU shall carry out regular operation and maintenance of the line. However, ownership of the line shall remain with the developer and any expenditure other than day-to-day O&M shall be borne by the developer. For day-to-day O&M, CTU shall be entitled to normative operation and maintenance expenses as per CERC Tariff Regulations. The line shall be under the operational control of CTU for all the purposes” |                                 |
| 7.28    | Applicant who has been granted  |   | It is suggested that provisions |

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|         | connectivity by the nodal agency shall furnish technical connection data in accordance with FORMAT-CON-7 to CTU. These details are to be furnished to CTU within 1 month of finalisation of Engineering Procurement Construction (EPC) contract.  |   | may be incorporated regarding course of actions in case the connectivity applicant fails to furnish the details |
| 7.29    | The CTU will process the information furnished by the applicant in FORMAT-CON-7 and will intimate the Connection details as per FORMAT-CON-8 within a period of 15 days from date of receipt of FORMAT-CON-7 . Pursuant to such intimation, the applicant shall sign "Connection Agreement" as per FORMAT-CON-9 within one (01) month of intimation of FORMAT-CON-8 by CTU. An Applicant shall not be allowed physical connection without signing of Connection Agreement. Applicant shall submit a copy signed Connection Agreement to respective RLDC in whose control area it is located prior to physical connection with the grid. | Provision relating to signing of the connection agreement has been prescribed. In case, the termination of DTL is at a S/s being implemented under TBCB route, the necessary information shall be required from the Transmission licensee also. Therefore, the time-line of issuance of FORMAT CON-8 should be linked to submission of complete information both by the applicant and the transmission licensee. Further, the FORMAT CON-8 and FORMAT CON-9 have relevance at the time of physical interconnection with the Grid. Therefore the time-line may be enhanced for issuance of FORMAT CON-8(suggested 90days) and for signing of FORMAT CON-9(suggested 60days). |   |
| 7.32    | The applicant shall be able to interchange firm power with the grid only after its GNA is operationalized. The applicant may be allowed to draw start-up power or inject infirm power by respective RLDC  | May be modified as:<br><br>The applicant shall be able to interchange firm power with the grid only after its GNA is operationalized in   |   |

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|  | prior to operationalization of GNA subject to Regulation 7.34 and Regulation 7.35.  | part or full (as per provision in Para 16.3).  |  |
| 7.34(e)(iii)   | In case of default by the Generating Station in payment of monthly transmission charges to the transmission licensee for the drawal of start-up power, on intimation received from transmission licensee.   | May be modified as:<br><br>In case of default by the Generating Station in payment of monthly transmission charges <del>to the transmission licensee</del> for the drawal of start-up power, on intimation received from transmission licensee.  |  |
| 7.39   | <b>Connectivity by a Captive Generating Plant</b><br><br>A Captive Generating Plant (CGP) may have surplus capacity which it may intend to sell on long term or medium term or short term basis or it may seek to evacuate power from CGP to captive user by using ISTS. A Captive Generating Plant (CGP) shall apply for Connectivity for a quantum of maximum exportable capacity proposed to be connected to ISTS. | Para 7.39 may be modified as:<br><br>"A Captive Generating Plant (CGP) may have surplus capacity which it may intend to sell on long term or medium term or short term basis or it may seek to evacuate power from CGP to captive user by using ISTS. A captive power plant eligible as per regulation 2.1(c)(i) shall apply for Connectivity for a quantum equal to full installed <del>of maximum exportable</del> capacity less auxiliary consumption <del>proposed to be connected to ISTS."</del> |  |
| <b>8.0 Construction of Dedicated Transmission Line</b> |   |  |  |
| 8.1  | The dedicated transmission line from switchyard of generating station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer to the pooling station of the transmission licensee (including deemed transmission licensee) shall be developed   | Following may be added:<br>"The dedicated lines shall be constructed as per the specifications to be taken from CTU. The quality of the dedicated line shall be checked by CEA before date of commercial operation. Connection with ISTS shall not be allowed unless the inspection of the line is approved"   | The issue of construction of dedicated transmission line for bulk consumer/distribution licensee has been covered in the explanatory memorandum but the same has not been captured anywhere in the regulation. |

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|           | and owned and by the applicant and shall be operated by CTU as per Regulation 7.25. The specifications for dedicated transmission lines shall be indicated by CTU while granting Connectivity.   |  | Suitable provisions in this regard may be inserted.  |
| 8.2       | CTU shall plan the system such that maximum length of dedicated transmission line shall not exceed 100 km from switchyard of the generating station or pooling station of the solar power park or wind power park till the nearest pooling substation of transmission licensee for "Applicant for Connectivity" in accordance with Regulation 2(1)(c). | May be modified as :<br>"CTU shall plan the system such that maximum length of <b>each</b> dedicated transmission line shall not exceed 100 km from switchyard of the generating station or pooling station of the solar power park or wind power park till the nearest pooling substation of transmission licensee for "Applicant for Connectivity" in accordance with Regulation 2(1)(c)." | Para - 8.2 stipulates that length of dedicated transmission line shall not be more than 100 kms. In this regard it is to mention that at all places (especially for renewables) ensuring that dedicated transmission line is within 100 kms may not be possible. Accordingly, there should be provisions for exemption, which may be with the approval of CERC to address such situations. |
| <b>9.</b> | <b>Start date of Connectivity</b>  |  |  |
| 9.1       | Operationalization of Connectivity shall be the date from which generator shall be physically connected to the grid for drawl or injection of power.   | Para 9.1 may be modified as:<br><br>"Operationalization of Connectivity shall be the date from which generator/ <b>consumer</b> shall be physically connected to the grid for drawl or injection of power."  |  |
| 9.2       | A generator shall be allowed to draw start-up power from the grid or inject infirm   | Para 9.2 may be modified as:   |  |

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|  | power into the grid only through dedicated line after grant of Connectivity and GNA except where LILO has been allowed as part of coordinated transmission planning.  | "A generator shall be allowed to draw start-up power from the grid or inject infirm power into the grid only through dedicated line <b>or LILO if same has been allowed as part of coordinated transmission planning</b> after grant of Connectivity and GNA." |   |
| 10.0   | <p><b>Point of Commercial Metering</b></p> <p>Metering shall be done at the interface point of connection of the generator with transmission system of licensee as specified in the CEA Metering Regulations subject to following:</p> <p>(a) In case dedicated transmission Lines are owned/ constructed by a generator, such metering point shall be at the pooling sub-station of ISTS licensee.</p> <p>(b) In case generator is connected to more than one pooling station, metering shall be at the bus bar of the generating station.</p> |  | To bring uniformity, it is desirable that for all cases the metering should be done at the bus bar of the generating station. |
| <b>CHAPTER 4: General Network Access (GNA)</b>           |   |  |   |
| <b>11.0 Application for General Network Access (GNA)</b> |   |  |   |
| 11.1   | The Applicant seeking GNA to inter-State transmission system shall file application within two and half years from the date of  |  | The clauses need to be modified in accordance with the Connectivity procedure for   |

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|         | <p>intimation of grant of :</p> <p>(a)Connectivity for Applicants other than renewable energy generating station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer or</p> <p>(b)Stage-I Connectivity for renewable energy generating station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer by CTU. The Application seeking GNA shall be accompanied by requisite application fee, status of updated filing with Central Repository, Access Bank Guarantee, date of start of GNA and such other details as per attached formats.</p> |   | Renewables(which is under finalization) |
| 11.2    | Any intra-State entity desirous of availing GNA to ISTS may apply GNA application directly to CTU alongwith required No objection certificate from STU or it may apply for the same to STU. STU shall consider such GNA application by all intra-state entities while making application on behalf of intra-State entities for grant of GNA to CTU.   | <p>Para 11.2 may be modified as follows:</p> <p>“Any <del>intra-State</del> <b>entity (either injecting or drawee) not directly connected with the ISTS system and</b> desirous of availing GNA to ISTS may apply GNA application directly to CTU alongwith required No objection certificate from STU <b>as per FORMAT GNA-3</b> or it may apply for the same to STU. STU shall consider such GNA application by all intra-state entities while making</p> |   |



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|         |   | application on behalf of intra-State entities for grant of GNA to CTU.”  |  |
| 11.4    | In case of allocation of power by Ministry of Power, Govt. of India in respect of generating stations owned or controlled by Central Government, the concerned generating company may make application to CTU for GNA on behalf of the allocatees on the basis of their written authority for making the application. After grant of GNA, it shall be the responsibility of the concerned generating company to facilitate signing of GNA Agreement by the allocatees with CTU within the stipulated period as prescribed in these Regulations. | In Para 11.4:<br>Term ‘may’ to be replaced with ‘shall’.<br>“In case of allocation of power by Ministry of Power, Govt. of India in respect of generating stations owned or controlled by Central Government, the concerned generating company <del>may</del> <b>shall also</b> make application to CTU for GNA. <del>on behalf of the allocatees on the basis of their written authority for making the application. After grant of GNA, it shall be the responsibility of the concerned generating company to facilitate signing of GNA Agreement by the allocatees with CTU within the stipulated period as prescribed in these Regulations.”</del> | The special facilitation for CSGS generation may be done away with in line with the spirit of GNA Regulations, as the allocatees’ requirement shall be a part of State’s/allocatee’s individual drawl GNA; whereas CSGS’s generation ought to be captured in Injection GNA. Therefore, para 11.4 may be modified as given along-side.<br><br>Under the GNA regulations, generating entities are required to take GNA for the I.C. minus Aux. Consumption and drawee entities are required to take GNA for the maximum import requirement. In this regime, a CSGS with MoP allocation is no different from an IPP with firm PPA. Hence, there is no reason for differentiation. |

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| 11.5    | If any application for Connectivity or Long term Access or Medium term open access made in accordance with Connectivity Regulations is pending with CTU as on the date of coming into effect of these Regulations, the same shall be processed in accordance with these Regulations. | <p>The clause may be modified as follows:</p> <p>“If any application for Connectivity or Long term Access or Medium term open access made in accordance with Connectivity Regulations is pending with CTU as on the date of coming into effect of these Regulations, the same shall be processed in accordance with these Regulations.</p> <p>Provided that the applicant shall have to submit the Access Bank Guarantee and the Application Bank Guarantee as per the Connectivity Regulations, 2009, if any, shall be returned.”</p> |   |
| 11.6    | In case an intra-State entity is applying for GNA, concurrence of concerned State Transmission Utilities of the States having injection and drawl points shall be obtained in advance in FORMAT-GNA-3.   | May be deleted. It is already covered under para 11.2.   |   |
| 11.8    | <p>Documents to be submitted along with the application shall include</p> <p>(a) Scanned copy of Notarized affidavit as per FORMAT-A for each application;</p> <p>(b) Proof of payment of Application fee through NEFT/RTGS by giving UTR No. of the Bank remitting the fees.</p>    | <p>Para 11.8 may be modified as below:</p> <p><b>“Scanned copy of the following documents need to be uploaded along with the online application, which shall include:</b></p> <p>(a) Notarized affidavit as per FORMAT-A for each application along-with Board authorization for filing the application; Physical copy should be submitted separately within <b>7 (seven)</b> working days of submission</p>   | <p>Exemption for submission of Bank Guarantee by CSGS with allocation from MoP, GoI may be examined.</p> <p>Further, the amount of Access BG should be made Rs. 50 Lakhs/MW with provision of annual escalation (during construction) to take care of</p> |

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|         | <p>(c) Scanned copy of Access Bank Guarantee of Rs. 20,00,000/- (Rupees Twenty lakh only) per MW as applicable. Physical copy should be submitted separately within 2 working days of submission of online application.</p> <p>(d) PPA or Sale-Purchase Agreement of power as applicable. Letter of Intent (LOI) shall not be accepted as a PPA or Sale-Purchase Agreement.</p> <p>(e) Copy of the allocation letter issued by Ministry of Power, Govt. of India, wherever applicable.</p> <p>(f) Authorization by the allocatees in favour of the Central Generating Company to make GNA application, wherever applicable.</p> | <p>of online application.</p> <p>(b) Proof of payment of Application fee through NEFT/RTGS by giving UTR No. of the Bank remitting the fees.</p> <p>(c) Access Bank Guarantee of Rs. 20,00,000/- (Rupees Twenty lakh only) per MW as applicable. Physical copy should be submitted separately within <b>27 (seven)</b> working days of submission of online application.</p> <p>(d) PPA or Sale-Purchase Agreement of power <b>as wherever applicable available</b>. Letter of Intent (LOI) shall not be accepted as a PPA or Sale-Purchase Agreement. In case of Sale-Purchase through trader, both PPA &amp; PSA may be submitted.</p> <p>(e) The allocation letter issued by Ministry of Power, Govt. of India, wherever applicable.</p> <p>(f) <del>Authorization by the allocatees in favour of the Central Generating Company to make GNA application, wherever applicable.</del></p> <p><b>Instead the "NoC from STU wherever applicable as per regulation 12.3" may be added</b></p> | <p>increasing cost of the transmission systems on year-on-year basis.</p> |
| 11.10   | Any deficiency in the application shall be communicated within a week of receipt of   | Para 11.10 may be modified as:   |   |

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|         | <p>application. The applicant shall be required to rectify the deficiency within one (01) week thereafter failing which the application shall be closed and application fee shall be forfeited and the Access Bank Guarantee, if any, shall be returned within 15 days of closure of the application. If the rectified application is received after last day of the month, the application shall be deemed to have been in made in subsequent month.</p>  | <p>“Any deficiency in the application shall be communicated <del>within a week of receipt of application by</del> <b>10<sup>th</sup> day of the next month in which the application has been made.</b> The applicant shall be required to rectify the deficiency <del>within one (01) week by</del> <b>20<sup>th</sup> day of the same month</b> failing which the application shall be closed and application fee shall be forfeited and the Access Bank Guarantee, if any, shall be returned <del>within 15 days of closure of the application. If the rectified application is received after last day of the month, the application shall be deemed to have been in made in subsequent</del> <b>month.</b>[Not required]”</p> |  |
| 11.12   | <p>Where after filing of an application or after grant of GNA, 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, the applicant shall inform the same to the nodal agency. If the nodal agency after assessment comes to the conclusion that this change would require modification in planned ISTS, the nodal agency shall inform the Applicant within a period of one month to file a fresh application accompanied by Application fees and relevant documents. The fresh application shall be considered by the</p> | <p>Provision may be deleted.</p>  | <p>GNA and connectivity are two different products in which GNA is to be taken much later than the connectivity. So any material change with regard to location would get captured in the connectivity. As far as the quantum is concerned, there is not much scope as the same is equivalent to I.C. less auxiliary consumption. Notwithstanding this, if there is the additional quantum of GNA, applicant may seek GNA for additional quantum through new</p> |

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|         | nodal agency in accordance with the Regulations and the earlier application shall be closed subject to provisions of these Regulations with regard to relinquishment. If no modification in the planned ISTS is required, the nodal agency shall issue revised grant incorporating the change in Connectivity and GNA.  |  | application.   |
| 11.13   | In respect of applications which are pending with CTU on request of the applicants on the date of coming into effect of these Regulations or for non-participation of Applicants in the joint coordination meetings, CTU shall give a notice of 15 days in writing to the Applicant about the closure of the application. If any applicant is willing to pursue his application, the same shall be processed in the next GNA meeting. If the applicant seeks further deferment of extension of application or does not respond to the notice, CTU may proceed to close the applications and return the Access bank guarantee. | 11.13 may be deleted as combination of 11.5 & 11.11 adequately cover the treatment of pending applications.  |  |
| 11.14   | Before granting GNA, the Central Transmission Utility shall have due regard to the augmentation of inter-State transmission system under the coordinated transmission planning. CTU   | “Before granting GNA, the Central Transmission Utility shall have due regard to the augmentation of inter-State transmission system under the coordinated transmission planning. <del>CTU shall ensure that matching STU systems are</del> | This aspect shall be dealt with in the Draft Planning Regulations. |

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|         | shall ensure that matching STU systems are planned along with ISTS.  | planned along with ISTS."  |        |
| 11.15   | CTU shall grant GNA to the Applicant within the timeline as specified under Regulation 7 of these regulations in accordance with FORMATGNA-5 (for Applicants other than STUs) or FORMAT-GNA-6 (for STUs).  | Regulation 6 instead of Regulation 7<br><br>Timelines not in sync with draft planning regulations.   |        |
| 11.16   | The construction of any augmentation of the transmission system may be taken up by the CTU or the transmission licensee in phases corresponding to the capacity which is likely to be commissioned in a given time frame after ensuring that the generating company has released the advance for the main plant packages i.e. Turbine island and steam generator island or the EPC contract in case of thermal generating station and major civil work packages or the EPC contract in case of hydro generating stations for the corresponding capacity of the phase or the phases to be commissioned, subject to a minimum of 10% of the sum of such contract values. | Modification:<br><br>"The construction of any augmentation of the transmission system <b>associated with GNA of thermal, hydro and nuclear generating stations</b> may be taken up by the CTU or the transmission licensee in phases corresponding to the capacity which is likely to be commissioned in a given time frame after ensuring that the generating company has released the advance for the main plant packages i.e. Turbine island and steam generator island or the EPC contract in case of thermal generating station and major civil work packages or the EPC contract in case of hydro generating stations for the corresponding capacity of the phase or the phases to be commissioned, subject to a minimum of 10% of the sum of such contract values." |        |
| 11.17   | A generating company after firming up the beneficiaries through signing of long or medium or short term Power Purchase   | A generating company after firming up the beneficiaries through signing of long or medium or <del>short</del> term Power Purchase Agreement(s) or Sale Purchase Agreement(s) shall   |        |

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|         | Agreement(s) or Sale Purchase Agreement(s) shall be required to notify the same to the nodal agency along with the copy of the PPA.  | be required to <del>notify</del> register the same with the nodal agency in line with Regulation 17. |   |
| 12.0    | <b>Relative priority</b>   |  |   |
| 12.1    | Application for GNA shall be processed on following basis:<br>(a) Applications received during the month shall be construed to have been received concurrently.<br>(b) Applications received during a month shall have priority over applications received during subsequent month.<br>(c) Applications for existing projects and projects under construction shall have priority over applications for new projects.<br>(d) While processing applications for GNA due regard shall be given to date of start of GNA sought. | This provision may be deleted.   | As a concept, GNA is permission to exchange power in any direction limited to the GNA quantum. Therefore, as such, in which direction ultimately the GNA holders are going to transfer power and for how long is the flexibility that is aimed to be given through these Regulations.<br><br>GNA applications shall be of two kinds - injection GNA (generator) and drawl GNA (mainly STUs). Both are equally significant inputs for transmission planning to be carried out under the Planning Regulations to be notified by the Commission. As per the Draft GNA Regulations, the drawl GNAs are to be sought on an annual basis by the load bearing entities in a given time-window. |

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|         |  |  | <p>Accordingly, generator's GNA should also be time-window based. This shall ensure that both kinds of GNA applications shall be treated on parity.</p> <p>The priority, if any, shall be required at the time of actual utilization in a specific direction for a specific period post signing of PPA as per its terms.</p> |
| 12.2    | GNA applications shall be processed quarterly. In case GNA applications can be accommodated in existing system or system under augmentation CTU shall grant the GNA within 120 days of receipt of completed application.     | 'Processed quarterly' does not stand true with 120/180 days timeline provided in Regulation 6. Further, it is not in sync with Draft Planning Regulation timelines.  | GNA is just one of the inputs  |
| 12.3    | If an intra-State entity is applying for GNA, concurrence of the STU shall be obtained in advance and submitted along with the application to the nodal agency. The concurrence of the STU shall be as per the FORMAT-GNA-3. | <p>Para 12.3 may be modified as below:</p> <p><b>"If an <del>intra-State entity (either injecting or drawee) not directly connected with the ISTS system entity</del> is applying for GNA, concurrence of the STU shall be obtained by the applicant in advance and submitted along with the application to the nodal agency. The concurrence of the STU shall be as per the FORMAT-GNA-3.</b></p> |  |
| 12.6    | In case STU has not communicated   | This clause may be deleted.  | Deemed NoC provision is not a  |



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|         | concurrency or 'no objection', as the case may be, within the specified period of thirty (30) working days, from the date of receipt of the application, concurrence or 'no objection' as the case may be, shall be deemed to have been granted.  |   | workable solution as it neither addresses the adequacy aspect of STU network nor availability of adequate infrastructure for energy metering and accounting. It is proposed that under such situations of non-issuance of NoC by STU, the applicant may approach CERC for getting relief. |
| 12.7    | <p>The Access Bank Guarantee may be encashed by the nodal agency</p> <p>(a) If the application is withdrawn by the applicant after 9 months of grant of GNA by the Nodal Agency.</p> <p>(b) If the applicant fails to submit the extension letter of the earlier furnished BG at least 30 days prior to its expiry.</p> <p>(c) If the GNA is relinquished in accordance with Regulation 24.</p> | <p>Regulation 12.7 should be deleted from here and merged with Regulation 19 with the following modifications.</p> <p>(a) The Access Bank Guarantee shall be returned if applicant withdraws the application before grant of GNA and application fee shall be forfeited.</p> <p>(b) The Access Bank Guarantee <del>may</del> <b>shall</b> be encashed by the nodal agency</p> <p>(i) If the GNA customer exits after grant of GNA but before execution of GNA Agreement <b>in line with the provisions of 24.1(a)</b>.</p> <p>(ii) If the applicant fails to <del>submit the extension letter of extend validity of the earlier furnished BG or</del> <b>submits a new BG of same amount</b> at least 30 days prior to its expiry.</p> <p>(iii) If the GNA is relinquished in accordance with</p> | Regulation 19 is the main provision dealing with the treatment of Application BGs.  |

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|             |  | Regulation 24.  |   |
| 13.1<br>(a) | <b>Interface Meters</b>  | 13.1. Interface meters shall be installed -<br>(a) by the Central Transmission Utility <b>for ISTS interface points</b> and at the cost of the regional entities; and |   |
| 14.0        | <b>System Study by the Nodal Agency</b>  | The entire clause may be deleted.   | There is no requirement of specifying planning methodology to be adopted as the same shall be specified in the Draft Planning regulations through various study committees.   |
| 14.2        | The nodal agency i.e., CTU shall carry out system studies in ISTS to examine the adequacy of the transmission system corresponding to the time frame of commencement of long-term access to effect the desired transaction of power on long-term basis, using the Available Transfer Capability (ATC).   |   | The provision seems to be addressing the grant of long term access which has been dispensed with in the present regulations. Under the concept of GNA, the GNA allocatee is permitted for exchange of power upto the quantum of GNA to any beneficiary located in any region i.e. the GNA is essentially direction-independent. |
| 14.3        | The CTU shall assess the Total Transfer Capability (TTC), Available Transfer Capability (ATC) and Transmission Reliability Margin (TRM) of inter-regional links / Corridors. TTC, ATC, and TRM along with the details of basis of calculations, including assumptions if any, shall be put up on the website of CTU. The procedure for the calculation would be as |   | However, the TTC/ATC are directional in nature, therefore, booking of TTC/ATC for grant of GNA shall go against the very spirit of the Regulations and  |

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|         | <p>follows:</p> <p>(a) A base case with the likely scenario during the time frame for which TTC is to be arrived at would be used for system studies. In the base case scenario data from CEA Planning Studies would be used.</p> <p>(b) While carrying out simulations for different conditions it would be seen that the limiting condition on some portions of the transmission corridors or flow gates can shift among thermal, voltage and stability limits as the network operating conditions change over time. TTC would be the minimum of the transmission capability arrived at taking into consideration the Stability Limit, Voltage Limit and Thermal limit.</p> <p>(c) The limiting factors would be mentioned, for example, specific buses facing problem of low voltage, transmission line facing congestion or crossing stability /thermal limit, etc.</p> <p>(d) The TTC would be arrived at by considering the worst credible</p> |                               | <p>hence the same need not be covered in these Regulations.</p> <p>The grant of GNA shall require carrying out transmission planning studies for transfer of power in all the credible alternative scenarios. The grant of GNA based on ATC shall require booking of such ATC in each corridor to meet the anticipated power transfer requirement which is not the essence of GNA regulation. Therefore, 14.2 and 14.3 may be removed.</p> |

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|         | <p>contingency, i.e. one which would affect the transmission capability of the flowgate to the maximum possible extent.</p> <p>(e)The difference between the TTC and the TRM would be the ATC. The latest ATC would be the one which is still left over after taking into account the usage of the transmission capability by existing contracts.</p> <p>(f)The CTU may revise the TTC, ATC and TRM due to change in system conditions, which includes change in network topology or change in anticipated active or reactive generation or load, at any of the nodes in the study. Such revision should clearly state the reasons thereof.</p> |   |  |
| 16.0    | <b>General Network Access by Generators</b>   |   |  |
| 16.1    | The new generation project intending to avail the transmission services from ISTS shall apply for GNA five (5) years prior to the expected date of commissioning of first unit of generation project. Renewable energy generators including Solar Power Park Developer, Wind Power Park Developer, Wind-Solar Power Park  | <p>Following proviso may be added:</p> <p>In case, the applications are not made as per the above timelines, then, CTU shall grant GNA after 5 years and 2 years respectively for the conventional and renewable generation projects.</p> | In case the new Generation projects/Renewable energy generators don't apply for GNA prior to 5 yrs and 2 yrs respectively of the expected date of commissioning of first unit, the modalities pertaining to same |

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|         | Developer shall apply for GNA two (2) years prior to the expected date of commissioning of their generation project considering their low gestation period. The Applicant shall provide updated status of progress of generating station or park developer through Central Repository to CTU to facilitate the transmission planners to evolve optimal transmission plans.   |  | be specified. |
| 16.4    | An Applicant may seek GNA in a phased manner matching with the commissioning schedule of its generating units. In case of generator who intends to supply free power and share of home state directly from the bus bar through state network, GNA shall be sought by the Applicant for Installed Capacity less normative Auxiliary Power Consumption less free power and share of home state. In such cases the applicant shall submit the details of the state network. | Following proviso may be added<br><br>“Provided that concerned STU shall have to demonstrate adequacy of the State network to absorb the home state share, otherwise CTU shall advise the applicant to apply GNA for free power/home State share also and the applicant shall have to comply the same within 1 month else the GNA application shall be closed and Access BG returned.” |               |
| 17.0    | <b>Network Services for Transfer of Power</b>  |  |               |
| 17.1    | Grant of GNA shall, by itself, not entitle any generating station to interchange any power with the grid till it either signs a PPA or sale purchase agreement (SPA) and inform the same to CTU and concerned RLDCs or sells power through   | Following proviso may be added:<br><br>Provided that the start date of the delivery of power under PPA or SPA shall not be before <b>six months</b> from the date of such intimation.  |               |

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|         | exchange. An online portal for obtaining the information regarding PPA by a Generator or distribution licensee or trading licensee or consumer or any other entity shall be developed by CTU.  |  |   |
| 17.3    | The information regarding PPA shall be considered by CTU not later than a week and confirm the scheduling priority for the Generator or distribution licensee or bulk consumer.  | Modification:<br>"The information regarding <b>medium term &amp; long term</b> PPA shall be considered by CTU-not later than <b>three months</b> and confirm the scheduling priority for the Generator or distribution licensee or bulk consumer to <b>NLDC.</b> "   |   |
| 17.4    | CTU shall give priority to long term PPAs over medium term PPAs and to medium term over short term PPA and among PPAs of same category under pro-rata basis. A Generator /DISCOM/bulk consumer may also transact power through power exchange which shall be scheduled as per available corridor. The information for Long Term and Medium Term PPA shall be registered with CTU and for short term PPA registration shall be done with respective RLDC. | This clause may be modified as below:<br><del>CTU shall give priority to long term PPAs over medium term PPAs and to medium term over short term PPA and among PPAs of same category under pro-rata basis. A Generator /DISCOM/bulk consumer may also transact power through power exchange which shall be scheduled as per available corridor. The information for Long Term and Medium Term PPA shall be registered with CTU and for short term PPA registration shall be done with respective RLDC.</del> The priority to given for scheduling purpose for various registered PPAs shall as follows:<br><br>(i) All the PPAs registered during a month and upto 1730 hours on the last day of the month shall be construed to have arrived on the same day. | The registration of PPAs to be handled by CTU shall inevitably be made in 'different months' for 'different periods' for 'different quantum' and in 'different directions'. Therefore, clear provisions are required to be incorporated as to how all these aspects shall be dealt in the most transparent, fair and equitable manner.<br><br>The methodology that has been adopted for planning and availability of transmission system ideally shall be able to |

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|         |  | <ul style="list-style-type: none"> <li>(ii) The PPA registered during a month shall have priority over a PPA registered in subsequent month.</li> <li>(iii) Among the PPAs registered during a month, higher priority shall be given for PPA of a longer period. Further, among the PPAs registered for the same period shall have same priority and the allocation shall be pro-rata basis to the quantum of PPA during the period intervening period of non-availability of adequate ATC.</li> <li>(iv) In case for full quantum cannot be enabled, then CTU may downgrade the quantum for the period up to which adequate capacity becomes available.</li> <li>(v) The PPAs shall be enabled taking into considerations all the PPAs valid during the term and PPAs that have expired.</li> <li>(vi) The PPA should be registered with a delivery date not before 6 months.</li> <li>(vii) The allocation of transmission capacity shall have regard to the region in which the power is injected and drawn.</li> </ul> | enable exchange of power under the PPAs that are expected to be executed. However, there can still be some uncertainties with respect to CTU not being able to facilitate the exchange of desired power under the PPAs registered for some period. To address such instances, the following methodology is proposed to be adopted which may suitably be incorporated in the GNA Regulations. |
| 19.1    | GNA Applicants other than STUs shall be required to submit Access Bank Guarantee of Rs. 20 lakh/MW. Access Bank Guarantee for renewable energy generating station or Solar Power Park Developer or Wind Power Park Developer | This clause may be modified as below:<br>"GNA Applicants including renewable energy generating station or Solar Power Park Developer or Wind Power Park Developer or Wind-Solar Power Park Developer other than STUs shall be required to submit Access Bank Guarantee of <del>Rs. 20 lakh/MW</del> Rs. 50 Lakh/MW. <del>Access Bank Guarantee</del>   |  |

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|         | or Wind-Solar Power Park Developer shall be Rs. 10 lakh/MW. The Access bank guarantee shall be in favour of the nodal agency, as per the FORMAT-GNA-4.  | <del>for renewable energy generating station or Solar Power Park Developer or Wind Power Park Developer or Wind Solar Power Park Developer shall be Rs. 10 lakh/MW. The Access bank guarantee shall be in favour of the nodal agency, as per the FORMAT-GNA-4.</del><br>Provided that the Access bank Guarantee may be given in 5 equal parts to facilitate the return of Access Bank Guarantee in terms of the Regulations 19.3. |  |
| 20      | While granting General Network Access, the nodal agency shall communicate to the applicant, the date from which GNA shall be made operational and an estimate of the transmission charges likely to be payable based on the methodology of sharing of transmission charges specified by the Central Commission. | This clause may be deleted.   | As per the concept of the GNA the states shall be having flexibility to source cheapest power from anywhere in the country limited to the GNA quantum. Similarly, the generator shall also have flexibility to sell its power to any load serving entity as per the PPA. Therefore, the grant of GNA involves assessment of the network capability to fulfill these flexibility under various scenarios.<br>The present PoC mechanism for sharing of transmission charges is based on the load flow base case corresponding to peak scenario for the ensuing quarter. The PoC rates have substantial dependence on the base case |



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|         |   |  | <p>considered while calculating through WEBNET software. Under the above mentioned flexible scenario, it will be difficult to assess the likelihood of generation where State shall source the power and vice versa. Hence, determination of the charges may not be feasible under the present sharing mechanism.</p> <p>It may be pertinent to mention that this provision has been borrowed from Connectivity Regulations, 2009 in which before sharing mechanism there used to be separate sub-pools under which the above estimation is possible. However, in the present regulatory regime, this cannot be done.</p> |
| 21.0    | <b>Execution of General Network Access Agreement</b>  |  |   |
| 21.1    | The applicant shall sign an agreement for GNA with the CTU within 30 days of grant of GNA or for such extended period as may be allowed by CTU in accordance with Format-GNA-7. | <p>The statement regarding extension period as allowed by CTU may be removed to minimize any subjectivity. Accordingly the clause may be modified as:</p> <p>“The applicant shall sign an agreement for GNA with the CTU within <b>60</b> <del>30</del> days of grant of GNA in accordance</p> |   |

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|         |   | with Format-GNA-7 or for such extended period as may be allowed by CTU in accordance with Format GNA-7"  |        |
| 21      | <b>Execution of General Network Access Agreement</b>  |  |        |
| 21.2    | In case the GNA applicant fails to sign the GNA Agreement within the stipulated period, GNA granted shall be cancelled, 1/10th of Access Bank Guarantee furnished by the applicant shall be forfeited and the balance Access Bank Guarantee shall be refunded within a week of the cancellation.  | 1/10th may be substituted by 1/5th .   |        |
| 22.0    | <b>Effective Date of General Network Access</b>   |  |        |
| 22.1    | GNA shall be operationalized from the date provided in GNA Agreement. In cases where operationalisation of GNA is contingent upon commissioning of several transmission lines or systems and only some of the transmission lines or elements have been declared to be under commercial operation, GNA to the extent which can be operationalized without affecting the security and reliability of the grid shall | The clause may be modified as below:<br>"GNA shall be <del>operationalized</del> made effective from the date provided in GNA Agreement/intimation. <del>In cases where effectiveness operationalisation of GNA is contingent upon commissioning of several transmission lines or systems and only some of the transmission lines or elements have been declared to be under commercial operation, GNA to the extent which can be operationalized without affecting the security and reliability of the grid shall be operationalised by CTU and the GNA customer shall pay transmission charges for the quantum of GNA operationalized.</del> " |        |

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|         | be operationalised by CTU and the GNA customer shall pay transmission charges for the quantum of GNA operationalized.   |   |   |
| 22.2    | CTU shall match COD of transmission system matching with date of start of GNA. Transmission system shall be entitled to tariff only after corresponding GNA is operationalized.   | <p>The provisio may be modified as follows:</p> <p>“CTU shall <b>endeavor to</b> match COD of transmission system matching with date of start of GNA. <del>Transmission system shall be entitled to tariff only after corresponding GNA is operationalized.</del> <i>(This is in contradiction to main body)</i></p>  | <p>Presently, the transmission system is mainly implemented under the TBCB regime. Under this regime, CTU can ensure matching up till the planning of the transmission system, thereafter, the implementation depends on other Agencies like, CEA, BPC &amp; transmission licensee. Hence, the word ‘shall’ needs to be modified as ‘endeavour’.</p> <p>Para 22.2 and Para 22.5 may be merged for clarity regarding effective date and operationalization of GNA.</p> |
| 22.4    | The Applicant granted GNA as per these regulations shall be required to establish payment security mechanism in the form of Letter of Credit before operationalization of GNA as per the Sharing Regulations. However, establishment of payment of security | <p>The clause may be modified as follows:</p> <p>“The Applicant granted GNA as per these regulations shall be required to establish payment security mechanism in the form of Letter of Credit before <del>operationalization</del> effectiveness of GNA as per the Sharing Regulations. <del>However, establishment of payment of security mechanism</del></p> |   |

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|         | mechanism shall not be a precondition for operationalization of GNA.  | <del>shall not be a precondition for operationalization of GNA.</del><br>Failure to establish payment security mechanism shall make the concerned GNA customer liable for regulatory actions in terms of regulation on Regulation of Power Supply."   |  |
| 22.5    | The effective date of GNA shall be the date indicated in the letter of grant of GNA or GNA Agreement or from the availability of the transmission system for operationalisation of GNA, whichever is later and the liability of payment of transmission charges shall begin from this date.                                   | The clause may be modified as follows:<br><br>"The effective date of GNA shall be the date indicated in the letter of grant of GNA or GNA Agreement or from the availability of the transmission system for <del>operationalisation</del> <b>effectiveness</b> of GNA, whichever is later and the liability of payment of transmission charges shall begin from this date."                                   |  |
| 22.6    | In case a transmission system or a generator is delayed beyond the scheduled date of GNA due to reasons beyond the control of the transmission licensee or a generator as per provisions in the GNA Agreement, the date of operationalisation of GNA may be correspondingly extended with the approval of Central Commission. | The clause may be modified as follows:<br><br>"In case a transmission system or a generator is delayed beyond the scheduled date of GNA due to reasons beyond the control of the transmission licensee or a generator as per provisions in the GNA Agreement, the date of <del>operationalisation</del> <b>effectiveness</b> of GNA may be correspondingly extended with the approval of Central Commission." |  |
| 23.2    | On termination of the Power Purchase Agreement the GNA customer shall be liable to pay the transmission charges as per applicable Regulations.  |   | It is understood that upon termination of PPA the Sharing of Transmission Charges shall be on the basis of approved injection in place of approved |

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|         |   |   | withdrawl in line with the Sharing Regulations.   |
| 23.3    | CTU shall consider the transmission capacity so made available for scheduling of transactions for other GNA Applicants.   | The clause may be modified as follows:<br><br>“CTU shall consider the transmission capacity so made available for scheduling of transactions for other GNA Applicants Customers.”   | It is the allocation of the Transmission Capacity that is done in case of termination of the PPA. As GNA is permission to inject power in any direction, termination of PPA shall not cause termination of the GNA. |
| 24.1    |   | The operationalization may be replaced with the “ <b>effectiveness</b> ”  |   |
| 24.2    | In case an IPP relinquishes its GNA on its conversion to CGP, it shall pay Relinquishment Charges corresponding to capacity relinquished. In such case Connectivity to ISTS may be permitted subject to payment of applicable charges as per CERC Sharing Regulations. In case such CGP wishes to get converted to IPP again, it shall have to apply afresh for additional GNA and shall be considered as per prevailing Regulations. | The clause may be modified as follows:<br><br>“In case an IPP relinquishes its GNA on its conversion to CGP, it shall pay Relinquishment Charges corresponding to capacity relinquished. In such case Connectivity to ISTS may be permitted subject to payment of applicable charges as per CERC Sharing Regulations. In case such CGP wishes to get converted to IPP again, it shall have to apply afresh for additional GNA and shall be considered as per prevailing Regulations.<br><br>Provided that the applicability of relinquishment charges shall be in terms of Regulation 24.1.<br><br>Provided further that part relinquishment shall be allowed in case the balance exportable GNA remains more than 250 MW else relinquishment shall be for the entire GNA |   |

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|         |  | <p>quantum. The applicable relinquishment charges shall be as per the relinquishment of GNA quantum.</p> <p>Provided further that in case CGP has taken drawl GNA and opts for conversion to IPP, it shall have to pay relinquishment charges corresponding to drawl GNA.”</p>  |        |
| 25.1    | <p>For generating stations with full capacity tied up including CGS, their GNA for Installed Capacity minus auxiliary power consumption shall be deemed to have been granted. Corresponding LTA quantum for beneficiaries shall also be deemed to have been granted as GNA. A list of such GNAs of generators and beneficiaries shall be published by CTU within one (01) months of notification of these regulations.</p> | <p>The clause may be modified as follows:</p> <p>“For generating stations with full capacity tied up including CGS, their GNA for Installed Capacity minus auxiliary power consumption shall be deemed to have been granted. Corresponding LTA quantum for beneficiaries shall also be deemed to have been granted as GNA. A list of such GNAs of generators and beneficiaries shall be published by CTU within <del>one (01)</del> <b>three (03)</b> months of notification of these regulations.</p> <p>Provided that all the above generating stations shall furnish their auxiliary consumption quantum to CTU within one (01) month of notification of these regulations.”</p> |        |
| 25.2    | <p>For generating stations where LTA (including target region) has been sought for part capacity and the same has already been operationalized or has not been operationalised, the generating station shall apply for GNA for additional quantum (balance quantum for which there is no LTA) within 3 months from the</p>   | <p>The clause may be modified as follows:</p> <p>“For generating stations where LTA (including target region) has been sought <b>under the Connectivity Regulations, 2009</b> for part capacity and the same has already been operationalised or has not been operationalised, <b>such capacity shall be considered as deemed GNA and</b> the generating station shall apply for</p>  |        |

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|         | date of notification of these Regulations. CTU shall grant GNA to such generating stations from the date of availability of transmission system.   | GNA for additional quantum (balance quantum for which there is no LTA) within 3 months from the date of notification of these Regulations. CTU shall grant GNA to such generating stations from the date of availability of transmission system."  |        |
| 25.4    | In case of generating stations who have applied for LTA for full capacity but their LTA is yet to be operational, CTU shall consider same as GNA application for the full injectable capacity and operationalise GNA as per availability of transmission system. | <p>The clause may be modified as follows:</p> <p>"In case of generating stations who have <del>applied</del> <b>been granted for</b> LTA for full capacity <b>under Connectivity Regulations, 2009</b> but their LTA is yet to be operational, CTU shall consider same as <b>deemed</b> GNA <del>application</del> for the full injectable capacity (<b>installed capacity less auxiliary consumption</b>) and operationalise GNA as per availability of transmission system.</p> <p><b>Provided that the deemed GNA Customer shall have to submit the Access Bank Guarantee and the Application or Construction Phase Bank Guarantee as per the Connectivity Regulations, 2009, if any, shall be returned."</b></p> |        |
| 27.3    | In case any of the developer fails to construct the generating station /dedicated transmission system by the scheduled date of GNA operationalisation, it shall be liable to pay transmission charges from the date of operationalization of GNA.                | <p>The clause may be modified as follows:</p> <p>In case any of the developer fails to construct the generating station /dedicated transmission system by the <del>scheduled</del> <b>effective</b> date of GNA <del>operationalization</del>, it shall be liable to pay transmission charges from the effective date of <del>operationalization</del> of GNA.</p>   |        |
| 27.4    | In case of adverse progress of individual  | The clause may be modified as follows:   |        |

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|         | generating unit(s) /expected delay of generators assessed during coordination meeting, CTU shall endeavor to re-plan the system.  | In case of adverse progress of individual generating unit(s) /expected delay of generators assessed during coordination meeting, CTU shall endeavor to re-plan the system, <b>wherever feasible.</b>  |  |
| 27.5    | The transmission licensee should keep provision of foreclosure in the contract made by it with EPC contractor. In case the augmentation has been awarded but CTU assesses that it is not required fully or partly keeping in view progress of generating station, the CTU shall intimate the licensee to foreclose its EPC contract based on the status of transmission line. The CTU shall get the details of investment made in the transmission project and the liquidated damages payable for termination of the contract with the EPC contractor assessed and shall reimburse the same to licensee from relinquishment charges received by it. | The clause may be modified as follows:<br><br>“The transmission licensee should keep provision of foreclosure in the contract made by it with EPC contractor. In case the augmentation has been awarded but CTU assesses that it is not required fully or partly keeping in view progress of generating station, the CTU shall intimate the licensee to foreclose its EPC contract based on the status of transmission line. <b>Transmission licensee shall provide the details of investment made in the transmission project and the liquidated damages payable for termination of the contract to the EPC contractor to CTU and the same shall be recovered from the concerned generating station(s) through encashment of access Bank Guarantee and relinquishment charges and the balance amount if any shall be borne by the respective generating company/companies.</b> ” |  |
| 28.1    | ISTS licensee, CTU, STU, associated State transmission licensee and distribution licensee shall ensure to commission systems in matching timeframe.   | The clause may be modified as follows:<br><br>ISTS licensee, CTU, STU, associated State transmission licensee and distribution licensee shall <b>endeavor ensure</b> to commission systems in matching timeframe.   | There are too many parties involved, therefore “ensure” may be replaced with endeavor. |
| 28.2    | Notwithstanding any provision with regard to indemnification in any   | The clause may be modified as follows:<br><br>“Notwithstanding any provision with regard to   | The word “endeavor” has been inserted  |



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|         | <p>agreement between the parties, in case of non-availability of identified downstream/upstream system, the payment liability shall fall on entity due to which the element has not been put to regular use as certified by RLDC. CTU shall coordinate with STU to ensure that ordering for State lines are done such that it is commissioned matching with ISTS lines.</p> <p>The ISTS system shall be included under POC calculations only after it is put to regular use.</p> | <p>indemnification in any agreement between the parties, in case of non-availability of identified downstream/upstream system, the payment liability shall fall on entity due to which the element has not been put to regular use as certified by RLDC. CTU shall coordinate with STU and to <b>endeavor ensure</b> that ordering for State lines are done such that it is commissioned matching with ISTS lines. <del>The ISTS system shall be included under POC calculations only after it is put to regular use.</del> ISTS lines shall be included in PoC as per scheduled DOCO. In case of mismatch predefined penalty shall be given by defaulting agency.</p> |        |
| 34      | <p><b>Transmission Corridor Allocation for power markets</b></p> <p>5% of each corridor for which separate ATC is declared shall be reserved for day ahead collective transactions at the power exchanges. In case of non-utilization of the corridor by exchanges, National Load Despatch Centre (NLDC) shall release the capacity for contingency market. The percentage of reservation shall be reviewed after five years of operation.</p>                                   | <p>The clause may be modified as follows:</p> <p><b>Reservation in Transmission Corridor Allocation for power markets</b></p> <p>5% of each corridor for which separate ATC is declared shall be reserved for day ahead collective transactions at the power exchanges <b>or re-allocation by Govt. of India from Unallocated power from CGS</b>. In case of non-utilization of the corridor by exchanges <b>or re-allocation</b>, National Load Despatch Centre (NLDC) shall release the capacity for contingency market. The percentage of reservation shall be reviewed after <del>five</del> <b>two</b> years of operation</p>                                     |        |

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