

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 137/MP/2019

Subject : Petition under Section 79 (1) (c) of the Electricity Act, 2003 read with Regulations 27 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and Medium Term Open Access in Inter State Transmission and related matters) Regulations, 2009 for time extension of achieving financial closure as provided under Clause 9.3.2 of the Detailed Procedure issued by the Central Electricity Regulatory Commission for `Grant of Connectivity to projects based on Renewable sources to the Inter State Transmission System dated 15.5.2018.

Petitioner : Torrent Power Limited (TPL)

Respondent : Power Grid Corporation of India Limited

Date of Hearing : 9.7.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Anand K.Ganesan, Advocate, TPL
Shri Rajiv Raghav, TPL
Shri R.S Negi, TPL
Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL
Shri Ranjeet S Rajput, PGCIL
Shri Siddharat Sharma, PGCIL
Shri Siddharth Sharma, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted that Pursuant to Tranch-V bid, the Petitioner had received Letter of Award (LOA) from SECI for development of 115 MW wind project on 24.10.2018. On 25.7.2018, the Petitioner made an application for grant of Stage-II Connectivity to CTU to develop a 115 MW wind farm in Kutch in the State of Gujarat along with the documents in support of Ownership or lease rights or land use rights for 50% of the land required for the capacity of Stage-II Connectivity and release of at least 10% funds towards execution of generation project supported by Auditor's certificate releasing of such funds through equity in terms of Clause 9.2.2 of Detailed Procedure. On 24.5.2019, CTU granted Stage-II Connectivity to the Petitioner. As per Clause 9.3.2 of the Detailed Procedure, the Petitioner is required to achieve financial closure for the project within 9 months from the date of grant of Stage-II Connectivity. However, due to reasons beyond the control of the Petitioner, there is a delay in achieving the financial closure within the specified period. Therefore, the Petitioner is seeking extension of five months to achieve financial closure.

2. Learned counsel for the Respondent, PGCIL submitted that a wind power project granted Stage-II Connectivity and falling under clause 9.2.1 of the Detailed Procedure is required to achieve financial closure within seven months from the effective date of the

PPA together with submissions of details/documentary evidence as set out in clause 3.16 of the SECI bidding documents. Learned counsel submitted that unlike in the case of bidding (SECI) route where the time period for complying with the conditions post the grant of Stage-II Connectivity is as per the bidding documents, the wind power projects that have been granted connectivity under the non-bidding route are required to comply with the conditions under clause 9.3.2 of the Detailed Procedure within nine months from the grant of Stage-II Connectivity. Failure to comply with the prescribed conditions under clause 9.3.1 or 9.3.2 as the case may be, is to lead to revocation of the Stage-II Connectivity by PGCIL under intimation to the grantee. Learned counsel submitted that migration from clause 9.2.2 to clause 9.2.1 of the Detailed Procedure may be allowed if the Commission so permits.

3. After hearing the learned counsels for the Petitioner and PGCIL, the Commission directed PGCIL to submit on affidavit on or before 26.7.2019, the details of applicants seeking stage-II connectivity at the same location. The Petitioner was directed to submit by 26.7.2019 detailed plan for achieving timeline in case its request for grant of time extension is permitted.

4. The Commission directed that interim direction dated 16.5.2019 shall be continued till the next date of hearing.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**