

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 330/MP/2019

- Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 and Regulation 7(1)(aa) of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009.
- Petitioners : ACME Solar Holdings Limited and Anr.
- Respondent : Power Grid Corporation of India Limited.
- Date of Hearing : 15.10.2019
- Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member
- Parties Present : Shri Sanjay Sen, Sr. Advocate, ACME
Shri Shresht Sharma, Advocate, ACME
Ms. Anukriti Jain, Advocate, ACME
Ms. Suparna Srivastava, Advocate, PGCIL
Shri Nehul Sharma, Advocate, PGCIL
Ms. Swati Verma, PGCIL
Shri Laxmikant, PGCIL
Shri Swapnil Verma, PGCIL
Dr. P. N. Pranjape, PGCIL
Shri Siddharth Sharma, PGCIL
Shri Rajesh Verma, PGCIL

Record of Proceedings

Learned counsel for the Respondent, PGCIL submitted that the issue involved in Petition pertains to opening of Letter of Credit towards payment security mechanism for operationalization of 250 MW MTOA as per the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 and the Billing, Collection and Disbursal (BCD) Procedure issued thereunder. Learned counsel submitted that vide interim order dated 4.10.2019, the Commission directed PGCIL to notify the likely date of operationalization of MTOA so that the Petitioner may take appropriate steps for synchronization/commencement of the project and such notified date was not to be less than 15 days from the date of the letter. Accordingly, PGCIL vide letter dated 11.10.2019 intimated the tentative date of operationalization of MTOA as 26.10.2019. Meanwhile, out of 250 MW, the Petitioner has commissioned 100 MW and has submitted the corresponding documents for waiver of transmission charges and losses. However, for the balance 150 MW, the Petitioner is required either to submit the requisite documents for



claiming the waiver of transmission charges or to establish the payment security mechanism in the form of LC.

2. Learned counsel for the Petitioner submitted that out of 250 MW, the Petitioner has already commissioned 100 MW and the Petitioner is endeavouring to commission the balance 150 MW at the earliest. Learned counsel further submitted that even in terms of 'Advisory for submission of requisite documents for waiver of inter-State transmission charges and losses on transmission of electricity generated from solar and wind sources of energy', the generator is permitted 10 days after the commissioning of the project for the submission of required documents for waiver of transmission charges.

3. Learned counsel for the Petitioner requested to continue interim direction dated 4.10.2019. The Commission declined to extend interim relief granted vide interim order dated 4.10.2019 and observed that the Respondent is at liberty to take necessary action in accordance with applicable Regulations.

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

By order of the Commission

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(T.D. Pant)
Deputy Chief (Law)

