

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 551/MP/2020
and IA No.46/2020**

Subject : Petition under Section 79(1)(c), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 read with Regulations 27, 33A and 33B 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 and the Detailed Procedure for Grant of Connectivity to Projects based on Renewable Sources to Inter-State Transmission System seeking relaxation of time period stipulated under Clause 11.2 of the Detailed Procedure and attendant Forms and Agreements for construction of dedicated transmission line and associated pooling substation.

Date of Hearing : 6.8.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Petitioner : Avikaran Solar India Private Limited (AS IPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Jafar Alam, Advocate, AS IPL
Shri Saahil Kaul, Advocate, AS IPL

Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed, *inter-alia*, seeking relaxation of time period of 24 months stipulated for construction of dedicated transmission system as per Clause 11.2 of the 'Detailed Procedure for Grant of Connectivity to Projects based on Renewable Sources to Inter-State Transmission System' (in short 'Detailed Procedure') made under 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 (in short "Connectivity Regulations"). Learned counsel further submitted as under:

(a) The Petitioner is developing a 285 MW Wind Power Project and has entered into Power Purchase Agreement (PPA) dated 4.9.2018 with Solar Energy Corporation of India Limited (SECI) pursuant to competitive bid process



conducted by SECI. As per PPA, Schedule Commissioning Date (SCD) of the Project was 29.2.2020.

(b) On 19.7.2018, PGCIL granted Stage-II connectivity to the Petitioner for its Bhuj Pooling sub-station. In order to evacuate the power from its Project, the Petitioner was required to build dedicated transmission system from the Project to PGCIL's Bhuj Pooling sub-station.

(c) As per Clause 11.2 of the Detailed Procedure, the Petitioner is required to complete the dedicated transmission system within a period of 24 months from the date of intimation of bay allocation at PGCIL's sub-station i.e. by 18.7.2020. However, PGCIL's own transmission system has been delayed from the initially envisaged timeline. As per the JCC meeting, PGCIL's own transmission system will be ready by December, 2020.

(d) Owing to delay in completion of the Project due to various uncontrollable events, SECI has already extended SCD for the Project under the PPA to 18 July, 2021. The Petitioner had also conveyed to PGCIL about the extension granted by SECI for achieving SCD in terms of PPA. However, PGCIL has not accepted the Petitioner's request for extension of time for completion of dedicated transmission system.

(f) The Commission in its order dated 30.12.2019 in Petition No.55/MP/2019 has already granted extension to the Petitioner for achieving the milestones as provided in the Detailed Procedure in the absence of knowledge about completion schedule of sub-station where the connectivity was granted under Regulation 33A (Power to Relax) of the Connectivity Regulations.

3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondent.

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondent immediately, if not already served. The Respondent was directed to file its reply by 15.8.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 11.9.2020.

5. Learned counsel for the Petitioner further submitted that the Petitioner has filed IA No.46 of 2020 praying to restrain PGCIL from taking any coercive step/action against the Petitioner till the disposal of the Petition. Considering the submissions of the Petitioner, the Commission directed PGCIL not to take any coercive action against the Petitioner till next date of hearing subject to the Petitioner keeping the Bank Guarantee valid and alive. Accordingly, the Commission disposed of IA No. 46/2020

6. The Commission directed PGCIL to submit the following information along with its reply:

(a) Status of the Petitioner's dedicated transmission line as informed to it by the petitioner, and



(b) Status of associated bays and all ISTS elements, with actual/expected commissioning dates, required for providing granted connectivity and operationalization of granted LTA to the Petitioner's project.

7. The due date of filing of reply, rejoinder and information should be strictly complied with.

8. 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)

