

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 161/MP/2024

Coram:

**Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V, Member
Shri Harish Dudani, Member**

Date of Order: 06.03.2025

In the matter of:

Petition under Section 79 of the Electricity Act, 2003, read with Section 38 and Regulations 15.1 and 23.1 read with 4.1 and 17.1 of the General Network Access Regulations, 2022, thereby imploring this Hon'ble Commission to exercise its regulatory powers for the purpose of facilitating the Petitioner's subsidiaries and group companies in utilizing the existing GNA/ connectivity of the Petitioner at Jam Khambhaliya ISTS substation, in part or full

And

In the matter of:

M/s. Reliance Industries Limited
PO Motikhavadi, Meghpar
Padana Gagva, Jamnagar, Gujarat-361140

.....Petitioner

Versus

Central Transmission Utility of India Limited
Plot No.2, Sector-29,
Gurugram, Haryana- 122001

....Respondent

Parties Present:

Shri Sanjay Sen, Sr. Advocate, RIL
Shri Hemant Singh, Advocate, RIL
Ms. Supriya Rastogi, Advocate, RIL
Ms. Lavanya Panwar, Advocate, RIL



Shri Nishant Kumar, Advocate, RIL
Shri Harshit Singh, Advocate, RIL
Shri Syed Fazal, Advocate, RIL
Shri Nishant Kumar, Advocate, RIL
Shri Jay, Advocate, RIL
Shri Gyanendra, Advocate, RIL
Shri Sandeep Kumar, Advocate, RIL
Shri Ramesh Kumar, Advocate, RIL
Shri Rohit Raj, Advocate, RIL
Shri Shailendra Singh, Advocate, RIL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Astha Jain, Advocate, CTUIL
Ms. Divya Sharma, Advocate, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Shri Akshayvat Kislav, CTUIL
Ms. Priyanshi Jadiya, CTUIL

ORDER

Reliance Industry Limited (RIL) has filed the instant Petition under Section 79 of the Electricity Act, 2003, read with Section 38 and Regulations 15.1 and 23.1 read with Regulations 4.1 and 17.1 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 (“hereinafter referred as GNA Regulations”), praying the Commission to exercise its regulatory powers, for the purpose of facilitating the Petitioner’s subsidiaries and group companies in utilizing the existing GNA/ connectivity of the Petitioner at Jam Khambhaliya ISTS substation, in part or full.

2. The Petitioner has made the following prayer in the Petition:
- i. Pass appropriate orders in order to allow a GNA grantee, having GNA operationalising from a later date, to utilise the GNA quantum of its parent/ subsidiary company which are connected at the same connection point of ISTS, as pleaded in the present petition*
 - ii. Pass appropriate order to allow a drawee entity connected to STU to utilise existing GNA of another entity without having to independently mandatorily apply for GNA, as pleaded in the present petition; and*
 - iii. Pass any other or further orders as this Hon'ble Commission may deem fit in the present facts and circumstances of the case and in the interest of justice.*



Submissions of Petitioner

3. Petitioner has made the following submissions:
- a) Petitioner Reliance Industry Limited (RIL) has been granted connectivity of 1200 MW to ISTS Jam Khambhaliya Substation for its Jamnagar facility (oil refinery with a total load of ~1450 MW and captive generating plant). For the purpose of the aforesaid connectivity, construction of a transmission line (through a transmission licensee-PGCIL) is required from ISTS Jam Khambhaliya Substation to the CTUIL receiving Substation at Jamnagar facility of the Petitioner. Petitioner also applied for Long Term Access (LTA) of 1200 MW, which was granted on 17.03.2023.
 - b) After the effectiveness of the GNA Regulations from 05.04.2023, the Petitioner has applied for conversion of its LTA of 800 MW out of 1200 MW (200+ 200 + 500 +300) into GNA, in phases, viz., 500 MW starting from 01.10.2024 and 300 MW starting from 01.03.2026 in terms of Regulation 37.3 of the GNA Regulations. As on date, the Petitioner has an existing connectivity cum GNA at ISTS Jam Khambhaliya Substation.
 - c) CTUIL on 31.10.2023 granted GNA for 50 MW to the Petitioner's subsidiary Reliance New Solar Energy Limited (RNSEL) as a bulk consumer, with effect from 01.03.2028. RNSEL has a requirement of GNA from 01.10.2024 onwards, and hence RNSEL intends to utilise a part of the granted 500 MW GNA of the Petitioner for its immediate requirements from 01.10.2024 by using Petitioner's physical connectivity at the ISTS connection point, in terms of Regulation 15.1 of the GNA Regulations.
 - d) There are various other plants of the Petitioner and subsidiaries companies of the Petitioner located within the Western Region, which are connected to Intra State Transmission System (InSTS) and hence are eligible to apply for GNA under Regulation 17.1(ii), but are currently not GNA grantees. Petitioner has surplus GNA and hence, intends to permit utilisation of a part of the above granted 500 MW GNA by such other entities located within the Western Region, connected to InSTS, in terms of Regulation 23.1 of the GNA Regulations.
 - e) Regulation 23.1 of the GNA Regulations would be ordinarily applicable in case of a GNA grantee in need of additional GNA; the same benefit is not available in case of a non-GNA grantee, already connected at STU and eligible to take GNA as per Regulation 17.1 (ii). Consequently, such STU-connected entities, in order to utilise the existing surplus GNA of another entity/ parent entity/ group company for not



more than one year, have to mandatorily take GNA, which is available for a minimum period of more than 11 months, and consequently bear extra charges. Additionally, such an entity may also have to bear relinquishment charges.

- f) Petitioner may be allowed to permit the use of its GNA in part or in full by the other entities situated in the Western Region, which are not a GNA grantee, by using their STU connectivity, without having to necessarily take a fresh GNA under the GNA Regulations. The Petitioner is seeking relaxation of the Regulation 23.1 of the GNA Regulations, to the extent the same requires a drawee entity connected to STU to mandatorily apply for GNA in order to utilise existing GNA of another entity as long as they are eligible for GNA and connected with the transmission system. Regulation 23.1 of the GNA Regulations, which allows an entity to utilise the surplus GNA of another entity, is drafted keeping in mind the goal of optimum utilisation of the transmission asset, which in turn will ensure an economical and efficient transmission system. However, if an STU-connected drawee entity is denied utilisation of the surplus GNA of another grantee without applying for mandatory GNA, the same will defeat the very intent of Section 38 of the Act.
- g) Petitioner, vide its letter dated 23.01.2024 to the Respondent CTUIL, requested for allowing the Petitioner to permit the use of its existing GNA quantum in part or in full in terms of Regulation 15.1 and 23.1 by its subsidiary, i.e., RNSEL and other entities connected to STU situated in Western Region. However, to date, no response has been received from CTUIL. Hence, left with no other option, the Petitioner is filing the present petition
- h) The Commission, in terms of Regulations 41 and 42 of the GNA Regulations, has the power to relax any of the provisions of the said Regulation and also to remove difficulty, if any, in giving effect to the objectives of the aforesaid Regulations.

Hearing on 08.05.2024

- 4. The Commission admitted the Petition.

Hearing on 05.06.2024

- 5. Learned counsel for the Respondent, CTUIL, sought liberty to file its reply in the matter. Learned counsel also submitted that if the Commission so deems fit, GCIL



may also be impleaded in the said matter, and its views/comments may be invited & considered on the subject matter involved therein. In response, learned counsel for the Petitioner indicated that views of GCIL in Petition No. 161/MP/2024 may not be necessary as the issue merely involves the utilisation of existing GNA/connectivity of the Petitioner at Jam Khambhaliya by its subsidiaries or group companies.

6. The Commission directed CTUIL to file its reply in the matter.

Submissions of Petitioner

7. Petitioner vide Note of Submission dated 24.06.2024 has reiterated its earlier submissions.

Submissions of Respondent CTUIL

8. Respondent CTUIL vide affidavit dated 25.06.2024 has mainly submitted as below:
 - a) Subsequent to the notification by this Commission of the GNA Regulations, the Petitioner has transitioned 800 MW out of 1200MW connectivity and LTA granted under the 2009 Connectivity Regulations to GNA under the GNA Regulations, and at present, the Petitioner has an existing GNA of 800 MW with 500 MW starting from 1.10.2024 and 300 MW starting from 1.3.2026.
 - b) The general rule laid down in Regulation 15 was that except as provided in the Regulations, connectivity, once granted (together with its associated rights and obligations), could not be transferred in full or in part to any person. However, in the case of a parent company and its subsidiary, the connectivity granted to one could be utilized by the other, and where the parent company or its subsidiary had been granted GNA as a bulk consumer [under Regulation 17.1(iii)], the said GNA could be utilized by such parent company and its subsidiary if they were connected to the same connection point of ISTS.
 - c) Regulation 17.1(iii), referred to in Regulation 15.1, laid down the eligibility for the grant of GNA and, under clause (iii) thereof, made a bulk consumer "seeking to connect to ISTS" directly with a load of 50 MW and above, eligible for grant of GNA or for enhancement of the quantum of GNA. The said Regulation, from its clear terms, was applicable for the grant of fresh GNA under the GNA Regulations where



the applicant was "seeking to connect to ISTS" and was not applicable in cases where the applicant (such as the present Petitioner) was already connected to the ISTS under the Connectivity Regulations and had converted such connectivity to connectivity under the GNA Regulations; RNSEL was in any case not a GNA grantee. The applicability of Regulation 15.1 to fresh GNA grants alone also became clear from the provisions of Regulation 17.2, which governed the cases of entities already connected to the ISTS. It followed that when Regulation 15.1 permitted the utilization of a connectivity/GNA granted to the parent company by its subsidiary or vice versa, such permission did not extend to cases where GNA had not been granted under Regulation 17.1 (iii). The provision, therefore, did not inure to the benefit of the Petitioner or its subsidiary RNSEL for utilization of the converted GNA of the Petitioner.

- d) Vide its letter dated 3.05.2023, RNSEL submitted its proposal to Respondent CTUIL under Regulation 37.1 of the GNA Regulations for conversion of its connectivity application for 600 MW to GNA of 50 MW. The said proposal was discussed in the 21st CMETS-WR held on 28.8.2023 and 29.8.2023, wherein it was agreed to grant 50 MW GNA to RNSEL as a bulk consumer under the GNA Regulations. Accordingly, CTUIL vide its letter dated 31.10.2023, informed the conversion of 50 MW connectivity to GNA to RNSEL with a request for submitting the applicable connectivity bank guarantees (Conn-BGs) within one month.
- e) Vide its letter dated 23.01.2024, the Petitioner informed Respondent CTUIL that:
- i. Out of the 500 MW GNA as a bulk consumer with a start date as 1.10.2024, it intended to transfer a part thereof for use (for around six months) of other entities within the Western Region who were connected to STU and were not themselves GNA grantees, which was permissible under Regulation 23 of the GNA Regulations.
 - ii. A part of the GNA quantum granted to the Petitioner was intended to be transferred for use by RNSEL who had been granted connectivity at the same ISTS pooling station where the Petitioner had been granted such connectivity, which was permissible under Regulation 15 of the GNA Regulations.

The Petitioner accordingly sought confirmation from CTUIL on the aforesaid intended use of the Petitioner's GNA. The said intended use of its GNA by the



Petitioner was not permitted for the reasons set out in details hereinabove, and as such, no confirmation as requested by the Petitioner from CTUIL was warranted.

- f) The provisions of Regulation 17.1 are applicable only in cases of fresh GNA grants under the GNA Regulations, and as such, Regulation 23.1 (which applies to GNA grants under Regulation 17.1) is not available to entities such as the present Petitioner for permitting the use of their GNA grants by other GNA grantees. What the Petitioner is thus seeking from this Commission is a regulatory prescription that is not available under the GNA Regulations and, for that purpose, has wrongly invoked the 'power to relax' vested in this Commission, which, as per settled legal position, cannot be exercised so as to bring about an amendment in the said Regulations. That being so, its plea before this Commission is inadmissible and is liable to be rejected as such.

Hearing on 27.06.2024

9. The Commission directed the Petitioner, in respect of the prayer(b) under this Petition, to submit the list of drawee entities and the name of the STU substation where the drawee entity is connected.

Submissions of Petitioner

10. Petitioner vide affidavit dated 17.07.2024 has filed Rejoinder, as under:
- a) The contention of the CTUIL that “the Petitioner and RNSEL are not fresh GNA grantee under Regulation 17.1(iii); thus, the same are not eligible under Regulation 15.1 for transferring or sharing of GNA of each other” is misplaced as the CTUIL is trying to create an absurdity by misinterpreting and standalone reading of the Regulations of the GNA Regulations.
- b) As such, reference to Regulation 17.1(iii) anywhere under provisions of the GNA Regulations (which includes Regulation 15.1) is a reference to Bulk Consumers as a category irrespective of the fact that such Bulk Consumer is a fresh GNA grantee or has transitioned/ converted its connectivity/ LTA/ application for connectivity into GNA.
- c) Regulation 37 of the GNA Regulations covers various scenarios where it facilitates the transition of entities from earlier regimes into GNA. If the applicant chooses to



convert its application, the same can be done by complying with the requirements under these Regulations, after which the application will be processed in accordance with the provisions of the present Regulations. This would mean once an entity, e.g., a Bulk Consumer, is transitioned under Regulation 37.1, its application for connectivity will be treated as a fresh application as the same will have to be processed under GNA Regulations. This will attract the provisions of Regulation 20 (application for grant of GNA) and 22 (Grant of GNA), including provisions for Conn BG, the effective date of GNA, etc. A close reading of the provisions of Regulation 20 and 22 will make it clear that it only refers to entities covered under clauses (ii) and (iii) of Regulation 17.1. If the provisions of Regulation 20 and 22 only apply to Bulk consumers who are fresh GNA grantees, as is the case of CTUIL, then in that case, what will happen to bulk consumers who are transitioning from an earlier regime into GNA?

- d) The provisions of Regulation 37.6 only refer to generators (Regulation 4.1). However, by way of an order dated 22.09.2023 passed by this Commission in 11/SM/2023, entities covered under Regulation 17.1(iii) are now covered under Regulation 37.6 for conversion of their effective connectivity from the earlier regime into GNA by applying for additional GNA under Regulation 17.2 of the GNA Regulations. This would mean that the grant of GNA under Regulation 17.2, which is otherwise not applicable to Bulk Consumers (as it excludes the entities covered under Regulation 17.1), is made applicable to Bulk Consumers having effective connectivity under the older regime by virtue of Regulation 37.6 read with the aforesaid order of the Commission. Further, the use of Regulation 17.1(iii) by this Commission in the above order once again clearly implies that the transitioned or converted Bulk Consumer is also included under 17.1(iii), and it does not only apply to Fresh Bulk Consumers. Hence, the averments made by CTUIL in its reply are irrational and misleading, and the same deserves to be rejected.

Petitioner, vide affidavit dated 17.07.2024, has submitted the proposed list of drawee entities for which it intends to use GNA granted to another entity under Regulation 23 of the GNA Regulations and name of the STU substation where such drawee entities are connected

Hearing on 13.08.2024

11. The Commission reserved the matter for order.



12. Petitioner, vide Written Submission dated 23.08.2024, has reiterated its earlier submission.

Analysis and Decision

13. We have considered the submissions of the Petitioner and Respondent and perused the regulatory provisions and the facts available on the record.
14. The following issues arise for our consideration:

Issue No.1 -- Whether a subsidiary can be permitted to utilise the GNA quantum of its parent company at the same connection point of ISTS?

Issue No. 2 – Whether a drawee entity connected to STU be allowed to utilise the existing GNA of another entity without having to independently mandatorily apply for GNA?

The above issues are dealt with in the succeeding paragraphs.

Issue No.1 - Whether a subsidiary can be permitted to utilise the GNA quantum of its parent company at the same connection point of ISTS?

15. Petitioner has submitted that subsequent to the transition of LTA from 2009 Connectivity Regulations to the GNA Regulations, the Petitioner has GNA for 800 MW, out of which 500 MW GNA is effective from 01.10.2024 and 300 MW GNA would be effective from 01.03.2026. The subsidiary of the Petitioner RNSEL has also been granted GNA for 50 MW as a bulk consumer with effect from 01.03.2028. RNSEL is required to use GNA from 01.10.2024 onwards and, accordingly, intends to utilize a part of the above granted 500 MW GNA of the Petitioner, i.e., the Parent company of RNSEL, for its immediate requirement from 1.10.2024.
16. Petitioner has submitted that its subsidiary, i.e., RNSEL, be allowed to utilise the existing GNA of its parent company in part or in full by using the physical connectivity of the Petitioner, where the subsidiary company, RNSEL, is also granted GNA (accordingly, it is a GNA Grantee) and hence connectivity at the same interconnection point, thereby meeting the requirement of Regulation 15.1 of the GNA Regulations.
17. CTUIL has submitted that Regulation 15.1 of the GNA Regulations is applicable for the grant of fresh GNA under the GNA Regulations where the applicant was



"seeking to connect to ISTS" and is not applicable in cases where the applicant is already connected to the ISTS under the 2009 Connectivity Regulations and had converted such connectivity to a connectivity/GNA under the GNA Regulations. The provision, therefore, did not inure to the benefit of the Petitioner or its subsidiary RNSEL for utilization of the converted GNA of the Petitioner.

18. Petitioner, vide its rejoinder, has submitted that reference to Regulation 17.1(iii) anywhere under provisions of the GNA Regulations (which includes Regulation 15.1) is a reference to Bulk Consumers as a category irrespective of the fact that such Bulk Consumer is a fresh GNA grantee or has transitioned/converted its connectivity/ LTA/ application for connectivity into GNA. Petitioner has submitted that if the provisions of various regulations of the GNA Regulations only apply to Bulk consumers who are fresh GNA grantees, as contended by the CTUIL, it would lead to absurdity as there would be no treatment for bulk consumers who are transitioning from earlier regime into GNA.
19. We have considered the submission of the Petitioner and the Respondent.
20. Petitioner RIL was granted Connectivity for 1200 MW and LTA for 1200 MW (multiple applications) under the 2009 Connectivity Regulations. On the effectiveness of the GNA Regulations, Petitioner vide letter dated 3.05.2023 requested CTUIL to convert its LTA of 500 MW and 300 MW into GNA under Regulation 37.3 of the GNA Regulations. CTUIL vide letter dated 22.09.2023 converted LTA to deemed GNA for various entities, including Petitioner under Regulation 37.3 of the GNA Regulations. The relevant extract of the CTUIL letter dated 22.09.2023 is as under:



(पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व में)
(भारत सरकार का उद्यम)

CENTRAL TRANSMISSION UTILITY OF INDIA LTD.
(A wholly owned subsidiary of Power Grid Corporation of India Limited)
(A Government of India Enterprise)

Ref. No.: CTU/W/05/37.3

Date: 22-09-2023

To,

As per distribution list

Sub: Conversion of Long Term Access (LTA) granted under Connectivity Regulations, 2009 to deemed GNA under Regulation 37.3 of GNA Regulations, 2022

Sir,

This is in continuation to our notice for "Transition of Connectivity/LTA/MTOA in line with CERC (Connectivity and GNA to the ISTS) Regulations, 2022" dated 13-04-2023 wherein requisite compliances for different provisions of Regulation 37 were published on the CTU website.

As per Regulation 37.3 of GNA Regulations, if the entity exercises the option to convert the Long Term Access (LTA) granted under the Connectivity Regulations, 2009 as GNA under GNA Regulations, they were required to furnish applicable Conn-BG(s) within two (2) months of exercising such option. Also vide email dated 23-06-2023, the entities under Regulation 37.3 had been requested to furnish the applicable Conn-BG(s). Thereafter, details regarding submission of Conn-BG(s) by entities under Regulation 37.3 were also published on CTU website on 27-06-2023.

Details of deemed GNA of such entities were also deliberated in the 20th CMETS of WR held on 04-08-2023, wherein applicability of Conn-BGs was informed. The list of all such entities of WR whose GNA is deemed to have been granted under Regulation 37.3 of GNA Regulations, 2022, upon submission of applicable Conn-BG(s) is attached at Annexure-I.

भवदीय / Yours faithfully,

Annexure-I

Grant of deemed GNA to WR entities as per Regulation 37.3 of GNA Regulations, 2022

Sl. No.	Name of Entity	Name of ISTS Pooling Station at which connectivity granted/ connected	Connectivity Appl. No.	Connectivity granted under CERC Connectivity Regulations, 2009 (MW)	LTA appl. No.	LTA granted under CERC Connectivity Regulations, 2009 (MW)	Connectivity granted under Regulation 37.3 of GNA Regulations, 2022 (MW)
1.	Rewa Ultra Mega Solar Limited (Agar Solar Park)	Pachora SEZ PP	1200003154	550	1200003174 (550+450W)	550	550
2.	Reliance Industries Ltd (Bulk consumer)	Jam Khambhaliya PS	1200002871	500	167222771024 6 (500MW)	500	500



Sl. No.	Name of Entity	Name of ISTS Pooling Station at which connectivity granted/ connected	Connectivity Appl. No.	Connectivity granted under CERC Connectivity Regulations, 2009 (MW)	LTA appl. No.	LTA granted under CERC Connectivity Regulations, 2009 (MW)	Connectivity granted under Regulation 37.3 of GNA Regulations, 2022 (MW)
14.	NTPC Renewable Energy Limited (NREL)	KPS-2	1200003953 (890MW)	890	0430700002 (500)	500	500
15.	NTPC Renewable Energy Limited	Bhuj PS	230700003	150	430700003 (300+150MW)	150	150
16.	Reliance Industries Limited (RIL)	Jam Khambhaliya PS	0030700005 (300+200+200)	300	167231823707 0 (300MW);	300	300

21. Let us peruse the relevant regulations of the GNA Regulations:

(a) Relevant extract of Regulations 37.3 of the GNA Regulations is as under:

“37.3. If Connectivity and Long Term Access have been granted in accordance with the Connectivity Regulations, 2009 but either both Connectivity and Long term Access are yet to become effective or Connectivity is effective and Long term access is yet to become effective as on the date of coming into effect of these regulations, the same shall be treated as under:

.....

(2) Where Long term Access has been granted on the existing system, the treatment of such Long term Access and corresponding quantum of Connectivity shall be as under:

(a) The entity shall have the option of, either (i) to convert the Long term Access granted under the Connectivity Regulations, 2009 as GNA under these Regulations, or (ii) to surrender such Long term Access.

.....

(d) In case, the entity exercises the option (i) of clause (a) of this Regulation to convert the Long term Access granted under the Connectivity Regulations, 2009 as deemed GNA under these Regulations, it shall furnish Conn-BG1 for Rs. 50 lakhs and Conn-BG3 @ Rs. 2 lakh/MW corresponding to such Long term Access quantum within two (2) months of exercising such option. In case any Conn-BG2 has been furnished under the Connectivity Regulations, 2009, the same shall be treated as Conn-BG2 under these regulations. Subsequent treatment of Conn-BG1, Conn-BG2 and Conn-BG3 shall be in terms of Regulations 16.1 to 16.4 of these regulations. Bank Guarantee, if any, furnished by such entity under the Connectivity Regulations, 2009 shall be adjusted:

Provided that for an entity covered under subclauses (i), (ii) and (v) of Regulation 17.1 of these Regulations, Conn-BG1 and Conn-BG3 shall be returned within one month of date of effectiveness of GNA and for an entity covered under Regulation 17.1(iii), Conn-BG1 and Conn-BG3 shall be treated in terms of Regulations 16.5 of these regulations.

(e) On furnishing of Conn-BG1 and Conn-BG3 under clause (d) of this Regulation, the Long term access shall be treated as GNA deemed to have been granted under these regulations and the existing agreements between the entity and the Nodal Agency shall be aligned with provisions of these regulations.

....

(g) The quantum of Connectivity for the quantum of Long term access which has been converted into GNA under clause (e) of this regulation, shall be treated as Connectivity granted under these regulations.



.....”
As per the above, an applicant who has been granted Connectivity and LTA under 2009 Connectivity Regulations but either both Connectivity and LTA are yet to become effective, or Connectivity is effective, and LTA is yet to become effective as on the date of coming into effect of the GNA Regulations, may convert its LTA as GNA under the GNA Regulations.

(b) Relevant extract of Regulation 17 of the GNA Regulations is as under:

“17. Eligibility for GNA

17.1. The following entities shall be eligible as Applicants to apply for grant of GNA or for enhancement of the quantum of GNA:

(i) State Transmission Utility on behalf on intra-State entities including distribution licensees;

(ii) A drawee entity connected to intra-State transmission system;

(iii) A distribution licensees or a Bulk consumer, seeking to connect to ISTS, directly, with a load of 50MW and above;

(iv) Trading licensees engaged in cross border trade of electricity in terms of the Cross Border Regulations;

(v) Transmission licensee connected to ISTS for drawal of auxiliary power.

(vi) An injecting entity which is granted Connectivity to intra-State transmission system and seeking GNA for purpose of injection into ISTS.”

As per above, Regulation 17.1 provides the entities that are eligible as an applicant to apply for a grant of GNA.

22. We observe that broadly, ISTS-connected entities are either injecting entities, which are covered under Regulation 4.1 of the GNA Regulations, or drawee entities, which are covered under Regulation 17.1 of the GNA Regulations. Once an injecting entity or a drawee entity has been transitioned as per the provisions of transition under the GNA Regulations, all other provisions applicable for such category of grantees become applicable. There are various provisions related to the submission of Conn-BGs, one-time GNA charges, relinquishment, etc., all of which would be as per the GNA Regulations. The contention of the CTUIL that Petitioner is not covered under Regulation 15.1 of the GNA Regulations since it is a transitioned entity and not a fresh grantee under the GNA Regulations is not acceptable.

23. Regulation 15.1 of the GNA Regulations provides as under:

“15. Transfer of Connectivity

15.1 A Connectivity grantee shall not transfer, assign or pledge its Connectivity and the associated rights and obligations, either in full or in parts, to any person except as provided under Regulations 15.2 and 15.3 for these regulations:



Provided that Connectivity granted to a parent company may be utilised by its subsidiary companies and Connectivity granted to a subsidiary may be utilised by its parent company:

Provided further that where a bulk consumer has been granted GNA under Regulation 17.1(iii), GNA granted to such Bulk consumer may be utilized in part or full by its subsidiaries or vice versa, if such bulk consumer and its subsidiaries are connected at the same connection point of ISTS.”

As per the above, GNA granted to a bulk consumer, which is an entity covered under Regulation 17.1(iii), may be utilized in part or full by its subsidiaries or vice versa at the same connection point of ISTS.

24. Petitioner has prayed to allow its subsidiary RNSEL to utilize GNA granted to the Petitioner. RNSEL has been granted GNA from 1.03.2028 at Jam Khambaliya substation at the same connection point as that of RIL at Jam Khambaliya, vide CTUIL letter dated 31.10.2023. The relevant extract of the CTUIL letter dated 31.10.2023 regarding intimation of the grant of 50MW GNA to RNSEL as a bulk consumer is as under:

INTIMATION FOR FINAL GRANT OF GNA UNDER REGULATION 22.2 TO ENTITIES UNDER
REGULATION 17.1 (II), (III) AND (V)

1	Intimation No.	: CTU/W/7/37.1/0030700009
	Date	: 31-10-2023
2	Ref. Application No.	: 0030700009
	Date	: 24-01-2023
3	Name of the Applicant	: Reliance New Solar Energy Limited
4	Address for Correspondence	: Shri Mukesh Rathod AVP Reliance New Solar Energy Limited 101, Saffron, Near Centre Point, Panchwati 5 Rasta, Ambawadi, Ahmedabad, Gujarat
5	Nature of the Applicant	: Bulk Consumer seeking to connect to ISTS directly
6	Details for General Network Access (GNA) requested	
a	Quantum (MW) of GNA	: 50MW (Outside region: 0 and Within region: 50MW)
b	Start date of GNA	: 01-03-2028
c	End Date of GNA	: 28-02-2033
7	Details of General Network Access (GNA) granted	
a	Quantum (MW) of GNA	: 50MW (Outside region: 0 and Within region: 50MW)
b	Start date of GNA	: 01-03-2028* (subject to the availability of Common Transmission System Augmentation for GNA)
c	End Date of GNA	: 28-02-2033
d	Through existing system or with network augmentation of system	: With network augmentation of system
e	Transmission System for GNA	: M/s RNSEL shall share the following transmission system being implemented for Connectivity system of M/s RIL (1200MW) for its bulk consumer facility at Jamnagar.

		<ul style="list-style-type: none"> RIL (Oil Refinery) (GIS) – Jam Khambhaliya (GIS) 400kV D/c (Twin HTLS conductor with a minimum capacity of 1800MW) line along with associated line bays at ISTS Jam Khambhaliya (GIS) PS end. <i>(under implementation by POWERGRID at the cost of RIL)</i> Line bays at the Bulk Consumer end are under the scope of M/s RIL. <p>Note:</p> <ol style="list-style-type: none"> The interconnecting 220kV D/c line (3-4km.) between RNSEL and RIL shall be implemented by RNSEL within RIL/RNSEL's own complex and RIL shall ensure adequate transformation capacity at its 400/220kV GIS S/s to cater to drawl requirement of both RIL and RNSEL. Scheduling & metering will be done at 400kV Jam Khambhaliya PS with separate identification/tagging of schedules for both RIL & RNSEL. However, single DSM will be prepared by WRLDC and it shall be the responsibility of M/s RIL to bifurcate the same internally between RIL & RNSEL. M/s RIL shall perform all operational and commercial responsibilities (incl. scheduling and commercial accounting) on behalf of M/s RNSEL & RIL under the Grid Code and CERC DSM Regulations for which M/s RIL needs to enter into an agreement with RNSEL for bifurcation of metering / DSM and any loss apportionment of 400kV lines, and transformers, etc. <p>Further additional Common Transmission System Augmentation for GNA given at Annexure-I shall also be required (expected SCOD: 31.03.2026; Scheme approved in 15th NCT meeting held on 25.08.2023)</p>
8	Details for GNA System	
i.	Point at which connectivity is granted	: Jam Khambhaliya PS
ii.	Voltage level of allocated terminal bay	: 400kV
iii.	Terminal bay at ISTS end already available	: No
iv.	Terminal bay at ISTS end to be constructed under ISTS	: No. <i>Line bays at Jam Khambhaliya (GIS) PS end are under implementation by POWERGRID at the cost of RIL. Refer section 7(e) for more details.</i>

As per above, RNSEL has been granted GNA at Jam Khambhaliya PS starting from 1.03.2028.

25. We have perused the minutes of the 21st CMETS meeting of WR held on 28.08.2023 which notes as follows:

“



Sl. No.	Name of Entity	Connectivity Appl. no.	Connectivity Appl. Date	Connectivity Quantum	Transition Status	Connectivity application quantum under process (without LTA) as per Regulation 37.1 (MW)	Start Date of Connectivity sought under GNA Transition	Name of ISTS Pooling Station at which connectivity is proposed	Transmission System for providing Connection to ISTS	Bay at ISTS Pooling Station being developed by (Applicant/ ISTS)	Actual Start Date of GNA	Remarks
3.	Reliance New Solar Energy Limited	30700009	24/01/23	600	Opted for Conversion to GNA (50 out of 600MW)	50 [Within region: 50MW; Outside region: 0MW]	01/03/28	400/220kV Jam Khambhaliya (GIS) PS	As mentioned below:	ISTS Licensee	01/03/28	BG requirements under GNA Regulations, 2022:

...

B. Based on the option of conversion exercised by M/s RIL under regulation 37.1, Connectivity of 50 MW which is still under process under the Connectivity Regulations, 2009 shall be treated as Connectivity, deemed to have been granted under GNA Regulations, 2022 with the following transmission system and with start date as 01/03/2028 (as requested by applicant).

1. Dedicated Transmission System for Connectivity:

M/s RNSEL shall share the following transmission system being implemented for Connectivity system of M/s RIL (1200MW) for its bulk consumer facility at Jamnagar.

- RIL (Oil Refinery) (GIS) – Jam Khambhaliya (GIS) 400kV D/c (Twin HTLS conductor with a minimum capacity of 1800MW) line along with associated line bays at ISTS Jam Khambhaliya (GIS) PS end.
- Line bays at the Bulk Consumer end are under the scope of M/s RIL.

Note:

- a. The interconnecting 220kV D/c line (3-4km.) between RNSEL and RIL shall be implemented by RNSEL within RIL/RNSEL's own complex and RIL shall ensure adequate transformation capacity at its 400/220kV GIS S/s to cater to drawl requirement of both RIL and RNSEL.
- b. Scheduling & metering will be done at 400kV Jam Khambhaliya PS with separate identification/tagging of schedules for both RIL & RNSEL. However, single DSM will be prepared by WRLDC and it shall be the responsibility of M/s RIL to bifurcate the same internally between RIL & RNSEL. M/s RIL shall perform all operational and commercial responsibilities (incl. scheduling and commercial accounting) on behalf of M/s RNSEL & RIL under the Grid Code and CERC DSM Regulations for which M/s RIL needs to enter into an agreement with RNSEL for bifurcation of metering / DSM and any loss apportionment of 400kV lines, and transformers, etc.

Common Transmission System Augmentation for GNA (System augmentation without ATS- Under the scope of ISTS):

It was mentioned that RIL has exercised option for transition under GNA for 800MW (500MW from Oct'24 & 300MW from Mar'26) as bulk consumer at Jam Khambhaliya PS. Further, M/s EET Future has exercised option for transition under GNA for 1050MW (from Mar'26) as bulk consumer at Jam Khambhaliya PS and M/s RNSEL has exercised option for transition under GNA for 50MW (from Mar'28) as bulk



consumer at Jam Khambhaliya PS. This shall result in total bulk consumer connectivity (under GNA) at Jam Khambhaliya to the tune of 1900MW. Further, vide mails dated 12.01.2023 & 16.01.2023, M/s RIL/RNSEL has informed that cumulative capacity of 6000MW load is expected at Jamnagar by Dec'28. This translates to a total drawal requirement of 7GW (incl. 1.05GW of EET Future) in Jamnagar area.

The matter was discussed in joint study meeting held amongst CEA, CTU, GRID-INDIA and GETCO on 17.02.2023 and in the 16th CMETS-WR meeting held on 27.02.2023, wherein after deliberations, transmission system was agreed to cater to Phase-I (Total 3.6GW) load in Jamnagar (~750MW) / Jam Khambhaliya (~2850MW) area and **to facilitate drawal/injection of power by GETCO from Jam Khambhaliya PS and also further to strengthen transmission system in Jam Khambhaliya area.** During the above meeting, it was also deliberated that the implementation timelines for the subject transmission shall be kept for 24 months. However, the transmission scheme shall be awarded for implementation after receipt of GNA / conversion of Connectivity into GNA beyond 1200MW in Jam Khambhaliya / Jamnagar complex. Now conversion of Connectivity into GNA to the tune of 1900MW has been received at Jam Khambhaliya and the proposed scheme is proposed to be implemented in matching time-frame of GNA applications viz. Mar'26 subject to minimum implementation time-frame of 24 months.

It was informed that the following scheme has been planned to enable evacuation of 3.6 GW load under phase-I in Jamnagar area of Gujarat and the same was discussed and agreed in 15th NCT meeting held on 25.08.2023 (MOM awaited).

- Establishment of 2X1500 MVA 765/400 kV Jamnagar (GIS)
- Halvad – Jamnagar 765kV D/c line
- LILO of Jam Khambhaliya PS – Lakadia 400kV D/c (triple snowbird) line at Jamnagar with conductor having ampacity equivalent to triple snowbird at nominal voltage]
- Jamnagar – Jam Khambhaliya 400kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line
- LILO of CGPL – Jetpur 400kV D/c (triple snowbird) line at Jamnagar with conductor having ampacity equivalent to triple snowbird at nominal voltage
- LILO of both ckts of Kalavad – Bhogat 400kV D/c line (Twin AL-59) at Jam Khambhaliya PS with Twin AL59 Moose equivalent conductor
- ±400MVAr STATCOM with 3x125 MVAr MSC & 2x125 MVAr MSR at Jamnagar 400kV Bus section

Tentative Commissioning schedule of the above transmission system: 31.03.2026

Date from which Connectivity to be granted: 01.03.2028*.

**The date of commencement of Connectivity under GNA is Interim. The timeline for completion of ATS/ Common Transmission System Augmentation /Terminals bay(s) (if not under implementation) as applicable along with firm date for start of connectivity shall be intimated within 6 months of furnishing of Conn-BG 1 (in case of Augmentation with ATS) and Conn-BG1, Conn-BG2 & Conn-BG3, (as applicable, in case of Augmentation without ATS) in line with Regulation 8.3 b of GNA Regulations.*

It was informed that liability of payment of applicable transmission charges shall as per CERC sharing Regulations, 2020.

The Applicant/Members agreed to the above.”



As per the above, it is observed that RNSEL is not yet connected to ISTS and has been granted Connectivity from 1.03.2028. We note that for an entity under regulation 17.1(iii) of the GNA Regulations, i.e., a Bulk consumer or a distribution licensee seeking to connect to ISTS makes an application for GNA in which application for connectivity is ingrained in the GNA application. In the instant case, RNSEL transitioned from the 2009 Connectivity Regulations to the GNA Regulations, opting to convert to 50 MW GNA quantum and, after such conversion, is referred to as an entity under Regulation 17.1(iii) of the GNA Regulations. We note from the aforementioned minutes that the scheduling, metering, and DSM treatments for the Petitioner and RNSEL have been recorded.

26. We have perused Regulation 15.1 of the GNA Regulations, and we are of the considered view that under the second proviso to Regulation 15.1 of the GNA Regulations, Petitioner's subsidiary company RNSEL is eligible to utilize the GNA quantum granted to the Petitioner (Parent company of RNSEL) since the subsidiary wishes to utilise GNA quantum granted to parent at the same connection point of ISTS. We also observe that in order to utilize the GNA of Petitioner RIL connected at Jam Khambaliya under Regulation 15.1 of the GNA Regulations, RNSEL is required to get connected to ISTS at the same connection point of ISTS. For utilization of such GNA by a subsidiary under Regulation 15.1. of the GNA Regulations, a subsidiary need not have a separate GNA. However, such a subsidiary is required to get connected in order to operationalize such utilisation. While getting connected, such a subsidiary is required to provide all connection details/technical data to CTUIL/Grid India as per extant Regulations. Further, there may be a need for separate scheduling for the quantum of GNA utilized by the subsidiary and by the Parent based on their contracts. We are of the considered view that the parent who has obtained GNA should take all responsibility for complying with the requirements of the Grid Code, including scheduling for the subsidiary.

27. We are of the considered view that there is a need to formulate a detailed Procedure where the modalities for such utilization of GNA of parent by subsidiaries or vice versa (as per provision of regulation 15.1 of the GNA Regulations) by a Bulk consumer which is an entity under regulation 17.1(iii) of the GNA Regulations, is clearly provided for. There are issues such as scheduling, metering and DSM

treatments (as has been discussed in the CMETS meeting quoted above in the instant case) to be incorporated into the said Procedure. We direct NLDC and CTUIL to formulate a detailed Procedure in this regard within a month of the issue of this Order and, after stakeholders' consultation, duly considering suggestions of stakeholders, submit the Procedure for approval of the Commission within a period of 2 months of the issue of this Order.

28. Considering the provisions of Regulation 15.1 of the GNA Regulations and the modalities of connectivity/GNA granted to RNSEL discussed during above quoted CMETS meeting, we direct as follows:

- i. RNSEL shall be permitted to utilize GNA granted to its parent RIL. RIL shall act as Lead Bulk consumer, which shall be responsible for complying with requirements of the Grid Code, including scheduling and coordinating with RLDC for its subsidiary RNSEL.
- ii. CTUIL shall process the connection of RNSEL to ISTS prior to 1.03.2028 to enable utilization of GNA under Regulation 15.1 of the GNA Regulations.
- iii. RNSEL shall process all the connection requirements to ISTS as per CEA standards and CERC Regulations as communicated by CTUIL.
- iv. Scheduling, metering, and DSM arrangements shall be as agreed in the 21st CMETS meeting.
- v. Petitioner shall furnish an agreement between RIL and RNSEL specifying the quantum of GNA to be utilized along with the period of utilization.
- vi. All liabilities, including that for transmission charges for the GNA of RIL shall remain with the original grantee RIL.
- vii. Registration with RLDC as required under CERC RLDC fees and Charges Regulations 2024 shall be done by RNSEL.
- viii. The above dispensations shall be subject to meeting requirements of other regulations, including the CERC (Indian Electricity Grid Code) Regulations 2023.

29. It is clarified that the onus of providing necessary documents to CTUIL to establish that RNSEL is a subsidiary of the Petitioner under the Company's Act shall be with the Petitioner.



30. This issue is answered accordingly.

Issue No. 2 – Whether a drawee entity connected to STU be allowed to utilise the existing GNA of another entity without having to independently mandatorily apply for GNA?

31. Petitioner has submitted that there are various other plants and subsidiaries companies of the Petitioner located within the Western Region, which are connected to Intra State Transmission System (InSTS) and hence are eligible to apply for GNA under Regulation 17.1(ii) but is currently not GNA grantees.
32. Petitioner has submitted that it intends to permit utilisation of a part of GNA granted for 500 MW by such other plants of the Petitioner and subsidiaries companies of the Petitioner, located within the Western Region, which are not GNA grantees, by using their STU connectivity, in terms of Regulation 23.1 of the GNA Regulations, without having to necessarily take a fresh GNA. The Petitioner is seeking relaxation of Regulation 23.1 to the extent of the requirement that a drawee entity connected to STU mandatorily apply for GNA in order to utilise the existing GNA of another entity, as long as the entity is eligible for GNA and connected with the transmission system.
33. CTUIL has submitted that the regulatory framework authorizes only an existing GNA grantee to use GNA full or in part of the original GNA grantee provided that the liability for payment of transmission charges is to continue to be with the original GNA grantee; in the present case, the drawee entities are not existing GNA grantees. The regulatory prescription sought by the Petitioner is not available under the GNA Regulations, and for that purpose, the Petitioner has wrongly invoked the 'power to relax' vested in this Commission, which, as per settled legal position, cannot be exercised so as to bring about an amendment in the said Regulations.
34. We have considered the submission of the Petitioner and the Respondent CTUIL. Regulation 23.1 of the GNA Regulations provides as under:

“23.1. An entity covered under clauses (i) to (v) of Regulation 17.1 which is a GNA grantee, may authorise other entities covered under clauses (i) to (v) of Regulation 17.1 which are GNA grantee(s), to use its GNA, in full or in part, with prior approval of the Nodal Agency, for a period not exceeding 3 (three) years at a time on mutually agreed terms and conditions:

Provided that payment liability for transmission charges shall continue to be with the original GNA grantee that authorised its GNA to be used by other GNA grantee(s):

Provided further that for the purpose of calculating the transmission deviation charges under the Sharing Regulations, GNA authorised to be used by other GNA grantee(s)



shall be reduced from original GNA grantee that authorised its GNA to be used by other GNA grantee(s) and shall be added to GNA of other GNA grantee(s) which is using it.”

As per the above, a GNA grantee, covered under clauses (i) to (v) of Regulation 17.1, with prior approval of the Nodal Agency, may authorise another GNA grantee, covered under clauses (i) to (v) of Regulation 17.1, to use its GNA, in full or in part, for a period not exceeding 3 (three) years.

Thus, in terms of the provision under the GNA Regulations, only a GNA grantee can utilize the GNA of the other GNA grantee.

35. The Petitioner is seeking to allow the utilization of its GNA by the other drawee entities connected with InSTS and which are not a GNA grantee under provisions of Power to relax the GNA Regulations.
36. We are of the considered view that the use of GNA by a non-GNA grantee is a sectoral issue with wider ramifications, and hence, a considered view needs to be taken after a wider stakeholders' consultation. Accordingly, we are not inclined to exercise our powers to relax and powers to remove difficulty to allow the prayed for dispensation. Accordingly, the second prayer of the Petitioner is rejected.
37. This issue is answered accordingly.
38. The Petition No. 161/MP/2024 is disposed of in terms of the above.

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson

