

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 36/MP/2016

- Subject : Section 38(2) of the of the Electricity Act, 2003 read with Section 79(1)(c) and Section 79(1)(k) of the Act, along with (i) Central Electricity Regulatory Commission (Grant of Regulatory Approval for execution of Inter-State Transmission Scheme to Central Transmission Utility) Regulations, 2010; (ii) Regulation 111 & 114 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations,1999 and (iii) Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 for Grant of Regulatory approval for execution of the Transmission System for Ultra Mega Solar Power Park at Tumkur (Pavagada), Karnataka.
- Date of hearing : 12.4.2016
- Coram : Shri Gireesh B.Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
- Petitioner : Power Grid Corporation of India Limited
- Respondents : Karnataka Solar Power Development Corporation Ltd. and others
- Parties present : Shri Amit Bhargana, PGCIL
Shri Aryman Saxena, PGCIL
Shri Sandeep Kumawat, PGCIL
Shri Jigesh, PGCIL
Shri S.Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

The representative of the petitioner submitted that the present petition has been filed seeking regulatory approval for execution of transmission system associated with Solar Power Parks at Tumkur, Karnataka. He further submitted as under:

- (a) Karnataka Solar Power Development Corporation Private Limited, a joint venture company of Karnataka Renewable Energy Development Limited and Solar Energy Corporation Ltd has made an application for grant of connectivity/LTA for 2000 MW.

(b) The transmission scheme for evacuation of solar power from Ultra Mega Solar Parks was discussed and agreed in the 39th meeting of Standing Committee on Power System Planning of Northern Region held on 28-29/12/2015.

(c) All the requirements for grant of regulatory approval have been complied with.

(d) Copy of the petition has already been served on the respondents to file their replies.

2. Learned counsel for TANGEDCO sought permission to file reply to the petition. Learned counsel further submitted as under:

(a) Ministry of Power in its letter dated 12.12.2014 has spelt out that if the capital expenditure for the evacuation network is high, than a separate proposal may also be considered for funding from National Clean Energy Fund, Green Corridor programme or any other source. Moreover, TANGEDCO is no way responsible for sharing of the transmission charges since it is neither the beneficiary of the solar project nor is it using the transmission lines. The power generated and consumed within the State of Karnataka does not entitle levy of transmission charges on TANGEDCO.

(b) As per Regulation 3 (1) (iii) of the Central Electricity Regulatory Commission (Grant of Regulatory Approval for execution of Inter-State Transmission Scheme to Central Transmission Utility) Regulations, 2010, onus is on the SPPD to bear all the liabilities towards development of ISTS portion of the transmission system as well as internal transmission system. The prayer of the petitioner for recovery of the transmission system through sharing mechanism under PoC is contrary to the provisions of said regulations.

(c) Since the Ultra Solar Power Park is developed and owned by the State of Karnataka and the beneficiaries are Karnataka Discoms, the asset should not be included in the PoC charges through sharing mechanism.

(d) The petitioner's prayer for inclusion of the system under the common TSA is illegitimate and TANGEDCO is no way responsible and is not bound by the terms and conditions of the TSA.

3. The Commission directed the respondents to file their replies, if already not filed on or before 22.4.2016 with an advance copy to the petitioner who may file its rejoinder, if any, by 29.4.2016.

4. The Commission directed the petitioner to submit the following information on affidavit, latest by 29.4.2016:

- (a) Copy of Connectivity and LTA Applications filed by SPPDs;
- (b) Copy of LTA Agreement signed by CTU with SPPDs;
- (c) Legible copy of Schematic Diagram;
- (d) Status of generation development in the Solar Park and list of generation developers;

5. The Commission directed that due date of filing the information, replies and rejoinders should be strictly complied with failing which the matter would be decided on the basis of the information already available on record.

6. Subject to above, the Commission reserved order in the petition.

By order of the Commission
Sd/-

(T. Rout)
Chief (Law)