

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 144/MP/2019**

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

Date of Hearing : 9.7.2019

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

Petitioner : Airpower Windfarms Private Limited (AWPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri M.G. Ramachandran, Senior Advocate, AWPL  
Shri Shubham Arya, Advocate, AWPL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Ms. Jyoti Prasad, PGCIL  
Shri Siddharth Sharma, PGCIL  
Shri Swapnil Verma, PGCIL

**Record of Proceeding**

Learned senior counsel for the Petitioner submitted that the Petitioner, Airpower Windfarms Private Limited, has filed the present Petition for seeking extension of time by five months for 10% equity infusion as provided under the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and Medium Term Open Access in Inter State Transmission and related matters) Regulations, 2009 read with Clause 9.3.2 of the Detailed Procedure made thereunder. Learned senior counsel submitted that financial closure has been achieved and issue which remains is 10% of deployment of equity. Learned senior counsel submitted that SECI has floated the tender and the bidding process for shortlisting the bidder for establishing the sub-station in question is under progress. Learned counsel submitted that there is a probability that the Petitioner will succeed in the bidding process and thereafter, the issue will stand resolved. Learned senior counsel requested to list the present Petition after conclusion of bidding process

by SECI.

2. Learned counsel for the Respondent, PGCIL submitted that no extension of time as prayed for by the Petitioner for achieving the milestones prescribed for a Stage-II Connectivity grantee under the Detailed Procedure made under Connectivity Regulations may be permitted by the Commission.

3. After hearing the learned counsels for the Petitioner and PGCIL, the Commission directed PGCIL to submit the following details, on affidavit, on or before 26.7.2019:

- (a) Details of applicants seeking Stage-II Connectivity at the same location;
- (b) How many such cases are there, where Stage-II grantee has not come up with submission of documents as per Clause 9.3.1 or 9.3.2 of the Detailed Procedure made under Connectivity Regulations within nine months from the date of grant of Stage-II Connectivity; and
- (c) Submit the view regarding return of Bank Guarantee if no investment has been made by PGCIL after examining the relevant provision in this regard.

4. The Petitioner was directed to submit on affidavit by 25.7.2019, detailed plan for achieving timeline in case its request for grant of time extension is permitted.

5. The interim direction dated 24.5.2019 shall be continued till the next date of hearing.

6. 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)**