

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 171/TT/2019

- Subject:** : Determination of tariff from COD to 31.3.2019 of four assets under “Transmission System for Ultra Mega Solar Park in Anantpur District, Andhra Pradesh- Part B (Phase-II)”.
- Date of Hearing** : 29.6.2020
- Coram** : Shri P. K. Pujari, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
- Petitioner** : Power Grid Corporation of India Ltd. (PGCIL)
- Respondents** : Tamil Nadu Generation and Distribution Corporation Ltd. (TANGEDCO) and 18 others
- Parties Present:** : Shri S. Vallinayagam, Advocate, TANGEDCO
Shri S.S. Raju, PGCIL
Shri. B. Dash, PGCIL
Shri A.K. Verma, PGCIL
Shri V.P. Rastogi, PGCIL
Shri Vipin Joseph, PGCIL
Shri Zafrul Hasan, PGCIL
Dr. R. Kathiravan, TANGEDCO
Smt. Ramalakshmi, TANGEDCO

Record of Proceedings

The matter was heard through video conference.

2. The representative of the Petitioner submitted that the instant petition is filed for determination of tariff from COD to 31.3.2019 of the following assets:
- a. Asset-1: Loop in portion of LILO of Kadapa-Hindupur 400 kV D/C line (both circuits) at NP Kunta Sub-station along with associated bays;
 - b. Asset-2: Loop out portion of LILO of Kadapa-Hindupur 400 kV D/C line (both circuits) at NP Kunta Sub-station along with associated bays;
 - c. Asset-3: 02 nos. of 220 kV line bays (Bay No. 217 and 218) at NP Kunta Sub-station; and
 - d. Asset-4: 04 nos. of 220 kV line bays (Bay No. 213, 214, 219 and 220) at NP Kunta Sub-station under “Transmission System for Ultra Mega Solar Park in Anantapur District, Andhra Pradesh-Part B (Phase-II)”.



3. The representative of the Petitioner submitted that the Investment Approval dated 15.1.2016 provides for separate timeline of 16 months for Assets-1, 3 and 4 and 30 months for Asset-2. Therefore, the scheduled COD of Assets-1, 3 and 4 was 14.5.2017 and Asset-2 was 14.7.2018. He submitted that the date of commercial operation (COD) of Asset-1 was 4.8.2018 and COD of Asset-2, Asset-3 and Asset-4 is claimed as 12.10.2018, 26.4.2017 and 3.8.2018 respectively under the second proviso of Regulation 4(3) of the 2014 Tariff Regulations as the assets were ready on the said dates but could not be put into commercial operation due to the delay in COD of associated generation and transmission assets.

4. The representative of the Petitioner submitted that there is no time over-run in case of Asset-3 and there is time over-run of 449 days, 92 days and 448 days in case of Asset-1, Asset-2 and Asset-4 respectively. He submitted that the reasons for time over-run have been submitted and requested to condone the time over-run.

5. The representative of the petitioner submitted that the COD of Asset-1 and Asset-2 was dependent upon COD of the Kadapa-Hindupur 400 kV D/C Transmission Line of the Petitioner (covered under SRSS-XXIV Project) which was delayed due to delay in getting forest clearance, right of way problems and non-readiness of Hindupur Sub-station under the scope of APTRANSCO. He submitted that the tariff for the Kadapa-Hindupur 400 kV D/C Transmission Line was approved vide order dated 29.7.2019 in Petition No. 257/TT/2018 and the Commission condoned the time over-run in case of the said line. Therefore, the representative of the Petitioner requested to condone the time over-run in case of instant Asset-1 and Asset-2, which were dependent on the COD of the Kadapa-Hindupur 400 kV D/C Transmission Line.

6. In response to the query of the Commission regarding power flow, the representative of the Petitioner submitted that power started flowing in Asset-2 since January, 2019 when the Kadapa-Hindupur Transmission Line was completed. In case of Asset-3, the power flow has not yet started and is expected to start in August, 2020. In case of Asset-4, i.e, 4 Nos. of 220 kV line bays (Bay No. 213, 214, 219 and 220) at NP Kunta Sub-station, the power flow in Bay No. 213 and 214 started in January, 2020 and in Bay No. 219 and 220, the power flow is expected to start in August, 2020.

7. In response to another query of the Commission about who will bear the transmission charges from the proposed COD till the date of power-flow, the representative of the petitioner stated that in case of Assets-2 AP TRANSCO and in case of Assets 3 and 4, the solar park developer i.e. APSPCPL should bear the charges from the date of COD claimed to the date of actual power flow. In response to a further query of the Commission on whether the Petitioner has any agreement with the renewable energy generators, the representative of the petitioner submitted that the agreement has been signed with the Andhra Pradesh Solar Power Corporation Private Limited ("APSPCPL") which has back to back to agreements with the generators. The Commission observed that the entity due to which the Assets-2, 3 and 4 could not be put to use, should be party to the proceedings. The Commission directed the petitioner to clearly submit on affidavit which entity is responsible for the mismatch and directed to implead them as a party to the present proceedings, if not already impleaded, and file amended Memo of Parties and provide them a copy of the pleadings. The Commission



further directed all the respondents, especially those who are responsible for the mismatch, to file their reply. The Commission also observed that they would like to hear the defaulting parties before imposing any liability on them.

8. Learned counsel for TANGEDCO submitted that the Petitioner has not submitted the dates when the generators are likely to inject power through Assets-2, 3 and 4 and the Petitioner should be directed to submit those details and the SRLDC certificates in case of the instant assets. The Commission observed that the COD of the generators are not relevant as the petitioner is having agreement with APSPDCL.

9. On a specific query by the Commission about the utilisation of PSDF grant, the petitioner submitted that the same has been submitted. The Commission directed the Petitioner to submit the details as sought in the RoP dated 13.2.2020.

10. The Commission directed the Petitioner to comply with the directions in para 7 above, respond to the queries raised by TANGEDCO and submit the following information by 22.7.2020, with an advance copy to the respondents:

- a) Detailed reasons for time over-run of Assets 1, 2 and 4.
- b) Detailed schedule of implementation of each entity involved in the project.
- c) Detailed analysis along with the map/chart as to responsibility of implementing the project/lines along with supporting documents.
- d) With regard to the petitioner's submission that delay in COD of Kadapa-Hindupur 400 kV D/C Transmission Line led to delay of the Asset-1, 2 and 4, , clarification through the block diagram how the instant assets are linked to SRSS-XXIV project and how the 400 kV Kadapa and Hindupur Sub-stations are associated with NP Kunta.
- e) A copy of the back to back arrangement/agreement signed between the parties, if any.
- f) The block diagram of Phase-I, Phase-II and Phase-III of Ultra Mega Solar Park at NP Kunta
- g) With regard to the petitioner's initial submission that Asset-4, has a time over-run of 14 months and 20 days with scheduled COD as 14.5.2017 and subsequent submission vide affidavit dated 20.3.2020 of a revised time over-run of only 19 days with scheduled COD as 14.7.2018, clarification for the same.
- h) The details of Central Finance Assistance (CFA) grant in the following format:-

Total Grant claimed	Grants received till date	Phase wise allocation	Petition No.	Asset covered under the Petition with Asset Name	Total Grant Allocated to the Asset

11. The Commission directed the respondents, including TANGEDCO, to file their reply by 30.7.2020 and the Petitioner to file rejoinder, if any, by 10.8.2020. The Commission further directed the parties to comply with the directions within the specified timeline and observed that no extension of time will be granted.



12. The Commission directed to list the matter for final hearing, for which a separate notice will be issued in due course of time.

By order of the Commission

Sd/-
(V. Sreenivas)
Dy. Chief (Law)

