

Ref No: WIPPA/CERC/COMMENTS/20191230

30th December 2019

To,
The Secretary,
Central Electricity Regulatory Commission
3rd & 4th Floor, Chanderlok Building
36, Janpath, New Delhi -110001

Sub: Comments on Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019.

Reference: Draft CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019 issued on 31.10.2019

Dear Sir,

We wish to introduce Wind Independent Power Producers Association (WIPPA), a national level registered body having association of more than 30 Independent Power Producers (IPPs) of capacity around 12,000 MW with asset base of more than Rs 60,000 Crores and a healthy pipeline in wind energy sector across the country. WIPPA is actively engaged in sustenance and promotion of the wind energy sector in India through policy advocacy and presenting independent views / suggestions / comments / analysis to various stakeholders at various forums to provide further fillip to the sector.

We are writing you in furtherance to Draft CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019 issued by Hon'ble CERC on 31.10.2019 seeking comments/ suggestions/ objections of stakeholders.

Wind Independent Power Producers Association (WIPPA) hereby submits its suggestions/ comments on Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019 and request Hon'ble CERC to consider these suggestions. Further, we request Hon'ble Commission to give opportunity to WIPPA to present these points in person.

Thanking you
For Wind Independent Power Producers Association

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Comments / Suggestions on the draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019:

S. No.	Regulation No.	Description	Comments
1.	Regulation 3 (3)	<p>Principles of sharing transmission charges</p> <p>The transmission charges for transmission system after such transmission system has achieved COD with regular service, shall be shared by DICs in accordance with Regulations 5 to 8 of these regulations.</p> <p>Provided that in case of a transmission system where COD has been approved in terms of proviso (ii) of clause (3) of Regulation 4 of the Tariff Regulations, 2014 or clause (2) of Regulation 5 of the Tariff Regulations, 2019 or transmission system which has been declared deemed COD in terms of Transmission Service Agreement under Tariff based Competitive Bidding, the Yearly Transmission Charges shall be shared by DICs in accordance with clause (11) of Regulation 11 of these regulations.</p> <p>Provided further that the transmission charges for transmission system governed by provisions of clause (4) and clause (8) of Regulation 11 of these regulations shall not be</p>	<p>Please include the definition of “Deemed COD” in this regulation, although it is defined under Transmission Service Agreement.</p>

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		shared by DICs in accordance with Regulations 5 to 8 of these regulations	
2.	Regulation 5.1	<p>5.Components and sharing of National Component (NC)</p> <p>1. National Component shall be the sum of following components:</p> <p>a) National Component-Renewable Energy (NC-RE); and</p> <p>b) National Component-HVDC (NC-HVDC).</p>	<p>To provide transparency in the information availability and avoid asymmetry in the information, the CTU shall provide the following details on its website:</p> <ul style="list-style-type: none"> • Although Hybrid Methodology is being utilized for calculation of Point of Connection charges, the draft paper attempts to socialize the Transmission charges calculation by introducing the National Component, Regional component, AC- UBC system etc. It should be clearly defined with the help of an example considering the Point of Injection DIC and Withdrawal DIC. • As the Draft Regulations proposes to consider the National component – Renewable Energy (NC-RE) for computation of Transmission Charges, the CTU should be directed to put the details of the transmission systems to be developed for RE under CTU planning. • In addition, CTU should provide break up of Assets Base and corresponding ARR components as on Base Year (FY2018-19) for public consultation • In case the component-wise break up is not readily available, the principles for allocation of cost/Assets base should be clearly defined. • Breakup of ARR components of particular CTU should be provided in advance to the IPPs
3.	Regulation 5.2 & 5.4	<p>5 (2) National Component-Renewable Energy shall comprise of transmission charges for transmission systems developed for renewable energy projects as identified by the Central Transmission Utility.</p> <p>5(4) Transmission charges for the National Component shall be shared by the drawee</p>	<p>To provide transparency in the information availability and avoid asymmetry in the information, the CTU shall provide the details of information used for computation of charges on its web site:</p> <p>In view of that Following proviso shall be added;</p>

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		DICs in the ratio of their quantum of Long term Access plus Medium Term Open Access.	<ul style="list-style-type: none"> • Provided that, The CTU shall upload the details of LTOA and MTOA for the base year approved by CTU for ISTS on its Website which will be considered for transmission charges. • The details of LTOA and MTOA shall be updated on quarterly basis
4.	Regulation 8 (8)	<p><i>(8) An applicant may be required by the Central Transmission Utility to construct a dedicated line to the point of connection to enable connectivity to the grid:</i></p> <p><i>Provided that a thermal generating station of 500 MW and above and a hydro generating station or a generating station using renewable sources of energy of capacity of 250 MW and above, other than a captive generating plant, shall not be required to construct a dedicated transmission line to the point of connection and such station shall be taken into account for coordinated transmission planning by the Central Transmission utility and Central Electricity Authority.</i></p>	<p>We wish to submit that due the fillip given to the renewable sector, several solar projects are being commissioned albeit for individual capacity which is less than 250 MW individually. As the transmission substation for injection of power is away, a dedicated transmission line is required to be laid. As per the regulation, the transmission line is being laid by the developer. However, the regulation is silent on the responsibility of the construction of the bays at both ends. This has been clarified in the procedures envisaged under this regulations and also approved by the Hon'ble CERC. The procedures specify the following</p> <p style="text-align: center;">5.3 Scope of bays for dedicated transmission line</p> <p><i>5.3.1 For the connectivity system, the dedicated transmission line including line bays at generation pooling station shall be under the scope of the applicant and the terminal bays at the ISTS sub-station shall be under the scope of transmission licensee owning the ISTS sub-station subject to compliance of relevant provision of tariff policy.</i></p> <p>It is submitted that for renewable projects, where the project timelines are quite stringent, in the interest of timely commissioning of the project, the developer even undertakes to complete the bay at the ISTS substation as per the specifications of the Transmission Licensee. It is seen that the ISTS Licensees ask the Developers to undertake the implementation of Bay in ISTS sub-station under the plea that they would not be able to implement it on time. They coerce the Developers to give an undertaking that the Bay would be developed by them. It is suggested to make it</p>

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			<p>mandatory for Transmission licensees to develop the bay themselves. It should be maintained by them & the cost of maintenance to be borne by them.</p> <p>Since the bay is residing in the transmission licensee substation but owned by the developer, very often the transmission licensee maintains these bays on behalf of the developer but for a cost and an appropriate agreement is entered into between the developer and the Transmission Licensee</p> <p>At present, the determination of charges for such maintenance is not under the scope of the Hon'ble Commission and is left to the understanding/ agreement between the developer and the transmission licensee. At present, the charges being levied by the ISTS Licensees are equal to the O&M Charges (Rs Lakhs /Bay) provided in the CERC (Terms and Conditions of Tariff) Regulations which are amended from time to time. Though the ISTS Licensees charge the entire cost for O&M at the charge provided by CERC (Terms and Conditions of Tariff) Regulations, the O&M Agreement excludes expenses towards major overhauling of equipment, replacement or upgrades and use of spares.</p> <p>The Hon'ble Commission is aware that for renewable project, the winning bidder has to quote a single tariff (Rs/Kwh) which should be maintained for the PPA period of 25 years. Any variation in expenses is to the account of the developer. The O&M Expenditure estimates for the bay which form a part of the Tariff modelling needs to be also estimated with adequate accuracy. In the case same is not, viability of the project is also affected. In our humble submission, the variation on account of expenses on equipment , replacement of equipment or usage of spares etc pose a considerable quantum of risk and it is quite difficult to project the expenditure on this account for the PPA period of 25 years. Such risks are</p>

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			<p>obviously built by the developer in the tariff that is quoted which in turn results in higher tariff for sale of electricity.</p> <p>In view of that we request that such O&M charges need to be “regulated” and determined by the Hon’ble Commission. It is relevant to add that charges in the nature of service lines, meter cost, connection and disconnection charge form of a part of the Schedule which is approved by the State Electricity Regulatory Commission for levy by the distribution licensee on the consumer.</p> <p>In the alternative, the Hon’ble Commission may rule that the charges to be recovered for maintenance of bay from the developer would be limited to the charges as approved under the O&M Norm applicable for such bays under the Tariff Regulations and would include all the other expenses to be incurred such as replacement of equipment, repairs and usage of spares etc. No additional amount should be permitted other than that arrived at using the norm in the Tariff Regulations.</p> <p>It is also submitted that the Capex towards the Bay should mandatorily be incurred by ISTS Licensee & the cost of O&M be incurred by them. This would make the arrangement simpler & do away with the O&M agreement between the ISTS Licensee & Developers. This would bring in greater certainty in the projections and improve the viability of the project at optimum tariff.</p>
5.	Regulation 11 (1) (B) & (C)	No transmission charges and losses for the use of ISTS shall be payable for the capacity of the generation projects based on solar or wind resources for a period of 25 years from the date of commercial operation of the such generation projects if they fulfill the following conditions	We would like to submit that that bidding agencies, i.e. SECI & NTPC are allowing extension of Power Purchase Agreement (PPA) based on mutually agreed term and conditions and developer has an option to operate plant more than 25 Years. Therefore Hon’ble Commission is requested to consider the period as “ Useful Life ” instead of 25 years, as the prudent operational life expectancy is more than 25 years for wind and solar projects.

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6.	Regulation 11.1(b)	<p>(a) <i>No transmission charges and losses for the use of ISTS shall be payable for the capacity of the generation projects based on solar or wind resources for a period of 25 years from the date of commercial operation of the such generation projects if they fulfill the following conditions:</i></p> <p>(i) <i>Such generation capacity has been awarded through competitive bidding; and</i></p> <p>Such generation capacity has been declared under commercial operation between 1.7.2017 and 12.2.2018 for solar based resources or between 30.9.2016 till 12.2.2018 for wind based resources; and Power Purchase Agreement(s) have been executed for sale of power from such generation capacity to the Distribution Companies for compliance of their renewable purchase obligation</p>	<p>The majority of RE rich states like Tamil Nadu are already fulfilling the RPO Targets and the SERCs are not willing to increase the RPO targets further to harness the balance RE potential in these states.</p> <p>In such case the RE development through third party sale and captive consumption need to be promoted. Considering the targets under National Solar Mission, the Commission should not discriminate the RE generators developed under competitive bidding or developed under Regulatory FIT regime, i.e. Section 62 of the EA,2003 and also should not limit the procurement of RE up to RPO by Discom.</p> <p>In view of that it is request to Hon'ble Commission for removal of following Clause related to competitive bidding from draft Regulation, i.e. "Such generation capacity has been awarded through competitive bidding; and"</p>
7.	Regulation 11.1(C)	<p>11(1)(c)(ii) – Such generation capacity has been declared under commercial operation Between 13.2.2018 and 31.3.2022; and</p>	<p>Ministry of power came out with a notification on 06.11.2019, wherein it was notified that the date specified for waiver of interstate transmission charges and losses on transmission of the electricity generated from Solar and Wind sources of energy is to be read as 31.12.2022 instead of 31.03.2022.</p> <p>In view of that Regulation should also be in same line as specified in the notification issued by MoP & modify that "such generation capacity has been declared under commercial operation Between 13.2.2018 and 31.12.2022; and"</p>

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8.	Regulation 11 (1) (C) & (4) & (5)	<p>Transmission charges in specific cases :</p> <p>(c) No transmission charges and losses shall be payable for the generation projects based on solar or wind resources for the use of ISTS, for a period of 25 years from the date of commercial operation of such generation projects if they fulfill the following conditions:</p> <p>(i) Such generation capacity has been awarded through competitive bidding process in accordance with the guidelines issued by the Central Government; and</p> <p>(ii) Such generation capacity has been declared under commercial operation between 13.2.2018 and 31.3.2022; and</p> <p>(iii) Power Purchase Agreement(s) have been executed for sale of such generation Capacity to all entities including Distribution Companies for compliance of their renewable purchase obligations.</p> <p>Where COD of a generating station or unit(s) thereof is delayed and the Associated Transmission System has achieved COD, which is not earlier than its SCOD, the generating station shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to</p>	<p>We would like to bring your kind attention on Ministry of power's ("MoP") order dated 30.9.2016 wherein the Ministry of Power has notified waiver of ISTS charges and losses on transmission of electricity generated from solar and wind resources of energy under para 6.4(6) of the Tariff Policy, 2016. Further, MoP has extended applicability of this scheme for projects commissioned till 31 December 2022 vide its order no. 23/12/2016-R&R dated 06 Nov 2019. It is very much apparent that the intention of MoP behind the waiver of the inter-state transmission charges and losses is to encourage Wind and Solar Energy in order to achieve the sustainable development.</p> <p>The waiver of ISTS charges is, in effect, socialization of cost among the larger consumer framework, instead of being borne by the purchaser of the renewable power. Further, waiver of ISTS charge on solar and wind capacity commissioned upto December 2022 is largely perceived as a potent tool to encourage setting up of the project in states that have greater resources potential and availability of suitable land. It also helps in creating a pan-India renewable power market, as high renewable potential states would supply to less potential states without additional financial burden.</p> <p>Based on the provisions of Central Electricity Regulatory Commission notification No. L-1/44/2010-CERC dated 1st of April, 2015 (third amendment to Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges & Losses) Regulations, 2010), if <u><i>the commissioning of a generating station or unit is delayed, the generator becomes liable to pay POC Charges corresponding to its Long term Access from the date of operationalization of Long Term Access granted by CTU.</i></u> The above provision is drafted by keeping conventional generation in mind, where no transmission charge waiver is applicable, and withdrawal charges are otherwise borne by drawing utility under the LTA.</p>

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		<p>capacity of generating station or unit(s) thereof which have not achieved COD.</p> <p>Provided that such transmission charges shall not be considered under Regulations 5 to 8 of these Regulations</p> <p>Where Long Term Access to ISTS is granted to a generating station on existing margins and COD of the generating station or unit(s) thereof is delayed, the generating station shall pay transmission charges @10% of transmission charge for the State where it is located for the quantum of such Long Term Access.</p> <p>Provided that the amount received on account of payments in the month towards such Long Term Access shall be reimbursed to the DICs in proportion to their shares under the First Bill in the following month.</p> <p>Provided that such Long Term Access shall be excluded for computation under Regulations 5 to 8 of these regulations.</p>	<p>Therefore, above provision is not for wind and solar generators, where these charges are waived.</p> <p>We would like to submit that Wind / Solar Power Project developers are getting ISTS project through bid and successful bidder applied Connectivity on immediate basis based on issued LoA, wherein the developers are getting time to commission project within 21 months from the issuance of LoA. Developer has to provide a certain date for operationalization of LTA at initial phase of connectivity. It is pertinent to mention here that at an initial phase, developer provides same SCOD date for date of operationalization of LTA, which is SCOD date. However, sometime project face issues to achieve SCOD on time due to various Force Majeure events, which are beyond the control of developers.</p> <p>However, Wind and Solar Developers are being asked to pay transmission charges prior to date of commissioning even if commissioning has been extended due to reasons not attributable to such developers. Few examples of such reasons are given herein below but not limited to:</p> <ol style="list-style-type: none"> 1. Delay in adoption of tariff by the respective State Electricity Regulatory Commission (SERC) 2. Delay in providing land by the Solar Park agencies 3. Changes in the State Land Policies 4. Changes in the Environment related policies/Acts leading to delay in getting Environmental/Wildlife clearances/approvals 5. Cases filed by NGOs/Social activists before various Legal Forums leading to delay in getting clearances / approvals. 6. Force Majeure events covered under PPA 7. Delay in providing NOCs by Ministry of Defence for Wind Generating Stations. <p>In view of that, Wind / Solar Project Developer should also be allowed to extend date of operationalization / SCOD of project due to Force Majeure/unforeseen events beyond the control of developers, subject</p>

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			<p>to getting necessary extension of SCOD from bidding and there should not be any levy of transmission charges for the transmission assets developed or from existing margins. In cases where the Developers have obtained consent from bidding agencies for extension of SCOD, CTU/PGCIL shall accept the revision in LTA operationalization dates in line with revised SCOD. Accordingly, it is requested to incorporate suitable provisions in the Regulations.</p> <p>We also request Hon'ble Commission to define the Associated Transmission Line.</p>
9.	Regulation 11 (5)	<p>11(5) Where Long Term Access to ISTS is granted to a generating station on existing margins and COD of the generating station or unit(s) thereof is delayed, the generating station shall pay transmission charges @10% of transmission charge for the State where it is located for the quantum of such Long Term Access.</p> <p>Provided that the amount received on account of payments in the month towards such Long Term Access shall be reimbursed to the DICs in proportion to their shares under the First Bill in the following month.</p> <p>Provided that such Long Term Access shall be excluded for computation under Regulations 5 to 8 of these regulations</p>	<p>The provision of Regulation 11 (1) (c) specifies that no transmission charges and losses shall be payable for the generation projects based on solar or wind resources for the use of ISTS, for a period of 25 years from the date of commercial operation of such generation projects upto 31.3.2022 subject to the conditions specified in the Regulations.</p> <p>It requested to clarify that, the provision of Regulation 11(5) is not applicable to the cases specified under Regulation 11 (1) of these Regulations as the waiver of transmission charges are provided for wind and solar projects to be commissioned on or before 31.3.2022.</p> <p>In view of that request to kindly provide relaxation to RE developer wherein the said provisions should not be applicable to the cases specified under Regulation 11(1) of these Regulations, where awarded through competitive bidding process in accordance with the guidelines issued by the Central Government.</p>
10.	Regulation 11 (7)	<p>In case the generating station or unit(s) thereof has achieved COD and transmission system is delayed, the concerned transmission licensee(s) shall make alternate arrangement for dispatch of power in consultation with</p>	<p>In case the generating station or unit(s) thereof has achieved COD and transmission system is delayed, the payment of transmission charges proportionate to Long Term Access for the transmission system is very miniscule against the revenue loss to be borne by the generating station.</p>

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		<p>Central Transmission Utility at the cost of the transmission licensee(s). Provided that till such alternative arrangement is made, the transmission licensee(s) shall pay to the generating station the transmission charges proportionate to Long Term Access for the transmission system which is delayed .</p>	<p>Therefore, the Hon'ble Commission is requested to consider generation loss of developer due to unavailability of Transmission System and concerned transmission licensee(s) shall compensate revenue loss based on the tariff in the PPA's entered by the generating station.</p>
11.	Regulation 11 (9)	<p>Generating stations drawing start-up power shall pay the transmission charges @Transmission Deviation Rate for the State in which they are physically located.</p> <p>Provided that the amount received on account of payments towards drawal of start-up power shall be reimbursed to the DICs under the First Bill in proportion to their shares in the First Bill in the month next to Billing month.</p> <p>Provided that where transmission element(s) have been declared COD before its SCOD on request of a generating station for drawal of start-up power, the generating station shall instead pay Yearly Transmission Charges for such transmission element(s) till the generating station achieves COD.</p> <p>Provided further that Transmission Deviation Rate shall not be applicable for generating</p>	<p>We would like to submit that Wind / Solar Power developers require some startup power, which is very miniscule against and actual generation. It is difficult to make a payment on the basis of transmission charges @Transmission Deviation Rate for the State in which they are physically located as it may possible that bided tariff would be much lower than applicable charges.</p> <p>Since, MoP has already provided waiver of transmission charges and losses for wind and solar projects, therefore, it is requested that withdrawl of startup should also be consider in line of that and should not levy any transmission deviation charges for drawing start-up power for Wind and Solar projects.</p>

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		stations covered under clause (4) of this Regulation for drawal of start-up power.	
12.	Regulation 11 (11)	<p>Where a transmission system has been declared to have achieved deemed COD in terms of Transmission Service Agreement under Tariff Based Competitive Bidding (TBCB) or the Commission has approved the date of commercial operation of such transmission system in terms of clause (2) of Regulation 5 of Tariff Regulations, 2019 or proviso (ii) to clause (3) of Regulation 4 of the Tariff Regulations, 2014, the transmission licensee or generating company whose transmission system or generating station or unit thereof is delayed shall pay the transmission charges of the transmission system till the generating station or unit thereof or the transmission system achieves COD.</p> <p>Provided that where more than one transmission licensee or both transmission licensee and generating station are getting delayed, the proportionate sharing of above transmission charges shall be as decided by Commission.</p>	In line with MoP order regarding waiver of transmission charges and losses for wind and solar projects, there should not be any levy of transmission charges for delay in COD of wind and solar projects although transmission system has been declared to have achieved deemed COD in terms of Transmission Service Agreement under Tariff Based Competitive Bidding (TBCB) or the Commission has approved the date of commercial operation of such transmission in terms of clause (2) of Regulation 5 of Tariff Regulations, 2019 or proviso (ii) to clause (3) of Regulation 4 of the Tariff Regulations, 2014.
13.	Regulation 16 (1),(2)	Not later than 1 (one) month prior to the date of operationalization of Long Term Access or Medium Term Open Access, as the case may be, each DIC shall, through a scheduled bank, open an irrevocable, unconditional and	We suggest that the Wind and Solar Projects may please be exempted from providing LC against the LTA granted in line with MOP order for waiver of transmission of charges. Further, the LC condition also should not be made applicable for the period from LTA operationalization to actual

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		<p>revolving Letter of Credit or any other acceptable payment security mechanism in favour of the Central Transmission Utility, to be made operative from a date prior to the Due Date of its First Bill and shall be renewed annually.</p> <p>The Letter of Credit shall have a term of 12 (twelve) months and shall be for an amount equal to 1.05 (one point zero five) times the average amount of the First Bill for a year, where tripartite agreement for securitization on account of arrears against the transmission charges with the Government of India exist.</p> <p>Provided that where such tripartite agreement does not exist, the DIC shall open the Letter of Credit for an amount equal to 2.10 (two point one times) the average amount of First Bill for a year</p>	<p>SCOD of wind/solar projects if the delay in actual SCOD is due to any reasons not attributable to Wind and Solar Generators.</p> <p>It may please be noted that Wind/Solar ISTS connected projects are being developed under competitive bidding in accordance with guidelines issued by Central Government and providing power to various state DISCOMs for compliance of their renewable purchase obligation.</p> <p>IFor such projects, MoP has notified waiver for the LTA charges for the Wind and Solar projects wherein SCOD is achieved on or before 31 December 2022 for a term of 25 years.</p> <p>Therefore, in Chapter-3, Regulation-11, a suitable provision regarding waiver of LC may please be incorporated as the LTA charges are waived off for Wind and Solar projects.</p>
	Regulation 18 (4)	<p>Relinquishment charges for Wind / Solar Project in case of termination of PPA:</p> <p>Provided that in case of termination as DIC of an entity on account of DIC's event of default, the Long Term Access or Medium Term Open Access or both of such entity shall be cancelled. Such cancellation shall be treated as relinquishment of Long Term Access or Medium Term Open Access in terms of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and</p>	<p>Wind/Solar projects who have terminated their PPAs subsequent to unforeseen events beyond the control of generators and accepted by SECI/Bidding agency should be allowed to relinquish the LTA without any penalties and it should not be considered as DIC Event of Default Accordingly, it is requested to incorporate suitable provisions in the Regulations.</p> <p>Further, the applicability of Relinquishment charges would differ for Conventional & Non-Conventional source of energy as an annual CUF for Wind / Solar Power Project is in the range of 25% to 35%, which is around 1/3 of Conventional Energy. The same relinquishment methodology</p>

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		Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and the said entity shall pay the relinquishment charges accordingly.	formulated for conventional project shall not be made applicable for the Wind / Solar Power Project and need to determine a separate methodology for Wind / Solar Project. Accordingly, the Hon'ble Commission is requested to issue directions to CTU/Implementing agency.
14.	Regulation 18.4	<p><i>(4)After the expiry of 60 (sixty) days from the date of issue of notice, unless the circumstances giving rise to such notice as mentioned in clause (1) of this regulation shall have ceased to exist or have been remedied, the concerned DIC shall cease to be a DIC under these Regulations and the Central Transmission Utility shall issue a Termination Notice of 30 (thirty) days to this effect with a copy to the Commission and the Implementing Agency.</i></p> <p>Provided that in case of termination as DIC of an entity on account of DIC's event of default, the Long Term Access or Medium Term Open Access or both of such entity shall be cancelled. Such cancellation shall be treated as relinquishment of Long Term Access or Medium Term Open Access in terms of 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 said entity shall pay the relinquishment charges accordingly</p>	<p>We requests to direct the CTU to formulate the procedure through which generator can ask for relinquishment charges in advance on payment of fees. This will enable generators to take informed decision.</p> <p>The Stakeholders shall be given opportunity to offer the comments while formulating such procedure by CTU.</p>
15.	Regulation 18(4)	Permission of Location Change for Wind / Solar Project.	The Green energy corridor is being developed to accommodate the Renewable energy projects wherein the high potential states would be

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			<p>targeted for setting up projects and supply to less potential states. This facilitates developers to choose any location pan India where there is high potential of renewable energy generation.</p> <p>With the same intent, the bidding guidelines have come up with a provision for change of location of project due to Force Majeure/unforeseen events and/or reasons which are beyond the control of developers, subject to submission of necessary supporting documents to the satisfaction of bidding agencies - SECI/NTPC/Procurer with necessary extension of SCOD.</p> <p>The Hon'ble Commission is requested to take cognizance of above provision and make necessary changes in the draft Regulations with directions to CTU to accommodate the request for change in location in line with the acceptance of SECI/Bidding agency without imposing any transmission/relinquishment charges/penalties on account of delay to the Project Developer wherein the reasons for delay are not attributable to the Project Developer.</p>
16.	Regulation 18. Event of default of a DIC	18.(5) Upon termination of the status of DIC, the entity shall not be eligible for interchange of power under any form of open access unless such entity remedies the default and makes payment of all outstanding charges including relinquishment charges	<p>As the relinquishment charges may be huge and DIC may not be able to make all the payment in one go but agreed to make payments in some segments. Then entity shall be entitled for inter change power under open access.</p> <p>In view of that the suggested clause is "Upon termination of the status of DIC, the entity shall not be eligible for interchange of power under any form of open access unless such entity remedies the default and makes an agreement with the transmission licensee for payment of all outstanding charges including relinquishment charges"</p>
17	Regulation 20.1	<i>20.Procedures to be framed under these Regulations</i>	The Stakeholder shall be given opportunity to offer comments on the Draft Procedure to be formulated by Implementation Agency.

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		(1) Implementing Agency shall notify detailed procedures and formats for collection of generation and demand data from each DIC, data pertaining to the Basic Network and for calculation of transmission charges within 90 (ninety) days of the notification of these Regulations and post it on its website	
18	Regulation 22	Regulation 22(3)(v). Information to be published by the Implementing agency.	DIC wise details of components needs to describe at Regulation 4 to 8. This will give crystallized picture of how DIC is charged and in what proportion for each component.
19.	Additional Comments	Definition of “Bulk Consumer” or “Bulk Customer” may be specified.	Definition f) ‘Designated ISTS Customer’ or ‘DIC’ refers to the term Bulk Consumer. It is also used in the Regulations at several places. The same may be defined in the section definition to avoid any ambiguity in future.
20.	Additional Comments	Submission of Financial Closure documents in PGCIL within the time stipulated in the PPA.	<p>It is to be noted that Wind / Solar Developer has to submit documents of Financial closure within the time stipulated in the PPA, in line of 9.3.1 of Detailed Procedure for “Grant of Connectivity to projects based on Renewable Sources”, is quoted below:</p> <p>“9.3 Conditions to be met by Stage-II Connectivity Grantees</p> <p>9.3.1 After grant of Stage-II connectivity, the grantee covered under Clause 9.2.1 shall have to achieve the following milestones in accordance with bidding documents and submit the proof to CTU within a week of achieving the milestone(s):</p> <p>(i) Ownership or lease rights or land use rights of the land required as per bidding documents for the capacity of Stage-II connectivity.</p> <p>(ii) Financial closure within the time stipulated in the PPA. Sanction letter from financial institution to be submitted as proof of financial closure.</p> <p>(iii) Proof of release of at least 10% funds towards generation project execution within three months from the date of financial closure supported by Auditor’s certificate regarding release of such funds through equity.”</p>

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			<p>We would like to submit that due to various FM event, developers are not in position to fulfill stipulated conditions in PPA for achievement of FC on time and also getting consent from bidding agencies, from which they bidder has signed PPA.</p> <p>In view of the above, in case Developers are getting approval from bidding agencies for extension of FC and/or SCOD, the Hon'ble Commission may issue directions to CTU/PGCIL to allow the project developers extended timeline for submission of documents in respect of FC and/or SCOD.</p>
21	Additional Comments	<p><u>Additional proviso shall be added after Regulation 11(1) (c)</u></p> <p><u>Provided that, the provision of Regulations 11(1) (a) to (c) shall be also applicable to generating station integrated with battery storage technologies either co-located and/or de-located with wind, solar and/or its hybrid projects.</u></p>	<p>The Draft Regulation 11(1) specifies the special cases for waiver of sharing of transmission charges for wind and solar generation subject to provisions of the Regulations.</p> <p>We would like to proposes to extend the applicability of the Regulations 11(1) of these Regulations to Wind and Solar hybrid generation projects including battery storage,</p> <ul style="list-style-type: none"> • The Report of the Task Force for review of framework for Point of Connection (PoC) charges, recommends the waiver of sharing of Inter-State transmission charges to Wind and Solar generation in order to achieve the Targets of 175 GW by 2022. • In of the view that Wind Solar hybrid projects with battery storage would be developed in future in the interest of grid stability. Such projects needs to be encouraged by providing the similar benefits.
22	Regulations (5) sub Regulation (5)	(5) Transmission charges for National Component in respect of injecting DICs with untied LTA capacity shall be shared by such injecting DICs in the ratio of their untied LTA capacity.	As per the Clause 9.2.1 of the Detailed Procedure for grant of Connectivity to projects based on renewable energy sources to inter-State Transmission System (ISTS), entity shall be required to submit Letter of Award issued by designated agency for development of the renewable generation project including hybrid projects for getting connectivity. The Letter of Award

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			signifies that the said quantum has been tied up. And basis this then the Awardee applies for LTA. We are request Hon'ble Commission to guide as to how the Untied Capacity scenario will arise.
23	Regulation 6 sub Regulation (3) and (5)	<p>(3) <i>Transmission charges covered under sub-clause (a) of clause (1) of this Regulation in respect of injecting DICs with untied LTA capacity, shall be shared by such injecting DICs in the ratio of their untied LTA capacity for the respective target region.</i></p> <p>(5) <i>Transmission charges covered under sub-clause (b) of clause (1) of this Regulation, in respect of injecting DICs with untied LTA capacity, shall be shared by such injecting DICs in the ratio of their untied LTA capacity for the respective target region.</i></p>	As per the Clause 9.2.1 of the Detailed Procedure for grant of Connectivity to projects based on renewable energy sources to inter-State Transmission System (ISTS), entity shall be required to submit Letter of Award issued by designated agency for development of the renewable generation project including hybrid projects for getting connectivity. The Letter of Award signifies that the said quantum has been tied up. And basis this then the Awardee applies for LTA. We are request Hon'ble Commission to guide as to how the Untied Capacity scenario will arise.
24	Regulation 8 Sub Regulation 6	(6) Transmission charges covered under AC-BC in respect of injecting DICs with untied LTA capacity shall be shared by such injecting DICs in the ratio of their untied LTA capacity.	As per the Clause 9.2.1 of the Detailed Procedure for grant of Connectivity to projects based on renewable energy sources to inter-State Transmission System (ISTS), entity shall be required to submit Letter of Award issued by designated agency for development of the renewable generation project including hybrid projects for getting connectivity. The Letter of Award signifies that the said quantum has been tied up. And basis this then the Awardee applies for LTA. We are request Hon'ble Commission to guide as to how the Untied Capacity scenario will arise.
25	Sharing of transmission losses	All India Average Transmission losses for ISTS shall be calculated by Implementing Agency for each week, from Monday to Sunday, as follows: {(Sum of injection into the ISTS at regional nodes for the week) minus (Sum of	From the above example it seems that there would be only one transmission loss for the whole country. What is the rationale behind calculation of transmission losses on all india basis when we are considering the hybrid methodology which motivates the generating company to implement its projects at location where there is less congestion

S. No.	Regulation No.	Description	Comments
		drawal from the ISTS at regional nodes for the week)/ Sum of injection into the ISTS at regional nodes for the week X 100 %	
26			Demo Software of transmission charges calculation should be made available to the IPPs so that we can understand the dynamics of hybrid methodology