

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 585/MP/2020

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 and regulation 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for return of Bank Guarantee bearing no. A25BG07191780002 for an amount of Rs. 10,00,00,000/- furnished by the Petitioner pursuant to the revoked Stage-II Connectivity dated 25.5.2019 against the Letter of Award dated 25.1.2019 issued by Solar Energy Corporation of India for development of 450 MW ISTS connected Wind-Solar Hybrid Power Project.

Date of Hearing : 15.4.2021

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : SBE Renewables Ten Private Limited (SBERTPL)

Respondents : Power Grid Corporation of India Limited (PGCIL) and Anr.

Parties Present : Ms. Mazag Andrabi, Advocate, SBERTPL
Ms. Shubhi Sharma, Advocate, SBERTPL
Shri Siddharth Mohapatra, SBERTPL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking direction to the Respondent, PGCIL to release the Bank Guarantee (BG) furnished by the Petitioner under clause 1.0(a) of the Transmission Agreement for Connectivity (in short, 'Connectivity Agreement') dated 20.6.2019.

3. Learned counsel submitted that the Petitioner in respect of its 450 MW Wind-Solar Hybrid Power Project (in short, 'the hybrid project') had obtained the connectivity at 220 kV Trichy sub-station in the State of Tamil Nadu and executed Connectivity Agreement dated 20.6.2019 with PGCIL. However, owing to various unforeseen challenges relating to land acquisition such as land ceiling enhancement, non-agricultural land conversion and issuance of Panchayat NOCs, the Petitioner had to relocate the hybrid project to the State of Rajasthan and consequently, sought withdrawal of its connectivity at Trichy sub-station. It was further submitted by the learned counsel that subsequent to receiving the connectivity at Fatehgarh-II sub-station (in the State of Rajasthan) for the hybrid project, the Petitioner has entered into fresh Connectivity Agreement dated 21.1.2021 and again furnished BG of Rs. 10

crore. In the above circumstances, the Petitioner is seeking release of BG furnished under the Connectivity Agreement dated 20.6.2019 for Trichy sub-station. It was submitted that no system strengthening/ augmentation was undertaken by PGCIL at Trichy sub-station and that the obligation to implement 400 kV bays at Trichy sub-station was on the part of the Petitioner.

4. After hearing the learned senior counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

5. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not served already. The Commission directed the Respondents to file their reply by 7.5.2021 with advance copy to the Petitioner, who may file its rejoinder, if any, by 20.5.2021. The due date of filing of reply and rejoinder should be strictly complied with.

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)
Joint Chief (Law)**