

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 593/MP/2020

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Regulation 33B 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 and Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking directions regarding submission of construction bank Guarantee by the Renewable Energy Power Generators seeking grant of Long-Term Access into the inter-State Transmission System.

Date of Hearing : 8.4.2021

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

Petitioner : Central Transmission Utility (CTU)

Respondents : ACME Solar Holdings Limited and 46 Ors.

Parties Present : Ms. Suparna Srivastava, Advocate, CTU
Shri Tushar Mathur, Advocate, CTU
Shri Parinay Deep Shah, Advocate, Sitac Kabini
Ms. Surabhi Pandey, Advocate, Sitac Kabini
Ms. Jyoti Prasad, CTU
Ms. Anjana Sharma, Sitac Kabini
Ms. Soumi Banerji, Sitac Kabini

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed for seeking appropriate directions in accordance with the Regulation 12 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 (in short 'the Connectivity Regulations') for submission of applicable bank guarantee (depending upon system augmentation) in all cases of grant of long-term access with validity period up to six months after commissioning of the generating project and dedicated transmission line by the concerned Long-Term Customers.

3. It was further submitted by the learned counsel that in the alternative, the Petitioner has also prayed for appropriate directions for administration of the provision relating to waiver of applicable bank guarantee under paragraph 24.1(b)(ii)(vi) of the Detailed Procedure, 2010 issued under the Connectivity Regulations in light of the applicable provisions relating to the Central Electricity

Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 and the Commission's orders for grant of regulatory approval for execution of various inter-State transmission schemes with direction that the cost of implementation of transmission system may not be passed on to the consumers till the commissioning of the respective generation projects.

4. In response to the Commission`s specific query as to whether the Petitioner has implemented the Commission's order dated 9.5.2020 in IA Nos. 91/2019 and 92/2019 in Petition Nos. 108/MP/2019 and 109/MP/2019 respectively, the learned counsel replied in negative. The Commission directed the Petitioner to comply with the direction given in said order dated 9.5.2020 failing which it will be liable for appropriate action as per the provisions of the Electricity Act, 2003.

5. After taking note of the averments made by the learned counsel for the Petitioner, the Commission reserved the order in the matter.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**