

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 251/MP/2019

- Subject : Petition under Section 79 (1) (f) along with Section 79 (1) (k) of the Electricity Act, 2003 read with Regulations 32 and 33A of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and Medium Term Open Access in Inter State Transmission and related matters) Regulations, 2009 seeking permission for extension of the period for submitting proof of release of 10% fund through equity towards execution of 25MW Solar Power Project located at Jodhpur, Rajasthan for further period of five months i.e. from 25.8.2019 to 25.1.2020.
- Date of Hearing : 5.8.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioners : Clean Solar Power (Jodhpur) Private Ltd. (CSPJPL) and Anr.
- Respondents : Powergrid Corporation of India Ltd. (PGCIL) and Anr.
- Parties Present : Shri Buddy Ranganadhan, Advocate, CSPJPL
Shri Aavejeet Lala, Advocate, CSPJPL
Ms. Nameeta Singh, Advocate, CSPJPL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Somya Singh, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Shri Kashish Bhambhani, CTUIL
Shri Yatin Sharma, CTUIL
Shri Siddharth Sharma, CTUIL
Ms. Muskan Agarwal, CTUIL
Shri Swapnil Verma, CTUIL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioners submitted that the present Petition has been filed, *inter alia*, seeking permission for extension of period for submitting the proof of release of 10% fund through equity as laid down under paragraph 9.3.1 (iii) of the Detailed Procedure for grant of Connectivity to Projects based on Renewable Energy Sources to Inter-State Transmission System dated 15.5.2018 ('Detailed Procedure') towards execution of its 250 MW Solar Power Project in Jodhpur, Rajasthan ('the Project') for the further period of five months i.e. from 25.8.2019 to 25.1.2020. Learned counsel further submitted that the Petitioners have, however, now already fulfilled the aforesaid condition precedent prescribed in the Detailed Procedure and the Project has also achieved the commercial operation prior to the operationalization of Long-Term Access by PGCIL/CTUIL and consequently, PGCIL/CTUIL has also released the Connectivity Bank Guarantee furnished by the



Petitioner. Learned counsel further submitted that in order to put quietus to the litigation, the Commission may kindly condone delay of 114 days in achievement of requirement under paragraph 9.3.1(iii) of the Detailed Procedure, which would not cause any prejudice to the Respondents herein. Learned counsel sought liberty to file an additional affidavit to place on record the subsequent developments.

3. Learned counsel for the Respondent, PGCIL confirmed the submissions made by learned counsel for the Petitioners and added that taking into the account the peculiar facts and circumstances of the present case, especially the fact that Project of the Petitioners having already achieved the commissioning, the Commission may consider the request of the Petitioners to condone delay of 114 days in achieving requirement under paragraph 9.3.1(iii) of the Detailed Procedure as deemed fit. Learned counsel added that CTUIL does not have any power under the Detailed Procedure to condone such delays.

4. After hearing the learned counsel for the parties, the Commission permitted the Petitioner to file the additional affidavit within a week and CTUIL to file its response thereof within a week thereafter.

5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

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