

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**New Delhi**

**Petition No. 551/MP/2020**

**Subject:** Petition under Sections 79(1)(c), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 read with Regulations 27, 33A and 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 the Detailed Procedure for Grant of Connectivity to Projects based on Renewable Sources to Inter-State Transmission System seeking relaxation of time period stipulated under Clause 11.2 of the Detailed Procedure and attendant Forms and Agreements for construction of dedicated transmission line and associated pooling substation.

**Date of Hearing:** 8.2.2022

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

**Petitioner:** Avikaran Solar India Private Limited (AS IPL)

**Respondents:** Power Grid Corporation of India Limited (PGCIL)

**Parties Present:** Shri Saahil Kaul, Advocate, ASIPL  
Shri Jafar Alam, Advocate, ASIPL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Shri Tushar Mathur, Advocate, PGCIL  
Ms. Soumya Singh, Advocate, PGCIL

**Record of Proceedings**

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the instant Petition has been filed for seeking extension of time for construction of dedicated transmission line (DTL) from Petitioner's 285 MW wind power project in Kutch to Bhuj Pooling Station of PGCIL. He submitted that the owing to delay in completion of the Project due to various uncontrollable events, SECI had extended SCOD for the Project under the PPA to December, 2021. The Petitioner had also conveyed to PGCIL about the extension granted by SECI for achieving SCOD in terms of PPA. Accordingly, PGCIL accepted the Petitioner's request for extension of time for completion of dedicated transmission system till October, 2021.



3. The learned counsel for the Petitioner submitted that the construction of DTL was completed on 12.1.2022 and energised on 28.1.2022 and its generation would be commissioned in February 2022. PGCIL was also intimated about the completion of DTL on 31.1.2022. As per the provisions of PPA between the Petitioner and SECI, the project can be completed within 9 months from the extended SCOD. He submitted that the completion of DTL falls within the time line prescribed under PPA i.e. 9 months from SCOD. Accordingly, he requested the Commission to dispose of the instant petition in terms of the Revised Detailed Procedure for grant of connectivity for projects based on renewable sources to inter-State transmission system which provides for completion of DTL on or before SCOD in cases where extended or delayed commissioning is permitted by the Renewable Energy Implementing Agency.

4. The learned counsel for the Petitioner submitted that the instant petition is only confined to extension of time period for establishment of DTL commensurate with SCOD under the PPA. He submitted that Petition No. 107/MP/2021 has been filed regarding LTA and seeking other consequential reliefs. He further submitted that PGCIL has filed its reply in the matter and, accordingly, sought time to file rejoinder in the matter.

5. The Commission directed the Petitioner to file its rejoinder by 20.2.2022.

6. In response to the query of the Commission, the learned counsel appearing on behalf of CTUIL and PGCIL submitted that the details of the status of LTA was filed vide affidavit dated 28.1.2022. SCOD of ATS was 5.6.2020 and the actual COD of ATS was 7.5.2021. She submitted that bill for ATS has not been raised yet as tariff for augmentation of transformation capacity at Bhuj Pooling sub-station is yet to be determined. She further clarified that the tariff petition for the same has been filed by PGCIL.

7. However, on verification of records, it is found that PGCIL had not filed the tariff petition for the said assets as stated by the learned counsel appearing on behalf of PGCIL and the petition was filed after the hearing since the Commission had raised the issue. Therefore, an incorrect and misleading statement was made by the learned counsel appearing on behalf of PGCIL.

8. Further, the petition for determination of tariff has been filed after a delay of 8 (eight) months even though the Bhuj Pooling Station had achieved COD on 7.5.2021.

9. In the course of hearing of Petition No.525/MP/2020, the Commission has made the following observations in the RoP dated 8.2.2022:

*“Taking a serious note of the fact that in several other cases the Commission has noticed that CTUIL has failed to raise timely bills which is a statutory function of the CTUIL and failure to do so tantamount to financial irregularities, the Commission directed CTUIL to place on record a comprehensive status of billing from the date of operationalization of LTA, i.e. 30.11.2019 in the instant*



*case and the details of billing in all other similar cases by way of an affidavit by 25.2.2022.”*

10. In view of the fact that an incorrect and misleading statement was made by the learned counsel appearing on behalf of PGCIL regarding the status of the tariff petition, petition for determination of tariff of the Bhuj Pooling Station has been filed after a delay of 8 (eight) months after observations made by the Commission during the hearing and failure to raise bills in accordance with the regulations tantamount to financial irregularities involving public money, the Commission directed CEO, CTUIL to appear personally on the next date of hearing and explain, including the status regarding billing.

11. The Petition shall be listed for hearing in due course for which a separate notice will be issued.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Legal)

