

Ref: AEPL/CERC /2022-2023/2009

To,  
**The Secretary,**  
Central Electricity Regulatory Commission  
3<sup>rd</sup> and 4<sup>th</sup> Floor, Chanderlok Building  
36, Janpath, New Delhi-110001

**20<sup>th</sup> September 2022**

**Subject:** Submission of Comments/Suggestions on “Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022” on behalf of Amplus Energy Solutions Private Limited (AEPL)

Dear Sir,

This is in reference to the Draft “Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022 published on 11.06.2022 and 18.08.2022” in respect of CERC (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022. The Draft Regulations was published on the website of Hon’ble Commission for providing comments/suggestions/clarifications on the same.

Amplus Solar is Asia's leading distributed energy company providing low-carbon clean energy solutions to commercial and industrial customers by setting up on-site solar projects (rooftop and ground-mounted) and off-site solar farms. Amplus Solar has also diversified into new avenues such as battery storage, residential solar, and electric vehicle-based logistics solutions.

Amplus Solar owns and manages a portfolio of over 1 GW of distributed solar assets and serves 250+ renowned Indian and multinational firms like Yamaha, Cisco, Amazon, Walmart, Reckitt Benckiser, Schlumberger, Carlsberg, ABB, TVs, Schneider, Qualcomm, Halliburton, GE, Honda among others, tripling its customer base from 2017 to 2022.

Amplus Solar’s operational plants are expected to cumulatively generate 22 billion units of electricity over their lifetime. The carbon dioxide abatement over the lifetime of these projects amounts to 21 million metric Tonnes and the environmental impact can also be equated to 24 million mature trees absorbing carbon dioxide for 40 years.

Amplus Solar is a member of the Petroleum Nasional Berhad (PETRONAS) group, Malaysia and is headquartered in Gurugram, India with regional offices in Bangalore, Mumbai, Pune, Bangkok, Dubai, and Kuala Lumpur. PETRONAS recently established Gentari Sdn Bhd (GENTARI) to independently pursue and deliver integrated sustainable energy solutions, and to capture opportunities in the energy transition. GENTARI offers



lower carbon solutions through three initial core pillars – Renewable Energy, Hydrogen and Green Mobility, forming a portfolio of solutions cutting across the electron value chain to help customers achieve net zero emissions.

Accordingly, we AEPL is submitting our comments on the draft which are enclosed as Annexure-1 with this letter.

We humbly request the Hon'ble commission to favorably consider our comments/suggestions while finalizing the Draft Regulations.

Yours sincerely

For Amplus Energy Solutions Pvt. Ltd.

*Shahad P. Khan*

Authorized Signatory



**Annexure-I**

**AEPL Comments on Draft CERC (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022”**

Sr No.	Regulation No	Existing Clause	Our Suggestion
1.	Amendment to Regulation 11 (1) of the Principal Regulations	<p>“(1) T-GNA Rate (in Rs./MW/block) shall be published for each billing month by the Implementing Agency which shall be calculated State-wise as under:</p> <p>Transmission charges for GNA for entities located in the State, for the billing month, under first bill (in rupees) X 1.10 / (number of days in a month X 96 X GNA quantum, in MW, for all such entities located in the State considered for billing, for the corresponding billing period.)”</p>	<p>The T-GNA Rates should be calculated based on 100% of the GNA Transmission Charges and not 110%. The equation may be modified as follows:</p> <p>“Transmission charges for GNA for entities located in the State, for the billing month, under first bill (in rupees) X 1.00 / (number of days in a month X 96 X GNA quantum, in MW, for all such entities located in the State considered for billing, for the corresponding billing period.)”</p>
2.	Amendment to Regulation 13 (1) of the Principal Regulations	<p>“(1) No transmission charges for the use of ISTS shall be levied for the following GNA quantum (GNARE), for scheduling power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with</p>	<p>In reference to this clause, we would like to draw your kind attention towards the MOP order No 23/12/2016- R&amp;R dated 23.11.2021 and 30.11.2021 on extension of waiver of Inter-state Transmission Charges for RE Projects commissioned till June 30, 2025. The said order provides for waiver of ISTS transmission charges for RE Projects supplying electricity inter-alia through power exchange or</p>



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	<p>REGS or RHGS based on wind or solar sources:</p> $GNA_{RE} \text{ (in MW)} = \frac{GNA \times \sum_{n=1}^T \left( \frac{SDR_G}{SDT_G} \right)}{T}$ <p>Where</p> <ul style="list-style-type: none"> <li>• SDRG is drawl schedule (in MW) through ISTS under GNA from entities covered under subclauses (i) and (ii) of this Regulation in nth block.</li> <li>• SDTG is total drawl schedule(in MW) under GNA through ISTS from all sources in nth block.</li> <li>• 'n' is the nth time block</li> <li>• T is number of time blocks in a month = 96X number of days in a month.</li> </ul> <p>Provided that in case total drawl schedule (in MW) under GNA through ISTS from all sources, for nth time block, is less than</p>	<p>bilateral arrangement. We understand that MOP has issued similar Orders in the past on waiver of Inter-State Transmission Charges. The Hon'ble CERC has notified these orders by way of amendments to 'ISTS-Sharing Regulations' under the Regulation 13(1). However, the latest amendment dated 23.11.2021 and 30.11.2021 is yet to be notified.</p> <p>The Hon'ble Commission in draft amendment Regulations published on 11.06.2022 had proposed to delete Regulation 13(1), which specified for allowing waiver towards payment of transmission charges by RE sources. However, subsequently the Hon'ble Commission in the supplementary draft issued on 18.08.2022 has proposed to add the revised (as quoted in adjacent column) provision as Regulation 13(1) to provide waiver towards inter-state transmission charges to power drawn from Solar or Wind or Hydro (renewable) and BESS based on these sources (herein after these sources referred to as RE sources).</p> <p>However, the proposed Regulations does not clearly specify that the waiver towards transmission charges shall be available towards whole GNA availed by beneficiaries procuring power from RE Sources.</p> <p>From the proposed Regulations 3(3), it is understood that the GNARE and T-GNARE arrived at by using the specified formula shall be</p>	

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		<p>75% of Maximum schedule corresponding to GNA, the "SDTG" shall be taken as 75% of maximum schedule corresponding to GNA for the nth block.</p> <p>(2) No transmission charges for the use of ISTS shall be levied for the following T-GNA quantum, for scheduling power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources:</p> $T - GNA_{RE} \text{ (in MW)} = \frac{T - GNA \times \sum_{n=1}^T \left( \frac{SDR_{TG}}{SDT_{TG}} \right)}{T}$ <ul style="list-style-type: none"> <li>SDRTG is drawl schedule (in MW) through ISTS under T-GNA from entities covered under subclauses (i) and (ii) of this Regulation in nth block.</li> </ul>	<p>reduced from total GNA availed by all DIC's, for computing the per MW transmission charges payable by other GNA beneficiaries. However, the formula specified for computation of GNA<sub>RE</sub> and T-GNA<sub>RE</sub> will always result in GNA<sub>RE</sub> and T-GNA<sub>RE</sub> being less than the total GNA availed by RE drawee entities. The reason being that the computation of GNA<sub>RE</sub> and T-GNA<sub>RE</sub> depends on ratio of two variables i.e. scheduled drawl of RE power and total scheduled drawl (including RE and non RE sources). The scheduled drawl from RE sources will not be uniform and at peak capacity and accordingly, the aforesaid ratio will always result in lower value of GNA<sub>RE</sub> and T-GNA<sub>RE</sub>. Accordingly, as per the proposed Regulations, waiver of transmission charges will not be provided to all the beneficiaries of RE sources. However, it is not clear how this waiver will be allotted to the beneficiaries.</p> <p>Further, proviso to Regulation 13(1), mandating total scheduled generator to be equal to more than 75% of maximum scheduled generation will also ensure that the above formula results in lower value of GNA<sub>RE</sub> and T-GNA<sub>RE</sub> as compared to the GNA availed by drawee of RE sources. Following table shows illustration for applicable waiver as per proposed draft Regulations:</p>

Sr No.	Regulation No	Existing Clause	Our Suggestion			
			Sr. No.	Particulars	Formula	Amount
		<ul style="list-style-type: none"> <li>• SDDTG is total drawl schedule(in MW) under T-GNA through ISTS from all sources in nth block.</li> <li>• 'n' is the nth time block</li> <li>• T is number of time blocks in a month = 96X number of days in a month or part of the month, as the case may be.</li> </ul> <p>Provided that in case total drawl schedule (in MW) under T-GNA through ISTS from all sources for a time-block, is less than 75% of maximum schedule corresponding to T-GNA for the time-block, the "SDDTG" shall be taken as 75% of maximum schedule corresponding to T-GNA.</p> <p>Provided further that the reimbursement, from the already paid T-GNA charges, on account of T-GNARE shall be made ex-post on finalization of schedules, by 15th day of the next month.</p>	A	Yearly Transmission Charges (in Rs.)	-	3500000
			B	GNA (MW)	-	100
			C	GNA(RE) (MW) computed considering specified formula	-	20
			D	Net GNA (MW) (A-B)	D=B-C	80
			E	GNA taken by RE beneficiaries (MW)	-	45
			F	Monthly Transmission Charges per MW as per proposed methodology as per Regulations	F=D/A	43750
			G	Recovery of Charges without considering GNA(RE)	G=F*D	3500000
			H	Applicable Waiver to GNA capacity(%)	H=C/E	44%

It can be seen from above table that the rebate will only be available to 44% of the RE capacity. Therefore, it is requested to the Hon'ble Commission to not to link waiver of transmission charges to scheduled energy and provide waiver towards transmission charges to all RE beneficiaries for full capacity irrespective of the scheduled energy.

It is pertinent to point out here that Electricity (Transmission System Planning, Development and Recovery of Inter-State Transmission Charges) Rules, 2021, notified by Ministry of Power mandates to allow pass through of any waiver provided by Central Government.

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		<p>(3) Clauses (1) and (2) of this Regulation shall be applicable for scheduling of power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources which have declared commercial operation upto 30.6.2025.</p>	<p>We would also like to highlight that presently Amplus and many other IPPs in the country are undertaking RE projects under Open Access, which are under implementation and are at advance stage of commissioning. Waiver of ISTS Transmission charges shall help in propagation of such RE projects.</p> <p>Seeing the waiver towards transmission charges granted by MoP, many developers have made huge investment and many projects are under pipeline. Imposition of ISTS charges on RE Projects at this stage will not only discourage investors sentiments, but it will also lead to waste of scarce resources. Eventually this will have a grave impact on our country's ambitious goal of achieving 175 GW by 2030.</p> <p>In view of above, it is humbly requested to suitably incorporate the provision of waiver of Inter-State Transmission charges to the consumer procuring power through such RE Projects, in accordance with aforementioned MOP order and Para 6.4 (6) of Tariff Policy, or the Commission may provide waiver in a manner as it may deems fit.</p>
2.	Regulation 13(3).	Where COD of a Connectivity Grantee is delayed from start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than	In reference to the clause No 3, we humbly pray to the Hon'ble Commission that mentioned clause should not be made applicable to the projects that has already been granted the connectivity, but the same is yet to be effective or should be given at least 1 time

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		<p>such start date of Connectivity, the Connectivity grantee shall pay Yearly Transmission Charges for the Associated Connectivity capacity which have not achieved COD.</p>	<p>opportunity to revise its SCOD date/connectivity date to ensure smooth transition from Old Regime to new Regime.</p> <p>It is pertinent to note that as per current practice Generator apply for connectivity much ahead of schedule of commissioning of the project and as the projects advances it encounters several factors that affects the schedule of the project. Factors could be delay in signing of PPA, clearances and permissions, issuance of Technical Specification from side in providing the Bay details and other Technical Specification or any other external factors. As per extant Regulations these charges were levied from the date of operationalization of LTA.</p> <p>We appreciate and support Hon'ble Commission's move to apply Yearly Transmission charges on the Connectivity Grantee from the start date of connectivity, where COD is delayed, to align the Sharing Regulations with GNA Regulations. However, application of these charges on the projects that has obtained connectivity in terms of "Connectivity Regulations, 2009 would be injustice and irrational, and would only increase the financial hardships of the developers, as previous Regulation had no such provision. Therefore, we earnestly request to the Hon'ble Commission to exempt the projects that have obtained connectivity "Connectivity Regulations, 2009" from this category.</p>

