

15th Feb 2022

To  
The Secretary  
Shri. Sanoj Kumar Jha  
Central Electricity Regulatory Commission  
3rd & 4th Floor, Chanderlok Building,  
36, Janpath, New Delhi- 110001

**Subject: Comments/Suggestions on Draft CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021**

Reference: Public Notice on Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021 dated 16th December 2021

Dear Sir,

We wish to introduce ReNew Power Private Limited ("ReNew Power") which is among the top and fastest growing renewable IPPs in the country. ReNew is in the business of developing wind, solar, hydro and roof-top power plants and has more than 10,000 MW of operational and under construction wind and solar projects spread over multiple states. ReNew Power has recently listed on the NASDAQ under the new ticker symbol "RNW" at an enterprise value of 8 Billion dollars. ReNew Power's vertically integrated business model and predictable cash flows, supported by long-term power purchase agreements, make the company among the most profitable in the sector, not only in India, but worldwide.

This is in reference to the public notice issued by this Hon'ble Commission on its website inviting comments/suggestions on the Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021 dated 16th December 2021. We would like to thank Hon'ble Commission for coming up with these much-needed transformations in the transmission framework. Accordingly, we are hereby enclosing our comments and suggestions as '**Annexure-I**' for your reference.

We request Hon'ble Commission to kindly consider our comments/suggestions while finalizing the draft regulations.

Thanking you.

Yours Sincerely,



Authorised Signatory  
ReNew Power Private Limited

**ReNew Power Private Limited**

(Formerly Known as ReNew Power Limited and ReNew Power Ventures Private Limited)

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## ReNew Comments on Draft CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021

S.No	Draft Regulation	Suggested Comments	Rationale
1.	<p><b>Definitions</b></p> <p>(ah) “Renewable Hybrid Generating Station” or “RHGS” means a generating station based on hybrid of two or more renewable source(s) of energy with or without Energy Storage System, connected at the same inter-connection point;</p>	<p>We request Hon’ble Commission to remove this definition of RHGS or rephrase it as “Co-located Renewable Hybrid Generating Station” or “CRHGS”</p>	<p>As per MNRE bidding Guidelines for procurement of power from Grid Connected Wind Solar Hybrid Projects, the wind and solar components of Hybrid project can be deployed at same or multiple locations subject to minimum injection capacity as 50 MW.</p> <p>We understand that the purpose of defining RHGS under GNA regulations is limited to the extent of Co-located hybrid projects.</p> <p>Therefore, we request Hon’ble Commission to either rephrase it as suggested here or remove it so that definition of Hybrid projects remain aligned with Central Government guidelines.</p>
2.	<p><b>4. Eligibility for Connectivity to ISTS</b></p> <p>4.2. Notwithstanding anything contained in Regulation 4.1, the entities having Connectivity shall be eligible, on payment of application fees, to apply for enhancement of Connectivity of less than 50 MW subject to available capacity in transmission system</p>	<p><b>4. Eligibility for Connectivity to ISTS</b></p> <p>4.2. Notwithstanding anything contained in Regulation 4.1, the entities having Connectivity shall be eligible, on payment of application fees, to apply for enhancement of Connectivity <b>of upto 25% of capacity for which connectivity is granted to such entity subject to available capacity in transmission system</b></p>	<p>Enhancement of connectivity should be equal for all connectivity holders by providing enhancement in certain percentage of existing one.</p>
3.	<p><b>5. Application for Grant of Connectivity</b></p> <p>5.8 The application for grant of Connectivity shall contain, inter alia, the following details, as applicable, duly supported with relevant affidavit, as stipulated</p>	<p><b>5. Application for Grant of Connectivity</b></p> <p>5.8 The application for grant of Connectivity shall contain, inter alia, the following details, as applicable, duly supported with relevant affidavit, as</p>	<p>As per revised procedure for grant of ISTS Connectivity to RE projects, the Applicants who have been granted Connectivity to ISTS for the generation projects based on particular renewable energy source(s) may,</p>

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	<p>in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1: .....</p> <p>vi) Registration Number along with certificate issued by the CEA Registry;</p>	<p>stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1: .....</p> <p>vi) <del>Registration Number along with certificate issued by the CEA Registry;</del></p>	<p>for the same generation capacity, change to another renewable energy source(s) in part or full, under intimation to CTU. In such cases, CTU shall incorporate the necessary change in connection agreement.</p> <p>For registration with CEA, we need to provide the type and configuration of the project. Post getting registration No. from CEA, any change in type of project will be tough.</p> <p>In view of above, we request Hon'ble Commission to remove the requirement of registration number along with certificate issued by CEA.</p>
4.	<p><b>6. Interconnection Study by the Nodal Agency and ATS</b></p> <p>6.1 Provided that the existing ISTS for the purpose of this Regulation shall include transmission system which has been awarded for implementation, as on the last day of the month in which application for grant of Connectivity complete in all respects, has been received:</p> <p>Provided further that if any additional transmission system gets awarded for implementation before completion of interconnection study, such additional transmission system shall also be considered as existing ISTS</p>	<p>Existing ISTS: The system commissioned till the last date of the month in which entity submit its application- This will make entire system as ATS and accordingly BG will be apportioned between all the applicants.</p>	<p>There should not be any difference between existing system or ATS as in both cases, applicant would require/utilise transmission infrastructure for evacuation of power. Further, it would not be fair or equitable to seek BG equivalent to cost of ATS from an applicant who seeks connectivity just before award of transmission system while other applicant who may apply for connectivity subsequent to award would require to give BG of only Rs. 2 lakh/MW.</p>
5.	<p>6.2 Any augmentation required, excluding terminal bay(s), to the existing ISTS identified under Regulation 6.1 of these regulations, shall be considered as the</p>	<p>Any augmentation required, <b>excluding common Transmission System</b> and terminal bay(s), to the existing ISTS</p>	<p>ATS for the applicant should be exclusive of the common transmission system.</p>

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	Associated Transmission System (ATS) for the Applicant(s).	identified under Regulation 6.1 of these regulations, shall be considered as the Associated Transmission System (ATS) for the Applicant(s).	
6.	<b>8. Connectivity Bank Guarantee</b> 8.3 (d) The amount for which Conn-BG2 is to be furnished as per clause (b) of this Regulation, shall be equal to estimated cost of ATS and terminal bay(s)	The amount for which Conn-BG2 is to be furnished as per clause (b) of this Regulation, shall be as under: <b>i) For Project capacity having PPA - equal to Conn-BG2 towards terminal bay clause 8.2 (a) of this Regulation.</b>  <b>ii) For untied Project capacity - equal to Conn-BG2 towards terminal bay clause 8.2 (a) of this Regulation and Rs. 2 Lakh/MW.</b>	
7.	New clause LTA (tied up capacity) is effective; however, Generation Project is not operational and paying penalty/liable for penalty for delay as per present regime.	Such Generating assets shall be allowed to convert their LTA and connectivity to GNA and shall comply with BG requirements as mentioned in these regulations	
8.	8.3(d) The amount for which Conn-BG2 is to be furnished as per clause (b) of this Regulation, shall be equal to estimated cost of ATS and terminal bay(s) and the timeline for completion of ATS and terminal bay(s) shall be based on the scheduled date of commercial operation for such ATS and terminal bay(s).	8.3(d) The amount for which Conn-BG2 is to be furnished as per clause (b) of this Regulation, shall be equal to estimated cost of ATS <b>in proportion to the capacity for which connectivity is granted</b> and terminal bay(s) and the timeline for completion of ATS and terminal bay(s) shall be based on the scheduled date of commercial operation for such ATS and terminal bay(s).	It might be possible that the licensee is constructing transmission infrastructure for 1000 MWs but entity A is granted connectivity for 300 MW only. It would not be fair and equitable for entity A to furnish BG for the cost of ATS for entire 1000 MWs.  Therefore, we request Hon'ble Commission to modify the said provision as suggested herein.
9.	<b>10. Connectivity Agreement</b>	<b>10. Connectivity Agreement</b>	Conn BG 3 should also be returned to the entities if terminal bays are not awarded.

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	10.6 Provided that where no construction of ATS or terminal bays has been awarded for implementation, Conn-BG2 shall be returned within a month of such revocation.	10.6 Provided that where no construction of ATS and/or terminal bays has been awarded for implementation, <b>Conn-BG2 and Conn-BG3 shall be returned within a month of such revocation.</b>	
10.	<p>10.7. The Connectivity Agreement, inter alia, shall include the following and other details as may be stipulated in the Detailed Procedure</p> <p>(c) Provision that in case of non-payment of transmission charges under Regulation 13 of the Sharing Regulations for more than 3 months from the due date, the same may be recovered by encashing Conn-BG1, Conn-BG2 and Conn-BG3, as required as per provision of Regulation 16.3 of these regulations</p> <p>16.3. In case of non-payment of transmission charges under Regulation 13 of the Sharing Regulations for more than 3 months from the due date, such transmission charges shall be recovered by encashing Conn-BG1 (if subsisting), Conn-BG2 and Conn-BG3, as required. Connectivity shall be revoked from the date when Conn-BG2 is not sufficient to cover transmission charges under Regulation 13 of the Sharing Regulations</p>	To be removed.	<p>Connectivity grantee under regulation 8 of these regulations are already furnishing Conn BGs and procurers are made eligible for availing GNA. Further, the concept of GNA is to made liable Generating stations for the cost of ATS or terminal bay made by licensee while transmission charges for GNA shall be borne by procurer. In case of any default in terms of connectivity by entities covered under Reg 4.1 of these regulations then CTU can encash the Conn BGs submitted by such entities to recover the cost of ATS. Therefore, there is no occasion for recovery of transmission charges from Generating stations as their BGs will be encashed in case of default and procurer can still avail power towards such GNA from some other mode.</p> <p>In view of the above, we request Hon'ble Commission to remove this provision so that the objective of GNA regulations can be aligned.</p>
11.	<p><b>12. Dedicated Transmission Lines and Bay(s)</b></p> <p>12.5. In case of an entity covered under Regulation 17.1(iii), the line to connect such an entity to the ISTS and necessary augmentation for providing</p>	<p><b>12. Dedicated Transmission Lines and Bay(s)</b></p> <p>12.5. In case of an entity covered under Regulation 17.1(iii), the line to connect</p>	Hon'ble Commission in its order dated 05.01.2022 in petition number 124/MP/2021 has allowed Petitioner to approach either PGCIL or any other licensee to construct DTL

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	connection to the ISTS, shall be constructed and maintained by a licensee at the cost of such entity	<p>such an entity to the ISTS and necessary augmentation for providing connection to the ISTS, shall be constructed, and maintained by <b>any ISTS transmission licensee</b> at the cost of such entity.</p> <p><b>Provided that such entity can also form a SPV and take transmission license to construct DTL.</b></p>	at the cost of Petitioner. The entity should also be given option to take transmission license and form DTL.
12.	<p><b>15. Transfer of Connectivity</b> 15.1 Provided that Connectivity granted to a parent company may be utilised by its subsidiary and Connectivity granted to a subsidiary may be utilised by its parent company</p>	<p><b>15. Transfer of Connectivity</b> 15.1 Provided that Connectivity granted to a parent company may be utilised by its subsidiary and Connectivity granted to a subsidiary may be utilised by its parent company</p> <p><b>Provided that Parent company should have at least 49% of the shareholding in its subsidiary</b></p>	
13.	<p><b>16. Treatment of Connectivity Bank Guarantee</b> 16.2. Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.</p>	<p><b>16. Treatment of Connectivity Bank Guarantee</b> 16.2. Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.</p> <p><b>Provided that Conn-BG2 and Conn-BG3 of Renewable Energy Generating stations shall be returned within 30 days after commissioning of the full capacity</b></p>	Unlike fuel based Generating stations wherein there is a possibility of delay in operations of the generating asset due to the non-availability of fuel or any other issue, RE based generating stations start their operations/generation immediately after commissioning their capacity as it is not dependent upon any fuel to operate. Hence the evacuation infrastructure is put to use immediately after commissioning in case of RE projects.

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			Therefore, BGs of RE projects should be returned immediately after commissioning of the entire capacity.
14.	<p><b>19. Application for Grant of additional GNA by STU</b>  <b>19.2.</b> STU, on behalf of intra-State entities including distribution licensees, may apply, once in a financial year (starting from the financial year following the financial year in which these regulations have become effective) by the month of September each year, for additional GNA for the next 3 (three) financial years, with entity-wise segregation indicating GNA within the region and from outside the region, as stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1</p> <p>Provided that such additional GNA quantum to be added in each of the next three financial years shall be applicable from a specified date of the respective financial year</p>	<p><b>19. Application for Grant of additional GNA by STU</b>  <b>19.2.</b> This provision needs clarity whether the additional GNA sought by STU by end of September month of every financial year will be applicable for next three financial years or will it be perpetual.</p>	
15.	<p><b>22.2 Grant of GNA to entities other than STU</b>  (d) Entities covered under Regulation 4.1 and clause (iii) of Regulation 17.1 of these regulations shall furnish one-time GNA charge for Rs. one lakh per MW for the quantum of GNA one month prior to the start date of GNA. In case, such charges are not furnished by the entity within the specified timeline, the same shall be recovered by encashment of Conn-BG1, Conn-BG2 and Conn-BG3 as required.</p>	<p><b>22.2 Grant of GNA to entities other than STU</b>  (d) Entities covered under <del>Regulation 4.1</del> and clause (iii) of Regulation 17.1 of these regulations <b>who will be granted GNA after notification of these regulations</b> shall furnish one-time GNA charge for Rs. one lakh per MW for the quantum of GNA one month prior to the start date of GNA. In case, such charges are not furnished by the entity within the specified timeline, <del>same shall be recovered by encashment of Conn-BG1, Conn-BG2 and Conn-BG3 as</del></p>	In the workshop conducted by CERC, it was informed that only new entities who will be granted GNA after notification of these regulations will be required to submit one-time GNA charges and will not be levied on entities which are already granted connectivity/LTA. We request Hon'ble Commission to capture the same in the regulation.

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		required <b>the GNA shall be cancelled with payment of relinquishment charges as per Regulation 25</b>	
16.	<p><b>23. Use of GNA by other GNA grantee(s)</b>  23.1. An entity covered under Regulation 17.1 which is a GNA grantee, may authorise other entities covered under Regulation 17.1 which are GNA grantee(s), to use its GNA, in full or in part, with prior approval of the Nodal Agency, for a period not exceeding 1 (one) year at a time on mutually agreed terms and conditions</p>	We request Hon'ble Commission to clarify whether GNA grantee located in region A can authorise other entities located in different regions i.e region B or C, to use its GNA or can only authorise entity of same region to use its GNA.	In the workshop conducted by CERC, it was communicated that transfer of GNA between the entities will be allowed within the same region. We request Hon'ble Commission to capture the same in the regulation.
17.	<p>Additional Comment:   Separate buckets for RE and non-RE GNA</p>	<p>The GNA granted to entities under regulation 17.1 shall be categorised in two parts: RE and non-RE GNA so that any non-RE power availed by procurer can be settled/accounted from the limit of non-RE GNA only.</p> <p>The nodal agency shall publish details of GNA availed by procurer and categorise in two parts: RE-GNA and non-RE GNA for the purpose of calculating transmission charges and TDR.</p>	<p>In the proposed GNA mechanism, if a state or any other procurer has GNA for availing RE for which transmission charges are waived off, it might be possible that during non-RE generation time same GNA can be used for sourcing non-RE power (mostly thermal) and as the GNA limit will not get breached, there will be no transmission charges for procuring non-RE power.</p> <p>Therefore, we request Hon'ble Commission to separate the GNA in two buckets i.e. RE and non-RE GNA and accounting of transmission charges and TDR be made in these respective categories to ensure that non-RE power doesn't get any waiver of transmission charges.</p>
18.	<p><b>26. Eligibility for Temporary GNA</b>  26.1. The following entities shall be eligible as Applicants to apply for T-GNA to ISTS:  (iv) Generating Station including Renewable Energy Generating Station for meeting its auxiliary</p>	<p>26. Eligibility for Temporary GNA  26.1. The following entities shall be eligible as Applicants to apply for T-GNA to ISTS:</p>	Under GNA regime, procurer can source power from any contracts/mode upto the limit of GNA. Therefore, In case of any forced outage of generating station, the supply obligations can be meet by sourcing power



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	consumption or start-up power or for meeting its supply obligations in terms of clause (3) of Regulation 6 of the Power Market Regulations	(iv) Generating station including Renewable Energy Generating Station for meeting its auxiliary consumption or start-up power <del>or for meeting its supply obligations in terms of clause (3) of Regulation 6 of the Power Market Regulations</del>	from any other source i.e. bilateral or Collective (RTM etc) in the GNA limit of the respective buyer and there is no need for Generating station to avail T-GNA.  Therefore, we request Hon'ble Commission to modify the regulation as suggested herein.
19.	<p><b>32. Revision of T-GNA</b></p> <p>32.1. T-GNA granted under Exigency application category or under Advance application category for a period not exceeding one month cannot be revised</p> <p>32.2. T-GNA granted under Advance application category for a period of more than one month may be reduced for the balance period with a prior notice of one (1) month by the T-GNA grantee: Provided that applicable T-GNA charges for the quantum of T-GNA granted shall be payable for the notice period of one (1) month</p>	<p>32. Revision of T-GNA</p> <p>32.1. T-GNA granted under Exigency application category <del>or under Advance application category for a period not exceeding one month</del> cannot be revised</p> <p>32.2. T-GNA granted under Advance application category for a period of <b>more than 02 days may be reduced for the balance period with a prior notice of Two (02) days by the T-GNA grantee Provided that applicable T-GNA charges for the quantum of T-GNA granted shall be payable for the notice period of Two (02) days</b></p>	<p>T-GNA under Advance application should be allowed to revise with a prior notice period of 02 days as such corridor can be allotted to other T-GNA grantees under Exigency application after 02 days' time period.</p> <p>Existing regulation also provides option to STOA grantee to avail downward revision provision after a period of 02 days time period.</p> <p>Therefore, we request Hon'ble commission to keep the provision as it is for Advance T-GNA applications.</p>
20.	<p><b>37. Arrangement of transition</b></p> <p>37.6. If Connectivity granted in accordance with the Connectivity Regulations is effective and Long term Access has either not been granted for any capacity or has been granted for full/part capacity which has become effective as on the date of coming into effect of these Regulations, the following shall apply:</p> <p>(1) Entities covered under Regulation 4.1 of these regulations, which have not been granted Long Term Access for any capacity or granted Long term access for part of the capacity qua the Connectivity quantum</p>	<p>If Connectivity granted in accordance with the Connectivity Regulations is effective and Long term Access has either not been granted for any capacity or has been granted for full/part capacity which has become effective as on the date of coming into effect of these Regulations, the following shall apply:</p> <p>(1) Entities covered under Regulation 4.1 of these regulations, which have not been granted Long Term Access for any capacity</p>	<p>As per regulations 4.1 and 17.1 of GNA regulations, generating stations and Buyers are required/eligible to avail connectivity and GNA respectively.</p> <p>Therefore, any entity whose connectivity has been made effective would mean that such entity is generating station and not buyer thereby falling under regulation 4.1 of these regulations. Hence, such generating stations should not be asked to take GNA in case LTA is not granted for partial or full capacity as it</p>

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	under the Connectivity Regulations, may apply for additional GNA for balance quantum of Connectivity under Regulation 17.2 of these regulations. The same shall be processed by the Nodal Agency as under	or granted Long term access for part of the capacity qua the Connectivity quantum under the Connectivity Regulations, <b>need not apply for GNA and would be required to furnish Conn BG as per Regulation 8</b>	would be availed by procurers under regulation 17.1 of these regulations.