

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 211/MP/2023 alongwith IA No. 48 of 2023

Subject : Petition under Section 79 of the Electricity Act, 2003 seeking setting aside of Central Transmission Utility of India Ltd.'s letter dated 17.5.2023 closing the Petitioners Application for grant of connectivity and for issuance of directions to CTUIL for grant of connectivity of 1710 MW for Hybrid Project comprising of Solar 810 MW, Wind 900 MW and Energy Storage System 600 MWh to the Petitioner.

Date of Hearing : 11.8.2023

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

Petitioners : ReNew Vikram Shakti Private Limited

Respondents : Central Transmission Utility of India Ltd. & Ors.

Parties Present : Shri Vishrov Mukerjee, Advocate, RVSPL
Shri Girik Bhallat, Advocate, RVSPL
Shri Raghav Malhotra, Advocate, RVSPL
Ms. Anamika Rana, Advocate, RVSPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Reeha, Advocate, CTUIL
Ms. Anumeha Smiti Singh, CTUIL
Shri Swapnil Verma, CTUIL
Ms. Muskan Agarwal, CTUIL
Shri Alok Mishra, SRLDC

Record of Proceedings

The present petition is filed seeking direction for setting aside CTUIL's letter dated 17.5.2023 closing the Petitioner's application for grant of connectivity and for issuance of appropriate direction to CTUIL for grant of connectivity of 1710 MW for a Hybrid Project comprising 810 MW of Solar, 900 MW of Wind and 600 MWh of Energy Storage System (ESS) to the Petitioner.



2. Learned counsel for the Petitioner submitted that CTUIL is creating an artificial distinction between eligibility and entitlement. He further submitted that CTUIL is proceeding on the basis of a LoA grant for the project capacity of the Petitioner of 600 MW instead of proceeding on the basis of the connectivity sought by the Petitioner. He also submitted that if CTUIL is facing some technical difficulty in granting connectivity, it should approach the Commission by way of a separate petition.

3. Learned counsel for CTUIL, referring to the reply filed, made the following submissions:

a) On 21.4.2023, the Petitioner, as a generating station with an Energy Storage System (ESS), applied for connectivity in terms of the Commission's General Network Access to the inter-State Transmission System Regulations, 2022 (GNA Regulations, 2022) for a total capacity of 1998 MW as against the LoA granted of only 600 MW. Accordingly, the Petitioner was required to resubmit the application with clarifications within seven days. Subsequently, on 17.5.2023, SECI issued an Addendum to the Petitioner's LoA dated 20.4.2023 holding the project capacity revised as Solar – 810 MW, Wind – 900 MW, ESS – 600 MWh, totaling 1710 MW.

b) On 28.4.2023, the Petitioner submitted the revised application for reduction of the connectivity quantum to 1710 MW (750 MW solar and 960 MW wind) from 1998 MW (750 MW solar, 960 MW wind and 228 MW ESS).

c) The Application of the Petitioner for grant of connectivity was considered by the CTUIL in terms of Clause (xi) to Regulation 5.8 of the GNA Regulations, 2022, as amended on 1.4.2023 based on which a Renewable Energy Generating Station can apply through three alternative routes i.e. (a) LoA or Power Purchase Agreement (PPA), or (b) registered title deed as proof of ownership or lease right for 50% of the land required or (c) bank guarantee of Rs. 10 lakh per MW in lieu of ownership or lease rights. The Petitioner had applied under the LoA route, and CTUIL proceeded to examine the application on the basis of the LoA granted by SECI. The LoA has been granted only for a project capacity of 600 MW, while the connectivity sought by the Petitioner was to the extent of 1998/1710 MW. However, the regulatory prescription for eligibility under the LoA route does not provide that the quantum over and above that specified in the LoA quantum ought to also be considered under the LoA route.

d) CTUIL is adopting the same reply as has been filed in the present case for ACME in Petition No. 218/MP/2023 (also listed on 11.8.2023) as the matter in issue in both petitions is the same.

e) SECI is a party to the present petition. However, it has not entered appearance.



4. After hearing the parties, the Commission reserved its order in the matter.

By order of the Commission

sd/-
V. Sreenivas
Joint Chief (Law)

