

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Diary (Petition) No.294/2023 & Diary (IA) No. 295/2023

- Subject : Petition under Sections 79 (1)(f) and 79(1)(c) of the Electricity Act, 2003, read with Regulation 8 and Regulation 26 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008 and Detailed Procedure framed thereunder and approved by this Hon'ble Commission, in relation to arbitrary, unlawful and *mala fide* acts on part of Respondent No.1 SLDC in refusing to process Petitioner's Application for Standing Clearance for grant of Short Term Open Access (STOA) for August 2023 and grant the same within timelines stipulated in the Detailed Procedure.
- Date of Hearing : **26.7.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Tadas Wind Energy Private Limited
- Respondents : Karnataka Power Transmission Corporation Limited and Ors.
- Parties Present : Shri Aditya Narayan, Advocate, TWEPL
Ms. Pratiksha, Advocate, TWEPL
Shri Rakesh Shah, TWEPL
Shri Ujjwal Surana, TWEPL

Record of Proceedings

Learned counsel for the Petitioner mentioned the matter during the course of the hearing citing urgency therein and submitted that he has served a copy of the Petition and (IA) for early listing to the Respondents.

2. Learned counsel submitted that instant Petition has been filed by the Petitioner, *inter-alia*, seeking declaration that the Petitioner is entitled to and has got deemed approval / standing clearance for STOA to its power plant (80.8 MW capacity) in terms of its application dated 7.7.2023. He further submitted that the Petitioner was duly granted, by SLDC of Karnataka, i.e., KPTCL (Respondent No.1) the registration and, thereafter, standing clearance for the months of June 2023 (16.6.2023 to 30.6.2023) and July, 2023 on the basis of single application for the power plant as a whole (80.8 MW). It is pointed out that, the power plant has one evacuation scheme approval and single interconnection approval. Despite this, the Respondent No.1 has not processed the application of the Petitioner for standing clearance for the month of August 2023 filed on 7.7.2023 till date on a pretext that seven separate registrations are to be obtained and the applications are to be filed in relation to, although it involves, a single power plant. It is argued that the above action is not only contrary to the provisions of the Central Electricity Regulatory Commission (Open Access in inter-State

Transmission) Regulations, 2008 and Respondent No.1's own past practice but also to the NLDC's express view that seven separate registrations and applications are not required for the aforesaid single project. Learned counsel submitted that since existing standing clearance expires on 31.7.2023 and unless an appropriate order is issued by this Commission, the 100 MW renewable energy-based project will become stranded. Learned counsel further submitted that the Petitioner has also IA (Diary No. 295/2023) for seeking interim relief and requested to list the matter on 28.7.2023.

3. After hearing the learned counsel for the Petitioner, the Commission directed to issue notice to the Respondents. The Petitioner was directed to serve copy of the Petition on the Respondents, if not served already, immediately.

4. Registry is directed to register the Petition and IA after completion of all procedural formalities.

5. The Petition along with IA, shall be listed for hearing on **28.7.2023**.

By order of the Commission

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