



Greenko Energies Private Limited

CIN: U40109TG2000FTC034990

Ref: - GEPL/2021-22/CTU/20220227

Date: 27.02.2023

To,

The Secretary, Central Electricity Regulatory Commission,
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi-110001

Subject: - Few Comments/Suggestions on Draft 1st amendment of CERC GNA 2022 regulation

Dear Sir,

At the outset, we extend our gratitude to hon'ble Central Electricity Regulatory Commission for inviting Comments/Suggestions/Observations on Draft 1st amendment of Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022.

We wish to submit our observations/comments and objections/suggestions as attached herewith as **Annexure-I**. We humbly request the hon'ble Commission to favourably consider our comments/suggestion in larger interest of Stakeholders.

Thanking You,

For M/s GREENKO ENERGIES PRIVATE LIMITED

Y.K Sehgal

Authorised Signatory

Annexure 1: Comments / Observations/ Suggestions on GNA Amendment

Sr. No.	Existing Regulation	Proposed Amendment	Rationale
1.	<p>.....</p> <p>“5.2 Notwithstanding anything contained in Regulation 5.1, a generating station or ESS, with prior approval of CTU, shall be eligible to add, within the quantum of Connectivity granted to it, additional generation capacity or ESS, owned by the generating station or the ESS or any other entity:</p> <p>Provided that the generating station or the ESS being the existing Connectivity Grantee shall be responsible for compliance with the Grid Code and other regulations of the Central Commission for such additional generation capacity including ESS as ‘Lead ESS’ or ‘Lead generator’ in terms of Regulation 2.1 (x)(ii) or Regulation 2.1 (y)(ii), as the case may be:</p> <p>Provided further that net injection at any point of time shall not exceed the quantum of total Connectivity granted to the existing Connectivity grantee.”</p>	<p>Additional 3rd Proviso may be added to supporting the existing regulation:</p> <p>.....</p> <p><i>Provided further that generating stations who have been granted Connectivity to ISTS based on particular renewable energy source(s), with or without storage may, for the same quantum of connectivity granted, change to another renewable energy source(s) and / or ESS, in part or full, under intimation to CTU. In such cases, CTU shall incorporate the necessary change in connection agreement.</i></p>	<p>This is a welcome step which allow different entities can jointly sought for connectivity lower than the total installed capacity and transmission system will also be optimally utilised in such cases.</p> <p>There may be situation arise where grid connectivity earlier granted with a particular RE configuration; and later on, to provide the desired supply profile, developer may require to revise the RE project configurations. Therefore, it is requested that flexibility in change in project configurations should be allowed to developers, so long as connectivity quantum remains unchanged.</p> <p>Considering the same we request the Hon’ble Commission to incorporate the suggested Proviso allowing change in configuration aspect.</p>
2.	<p>8.3 For cases covered under Regulation 7.2 of these regulations where augmentation with ATS is required, the following procedure shall be followed:</p> <p>.....</p> <p>(b) The Nodal Agency, within 6 (six) months of furnishing of Conn-BG1 as per clause (a) of this Regulation, shall intimate to such entity, (i) amount of ConnBG2 to be furnished towards ATS</p>	<p>8.3 For cases covered under Regulation 7.2 of these regulations, where augmentation with ATS is required, the following procedure shall be followed:</p> <p>.....</p> <p>(b) The Nodal Agency, within 6 (six) months of furnishing of Conn-BG1 as per clause (a) of this Regulation, shall intimate to such entity, (i) amount of ConnBG2 to</p>	<p>if an entity apply for connectivity at existing/new substation, where augmentation with ATS is required, as per the proposed regulation, such entity, being an first applicant to such sub-station, may have to submit conn-BG2 for an estimated cost of total augmentation required which may be for the quantum higher than the connectivity applied. There is possibility that the 2nd applicant would be in advantageous position and may not be asked to submit such Conn-BG2.</p>

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	and terminal bay(s), which shall not exceed the estimated cost intimated under Regulation 7.2 of these regulations, (ii) the timeline for completion of ATS and terminal bay(s), and (iii) firm date of start of Connectivity:	be furnished towards ATS and terminal bay(s), proportionate to quantum of connectivity such entity has applied which shall not exceed the estimated cost intimated under Regulation 7.2 of these regulations , (ii) the timeline for completion of ATS and terminal bay(s), and (iii) firm date of start of Connectivity: Provided that if such ATS and terminal bay(s) are planned for more than one entity, Conn-BG2 shall be furnished in proportion to the quantum of Connectivity applied for by such entities:	We submit that the all the applicants, which are going to get connectivity at such substation should be asked to submit Conn BG-2 in proportion to their connectivity quantum granted.
3.	Regulation 15.1 1 st Proviso – “Provided further that where a bulk consumer has been granted GNA under Regulation 17.1(iii) seeking to connect to ISTS directly, GNA granted to such Bulk consumer may be utilized in part or full by its subsidiaries.”	“Provided further that where a bulk consumer has been granted GNA under Regulation 17.1(iii) seeking to connect to ISTS directly, GNA granted to such Bulk consumer may be utilized in part or full by its subsidiaries and/ or its Parents and/or its affiliates. ”	We appreciate that regulations allow to utilize the GNA granted to a Bulk Consumer among its subsidiaries. We request the Hon’ble Commission to also allow such Bulk Consumer to that the GNA granted to a Bulk Consumer may be utilized in part or full by its parent and /or by its affiliates.
4.	Regulation 20.4 Provided that if such an entity with GNA _{RE} intends to draw power from the sources other than the sources identified at clause (2) of the Regulation 13 of the Sharing Regulations, it may: (a) apply for grant of additional GNA; or Provided that if such an entity with GNA _{RE} intends to draw power from the sources other than the sources identified at clause (2) of the Regulation 13 of the Sharing Regulations, it may: (a) apply for grant of additional GNA; or	The proposed draft regulation allows entity with GNA _{RE} to convert into GNA . Similar flexibility should be given to entity with GNA may convert into GNA _{RE} . There are many Bulk consumers currently procuring power from sources other than renewable energy, such bulk consumers should be allowed to convert their GNA into GNA _{RE} , if such entity want to procure power only from renewable energy sources.

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	(b)it may convert GNA _{RE} into GNA by making an application to the Nodal Agency.”	(b)it may convert GNA _{RE} into GNA by making an application to the Nodal Agency.” <u>Provided further that an entitiy covered under clause 17.1 (iii) of these regulations with GNA intent to draw power only from renewable energy sources, it may concert GNA into We request GNA_{RE} by making an application Nodal Agency.</u>	
5.	Regulation 24.6 (c) Connectivity granted to an REGS (other than Hydro generating station) or ESS (excluding PSP) shall be revoked, if LOA or PPA on basis of which Connectivity was granted, is terminated prior to the COD of the project.	(c) Connectivity granted to an REGS (other than Hydro generating station) or ESS (excluding PSP) shall be revoked, if LOA or PPA on basis of which Connectivity was granted, is terminated prior to the COD of the project. Provided that such connectivity grantee fulfils the conditions stipulated in regulation 5.8 xi (b) and intimate CTU within 1 month of termination of LOA or PPA , the connectivity granted shall not be revoked.	Hon’ble Commission has proposed to allow that the connectivity granted under 5.8 xi (b) (Land and Finance) and same grantee subsequently fulfilled the conditions of LOA or PAA, such grantee shall be treated based on LOA/PPA. We request the Hon’ble Commission to allow other way around. Meaning, if connectivity granted to an REGS (other than Hydro generating station) or ESS (excluding PSP) on the basis of LOA or PAA and the same is terminated, however, if such connectivity grantee able to fulfil the conditions under 5.8 xi (b) (land and finance), than such connectivity should not be revoked.
6.	Regulation vii of regulation 5.8 of the Principal regulations :- New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:	Regulation vii of regulation 5.8 of the Principal regulations :- New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:	As per clause vii and xi of regulation 5.8 , it becomes pertinent to note that the pre-requisite for seeking connectivity is that either the applicant has to submit LoA or the PPA or the Applicant must have registered title deed as a proof of ownership or lease rights or land use rights for 50% of the land and auditor certificate certifying release of at least 10% of project cost including land acquisition cost through equity.

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<p>“(xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant (PSP)) the following documents shall be submitted:</p> <p>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be: Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.</p> <p>(b) Or (b) (i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and (ii) Auditor’s certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity.”</p>	<p>“(xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant (PSP)) the following documents <u>shall be submitted within 6 months of award of in principle connectivity:</u></p> <p>(c) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be: Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.</p> <p>(d) Or (b) (i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and (ii) Auditor’s certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity.”</p>	<p>While these bring the pre-requisite, we would like to bring this to your kind attention that there will be case where certain generators participate in tenders floated by the bidding agencies and win, who will then receive Letter of Award and enter into PPAs with Renewable Energy Implementing Agencies or distribution licensees. However, there will also be another set of generators who do not participate but choose to acquire land with either ownership or lease rights or land use rights for 50% of land to acquire connectivity.</p> <p>Therefore, the challenge here is that if the generator chooses to acquire and keep acquiring land enough to showcase 50% of land use rights it takes about a minimum of 6 months by which time the developers who won in the tender process and would receive LOAs and shall be eligible to seek the connectivity as well. As you are aware that bidding for the projects is hampering only for the substations proposed by the CTUIL, this puts such generator behind the generator who depend on the 50% land use rights criteria in a disadvantageous position as they would be in a process of investing their time and money into such an acquisition.</p> <p>Therefore, we suggest that a new amendment be brought which adds a Bank Guarantee of INR 5,00,000 per MW to seek connectivity along with the application fees instead of regulation 5.8 which suggest the generator to show 50% land use rights for seeking connectivity and auditor certificate to show at least 10% the project cost including the land acquisition cost through equity. Once the generator</p>
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			<p>proves his strength of 50% land use rights within 6 months of submission of the BG, this BG may be returned to the developer and show 100% land use rights within 12 months. This amendment, if brought, will be a measure to be inclusive towards all the generators and also a security mechanism while according to connectivity.</p> <p>Thus, we request your good office to kindly consider our request to balance out the interest of the generator.</p>
7.	<p>Regulation vii of regulation 5.8 of the Principal regulations: - </p> <p>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be: Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.</p> <p>(b) Or (b)</p>	<p>Regulation vii of regulation 5.8 of the Principal regulations: </p> <p>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, or <u>signed copy of PPA with Bulk Consumer in case such Bulk Consumer already has GNA obtained,</u> as the case may be: Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the</p>	<p>It is requested that exemption of Land and Auditor certificate has to be given to Generator having PPA with Bulk Consumer and such Bulk Consumers already have GNA.</p> <p>Under such scenarios, generators have to produce signed copy of PPA with Bulk Consumers.</p>

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	<p>(i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>(ii) Auditor’s certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity.”</p>	<p>distribution licensee, as the case may be, shall be submitted.</p> <p>(b) Or</p> <p>(b)</p> <p>(i) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>(ii) Auditor’s certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity.”</p>	
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