

**Comments of Statkraft Markets Private Limited on Central Electricity
 Regulatory Commission (Connectivity and General Network Access to the
 inter-State Transmission System) (First Amendment) Regulations, 2023**

S.No.	Clause No & Details	Suggestion/Clarification Requested	Rationale for Suggestion
1.	<p>Clause 4.2</p> <p>New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:</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 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:.....</p>	<p>May be modified as below:</p> <p>New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:</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 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:.....</p> <p><i>Provided further that PPA signed with Implementing</i></p>	<p>The intent of proposed amendment is to promote serious players and prevent blocking of connectivity. It may so happen that while the DISCOM/Implementing Agency has issued LOA, there is a significant time gap before PPA is signed or PPA may not be signed at all. In such cases, connectivity will be blocked. To avoid this situation, only PPA shall be considered while applying for connectivity. Further, the Electricity Amendment Rules, 2022 permit the Implementing Agency to sell the power not supplied to DISCOMs to open access consumers. Thus, as per proposed amendment, projects supplying power to open access consumers through Implementing Agency need not put upfront investment of 10% of project cost, no</p>

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		<i>Agency shall be considered only if the Implementing Agency has signed back to back Power Sale Agreement (PSA) with a Distribution Licensee</i>	land required upfront. This will dis-incentivize merchant renewable plants. Hence, the proposed amendment
2.	<p>Clause 12.1</p> <p>A new clause, namely, (vi) shall be added after the clause (v) to the Regulation 17.1 of the Principal Regulations as under:</p> <p>“(vi) An injecting entity which is granted Connectivity to intra-State transmission system and seeking GNA for purpose of injection into ISTS.”</p>	It may be clarified that in case any intra-state generator wants to sell power through power exchange or want to sell power on bilateral basis to a consumer in some other state, will it be required to take GNA or T-GNA?	
3.	<p>Clause 16.1</p> <p>A new Regulation 20.4 shall be added after Regulation 20.3 of the Principal Regulations as under:</p> <p>“20.4 Entities covered under clause (iii) of Regulation 17.1 of these regulations shall be eligible to apply for GNA to draw power only from renewable sources as identified at clause (2) of the Regulation 13 of the Sharing Regulations. Such GNA shall be called as GNA_{RE} for purpose of calculation of transmission charges in</p>	<p>May be modified as below:</p> <p>A new Regulation 20.4 shall be added after Regulation 20.3 of the Principal Regulations as under:</p> <p>“20.4 Entities covered under clause (ii) and (iii) of Regulation 17.1 of these regulations shall be eligible to apply for GNA to draw power only from renewable sources as identified at clause (2) of the Regulation 13 of the Sharing Regulations. Such GNA shall be called as GNA_{RE} for purpose of calculation of transmission charges in</p>	<p>As per the rationale given in Clause 34 of the Explanatory Memorandum, the amendment is proposed to ensure that consumers drawing power from RE sources are not forced to bear transmission charges. The same exemption shall also be given to drawing entities connected to intra-state transmission system. Currently, most of the consumers taking power through open access are</p>

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	accordance with the Sharing Regulations.....	accordance with the Sharing Regulations.....	connected to the intra-state transmission system. Such consumers shall also be permitted to take GNA _{RE} or TGNA _{RE} , as the case may be
4.	<p>Clause 24.6</p> <p>(1)</p> <p>(a) Connectivity shall be revoked for the corresponding capacity, if the Connectivity grantee fails to achieve COD either in full or in parts on or before,</p> <p>(i).....</p> <p>(ii) six months after the scheduled date of commercial operation as intimated at time of making application for grant of Connectivity, for cases covered under clause (xi)(b) of the Regulation 5.8</p>	<p>It is requested that in case of delay in COD, the connectivity may not be revoked in one go. In case of delay, the Developer may be asked to submit extra bank guarantee. This coupled with Developer's obligation to pay transmission charges in case of delay in COD would prevent developers from undue delay in COD.</p>	<p>The delay may be for reasons out of control of the project. Project developer will have made significant investments in the project and revocation of connectivity will lead to huge losses.</p>