

## Comments from Tata Power on 1<sup>st</sup> Amendment of GNA Regulations 2022

S. No.	Clause No & Details	Suggested/Modified Clause	Remarks
1.	<p><b>Clause 5.2- Application for Grant of Connectivity</b></p> <p><i>"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....."</i></p>	<p><i>"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 or undertake modification in the existing generation capacity or ESS, owned by the generating station or the ESS or any other entity....."</i></p>	<p>This is a welcome step towards flexibility to add ESS/ REGS capacity by the same applicant or by different entities so long the connectivity quantum remains same.</p> <p>However, this provision only allows to add, but many times there is need to change configuration of RE hybrid project with storage at the time of implementation, vis-à-vis the configuration indicated during the time of application.</p> <p>To take care of this, it is proposed to change this proviso as suggested.</p>
2.	<p><b>Clause 5.8 (xi) - Application for Grant of Connectivity</b></p> <p><i>"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:</i></p> <p><i>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.....</i></p> <p><i>.....</i></p>	<p><i>"Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with an open-access consumer, or a trader, or a captive power plant, or 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.....</i></p> <p><i>....."</i></p>	<p>The pre-requisites for taking connectivity must also include the PPA with open access consumers to promote Open Access in RE space.</p> <p>The Green Open Access Rules issued by Ministry of Power also promotes purchase and consumption of green energy by Open Access consumers.</p> <p>Hence, the given modification may please be done in the clause as per suggestion.</p>
3.	<p><b>Clause 15- Transfer of Connectivity</b></p> <p><i>".....</i></p> <p><i>Provided further that where a bulk consumer has been granted GNA under Regulation 17.1(iii)</i></p>	<p>Instead of subsidiaries, Group companies may be included appropriately in the regulations.</p> <p>For the purpose of above, 'Group Company' can be defined as follows:</p>	<p>There can be a scenario, where the RE project to whom connectivity has been granted gets delayed due to a force majeure event or any other uncontrollable factor.</p>

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	<p><i>seeking to connect to ISTS directly, GNA granted to such Bulk consumer may be utilized in part or full by its subsidiaries".</i></p>	<p><i>a) A Company which, directly or indirectly, holds 10% (Ten Percent) or more of the share capital of the Company or;</i></p> <p><i>b) A Company in which the Company, directly or indirectly, holds 10% (Ten Percent) or more of the share capital of such Company or;</i></p> <p><i>c) A Company in which the Company, directly or indirectly, has the power to direct or cause to be directed the management and policies of such Company whether through the ownership of securities or agreement or any other arrangement or otherwise or;</i></p> <p><i>d) A Company which, directly or indirectly, has the power to direct or cause to be directed the management and policies of the Company whether through the ownership of securities or agreement or any other arrangement or otherwise or;</i></p> <p><i>e) A Company which is under common control with the Company, and control means ownership by one Company of at least 10% (Ten Percent) of the share capital of the other Company or power to direct or cause to be directed the management and policies of such Company whether through the ownership of securities or agreement or</i></p>	<p>In such cases, the connectivity already granted would remain unutilized/revoked.</p> <p>Since IPPs pursue the SPV route for capacity addition for sale to DISCOMs, open access, captive and third-party users, such connectivity can be transferred to other Group companies (which would be SPVs) of the connectivity grantee.</p> <p>This shall facilitate faster RE capacity addition.</p> <p>Accordingly, modification may please be done as suggested.</p>

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		<i>any other arrangement or otherwise</i>	
<b>4.</b>	<p><b>Clause 20.4- Application for Grant of GNA by entities other than STU</b></p> <p><i>"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 GNARE for purpose of calculation of transmission charges in accordance with the Sharing Regulations. For purpose of these regulations GNARE shall be same as GNA....."</i></p>	<p><i>"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 GNARE for purpose of calculation of transmission charges in accordance with the Sharing Regulations. For purpose of these regulations GNARE shall be same as GNA....."</i></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.</p> <p>Currently, most of the consumers taking power through open access are connected to the intra-state transmission system. Such consumers shall also be permitted to take GNARE or T-GNARE, as the case may be.</p> <p>Accordingly, changes may be done as suggested.</p>
<b>5.</b>	<p><b>Clause 20.4- Application for Grant of GNA by entities other than STU</b></p> <p><i>"....."</i></p> <p><i>Provided that if such an entity with GNARE 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:</i></p> <p><i>(a) apply for grant of additional GNA; or</i></p> <p><i>(b) it may convert GNARE into GNA by making an application to the Nodal Agency".</i></p>	<p>Suitable changes may be done as per comment</p>	<p>Is the visa versa i.e. conversion from GNA to GNARE allowed without relinquishment?</p> <p>What would be the procedure?</p> <p>It may be considered to promote decarbonization. The relinquishment charges may be nationalized under National Component - RE</p>

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6.	<p style="text-align: center;"><b>Clause 22.4- Effective Date of GNA</b></p> <p><i>"For Connectivity grantees covered under Regulation 4.1 of these regulations, the effective date of GNA of such Connectivity grantees shall be the start date of Connectivity or COD of ATS, whichever is later.</i></p> <p><i>Provide that where only some of the transmission elements of the ATS have achieved COD before.....</i></p> <p><i>Provided also that where such GNA is yet to become effective.....</i></p> <p><i>....."</i></p>	<p>The following proviso may be added.</p> <p><i>"Provided further such T-GNA grantee shall be treated at par with the GNA grantee for the purpose of revision in the schedule as per provisions under Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2022"</i></p>	<p>As per the regulations, in case of delay in Grant of GNA, the GNA Grantee can schedule power under T-GNA. However as per provisions under Grid code Regulation, T-GNA grantee is not allowed to revise their schedule. The relevant extract of Draft IEGC is provided as under:</p> <p><i>47 (4)- "Revision of schedules on request of regional entities:(a) SLDCs, regional entity generating stations, regional entity ESSs, beneficiaries, buyers or cross-border entities may revise their schedules under GNA as per clause (b) and clause (c) of this Regulation in accordance with their respective contracts. Provided that scheduled transactions under T-GNA once scheduled cannot be revised other than in case of forced outage as per clause (7) of Regulation 47 of these regulations."</i></p> <p>It is thus requested that revision of schedules in case of T-GNA is also allowed. Accordingly, suggested proviso may be added in clause 22.4.</p> <p>It is prayed that the Hon'ble Commission to allow 16 revisions in a day for such T-GNA grantee</p>
7.	<p><b>Clause 26.4- Eligibility for Temporary GNA</b></p>	<p>Suitable changes may be done as per comment</p>	<p>The above regulation shall cover only Distribution</p>

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	<p><i>"Entities covered under sub-clauses (i) and (ii) to clause (a) of Regulation 26.1 of these regulations shall be eligible to apply for T-GNA to draw power only from renewable sources as identified..... ....."</i></p>		<p>licensee directly connected to ISTS and bulk consumer connected to ISTS.</p> <p>In addition, it should also include entities covered in 26.1 (a) (vi) i.e. Standalone ESS and 26.1 (c) i.e. power exchanges for collective and bilateral transactions on behalf of (i) buyer(s) covered under clause (a) of this Regulation 26.1.</p>