Date: 03.12.2024

To
The Secretary,
Central Electricity Regulatory Commission,
6th, 7th & 8th Floors, Tower B, World Trade Centre,
Nauroji Nagar, New Delhi-110029

Subject: Comments on CERC Staff Paper on "Modifications in the GNA Regulations**".**

Reference: CERC Public Notice dated 11.11.2024.

Dear Sir/ Madam,

Greetings from ReNew Pvt. Ltd.!

ReNew Pvt. Ltd. is one of the largest renewable power producers in India, having an aggregated portfolio of ~20 GW, including more than 10 GW of operational capacity. We have portfolio of solar, wind & hydro assets with presence across various states in the country. The company is also the first Indian renewable company to be listed on NASDAQ.

This is in reference to CERC Public Notice dated 11.11.2024 inviting comments/ suggestions on CERC Staff Paper on "Modifications in the GNA Regulations". We are herewith submitting our comments as per attachment.

We request your good office to kindly consider our comments/suggestions while finalizing the same.

Thanking you.

Yours Sincerely,

Sourajit Saha

for ReNew Private Limited

Annexure

ReNew Comments and suggestions on the Staff Paper on modifications in the GNA Regulations:

S. No	Issue No	Comments/Suggestions
1.	**Issue No. 6: Platform for providing NOC by the STU in a time-bound and a transparent manner** Whether such a centralized online platform is required to be implemented for processing the application for grant of NOC by the STU in terms of availability of transmission capacity in the intra-State network?	A centralized online platform should be developed to streamline the process of granting No Objection Certificates (NOC) by State Transmission Utilities (STU) regarding the availability of transmission capacity in the intra-State network, ensuring greater transparency. This platform should also enable the issuance of NOCs from Discoms (or State Load Dispatch Centers, SLDCs), as mandated by SERC regulations. Bulk consumers connected to the grid at 11 kV or 220 kV require NOCs from both the STU and the Discom to obtain open access under the General Network Access (GNA) framework. Therefore, the portal should facilitate both requirements. Further, the Ministry of Power (MoP), through its letter no. 25-10/30/2024-PG dated 18.09.2024, has instructed all states to integrate the NOC issuance procedure for GNA applicants into the respective state single-window systems and subsequently connect them to the National Single Window System (NSWS). Establishing a centralized portal to align with this directive would be a valuable initiative. Additionally, as per the Green Energy Open Access Rules, 2022, such approvals from State Transmission Utilities should be provided within 15 days. Failure to do so should trigger automatic and deemed approval through the system, ensuring efficiency and compliance.
2.	**Issue No. 7: Provision for grant of Solar hours Connectivity and Non-Solar hours Connectivity through the same Transmission system**	This initiative by the Hon'ble Commission is highly commendable, as it ensures optimal utilization of the transmission system, thereby minimizing the need for additional investments to develop new transmission infrastructure. However, we would like to draw the Hon'ble Commission's attention to a few critical aspects that merit consideration while drafting regulations to bifurcate connectivity granted to solar power projects into Solar Hour Connectivity and Non-Solar Hour Connectivity:

		• **First Right of Refusal for Existing Solar Generators:** Existing solar power generators who have adhered to the timelines and requirements under the Connectivity Regulations 2010 or GNA Regulations 2022 should be given priority. These generators have already secured land, constructed Dedicated Transmission Lines (DTL), and complied with other obligations to commission their plants as per PPA terms.
		Considering their prior commitments and investments, these generators should have the first right to develop and establish the required renewable energy projects (with or without Energy Storage Systems, ESS) to utilize the transmission system during non-solar hours. They should be allowed a minimum of 12 months to prepare and submit a Detailed Project Report (DPR) for non-solar hour connectivity utilization to CTUIL for approval. CTUIL should provide final confirmation within two months of DPR submission.
		Additionally, existing solar generators should be granted a reasonable timeline for project commissioning:
		  • 24 months for renewable energy projects with an installed capacity of up to 1000 MW.
		  • 30 months for projects exceeding 1000 MW.
		These measures would ensure fairness and efficient utilization of the transmission infrastructure while encouraging the development of renewable energy projects.
		• **Clear Bifurcation of Solar and Non-Solar Hours:** The Staff Paper mentions that non-solar hour connectivity grantees may also be permitted to schedule power during solar hours, with the respective RLDCs responsible for declaring the solar and non-solar hour periods.
		In this regard, we request the Hon'ble Commission to ensure that power injection by both solar and non-solar hour connectivity grantees aligns strictly with the timelines notified by the RLDCs. If non-solar hour connectivity is granted to an entity other than the existing renewable energy (RE) project, there is a potential risk of conflicts.

		Such entities may seek to maximize revenue by extending their injection period into solar hours, potentially accusing the existing RE project of blocking or underutilizing connectivity. This could lead to unnecessary litigation. To avoid such disputes, we request the Hon'ble Commission to restrict non-solar hour connectivity grantees from injecting power during solar hours, limiting them strictly to non-solar hour periods as declared by the respective RLDCs. However, if the Hon'ble Commission deems it appropriate to allow non-solar hour grantees to inject power during solar hours, we urge the Commission to direct the NLDC to establish a clear and transparent priority framework for scheduling power among different generators during solar hours. Leaving this matter to be resolved between solar and non-solar hour connectivity grantees may result in conflicts, as there is historical precedence of disagreements among RE developers over issues like Dedicated Transmission Line (DTL) and Bay sharing. A defined framework would help prevent disputes and ensure smooth operations. • **Treatment of Power Drawal by BESS for Charging During Solar Hours:** Existing RE plants operate under agreements that require compliance with conditions such as meeting the quoted CUF, minimum energy supply, and payment of deviation charges as per the Hon'ble Commission's regulations. Post-COD, metering is conducted at the CTU/ISTS sub-station where the plant is connected. If a Battery Energy Storage System (BESS) is granted connectivity for non-solar hours, it will need to draw power during solar hours for charging and discharge it during non-solar hours. During solar hours, the RE plant provides an injection schedule and injects power at the ISTS sub-station, while the BESS provides a drawal schedule for charging. If the power injected by the solar hour connectivity grantee is drawn before it is metered at the ISTS sub-station, the solar hour grantee's injection will not be recorded. This could prevent them from meeting the minimum energy supply obligations as stipulated in their PPAs or agreements.

		To address this, it is recommended that BESS entities charging during solar hours establish their own RE generation plant or procure charging power from third parties during solar hours. This approach ensures that existing solar hour connectivity grantees are not adversely impacted and can fulfill their CUF and energy commitments under their current PPAs or agreements without interference. • **Auxiliary Power requirement and other statutory compliance**: Solar hour connectivity grantees should continue to have the provision to draw auxiliary power from the grid during non-solar hours, following the usual practice. If the Hon'ble Commission prescribes any new requirements mandating solar hour connectivity grantees to source auxiliary power during non-solar hours, it should be the responsibility of the non-solar hour connectivity grantee to arrange for this power at their own cost and within a specified timeframe. Until the non-solar hour connectivity grantee makes the necessary arrangements, the existing RE plants should be allowed to draw auxiliary power from the grid as per the current standard practices to ensure uninterrupted operations. Furthermore, any statutory compliance changes resulting from the integration of BESS or other renewable energy projects during non-solar hours should be managed solely by the non-solar hour connectivity grantee. All associated costs, including those for compliance modifications, should be borne by the non-solar hour connectivity grantee to prevent additional financial or operational burdens on existing RE plants.
3.	**Issue No. 8: Provision for Minimum Transmission Capacity Utilisation for Hybrid ISTS Connectivity.**	Imposing a minimum annual CUF may not be commercially viable for all Renewable Hybrid Generation System (RHGS) grantees, as their projects were bid and designed based on the CUF range specified in the respective RFS/PPA. To address this, the Hon'ble Commission could consider applying this provision exclusively to new connectivity grantees and co-located hybrid projects, ensuring alignment with the operational and financial structures of existing projects.

		We also request the Hon'ble Commission that instead of evaluating utilization over a single year, it is recommended to use the average transmission capacity utilization over the preceding three years as the basis for determining the maximum connectivity a grantee can retain. This approach would provide a more accurate and equitable measure of capacity utilization, accounting for variations in generation due to seasonal or operational factors.

Additional suggestions on the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 as amended from time to time:

S. No	Provision/Clause No.	Suggested Change in Provision /Clause No (Changes in bold and underline /Strike off)	Rationale/Comments
1	**8. Amendment to Regulation 11A of the Principal Regulations:** 8.1. Clause (1), Clause (2), and Clause (3) of Regulation 11A of the Principal Regulations shall be substituted as under: "(1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under sub-clause (c) of Clause (xi) of Regulation 5.8 or Renewable power park developer covered under sub-clause (c) of Clause (vii) Regulation 5.8, shall submit documents for land in terms of sub-clause (b) of Clause (xi) or sub-clause (b) of Clause (vii)	**8. Amendment to Regulation 11A of the Principal Regulations:** 8.1. Clause (1), Clause (2), and Clause (3) of Regulation 11A of the Principal Regulations shall be substituted as under: "(1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under sub-clause (c) of Clause (xi) of Regulation 5.8 or Renewable power park developer covered under sub-clause (c) of Clause (vii) Regulation 5.8, shall submit documents for land in terms of sub-clause (b) of Clause (xi) or sub-clause (b) of Clause (vii) of Regulation 5.8 of these regulations, as the	We respectfully bring to the kind attention of the Hon'ble Commission that in Rajasthan, CTU is granting connectivity at Jalore S/s, Barmer S/s, Bhadla-IV S/s, etc., from 2030 onwards. In these cases, the Central Transmission Utility (CTU) has granted in-principle connectivity, but final connectivity will only be issued once the associated connectivity substation is awarded following the Tariff Based Competitive Bidding (TBCB) process, which is scheduled for a later stage. As per Regulation 11A (1) of the CERC GNA Regulations 2022, applicants granted connectivity under the land/Bank

	of Regulation 5.8 of these regulations, as the case may be, within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is earlier. The Bank Guarantee submitted under subclause (c) of Clause (vii) or under sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be returned within 7 days of submission of stipulated documents as proof of Ownership or lease rights or land use rights.	case may be, within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is ~~earlier~~ later. The Bank Guarantee submitted under subclause (c) of Clause (vii) or under sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be returned within 7 days of submission of stipulated documents as proof of Ownership or lease rights or land use rights.	Guarantee (BG) route are required to submit land documents within 18 months of receiving in-principle connectivity or within 12 months of final connectivity, whichever comes earlier. However, the ISTS substation, for which REGS has applied for connectivity under the land/BG route, is yet to be approved, and its location is still undetermined. This uncertainty regarding the substation's final location prevents the applicant from securing the necessary land documents, as critical factors such as bay location and the transmission line length (DTL) depend on the finalized substation site. Additionally, the commissioning of the HVDC power substation involves significant timeframes, and securing land prematurely represents a substantial financial burden for RE developers. In light of these challenges, the proposed changes will enable REGS to align project milestones more effectively with the scheduled completion of the power substation, ensuring better coordination and reduced financial risk for developers.
	15.2 Where the Connectivity grantee is an REGS, it may split its Connectivity in parts, after COD of such part, subject to the minimum capacity in accordance with Regulation 4.1 of these regulations, and		We would like to bring to the attention of the Hon'ble Commission that the CTU is currently not permitting the splitting of connectivity, as provided under Regulation 15.2 of the CERC GNA

	submit the installed capacity of each part to the Nodal Agency. In such an event, the Connectivity shall be deemed to have been split in proportion to installed capacity of each such part: Provided that all liabilities and obligations in accordance with these regulations shall continue to remain with the Connectivity grantee for each part.		Regulations 2022, as amended. The CTU has expressed concerns citing the absence of a clearly defined procedure from the Hon'ble Commission. We kindly request the Hon'ble Commission to establish and issue a detailed procedure for the implementation of Regulation 15.2 of the CERC GNA Regulations 2022, as amended, to facilitate its operationalization effectively
	8.6 Conn-BG1, Conn-BG2, Conn-BG3, and BG submitted in terms of Clause (vii)(c) or Clause (xi)(c) of Regulation 5.8 of these regulations shall be issued by any scheduled commercial bank recognized by the Reserve Bank of India, in favour of CTU, as per the Format stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1 of these regulations.	8.6 Conn-BG1, Conn-BG2, Conn-BG3, and BG submitted in terms of Clause (vii)(c) or Clause (xi)(c) of Regulation 5.8 of these regulations shall be issued by any scheduled commercial bank recognized by the Reserve Bank of India **or in the form of Insurance Surety Bonds issued from an Insurer as per the guidelines issued by the Insurance Regulatory and Development Authority of India (IRDAI)** , in favour of CTU, as per the Format stipulated in the Detailed Procedure for Connectivity and GNA issued in accordance with Regulation 39.1 of these regulations.	The Ministry of Finance through Office Memorandum dated 2nd February 2022 amended the General Financial Rules (GFR) 2017 to include insurance Surety Bonds as Security instrument. The relevant portion of the said amendment is reproduced as under: "*171 (i) Performance Security may be furnished in the form of Insurance Surety Bonds, Account Payee Demand Draft, Fixed Deposit Receipt from a Commercial bank, Bank Guarantee from a commercial bank or online payment in an acceptable form safeguarding the purchaser's interest in all respects."* We would like to submit before this Hon'ble Commission that SECI is now accepting Insurance Surety Bonds in its

			tenders. The relevant portion of the 'RfS for Selection of RE Power Developers for assured Peak Supply of 8000 MWh (2000 MW x 4 Hrs.) from ISTS Connected RE Projects in India, under Tariff-Based Competitive Bidding (SECI-FDRE-VI)' issued on 12.9.2024 is reproduced as under for ready reference: "*17.13 Insurance Surety Bond (Surety Bond): As another alternative to submission of PBG as above, the RPD also has an option to submit Insurance Surety Bond from an Insurer as per the guidelines issued by the Insurance Regulatory and Development Authority of India (IRDAI). The Surety Bond issuing organization undertakes to pay in all scenarios under which the PBG would be liable to be encashed by SECI within the provisions of RfS/PPA……..*"