

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 259/MP/2024 along with IA No. 59/2024

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022.

Petitioner : ACME Cleantech Solutions Private Limited (ACME)

Respondents : Central Transmission Utility of India Limited (CTUIL) & Ors.

Date of Hearing : **22.8.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties present : Shri Shryesth Sharma, Advocate, ACME
Shri Bharat Gangadharan, Advocate, ACME
Shri Vedant Choudhry, Advocate, ACME
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Shri Ranjeet Rajput, CTUIL
Shri Siddharth Sharma, CTUIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the Petitioner, ACME, has filed its compliance affidavit dated 20.8.2024 furnishing the additional information/ clarification sought for by the Commission vide Record of Proceedings for the hearing dated 22.7.2024. Learned counsel highlighted the gist of the compliance affidavit and mainly submitted as follows:

(a) ACME, in its connectivity application for the 2182 MW Solar Plant, has mentioned 25.6.2027 as the date from which connectivity is required. The Petitioner was under a bona fide belief and had a legitimate expectation that the Sanchore sub-station would be ready by 25.6.2027 for evacuation of power, but CTUIL has now updated the status on their website, which reflects that the Sanchore sub-station will be ready to evacuate power only by March 2030.

(b) ACME undertakes to make all reasonable endeavors to pursue its options of procuring renewable energy during the interregnum period from alternative sources of renewable energy sources to power its Green Hydrogen Plant ('GHP') from sources

such as power exchanges, third party generators, and its own merchant solar projects, etc. till such time the Sanchore substation is completed to evacuate the power.

(c) As to the calculations to work out the capacity of 2182 MW of solar capacity, the Petitioner has indicated that energy required to produce 509,915 MT of green ammonia (90,000 MT of green hydrogen) will be 698 MW (6118980 MWhr) and considering the CUF @ 32%, the total solar capacity required to be set-up works out to 2182 MW.

(d) Without prejudice to the submission of ACME that the LoA issued by the SECI fulfils all the requirements for the grant of the connectivity under Regulation 5.8 (xi)(a) of the GNA Regulations (LoA route), ACME is ready and willing to provide the Bank Guarantee (BG) under Regulation 5.8(xi)(c) of the GNA Regulations (i.e. Land BG route) for the grant of the connectivity under the direction of the Commission.

(e) However, an applicant seeking connectivity under Regulation 5.8(xi)(c) has to submit the documents for 50% of the land required to set up the solar power plant within 18 months from the issuance of an in-principle grant of connectivity or within 12 months from the issuance of a final grant of connectivity, whichever is earlier. Since ACME is setting up the 2182 MW solar plant, it will have to acquire the 11,000 acre land, which means it would need to acquire 5500 acre land towards 50% land requirement within 12 months from the final grant of connectivity. Acquisition of such large land parcels would require more time and it would not be practically feasible to be undertaken in terms of Regulation 11A of the GNA Regulations.

(f) ACME thus prays that the land requirements under Regulation 5.8 (xi)(c) of GNA Regulations be relaxed and it may be permitted to satisfy land requirements in terms of Regulation 5.8 (xi)(a). Further, ACME is ready and willing to provide a Bank Guarantee under Regulation 5.8 (xi)(c) of the GNA Regulations for the grant of connectivity in terms of the direction passed by the Commission.

(g) In terms of directions of the Commission vide Record of Proceedings for the hearing dated 22.7.2024, CTUIL and SECI were also asked to file certain details / clarifications on an affidavit. However, so far, neither any reply nor the details / clarifications sought have been filed by them.

2. In response to the specific queries of the Commission as to the manner in which its Green Hydrogen Plant's continuous demand of 698 MW would be met by 2182 MW of solar power project and the basis for considering the land requirement @ 5.04 acre/MW, learned counsel for the Petitioner sought liberty to take necessary instruction on the above aspects.

3. Learned counsel for the Respondent, CTUIL, submitted that vide its compliance affidavit dated 20.8.2024, the Petitioner seems to have modified its prayer(s). Learned counsel submitted that in the said affidavit, the Petitioner has prayed that the land requirements under Regulation 5.8 (xi)(c) of the GNA Regulations be relaxed by the Commission and ACME be permitted to satisfy land requirements in terms of Regulation 5.8 (xi)(a), i.e., as per the timelines of the LoA route. However, an applicant seeking connectivity under Regulation 5.8(xi)(a), i.e. LoA route, is not required to submit the land documents, and such requirement is only triggered when the connectivity is sought under

Regulation 5.8 (xi)(b), i.e., land route (upfront basis) or Regulation 5.8(xi)(c) i.e., land BG route (deferred). Hence, the relaxation sought by the Petitioner in its compliance affidavit is, as such, unclear.

4. In response to the specific query of the Commission regarding the Sanchore S/s to be ready only in March 2030, learned counsel for CTUIL pointed out that as per the Addendum to the LoA dated 27.5.2024, the inter-connection point of the Petitioner's proposed solar capacity has been modified from Nagaur, Rajasthan to anywhere in Rajasthan/ Andhra Pradesh / Karnataka and it was, thus, the decision of the Petitioner itself to set up the solar project in Sanchore and apply for the connectivity to upcoming Sanchore sub-station. Ideally, the Petitioner ought to have opted for connectivity with the start date in line with the Scheduled Commercial Operation Date of its Green Hydrogen Plant. Learned counsel also submitted that the Petitioner's connectivity application based on the LoA dated 2.2.2024, along with addendums thereto, has already been closed and presently, there is no pending application of the Petitioner. Learned counsel also pointed out that the Petitioner is yet to apply for connectivity for its drawl point, i.e., Green Hydrogen Plant.

5. Considering the submissions made by the learned counsels for the parties, the Commission directed as under:

(a) The Petitioner to furnish the following details/clarification, on an affidavit within two weeks:

(i) The Petitioner has submitted that the requirement of power for its 90,000 MT of green hydrogen plant is 698 MW on a 24-hour basis, whereas it is seeking connectivity for 2182 MW solar. The Petitioner to clarify how it will utilize the 2182 MW solar plant to provide the 698 MW power on a 24-hour basis? Whether the Petitioner would use extra power to charge storage for use in non-solar hours? Where is such storage planned to be installed, at the generation project location, or at the green hydrogen plant location, or somewhere else?

(ii) The Petitioner has submitted that for its proposed solar plant of 2182 MW, it needs 11000 acres of land, i.e., approximately 5.04 acre/MW, whereas generally, a solar project requires land to the quantum of ~3 acre/MW which works out as 6546 acres. The Petitioner to clarify the requirement of the 5.04 acre/MW of land for its proposed solar plant?

(iii) The Petitioner to submit the quantum of the GNA that it has applied or would be applying for drawl of power for its Green Hydrogen plant in Orissa. The Petitioner to clarify the reasons for the non-application of the GNA for drawl, whereas it had made an application for the connectivity for the renewable project planned to supply power to such drawal.

(b) The Respondents, SECI and CTUIL to comply with the directions issued vide Record of Proceedings for the hearing dated 22.7.2024 within two weeks.

6. The Petition, along with IA, will be listed for the hearing on **24.9.2024**

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)