

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 272/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 read with applicable provisions of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 along with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking relief(s) against Central Transmission Utility of India Limited in connection with the in-principle grant of connectivity for 160 MW to the Petitioner herein at Davangere District in the State of Karnataka.

Petitioner : Layer Hybren Private Limited (LHPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Petition No. 273/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 read with applicable provisions of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 along with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking relief(s) against Central Transmission Utility of India Limited in connection with the in-principle grant of connectivity for 140 MW to the Petitioner herein at Davangere District in the State of Karnataka.

Petitioner : Layer Hybren Private Limited (LHPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **8.10.2024**

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

Parties Present : Shri Basava Prabhu Patil, Sr. Advocate, LHPL
Shri Nitish Gupta, Advocate, LHPL
Ms. Nipun Sharma, Advocate, LHPL
Shri Deepak Thakur, Advocate, LHPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Reeha Singh, Advocate, CTUIL
Shri Siddharth Sharma, CTUIL
Ms. Priyansi Jadiya, CTUIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that pursuant to the direction of the Commission vide Record of Proceedings for the hearing dated 20.8.2024, the Petitioner has submitted that Conn BGs, as per the CTUIL's intimation dated 22.7.2024, in respect of its 160 MW Hybrid Project as involved in Petition No. 272/MP/2024. Learned senior counsel further submitted that vide said Record of Proceedings, CTUIL was also directed to file certain additional details as well as its reply. However, CTUIL has so far not filed its reply in these matters.

2. Learned counsel for the Respondent, CTUIL submitted that in terms of the direction of the Commission vide Record of Proceedings for the hearing dated 20.8.2024, CTUIL has already filed its compliance affidavit dated 30.9.2024 and does not wish to file any separate reply. Learned counsel submitted that insofar as the coordination with NIWE is concerned, CTUIL has indicated that NIWE is an autonomous R&D institution of MNRE, and since the inputs regarding RE potential are provided directly by MNRE, no direct consultation is undertaken by CTUIL with NIEW. Learned counsel also submitted that, as such, there is no avenue for CTUIL to independently verify the revision of wind zones in Karnataka. Learned counsel further submitted that CTUIL has also provided the details pertaining to the total capacity of Devangere PS, the quantum of connectivity already granted, the applications under process, etc., and these details would reveal that wind developers are continuously coming up in this region and furnishing the Conn BGs even after the classification of a portion of the Devangere region as 'No WTG Zone' as indicated by the Petitioner. Learned counsel added that subsequent to the latest CMETS meeting held on 24.9.2024, there is no vacant capacity at the Devangere PS. However, the Minutes of the said Meetings are yet to be issued, and CTUIL be permitted to place on record such Minutes once they are issued. Learned counsel submitted that in order to ascertain the wider impact of such re-classification, if any, the Commission may consider inviting the views of the Renewable Energy Implementing Agencies (REIAs), particularly SECI, who is inviting the RE tenders in this region(s).

3. Learned senior counsel for the Petitioner supported the proposition of inviting the SECI's views. Learned senior counsel also urged to formally admit the present matters.

4. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission admitted the matters subject to just exceptions and directed as under:

(a) SECI to furnish its views on the impact on wind power developers, if any, pursuant to the re-classification of the portion of Devangere region as 'No WTG Zone' by NIEW.

(b) For enabling SECI to file its views as above, the Petitioner is to map SECI on the e-filing portal and to provide a copy of this Record of Proceedings.

(c) CTUIL to place on record the updated details regarding the quantum of connectivity already granted, the applications under process, etc., at Devangere

PS, along with the Minutes of the CMETS meeting held in September 2024, within two weeks.

5. The Petitions will be listed for hearing on **21.11.2024**

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