

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 305/MP/2024 along with IA No. 76/2024**

Subject : Petition under Section 79 & 94 of the Electricity Act, 2003 read with applicable provisions of the CERC (Connectivity and General Network Access to the inter- State Transmission System) Regulations, 2022 along with Regulations 65-69 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2023 seeking humble indulgence of this Commission concerning the Limited directions issued vide the Order dated 21.4.2024 in Petition No. 291/MP/2023 read with order dated 4.5.2024 in Diary No.230/2024 in Petition No. 291/MP/2023 in relation to achieving the Financial Closure and schedule Commissioning of the Gadag 300 MW project and consequentially seek extension of time for compliance with limited directions( Interlocutory application for directions).

Petitioner : Solarone Energy Private Limited (SEPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

**Petition No. 306/MP/2024, along with IA No. 77/2024**

Subject : Petition under Section 79 & 94 of the Electricity Act, 2003 read with applicable provisions of the CERC (Connectivity and General Network Access to the inter- State Transmission System) Regulations, 2022 along with Regulations 65-69 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2023 seeking the humble indulgence of this Commission concerning the Limited directions issued vide the Order dated 21.4.2024 in Petition No. 292/MP/2023 read with the order dated 4.5.2024 in Diary No.231/2024 in Petition No. 292/MP/2023 in relation to achieving the Financial Closure and schedule Commissioning of the Koppal 300 MW project and consequentially seek an extension of time for compliance with limited directions Interlocutory application for directions)

Petitioner : Solarone Energy Private Limited (SEPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **19.9.2024**

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

Parties Present : Shri Basava Prabhu Patil, Sr. Advocate, SEPL  
Shri Alok Shankar, Advocate, CTUIL  
Shri Kumarjeet Ray, Advocate, CTUIL  
Shri Siddharth Sharma, CTUIL  
Shri Swapnil Verma, CTUIL

## Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petitions have been filed pursuant to the orders dated 21.4.2024 and 4.5.2024 passed by this Commission in Petition No. 291/MP/2023 along with IA No. 230 of 2023 and Petition No. 292/MP/2023 along with IA No. 231 of 2023 allowing the Petitioner to retain the 300 MW Connectivity at Gadag and Koppal S/s each subject to certain conditions wherein the Commission had granted the liberty to the Petitioner to approach by way of a fresh and independent Petition in connection with its prayers for seeking the relaxation of the conditions mentioned for achieving the Financial Closure and Scheduled Commercial Operation Date, and alignment of the same with the Competitive Bidding Guidelines issued by the Ministry of Power, amongst other things. Learned senior counsel submitted that the period of 6 months allowed by the Commission for achieving the Financial Closure in the order dated 21.4.2024 expires on 21.10.2024.

2. Learned counsel for the Respondent, CTUIL, opposed the maintainability of the Petitions. Learned counsel submitted that the instant Petitions have been filed invoking Section 94 of the Electricity Act, 2003, which *inter alia* provides for the Commission's power to review its orders/decisions for the review/modification of the Commission's order dated 21.4.2024. However, as per Regulation 52 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023, a Review Petition is required to be filed within the time limit of 40 days of such order/decision, which has already lapsed, and there is no application seeking condonation of delay in the present cases. Learned counsel further stated that the instant Petitions are nothing but an abuse of the process of law and sought liberty to file a reply on the 'maintainability' of these Petitions.

3. In response, learned senior counsel for the Petitioner submitted that keeping in view that the timeline permitted by the Commission for achieving the Financial Closure is already approaching, CTUIL ought to be directed to file a consolidated reply on maintainability as well as merits.

4. Considering the submissions made by the learned senior counsel for the Petitioner and the learned counsel for the Respondent, CTUIL, the Commission directed CTUIL to file its reply on maintainability of Petitions, if any, within a week with a copy to the Petitioner who may file its rejoinder, if any, within a week thereafter. The Commission directed CTUIL to confirm and clarify in its reply whether the land document submitted by the Petitioner as per its email dated 14.9.2024, as claimed under this Petition, is in line with the requirement of the GNA Regulations and fulfilled the direction as per the APTEL Order dated 16.8.2024 or not. In case the submitted land document is not in order, details of the action taken by the CTUIL, in terms of the Commission Order dated 2.8.2024 in Petition No. 218/MP/2024 and 219/MP/2024.

5. The Petitions, along with IAs, will be listed for hearing on maintainability on **17.10.2024**.

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