

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 334/MP/2024**

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Article 12 of the Power Purchase Agreement dated 14.6.2022 seeking in-principle declaration that the Working Group Report, 2022 is a Change in Law event and grant of consequential reliefs thereto.

Petitioner : ReNew Surya Aayan Private Limited (RSAPL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.

**Petition No. 121/MP/2024**

Subject : Petition under Section 79 of the Electricity Act, 2003 and Article 12.2 of the Power Purchase Agreement dated 20.08.2019 for the development of 300 MW (reduced to 150 MW) ISTS connected Solar power project entered between Adani Solar Energy Jaisalmer Two Private Limited (formerly known as SBSR Power Cleantech Eleven Private Limited) and Solar Energy Corporation of India Ltd., read with Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021, seeking a declaration that the Report of the Working Group issued in July, 2022 constitutes as a Change in Law event and consequent reliefs qua allowance of the additional expenditure incurred towards such Change in Law event.

Petitioner : Solar Energy Jaisalmer Two Private Limited (SEJTPL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.

**Petition No. 124/MP/2024**

Subject : Petition under Section 79(1)(b),(c) & (f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, Clause 8.5.3 of the Competitive Bidding Guidelines, 2020 and Article 12 of Power Purchase Agreement dated 31.03.2023 seeking in principle approval of introduction of the Working Group Report, 2022 and the amendments brought to the Project Import Regulation, 1986 by the Notifications dated 19.10.2022 and 01.02.2023 as a Change in Law Event.

Petitioner : TP Saurya Limited (TPSL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.

### **Petition No. 142/MP/2024**

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Article 12 of Power Purchase Agreements dated 28.6.2016 and 4.11.2017 seeking in principle approval of occurrence of Change in Law event i.e. Issuance of Central Electricity Authority (Technical Standards for Connectivity to the Grid) (Amendment) Regulations, 2019 and the Working Group Report, 2022.

Petitioner : Tata Power Renewable Energy Limited (TPREL)

Respondents : NTPC Limited (SECI) and Ors.

### **Petition No. 195/MP/2024**

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Article 17 of Power Purchase Agreements seeking in principle approval of occurrence of Change in Law event i.e. Issuance of the Working Group Report, 2022.

Petitioner : TP Saurya Limited (TPSL)

Respondents : Rewa Ultra Mega Solar Limited and Ors.

Date of Hearing : **28.10.2024**

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

Parties Present : Shri Mridul Gupta, Advocate, RSAPL  
Shri Hemant Singh, Advocate, SEJTPL  
Shri Sourav Roy, Advocate, SEJTPL & MPSEZ  
Shri Harshit Singh, Advocate, SEJTPL  
Shri Jai Lal, Advocate, SEJTPL  
Shri Nishant Kumar, Advocate, SEJTPL  
Shri Akshaya Lal, Advocate, SEJTPL  
Shri Arun Lal, Advocate, SEJTPL  
Shri Gaurav Pathak, Advocate, SEJTPL  
Shri Venkatesh, Advocate, TPSL & TPREL  
Shri Suhael Buttan, Advocate, TPSL & TPREL  
Ms. Priya Dhankhar, Advocate, TPSL & TPREL  
Shri Nikunj Bhatnagar, Advocate, TPSL & TPREL  
MS. Drishti Rathi, Advocate, TPSL & TPREL  
Ms. Mandakini Ghosh, Advocate, SECI  
Shri Rahul Ranjan, Advocate, SECI  
Shri Shubham Arya, Advocate, CTUIL

Ms. Pallavi Saigal, Advocate, CTUIL  
 Shri Rishabh Saxena, Advocate, CTUIL  
 Shri Anshu Deshpande, Advocate, MPSEZ  
 Shri Pranav Bafna, Advocate, MPSEZ  
 Shri Ranjan Kumar, Advocate, MPSEZ  
 Shri Mohit Srivastava, Advocate, MPSEZ  
 Shri Siddharth Sharma, CTUIL  
 Shri Lashit Sharma, CTUIL  
 Shri Alok Mishra, NLDC  
 Shri Alok Rajan, NLDC  
 Shri Rahul, NLDC

**Record of Proceedings**

Learned counsels for the Petitioners submitted that these Petitions have been filed *inter alia* seeking a declaration that the “Report of Working Group in respect of the Data Submission Procedure and Verification of Compliance to the CEA Regulations on Technical Standards for Connectivity to the Grid by RE Generators” (‘Working Group Report, 2022’) issued by the Central Electricity Authority (CEA) constitutes a Change in Law event and the consequent reliefs *qua* allowance of the additional expenditure incurred towards such Change in Law event. Learned counsel for the Petitioner in Petition No.124/MP/2024 further submitted that in the said case, the Petitioner has additionally also sought the declaration that Notification No. 54/2022-Customs dated 19.10.2022 (PIR Amendment, 2022) and Notification No. 7/2023-Customs dated 1.2.2023 (PIR Amendment, 2023), issued by the Central Board of Indirect Taxes, Ministry of Finance, constitute Change in Law events. Learned counsels also pointed out that in a batch of matters, a similar issue i.e. whether the Working Group Report, 2022 constitutes a Change in Law event, is already under consideration and after the completion of the Pleadings, the present matters may also be taken up for the hearing together with the said batch of matters.

2. After hearing the learned counsels for the Petitioners, the Commission ordered as under:

- (a) Admit and issue notice to the Respondents, subject to just exceptions;
- (b) The Respondents to file their reply, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder(s) within three weeks thereafter.

3. The Commission directed the Petitioners to file the following information on an affidavit within four weeks with a copy to the Respondents:

- (a) The following information with the relevant supporting documents:

RE plant Particulars			
Project Details	Project Name		
	Installation Capacity (in MW)		
	Bid Cut-Off Date		
	SCOD		
	COD (date-wise with capacity declared COD)		

	Technology (Solar/Wind/Hybrid)					
	Project Location					
	Nearest IMD Station					
<b>Design Parameters</b>						
<b>Parameter</b>			<b>Considered while bidding</b>	<b>As per CEA Regulations</b>	<b>As per the WGR report</b>	<b>Corresponding clause of applicable CEA regulation and WGR</b>
Point of Reference						
Point of Interconnection (POI)						
Ambient Temperature considered	Temperature (°C)					
	Basis for consideration of such temperature					
Temperature extreme considered	Temperature (°C)					
	Basis for consideration of such temperature					
Rated active power at ambient and at extreme temperature						
Reactive power capability at Rated active output at ambient and at extreme temperature						
Reactive Power Capability* at temperature extreme	Dynamic	Capacity (MVar)				
		Equipments <sup>§</sup>				
	Static	Capacity (MVar)				
		Equipments <sup>§</sup>				
<b>Particular</b>						
Financial implication against Reactive Power equipments (Copy of Purchase Orders to be enclosed, where placed) in Rs crore	Towards installation of Dynamic compensation devices		<b>Considered while bidding</b>	<b>Post WGR 2022</b>		
	Towards installation of Static compensation devices					
Date of submission of Reactive Power study report to CTUIL/ concerned RLDC #						

Status of Compliance to Reactive Power Capability				
* - Provide supporting study report showing required MVA <sub>r</sub> capability.				
\$ - Reactive Power support equipment's installed/planned to be installed (as per design) before Working Group Report, 2022 and additional equipment's installed/ to installed after the Working Group Report, and financial impact thereof.				
# - Detailed Study Reports to be submitted.				

(b) Regulation B2(1) of the CEA (Technical Standards for Connectivity to the Grid) Regulations 2013 provides that the RE generating station shall be capable of supplying dynamically varying reactive power support to maintain the power factor within the limits of 0.95 lagging to 0.95 leading. Clarify whether the Petitioner's plant was compliant with the above requirement before the issuance of the working group report? If yes, what equipments were installed/ proposed to be installed (as per the design of the plant) by the Petitioner for meeting the requirement of the dynamic reactive power support and, if not, the reasons for the same.

(c) A copy of the relevant technical standards (IEC/IS standards) specifying the criteria for the design of the wind/ solar generators.

(d) Grid-India to file the following information on an affidavit in regard to Petitioner's project:

Project Details	Installed Capacity (in MW)			
	COD			
<b>Project Particulars</b>		<b>Compliance status before issuance of Working Group Report</b>	<b>Changes, if any, after issuance of the Working Group Report for compliance</b>	<b>Corresponding CEA Regulation</b>
Temperature for compliance of Dynamic Reactive Power capability (in °C)				
Reactive Power Compensation device (in MVA <sub>r</sub> )	Dynamic			
	Static			
Date of submission of Reactive Power compliance report				
Status of Compliance of Reactive Power Capability. *				

\* Enclose Action taken report, in case of non-compliance.

**Petition No. 334/MP/2024:**

The Commission directed the Petitioner to implead the end power procurers of its project as a party to the present Petition and file a revised memo of parties within two days and to file on an affidavit within three weeks the status of the commercial operation of its project along with the copy of COD certificates.

**Petition No: 121/MP/2024**

The Commission directed the Petitioner to implead Grid India-NRLDC and CTUIL as a party to the present Petition and file a revised memo of parties within two days. The Commission further directed the Petitioner to file an affidavit within three weeks of the status of the commercial operation of its project, along with a copy of COD certificates.

**Petition No.124/MP/2024**

The Commission directed the Petitioner to submit on affidavit within three weeks the detailed bifurcation financial implication of each of the Change in Law events, viz. increase in GST rates and additional impact to comply with Working Group Report, 2022 as claimed in Petition along with the supporting documents.

**Petition No: 142/MP/2024**

The Commission directed the Petitioner to clarify the following on an affidavit within three weeks:

(a) According to the Petitioner, in its undertaking dated 17.6.2019, no such undertaking was given for compliance with the subsequent amendment brought into the CEA Regulations. In this regard, Regulation B2(1) of the CEA (Technical Standards for Connectivity to the Grid) Regulations 2013 already provides that the RE generating station shall be capable of supplying dynamically varying reactive power support so as to maintain the power factor within the limits of 0.95 lagging to 0.95 leading. Clarify whether the Petitioner's plant was compliant with the above requirement? If yes, what equipments were installed by the Petitioner for meeting the requirement of dynamic reactive power support, and if not, what is the reason for the non-compliance thereof?

3. These Petitions will be listed for hearing along with the batch of Petitions involving the common issue of the Working Group Report, 2022 being a Change in Law event, on **16.1.2025**.

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