

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition (Diary) No.82/2024**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022 seeking exercise of this Commission's "Power to Relax" and "Power to Remove Difficulty" and allow utilisation of Petitioners' existing Connectivity dated 10.09.2021 for another project to be connected to the same substation.

Petitioner : ReNew Solar Power Private Limited (RSPPL) and Anr.

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **19.2.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Parties Present : Shri Vishrov Mukerjee, Advocate, RSPPL  
Shri Girik Bhalla, Advocate, RSPPL  
MS. Priyanka Vyas, Advocate, RSPPL  
Shri Shubham Arya, Advocate, CTUIL  
Ms. Pallavi Saigal, Advocate, CTUIL  
Shri Swapnil Verma, CTUIL  
Shri Siddarth Sharma, CTUIL

**Record of Proceedings**

Learned counsel for the Petitioners submitted that the present Petition has been filed, *inter alia*, seeking directions to permit the Petitioners to utilise its existing Connectivity granted on 10.9.2021 (originally granted under the land route and subsequently converted to LoA/PPA-based Connectivity) under Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and relate matters) Regulations, 2009 for another Project being set-up by the Petitioners under the Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022. Learned counsel mainly submitted the following:

- (a) Petitioner No. 1 was granted a Connectivity by CTUIL, originally under the land route in terms of Clause 9.2.2 of the Revised Procedure for Grant of Connectivity to Projects based on Renewable Sources to the Inter-State Transmission System dated 20.2.2021. Subsequently, on 6.10.2022, the Petitioner requested CTUIL that the Connectivity dated 10.9.2021 be converted to LoA/PPA-based connectivity based the Letter of Award (LoA) dated 14.12.2021 issued by Maharashtra State Electricity

Distribution Company Limited and the subsequent Power Purchase Agreement dated 4.4.2022 executed between Petitioner No.2 and MSEDCL. The said request for the transfer of Connectivity from the land route to the LoA route was approved by the CTUIL, vide letter dated 28.2.2023.

- (b) Subsequently, the PPA was terminated by Petitioner No.2 on 8.5.2023 due to continuous force majeure events for more than 180 days as per the terms thereof and Maharashtra Electricity Regulatory Commission by its order dated 27.12.2023 in Case No. 92/AD/2023 has also upheld the Petitioners' claim for force majeure and termination of the PPA.
- (c) However, the Petitioners are committed to utilizing the existing Connectivity granted to them by CTUIL, and the Petitioners have undertaken substantial Project Development activities, including the acquisition of 100% of the land required for setting up the proposed Project, tying up funds, etc., and are in the process of setting up a new Project.
- (d) A similar Petition No. 283/MP/2023 (ACME Solar Holding Private Limited and Anr. v. CTUIL) has already been heard and reserved for order by the Commission. Moreover, in the said case, the Commission, vide Record of Proceedings for the hearing dated 18.10.2023, had directed the parties to maintain the status quo, and similar dispensation may also be allowed in the present case.

2. Learned counsel for Respondent, CTUIL, accepted the notice and sought liberty to file the reply in the matter. Learned counsel fairly submitted that the aspects involved in the present case are similar to those involved in Petition No. 283/MP/2023, and CTUIL has already made its submissions in the said case.

3. Considering the submissions made by the learned counsel for the parties, the Commission directed as under:

- (a) Admit.
- (b) Respondent, CTUIL to file its reply within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.
- (c) The parties will maintain the *status quo* with regard to the Connectivity granted to the Petitioner(s) dated 10.9.2021 till the next date of the hearing.

4. The Petitioner is directed to file the following information on an affidavit within two weeks:

- (a) The total land required for the Project vis-à-vis land acquired by the Petitioner, as on the date along with the valid supporting documents such as registered title deed as a proof of ownership or lease right or land use rights.

(b) The scheduled date of the commissioning and the expected date of the commissioning of the project.

5. The Petition will be listed for hearing on **10.4.2024**.

**By order of the Commission**

**Sd/-**

**(T.D. Pant)**

**Joint Chief (Law)**