

Date: 26.03.2024**Ref:** AMSPL/CERC/26/03

To,
Secretary
Central Electricity Regulatory Commission
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi – 110001

Subject: Additional Comments on Draft CERC (Connectivity and General Network Access to the Inter-State Transmission System (Second Amendment) Regulations, 2024

Reference: Public Notice dated 16.02.2024 (notification No. L-1/261/2021/CERC) inviting written suggestions / objections / comments from stakeholders

Respected Sir,

This is with reference to the Public Notice dated 16.02.2024 issued by Hon'ble Commission for inviting written suggestions/ objections/ comments from stakeholders on draft CERC (Connectivity and General Network Access to the Inter-State Transmission) (Second Amendment) Regulations, 2024.

Amplus Solar is Asia's leading distributed energy company providing low-carbon clean energy solutions to commercial and industrial customers by setting up on-site solar projects (rooftop and ground-mounted) and off-site solar farms. Amplus Solar has also diversified into new avenues such as battery storage, residential solar, and electric vehicle-based logistics solutions.

Amplus Solar owns and manages a portfolio of over 1 GW of distributed solar assets and serves 250+ renowned Indian and multinational firms like Yamaha, Cisco, Amazon, Walmart, Reckitt Benckiser, Schlumberger, Carlsberg, ABB, TVs, Schneider, Qualcomm, Halliburton, GE, Honda among others, tripling its customer base from 2017 to 2023.

Amplus Solar's operational plants are expected to cumulatively generate 22 billion units of electricity over their lifetime. The carbon dioxide abatement over the lifetime of these projects amounts to 21 million metric Tonnes and the environmental impact can also be equated to 24 million mature trees absorbing carbon dioxide for 40 years.

Amplus Solar is a member of the Petroleum Nasional Berhad (PETRONAS) group, Malaysia and is headquartered in Gurugram, India with regional offices in Bangalore, Mumbai, Pune, Bangkok, Dubai, and Kuala Lumpur. PETRONAS recently established Gentari Sdn Bhd (GENTARI) to independently pursue and deliver integrated sustainable energy solutions, and to capture opportunities in the energy transition. GENTARI offers lower carbon solutions through three initial core pillars – Renewable Energy, Hydrogen

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and Green Mobility, forming a portfolio of solutions cutting across the electron value chain to help customers achieve net zero emissions.

Amplus Solar vide its letter dated 04-03-2024 has submitted its comments on the captioned matter. Further, we are hereby submitting additional comments under **ANNEXURE - I** on above referred subject for kind consideration of the Hon'ble Commission.

Thanking you,

For Amplus Energy Solutions Private Limited



Vivek Ranjan

Manager-Regulatory

ANNEXURE - I

Additional Comments on Central Electricity Regulatory Commission Draft (Connectivity and General Network Access to the Inter-State Transmission System) (Second Amendment) Regulations, 2024

S. No.	Regulation/ Clause No. of the Draft Regulation	Draft Regulation Title	Provisions in Draft Regulations	Comments
1.	5.1	Amendment to Regulation 5.8 of the Principal Regulations – Application for grant of Connectivity	<p>5.1. The sub-clause (c) to Clause (vii) of Regulation 5.8 of the Principal Regulations shall be substituted, and sub-clause (d) shall be added after sub-clause (c) as under:</p> <p>(c) For a capacity up to 1000 MW - Bank Guarantee of Rs. 10 lakh/ MW and for a capacity more than 1000 MW - Bank Guarantee of Rs. 100 Crore plus Rs. 5 lakh/ MW for capacity over and above 1000 MW, in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations; or</p> <p><u>(d) Government Order issued by the concerned Government for allotment of the land along with possession documents</u></p>	<p>It is commendable that Hon'ble CERC has proposed to allow Renewable Power Park Developer to apply for grant of connectivity based on Government Order issued by the concerned Govt. for allotment of the land. However, it is humbly submitted that demonstration of 100% land possession documents at the time of making connectivity application under Govt. Order (GO) route is redundant, as developers having land in their possession could anyway opt for connectivity application under land route. Also, it is stated that obtaining the possession documents from the Revenue department is a time-consuming process and it may take upto 8-9 months. Accordingly, it is requested to the Hon'ble Commission to kindly delink the GO route with the condition of 100% land possession</p>

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			<p><u>for 100% of the land required for the capacity for which Connectivity is sought.</u></p>	<p>documents at the time of making of Connectivity Applications.</p> <p>Further, it is pertinent to highlight that clause (vii) of the Regulations 5.8 of the GNA (First Amendment) Regulations, 2023 requires Renewable Power Park Developers to apply for connectivity based on either Registered Title Deed as a proof of ownership or lease rights or land use rights for 50% of the land required for the capacity for which connectivity is sought or Bank Guarantee (BG) of Rs. 10 Lakh/ MW in lieu of ownership or lease rights or land use rights for 50% of the land required for the capacity for which connectivity is sought. The relevant extract of the Regulations is reproduced below:</p> <p><i>“4.1. Clause (vii) of Regulation 5.8 of the Principal Regulations shall be substituted as under:</i></p> <p><i>(vii) In case of Renewable Power Park</i></p>



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				<p>Developer, the documents shall be submitted in combination of clauses (a) and (b) or combination of clauses (a) and (c) as specified hereunder:</p> <p>(a) Authorisation by the Central Government or the State Government, as applicable, to undertake infrastructural activities including arrangement for Connectivity on behalf of solar power generators or wind power generators;</p> <p><u>(b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought;</u></p> <p><u>(c) Bank Guarantee of Rs. 10 lakh/ MW in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations.”</u></p>

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				<p><i>(Emphasis Provided)</i></p> <p>Considering this, it's suggested that the Commission permits Renewable Power Park Developers to apply for connectivity under GO route based on advance possession or possession of 50% of the required land for the capacity for which connectivity is sought. This approach also acknowledges the seriousness of developers in executing projects, especially when they already possess a Government Order for land allotment. Also, reduction of land ownership requirement from 100% to 50% for the GO route, align it with the Land and BG routes, which currently have similar requirement at the time of submitting a Connectivity Application. Consequently, it's proposed that sub-clause (d) of clause (vii) of Regulation 5.8 of the Draft GNA (Second Amendment) Regulations, 2024 be modified as follows:</p> <p><i>“(d) Government Order issued by the concerned Government for allotment of the</i></p>



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S. No.	Regulation/ Clause No. of the Draft Regulation	Draft Regulation Title	Provisions in Draft Regulations	Comments
2.	5.2	Amendment to Regulation 5.8 of the Principal Regulations – Application for grant of Connectivity	<p>5.2. The sub-clause (c) to Clause (xi) of Regulation 5.8 of the Principal Regulations shall be substituted, and sub-clause (d) shall be added after sub-clause (c) as under as under:</p> <p>(c) For a capacity up to 1000MW - Bank Guarantee of Rs. 10 lakh/ MW and for a capacity more than 1000MW - Bank Guarantee of Rs. 100 Crore plus Rs. 5 lakh/ MW for capacity over and above 1000MW, in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations; or</p> <p>(d) Government Order issued by the concerned Government for allotment of the</p>	<p><i>land along with advance possession or possession of <u>50%</u> of the land required for the capacity for which Connectivity is sought.”</i></p> <p>It is commendable that the Hon’ble CERC has proposed to allow Renewable Energy Generating Station (REGS) or ESS to apply for a grant of connectivity based on Government Order issued by the concerned Govt. for allotment of the land. However, it is humbly submitted that demonstration of 100% land possession documents at the time of making connectivity application under Govt. Order (GO) route is redundant, as developers having land in their possession could anyway opt for connectivity application under land route. Also, it is stated that obtaining the possession documents from the Revenue department is a time-consuming process and it may take upto 8-9 months. Accordingly, it is requested to the Hon’ble Commission to kindly delink the GO route with the condition of 100% land possession documents at the time of</p>



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			land along with possession documents for 100% of the land required for the capacity for which Connectivity is sought.	<p>making of Connectivity Applications.</p> <p>Further, it is pertinent to highlight that clause (xi) of the Regulations 5.8 of the GNA (First Amendment) Regulations, 2023 requires REGS or ESS to apply for connectivity based on either Registered Title Deed as a proof of ownership or lease rights or land use rights for 50% of the land required for the capacity for which connectivity is sought or Bank Guarantee (BG) of Rs. 10 Lakh/ MW in lieu of ownership or lease rights or land use rights for 50% of the land required for the capacity for which connectivity is sought. The relevant extract of the Regulations is reproduced below:</p> <p><i>“4.2. New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:</i></p> <p><i>“(xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant</i></p>



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				<p><i>(PSP)) the following documents shall be submitted:</i></p> <p><i>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:</i></p> <p><i>Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.</i></p> <p><i>Or</i></p> <p><i><u>(b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought;</u></i></p>



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				<p>Or</p> <p><u>(c) Bank Guarantee of Rs. 10 lakh/ MW in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations.”</u></p> <p>(Emphasis Provided)</p> <p>Considering this, it's suggested that the Commission permits REGS or ESS to apply for connectivity under GO route based on advance possession or possession of 50% of the required land for the capacity for which Connectivity is sought. This approach also acknowledges the seriousness of developers in executing projects, especially when they already possess a Government Order for land allotment. Also, reduction of land ownership requirement from 100% to 50% for the GO route, align it with the Land and BG routes, which currently have similar requirement at</p>

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3.	8.1(1)	Amendment to Regulation 11 A of the Principal Regulations – Conditions subsequent to be satisfied by the Connectivity Grantee	8.1. Clause (1), Clause (2) and Clause (3) of Regulation 11A of the Principal Regulations shall be substituted as under: (1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under sub-clause (c) of Clause (xi) of Regulation 5.8 or Renewable power park developer covered under sub-clause (c) of Clause (vii) Regulation 5.8, shall submit documents for land in terms of sub-clause (b) of Clause (xi) or sub-clause (b) of Clause	the time of submitting a Connectivity Application. Consequently, it's proposed that sub-clause (d) of clause (xi) of the Regulation 5.8 of the Draft GNA (Second Amendment) Regulations, 2024 be modified as follows: “(d) Government Order issued by the concerned Government for allotment of the land along with advance possession or possession of <u>50%</u> of the land required for the capacity for which Connectivity is sought.” It is humbly submitted that this Hon'ble Commission in its Draft CERC (Connectivity and General Network Access to the Inter-State Transmission System) (Second Amendment) Regulations, 2024 has proposed to allow Renewable Power Park Developer and REGS (other than Hydro generating station) or ESS (excluding PSP) to apply for Grant of Connectivity based on Government Order issued by the concerned Government for allotment of land. In light of the request outlined in Regulation 5.1 & 5.2

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			<p>(vii) of Regulation 5.8 of these regulations, as the case may be, within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is earlier. The Bank Guarantee submitted under subclause (c) of Clause (vii) or under sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be returned within 7 days of submission of stipulated documents as proof of Ownership or lease rights or land use rights.</p> <p>.....</p>	<p>in the aforesaid row no. 1 & 2 of the Draft GNA (Second Amendment) Regulations, 2024 towards de-linking of GO route with the condition of demonstration of land allotment or advance possession/ possession documents at the time of making of Connectivity Application. It is requested to the Hon'ble Commission to kindly allow Renewable Power Park Developer and REGS (other than Hydro generating station) or ESS (excluding PSP) to submit land documents to CTUJIL within 18 months of issuance of in-principle grant of Connectivity or within 12 months of issuance of Final grant of Connectivity, whichever is earlier.</p> <p>Accordingly, it is requested to the Hon'ble Commission to kindly modify clause (1) of Regulation 11A of the Principal Regulations as depicted below:</p> <p><i>“8.1. Clause (1), Clause (2) and Clause (3) of Regulation 11A of the Principal</i></p>

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				<p>Regulations shall be substituted as under:</p> <p>(1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under sub-clause (c) or <u>sub-clause (d)</u> of Clause (xi) of Regulation 5.8 or Renewable power park developer covered under sub-clause (c) or <u>sub-clause (d)</u> of Clause (vii) of Regulation 5.8, shall submit documents for land in terms of sub-clause (b) of Clause (xi) or sub-clause (b) of Clause (vii) of Regulation 5.8 of these regulations, as the case may be, within 18 months of issuance of an in-principle grant of Connectivity or within 12 months of issuance of a final grant of Connectivity, whichever is earlier. The Bank Guarantee submitted under subclause (c) of Clause (vii) or under sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be returned within 7 days of submission of stipulated documents as proof of Ownership or lease rights or land use rights.”</p>