

Ref No. GEPL/2024-25/28082024/01

Date: 28.08.2024

To,

The Secretary  
Central Electricity Regulatory Commission  
6th, 7th & 8th Floors, Tower B, World Trade Centre,  
Nauroji Nagar, New Delhi- 110029

**Subject:** Submission of Observations/Comments/Suggestions on 3<sup>rd</sup> Amendment of CERC GNA Regulation 2023.

Dear Sir,

This has reference to the draft 3<sup>rd</sup> amendment of CERC GNA Regulation 2023, we hereby submitting our Comments/Observations/Suggestions on draft amendment. We request you to consider the same in large interest on stakeholders.

Comments are enclosed herewith as **Annexure-I**.

Yours Sincerely

For **M/s Greenko Energies Private Limited**



Y.K Sehgal

Executive Director

## ANNEXURE-I: COMMENTS ON 3<sup>rd</sup> AMENDMENT TO CERC GNA REGULATION 2024

Sr. No.	Regula.	Draft 3 <sup>rd</sup> Amendment Regulation	Proposed Regulation	Rationale
1.	3.7.3 (C) and 3.7.3 (d)	..... Provided that where ATS or terminal bays have not been awarded for implementation as on the date of withdrawal, Conn-BG2 shall be returned to the Applicant within 15 days of such withdrawal of the application.	..... Provided that where ATS or terminal bays have not been awarded <b>by the selected Inter State Transmission Licensee</b> for implementation as on the date of withdrawal, Conn-BG2 shall be returned to the Applicant within 15 days of such withdrawal of the application.	We request that Conn BG 2 should be returned to the Applicant incase Inter-State Transmission Licensee has not awarded the said ATS or terminal bay to contractor.
2.	5.5	..... "Provided that Renewable Power Park Developer which is authorized for a quantum of more than 500 MW, shall be eligible to apply for a grant of Connectivity in phases where in the first phase the application for Connectivity shall not be less than 500 MW, and the application for balance authorized quantum shall be in phases, subject to a minimum quantum of 50 MW in each phase.	..... "Provided that Renewable Power Park Developer, shall be eligible to apply for a grant of Connectivity in phases where each phase should have minimum quantum of 50 MW."	Partial capacity of Renewable Power Park with minimum quantum of 50 MW should be permitted as in many cases, RE Park developer develop the park in phases.
3.	9.1	"(a) Name of the ISTS sub-station or switchyard of the generating station or switchyard of the entity covered under Regulation 17.1(iii) of these regulations, as the case may be, where Connectivity is granted."	"(a) Name of the ISTS sub-station or switchyard of the generating station or switchyard of the entity covered under Regulation 17.1(iii) of these regulations, as the case may be, where <b>Connectivity or GNA</b> is granted."	It is to be noted that 17.1 (III) is w.r.t GNA for bulk consumers, hence it is requested to modify the said regulation.
4	9.1	In case of a proposed ISTS sub-station, the tentative coordinates and the scheduled date of commercial operation of such ISTS sub-station, <b><u>If available.</u></b>	In case of a proposed ISTS sub-station, the tentative coordinates and the scheduled date of commercial operation of such ISTS sub-station, <b><u>If available.</u></b>  <b><u>Provided further that suitable extension shall be provided in case of delay in providing co-ordinates of substations.</u></b>	We request that the start date for connectivity be suitably extended to allow the grantee adequate time to develop the system, especially considering that the CTU is delaying the final grant of Grid Connectivity due to the unavailability of substation coordinates. If the regulations are modified as per the draft amendment, CTU would grant final connectivity without informing the coordinates.
5	9.3	"9.3 The Applicants who have been issued an in-principle grant of Connectivity or final grant of Connectivity to ISTS, for the generation projects based on particular renewable energy source(s) (with or without ESS) may, for the same connectivity quantum, change to another renewable energy source(s) (with or without ESS) or ESS in part or full, by making	9.3 The Applicants who have been issued an in-principle grant of Connectivity or final grant of Connectivity to ISTS, for the generation projects based on particular renewable energy source(s) (with or without ESS) <b><u>or ESS</u></b> may, for the same connectivity quantum, change to another renewable energy source(s) (with or without ESS) or ESS in part or full, by making	It is to be submitted that change of configuration should also be allowed from ESS to Renewable energy source with or without storage.

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		<p>an application to the Nodal Agency for approval for such change within 18 months from the in-principle grant of Connectivity. The Nodal Agency may carry out system studies, as required, and approve or reject the change in energy source within 30 days of application by the Applicant. On approval of such change of renewable source(s), the entity shall submit the technical data for changed renewable energy source(s), and CTU shall incorporate the necessary change in connectivity agreement, if already signed.”</p>	<p>an application to the Nodal Agency for approval for such change within 18 months from the in-principle grant of Connectivity. The Nodal Agency may carry out system studies, as required, and approve or reject the change in energy source within 30 days of application by the Applicant. On approval of such change of renewable source(s), the entity shall submit the technical data for changed renewable energy source(s), and CTU shall incorporate the necessary change in connectivity agreement, if already signed.”</p>	
6	10.5	<p>“10.5 Where Connectivity is granted at a proposed ISTS sub-station, the Nodal Agency shall confirm the final coordinates within 2 months of award of contract for construction of such ISTS substation.”</p>		<p>Please clarify whether, co-ordinates will be within 2 months of transfer of SPV or award of contract by the ISTS Transmission Licensee.</p> <p>In line with regulation 9.1, the final grant of Connectivity may be issued without specifying coordinates, given that the contract award timeline is beyond the developer’s control. Consequently, it may also be necessary to revise the effective date of connectivity.</p>
7	11 (A) (C)	<p>After conversion has been approved by the CTU, the requirement of furnishing the documents towards such converted Connectivity, in accordance with Clauses (1) to (2) of this Regulation, shall be the same as applicable to the entities covered under Clause (xi)(a) of the Regulation 5.8, with the condition that scheduled date of commercial operation for the purpose of Clause (2) of this Regulation shall be the start date of Connectivity.</p>	<p>Provided further that Land BG submitted shall have to be returned back to the grantee immediately within 15 days of submission of requisite documents for conversion of Connectivity from XI (C) to XI (A).</p>	<p>It is found that where Grantee has obtained connectivity and further, either converted connectivity into PPA route or land documents has been furnished. In those cases, CTU is not returning the BG’s til stating that Connectivity Agreement is not signed by the Applicant.</p> <p>We request that Land BG should be returned immediately on submission of land Documents.</p>
8	11 A (d)	<p>(3) In case of Applicants who have been granted Connectivity under subclause (a) of Clause (xi) of Regulation 5.8 of these regulations and whose LoA or PPA gets terminated prior to the COD of the project, for</p>	<p>(3) In case of Applicants who have been granted Connectivity under subclause (a) of Clause (xi) of Regulation 5.8 of these regulations and whose LoA or PPA gets terminated prior to the COD of the project, for</p>	<p>If the PPA/LOA has been terminated and both entities have mutually agreed to end the PPA after paying the applicable liquidated damages and penalties as outlined in the contract, and applicant have also been paying the relevant transmission</p>

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		<p>the reasons not attributable to such Applicant and in cases where LoA or PPA has been terminated by the entity and the same has also been agreed or approved by the REIA or Distribution Licensee or appropriate Commission, such Applicant may convert the Connectivity, in full or part, granted under sub-clause (a) of Clause (xi) of Regulation 5.8 of these regulations to Connectivity under sub-clause (b) or sub-clause (c) to Clause (xi) of Regulation 5.8 of these Regulations with no change in the start date of Connectivity and point of connectivity with ISTS, consequent to such conversion. Such entity shall comply with the requirements of Clause (2) of this Regulation within six months from approval of such conversion or six months prior to the start date of Connectivity, whichever is later:</p>	<p><del>the reasons not attributable to such Applicant</del> and in cases where LoA or PPA has been terminated by the entity and the same has also been agreed or approved by the REIA or Distribution Licensee or appropriate Commission, such Applicant may convert the Connectivity, in full or part, granted under sub-clause (a) of Clause (xi) of Regulation 5.8 of these regulations to Connectivity under sub-clause (b) or sub-clause (c) to Clause (xi) of Regulation 5.8 of these Regulations with no change in the start date of Connectivity and point of connectivity with ISTS, consequent to such conversion. Such entity shall comply with the requirements of Clause (2) of this Regulation within six months from approval of such conversion or six months prior to the start date of Connectivity, whichever is later:</p>	<p>charges in accordance with the sharing regulations for generation mismatch, then the entities should be permitted to transfer Grid Connectivity under clauses xi (b) and xi (c).</p> <p>Additionally, a reasonable time period should be provided for them to fulfill the conditions related to land.</p>
9	17.1(VI)	<p>Entities covered under clause (vi) of Regulation 17.1 and applying GNA for injection into the ISTS shall comply with all requirements as applicable to entities under Regulation 4.1 <b><u>except the requirement of a minimum capacity of 50 MW.</u></b> For such entities Conn-BG1, Conn-BG2 and Conn-BG3 shall be returned in accordance with Regulation 16 of these regulations or on expiry of period of GNA, whichever is earlier.”</p>	<p>Entities covered under clause (vi) of Regulation 17.1 and applying GNA for injection into the ISTS shall comply with all requirements as applicable to entities under Regulation 4.1 <b><u>except the requirement of a minimum capacity of 5 MW.</u></b> For such entities Conn-BG1, Conn-BG2 and Conn-BG3 shall be returned in accordance with Regulation 16 of these regulations or on expiry of period of GNA, whichever is earlier.”</p>	<p>It has been observed in many instances that entities connected to the State network are dispatching power to other states utilizing the ISTS network, regardless of their capacities. Such entities are paying the associated state network charges.</p> <p>It is important to note that capacity should not be the determining factor for granting GNA (General Network Access) to such projects. Many Small hydro projects connected with State network and selling power utilizing the 17.1 (VI) regulation of CERC GNA Regulation 2022.</p>
10	New Regulation 24.3A	<p>“24.3A For Connectivity Grantees covered under sub-clause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations:</p> <p>In case full or part of Connectivity is relinquished within six months of the final grant</p>	<p>“24.3A For Connectivity Grantees covered under sub-clause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations:</p> <p>In case full or part of Connectivity is relinquished within six months of <b><u>signing of</u></b></p>	<p>We need to clarify the distinction between withdrawal and relinquishment.</p> <p>According to regulation 3.7.4 of the 3<sup>rd</sup> amendment to the GNA Regulations, if Grid Connectivity is withdrawn after the final grant of connectivity but</p>

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		<p>of Connectivity, 50% of the subsisting Bank Guarantee submitted under sub-clause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations, corresponding to relinquished quantum shall be encashed, and the balance shall be returned.</p> <p>(b) If the Connectivity is relinquished after six months of the final grant of Connectivity, 100% of the subsisting Bank Guarantee submitted under subclause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations, shall be encashed.”</p>	<p><b><u>Connectivity Agreement</u></b>, 50% of the subsisting Bank Guarantee submitted under sub-clause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations, corresponding to relinquished quantum shall be encashed, and the balance shall be returned.</p> <p>(b) If the Connectivity is relinquished after six months of <b><u>signing of Connectivity Agreement</u></b>, 100% of the subsisting Bank Guarantee submitted under subclause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations, shall be encashed.”</p>	<p>before the Connectivity Agreement is executed, 25% of the Bank Guarantee will be encashed. Further, this regulation states that 50 % of BG will be encashed in case of relinquishment of Connectivity. However, the regulation does not clarify the difference between withdrawn and relinquishment.</p> <p>Further, considering both regulations 3.7.4 and 24.3(A), there is ambiguity regarding which regulation applies within the month following the final grant of connectivity and before the execution of the Connectivity Agreement.</p> <p>We therefore request the Hon’ble Commission to review and amend the relevant clause to resolve this inconsistency.</p>
11	New regulation	<p><b>Segregation of Connectivity’s among solar hours and non-solar hours</b></p>	<p>Connectivity granted to a solar generator may only be used during solar hours.</p> <p>Provided that the Solar generator has the option to install storage to use the connectivity during non-solar hours by submitting an application to CTUIL within three months.</p> <p>Provided further that the solar connectivity grantee is unable to submit a storage connectivity application, other storage developers interested in obtaining connectivity for non-solar hours may apply.</p>	<p>The Ministry of Power has recently issued a concept note distinguishing the use of connectivity awarded to solar generators, specifying that it is to be utilized only during solar hours.</p> <p>Additionally, as outlined in the concept note, existing solar generators without storage also have the option to install storage to utilize their connectivity/GNA during non-solar hours. They must submit an application to CTUIL within three months to do so.</p> <p>We request the hon’ble Commission to incorporate the same in the 3<sup>rd</sup> amendment of GNA Regulations.</p>