

**From:** "Raman Gulati" <[Raman.Gulati@sembcorp.com](mailto:Raman.Gulati@sembcorp.com)>

**To:** "Harpreet Singh Pruthi" <[secy@cercind.gov.in](mailto:secy@cercind.gov.in)>, "Shilpa Agarwal" <[shilpa@cercind.gov.in](mailto:shilpa@cercind.gov.in)>

**Cc:** "Mahesh Vipradas" <[Mahesh.Vipradas@sembcorp.com](mailto:Mahesh.Vipradas@sembcorp.com)>, "Abhishek Srivastava" <[Abhishek.Srivastava@sembcorp.com](mailto:Abhishek.Srivastava@sembcorp.com)>

**Sent:** Monday, September 2, 2024 12:19:46 AM

**Subject:** Comments/suggestions on Draft 3rd Amendment to CERC Connectivity and GNA Regulations, 2024

SC-Restricted

Dear Sir/Madam,

In reference to the Public Notice No. L-1/261/2021/CERC Dated: 31st July 2024 issued to invite comments on Draft 3rd Amendment to CERC Connectivity and GNA Regulations, 2024, please find attached detailed comments on behalf of Sembcorp.

Regards,  
Raman Gulati

**Raman Gulati**

Senior Manager  
Regulatory & Power Markets, India

**Sembcorp India Private Limited**

Building 7A, Level 5, DLF Cyber City, Gurugram – 122002, Haryana, India  
Tel: +91 1246986697

[Website](#) | [LinkedIn](#)



**Driving Energy Transition**



CONFIDENTIALITY CAUTION: This message is intended solely for the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, please immediately notify us by return e-mail and permanently delete this e-mail and all copies from your system, and do not disseminate, copy, or use any information contained in this email or in any attachment.

Sembcorp's Comments/suggestions on Draft 3<sup>rd</sup> Amendment to CERC Connectivity and GNA Regulations, 2024

Sr no.	Draft Amendment paper	Suggested change	Remarks
1.	3.7.5 Any withdrawal of application for partial quantum shall only be permitted under Regulation 3.7.2 and shall not be permitted under Clauses 3.7.3 and 3.7.4 of this Regulation.	<p>3.7.5 Any withdrawal of application for partial quantum shall only be permitted under Regulation 3.7.2 and shall not be permitted under Clauses 3.7.3 and 3.7.4 of this Regulation.</p> <p>Provided that under force majeure event withdrawal of application for partial quantum shall be allowed under Clauses 3.7.3 and 3.7.4 of this Regulation.</p> <p>Provided in case there is limited capacity remaining in the substation selected in the application, the applicant should be given an option to split the connectivity and allow such capacity then the capacity over and above the available capacity in next available substation.</p>	<p>In case of any force majeure event or any situation which is beyond the control of developers in such cases withdrawal of application for partial quantum may be permitted under Clauses 3.7.3 and 3.7.4 also.</p> <p>Also in case there is limited capacity remaining in the substation selected in the application, the applicant should be given an option to split the connectivity and allow such capacity then the capacity over and above the available capacity in next available substation.</p>
2.	<p>9.1. Within 15 days of receipt of Conn-BG2 and Conn-BG3, as applicable, the Nodal Agency shall intimate the final grant of Connectivity to the entity that has been intimated in-principle grant of Connectivity. The intimation shall contain, inter alia, the following:</p> <p>...</p> <p>(d) In case of a proposed ISTS sub-station, the tentative coordinates and the scheduled date</p>	<p>9.1. Within 15 days of receipt of Conn-BG2 and Conn-BG3, as applicable, the Nodal Agency shall intimate the final grant of Connectivity to the entity that has been intimated in-principle grant of Connectivity. The intimation shall contain, inter alia, the following:</p> <p>...</p> <p>(d) In case of a proposed ISTS sub-station, the tentative coordinates and the scheduled date</p>	<p>As per the proposed change in Clause (d) of Regulation 9.1, the obligation of CTU to provide the tentative coordinates at time of final grant of connectivity has been removed.</p> <p>Such coordinates even if are tentative, are essential for effective planning and finalising the RE project. Ideally the final coordinates should be provided along with final grant of connectivity. Any surprise in terms of location of ISTS substation post final grant of connectivity can put the developer at risk</p>

Sr no.	Draft Amendment paper	Suggested change	Remarks
	<p>of commercial operation of such ISTS sub-station <b>if available</b>.</p> <p>...</p> <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 <b>award of contract for construction of such ISTS substation</b> <del>signing of the Connectivity Agreement and such coordinates shall not be outside the radius of 5 km of the tentative coordinates already intimated.</del></p>	<p>of commercial operation of such ISTS sub-station <del>if available</del>.</p> <p><b>Provided that in case the CTU is unable to provide the tentative coordinates of ISTS substation along with final grant of connectivity, the obligation to submit documents as per Clause (1) of Regulation 8.1 of these regulations, shall be extended till 12 months from date of providing such coordinates.</b></p> <p>...</p> <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 <b>and such coordinates shall not be outside the radius of 5 km of the tentative coordinates already intimated.</b></p>	<p>of making the project unfeasible as it would have already procured the land.</p> <p>Further under the Land-BG route, where the actual land is to be procured after final grant and within period of 12 months, unless the location of ISTS substation is available, developer will not be able to procure the land.</p> <p>In view of above, it is requested to consider the following while finalizing these amendments:</p> <ol style="list-style-type: none"> <li>1) Tentative coordinates of ISTS substation should be provided at time of final grant of connectivity, with a condition that final coordinates will be within radius of 5 km from such tentative coordinates.</li> <li>2) In case tentative/final coordinates of ISTS substation is not provided by CTU at time of final grant of connectivity, the obligation of connectivity grantee to submit land documents (under Land-BG route) will be extended to at least 12 months from date of providing such coordinates.</li> </ol>
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	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	<p>It may happen that post completion of system studies, the grantee is not allowed for conversion of RE source under proposed Regulations 9.3</p> <p>Also, for connectivity granted under Land/Land-BG route, one of the precedents for changing the</p>

Sr no.	Draft Amendment paper	Suggested change	Remarks
	<p>renewable energy source(s) (with or without ESS) or ESS in part or full, by making 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>renewable energy source(s) (with or without ESS) or ESS in part or full, by making an application to the Nodal Agency for approval for such change <del>within 18 months from the in-principle grant of Connectivity</del>. 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 and for changed renewable energy source(s), and CTU shall incorporate the necessary change in connectivity agreement, if already signed.</p> <p>Provided that in case of connectivity granted under Clause (xi)(b) or (xi)(c) of Regulations 5.8 of these regulations the entity shall also submit the revised documents for land after approval of change of renewable source(s).</p>	<p>source of RE is procuring and submitting the land documents for such changed source of RE.</p> <p>As procurement of land is a significant step which requires significant time and effort, the grantee before going ahead with such an effort has to be assured that such change in RE source is permissible feasible after undertaking the required system studies.</p> <p>Therefore, it is requested that that in case of connectivity granted under Land/Land-BG route the connectivity grantee should be allowed to submit the revised documents for land after approval of change of renewable source(s).</p> <p>Further, given that change in RE source are contingent upon system study approval, imposing an 18-month limitation from in-principle grant of connectivity is unnecessary. For projects scheduled for later years, the need for change in RE source may not arise within the 18-month from in-principle grant. Therefore, it is requested that no such time limitation be imposed for change in RE source, as such change is already subject to system study approval.</p>
4.	<p>Regulation 11(A) (4)</p> <p>...</p> <p>d) After the Connectivity of an entity under Clause (xi)(b) or Clause (xi)(c) of Regulation 5.8 is converted into Connectivity under Clause (xi)(a) of Regulation 5.8, for part or full capacity</p>	<p>Regulation 11(A) (4)</p> <p>...</p> <p>d) After the Connectivity of an entity under Clause (xi)(b) or Clause (xi)(c) of Regulation 5.8 is converted into Connectivity under Clause (xi)(a) of Regulation 5.8, for part or full capacity</p>	<p>In is understood that the proposed reconversion charges are to cover the cost for documentation and other efforts put in by CTU. Such efforts are independent of quantum of connectivity, therefore a fixed fee of Rs. 1 lakh be considered as against the proposed Rs. 50,000 per MW.</p>

Sr no.	Draft Amendment paper	Suggested change	Remarks
	<p>by CTU under subclause (c) (i) of Clause (4) of this Regulation, if LOA or PPA for such part or full capacity is terminated, and such entity seeks to convert its Connectivity back to routes under Clause (xi)(b) or Clause (xi)(c) of the Regulation 5.8, such reconversion shall be allowed subject to the following conditions:</p> <p>i. The application for conversion of Connectivity shall be accompanied by a non-refundable conversion fee of Rs 50,000/MW for the capacity to be converted. Such fees are payable for each such conversion sought by the entity.</p>	<p>by CTU under subclause (c) (i) of Clause (4) of this Regulation, if LOA or PPA for such part or full capacity is terminated, and such entity seeks to convert its Connectivity back to routes under Clause (xi)(b) or Clause (xi)(c) of the Regulation 5.8, such reconversion shall be allowed subject to the following conditions:</p> <p>i. The application for conversion of Connectivity shall be accompanied by a non-refundable conversion fee of <del>Rs 50,000/MW</del> <b>Rs. 1 lakh</b> for the capacity to be converted. Such fees are payable for each such conversion sought by the entity.</p> <p><b>Provided that conversion fee shall not be payable by the entity if such termination of LOA or PPA is not on account of such entity.</b></p>	<p>Further, in cases where reconversion is required due to termination of LOA/PPA on account of delay in Tariff adoption/PPA signing or unilateral termination by REIA/Discom which are not attributable to connectivity grantee, such charges should not be applied.</p>