

Ref No. Vena/CERC/Draft 3rd Amendment/02

17th September, 2024

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

Subject – Comments on the draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Third Amendment) Regulations, 2024.

Ref. Notice dated 31.07.2024.

Dear Sir,

This is with reference to the Notice dated 31.07.2024 inviting comments/suggestions on the draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Third Amendment) Regulations, 2024.

Accordingly, on behalf of Vena Energy few suggestions on the aforementioned draft are being submitted herewith in the table below for consideration please:

Clause No.	Draft Regulation	Comments
Amendment to Regulation 3.7 of the Principal Regulation - 3.7.3	If any application is withdrawn after the in-principle grant of Connectivity and before the final grant of Connectivity, the Nodal Agency shall deal with such cases in the following manner: (a) 100% of the application fee shall be forfeited; (b) 5% of the BG submitted in terms of Clause (vii)(c) or Clause (xi)(c) of Regulation 5.8 of these regulations, as the case may be, shall be forfeited and balance 95% of BG shall be returned to the Applicant within 15 days of withdrawal of the application. (c) If Conn BG1, Conn-BG2, Conn-BG3, as applicable, have been furnished, Conn BG-1, Conn-BG2 shall be encashed and Conn-BG3 shall be	Since in-principle grant of connectivity takes varied timelines, it is proposed that the grantee should be given a timeline of in-principle grant + 15days. Incase, the application is withdrawn before the in-principle grant + 15days, 100% of the application fees shall be forfeited (and Land BG should be returned). Additionally, if the location of the GSS is not fixed at the time of in-principle grant + 15days

	<p>returned by the Nodal Agency: 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 (d) Application shall be closed within a period of 15 days from the date of withdrawal under intimation to the Applicant;</p>	<p>or it moves beyond 5kms of the available co-ordinates at that time, timeline for withdrawal of application with only the application fees being forfeited should get extended to 15days post the formal intimation of the location of the GSS (with no risk on the land BG or CONN BGs, if any).</p>
<p>Amendment to Regulation 3.7 of the Principal Regulation - 3.7.4</p>	<p>If any application is withdrawn after the final grant of Connectivity and before the signing of the Connectivity Agreement, the Nodal Agency shall deal with such cases in the following manner: (a) 100% of the application fee shall be forfeited; (b) 25% of the BG submitted in terms of Clause (vii)(c) or Clause (xi)(c) of Regulation 5.8 of these regulations, as the case may be, shall be forfeited and balance 75% of BG shall be returned to the Applicant within 15 days of withdrawal of the application. (c) Conn BG1, Conn-BG2 shall be encashed and Conn-BG3 shall be returned to the Applicant. 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. (d) Application shall be closed within a period of 15 days from the date of withdrawal under intimation to the Applicant;</p>	<p>If the location of the GSS is not fixed at the time of final grant or it moves beyond 5kms of the available co-ordinates at that time, timeline for withdrawal of application with only the application fees being forfeited should get extended to 15days post the formal intimation of the location of the GSS (with no risk on the land BG or CONN BGs, if any). Additionally, the timeline to meet the CS of 50% land requirement or FC, should also move in line with the delay between the final grant and intimation of the final GSS co-ordinates.</p>
<p>Amendment to Regulation 5.1 of the</p>	<p>The following proviso shall be added to Regulation 5.1 of the Principal Regulations: "Provided also that an REGS making an application based on LOA or PPA under</p>	<p>The following line is proposed to be added further:</p>




Principal Regulations	Regulation 5.8(xi) may apply for a grant of connectivity of a quantum equal to the quantum of LOA or PPA, which may be less than the installed capacity.	<p>Provided that incase the applicant had applied for connectivity basis land or land BG and now is seeking the conversion of the same to LOA/PPA, the quantum of the possible connectivity grant shall be the maximum of LOA or PPA quantum or the original connectivity granted basis land or land BG.</p> <p>(Explanation: since a complex bid maybe require more than the LOA/PPA quantum at a particular location and the grantee would have already progressed on the site basis land or land BG route, the connectivity grantee should be allowed the above flexibility).</p>
Amendment to Regulation 9 of the Principal Regulations		<p>Change of renewable energy source(s) (with or without ESS) or ESS in part or full, should be allowed upto 12 months from the start date of connectivity.</p> <p>(Explanation: Given the connectivity constraints, developers are being given grant of connectivity with start date of connectivity as much as 6 years down the line; given this flexibility closer to the date of start of connectivity should be given to the developers)</p>
New Regulation 5.10	Applicants covered under Clause (vii) of Regulation 5.8 of these regulations or subclauses (b) to (c) of Clause (xi) of Regulation 5.8 of these regulations may	However, there is an option to change the project location later as provided in the regulation, still it is kindly

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	implement its project at a land parcel different (partly or fully) than as submitted while seeking Connectivity, under intimation to the Nodal Agency, with no change in the point of Connectivity with ISTS and the start date of Connectivity due to such implementation of project at a different land parcel.”	requested to set the limit of distance of land parcel, approximately 100 km from ISTS substation. This would help in mitigating unnecessary blocking of transmission capacity by random applicants.
Amendment to regulation 10.5 of the Principal Regulation	“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.”	In case the draft regulation gets adopted then the time lines for fulfilment of conditions subsequent (i.e. submission of land documents and achieving financial closure) under Regulation 11 A shall be linked with the date of finalisation of ISTS substation coordinates or Final grant of connectivity whichever is later.
Amendment to Regulation 11 of the Principal Regulations, 11.3 (a) & 11.3 (b)	11.3a The Nodal Agency shall monitor the fulfilment of conditions under Regulation 11A by the entities that have been issued an in-principle or final grant of connectivity as per the format enclosed in Annexure-III of these Regulations. The Nodal Agency shall publish the details of the compliances as per Annexure-III of these regulations on the website of the Nodal Agency. 11.3b Respective RLDCs shall monitor the utilization of the connectivity quantum by a connectivity grantee, and NLDC shall submit a consolidated report on the utilization pattern of the Connectivity by the Connectivity grantee to the Commission after one year of commissioning of the project by such entity.	It is requested to kindly mention about the applicability of these amendments or any cut-off date after which these will be applicable, since currently there are multiple applications at various stages of processing.
Amendment to Regulation 11A of the	After the Connectivity of an entity under Clause (xi)(b) or Clause (xi)(c) of Regulation 5.8 is converted into Connectivity under	It is unfair to charge Rs.50,000/MW to applicant in order to re convert from

Principal Regulations – Clause 4 (d)	Clause (xi)(a) of Regulation 5.8, for part or full capacity 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: 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.	LOA/PPA route to Land/BG in lieu of land route in case PPA/LOA gets terminated owing to the reasons attributable to REIA/Discoms etc. Hence, it is requested to kindly remove the non-refundable reconversion fee of Rs.50,000/MW.
Amendment to Regulation 11A of the Principal Regulations	(5) Where Connectivity has been granted to the Parent Company and the Project is being executed by the subsidiary company(ies), CS may be met by the subsidiary company(ies) and vice versa.	Some of the IPPs don't have a Parent Company in India and have one outside of the country only. This structure is prohibitive as the Parent Company may not like to have CS attached to them. Can the Connectivity be transferred and the CS be met by an Affiliate (group company) of the original grantee as well, if both the original connectivity grantee and the Affiliate (group company) have the same parent company/shareholding structure implying that the project is being executed by the original allottee's group company only.

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Thanking You.

Yours sincerely,
For Vena Energy Infrastructure Services Private Limited

A handwritten signature in blue ink, appearing to be "Amal K. S.", written over a horizontal line.



Authorised Signatory

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