

MAHINDRA SUSTEN PRIVATE LIMITED
Mahindra Towers, P. K. Kurne Chowk, Worli, Mumbai - 400 018
CIN: U74990MH2010PTC207854
Tel No. +91 22 24901441, Fax No. +91 22 24975081
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Ref No: MSPL/CERC/Sharing Regulations - 4th Amendment/Comments /2024-25/200

Date: 11th October, 2024

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

Subject: Comments on Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Fourth Amendment) Regulations, 2024

Dear Sir,

We are pleased to note that CERC has proactively issued Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Fourth Amendment) Regulations, 2024. In this regard, we would like to participate in the consultation process with CERC and we are herewith submitting our comments on the same (enclosed herewith). We are hopeful that CERC would find merit in our submissions and incorporate the same Regulations.

Thanking you,

Yours faithfully,



Ankur Pathak,
Head – Regulatory Affairs



Encls: As above

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Comments on Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Fourth Amendment) Regulations, 2024

Sn	Regulation	Draft Regulation	Recommended Clause	Rationale
1	7 (h)	Any REGS based on wind or solar source which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commissioning on or before 30th June 2025 is granted extension of time to achieve COD by the competent authority in terms of the Power Purchase Agreements (where PPA has been 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) or the Commission (for cases other than specified PPA, on an appropriate application made by the entity), on account of any Force Majeure event	Any REGS or RHGS based on wind or solar source or ESS which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commissioning on or before 30th June 2025 is granted extension of time to achieve COD by the competent authority in terms of the Power Purchase Agreements (where PPA has been 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) or the Commission (for cases other than specified PPA, on an appropriate application made by the entity), on account of any Force Majeure event	<p>As per the current proposed amendments, clarification for waiver for the projects having COD on or before 30.06.2025 and getting extensions due force majeure and related reasons have been provided.</p> <p>However, clarification for waiver for the projects having COD before next threshold timeline, i.e. 30.06.2026, 30.06.2027 and 30.06.2028 respectively and getting extensions due force majeure and related reasons beyond 30.06.2026, 30.06.2027 and 30.06.2028 respectively, has not been provided. We request Hon'ble Commission to treat project having COD on or before the next brackets i.e. Jun'26, Jun'27 & Jun'28.</p> <p>Further, the extension of waiver should be applicable to all projects including RHGS or ESS which are eligible under Regulation 13 (2).</p>

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		<p>including non-availability of transmission or for reasons not attributable to the REGS, and the project achieves COD before the extended date, it shall be eligible for a waiver of inter-state transmission charges as if the said REGS had achieved COD on 30.6.2025:</p> <p>Provided that, for the purpose of this Clause, such extension shall not exceed a period of six months at a time and not more than two times.</p>	<p>including non-availability of transmission or for reasons not attributable to the REGS, and the project achieves COD on or before the extended date, it shall be eligible for a waiver of inter-state transmission charges as if the said REGS had achieved COD on 30.6.2025:</p> <p><u>Additional Clause</u></p> <p>Any Waiver for REGS or RHGS based on wind or solar source or ESS which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commissioning on or before 30th June 2026 or 30th June 2027 or 30th June 2028 respectively is granted extension of time to achieve COD by the competent authority in terms of the Power Purchase Agreements (where PPA has been entered into with, a Renewable Energy</p>	
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			<p>Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee, consequent to tariff based competitive bidding) or the Commission (for cases other than specified PPA, on an appropriate application made by the entity), on account of any Force Majeure event including non-availability of transmission or for reasons not attributable to the REGS or RHGS based on wind or solar source or ESS, and the project achieves COD on or before the extended date, it shall be eligible for a waiver of interstate transmission charges as if the said REGS or RHGS based on wind or solar source or ESS had achieved COD on 30th June 2026 or 30th June 2027 or 30th June 2028 respectively:</p>	
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2	Additional provision CHAPTER 2 COMPONENTS AND SHARING OF ISTS CHARGES AND LOSSES			<p>The methodology for applicability of NC-RE component applicable under Regulation 4 is primarily linked to drawee DICs which are responsible for bearing these charges. However, due to breach of waiver conditions by REGS or RHGS based on wind or solar source or ESS (as per Regulation 13 (2)), there is no clarity as to what sort of charges will be applicable to such Generating station.</p> <p>National Load Despatch Centre (NLDC) has been entrusted with the responsibility of computation of ISTS transmission charges and losses, however, it only calculates the components of transmission charges that are payable by drawee DICs especially States. It does not provide methodology to ascertain as to how to calculate ISTS charges liability if any RE generator is in breach of waiver conditions. It is being represented because many States are approaching REIAs with a specific condition that in case of breach of waiver conditions, the generators will have to bear the ISTS charges but it is unclear till date as to what would be the applicable charges for a generator in cases of a</p>
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				<p>breach. The NLDC data does not provide any guidance or methodology or any data in cases of breach of waiver conditions.</p> <p>We request CERC to address this issue by way of these regulations and plug this gap so that there is certainty to calculate the ISTS charges payable in case of breaches.</p> <p>We also request Hon'ble commission to direct NLDC to publish monthly ISTS Charges applicable to States solely due to RE offtake. This would provide a benchmark to ascertain charges which are levied to States due to RE installations and offtake. As of today, there is no guiding document to ascertain the transmission cost due to RE installations.</p>
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