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Cc: "Mahesh Vipradas" <Mahesh.Vipradas@sembcorp.com>, "Abhishek Srivastava" <Abhishek.Srivastava@sembcorp.com>
Sent: Monday, November 25, 2024 10:58:04 AM
Subject: RE: Comments/Suggestion on Draft 4th Amendment Sharing of ISTS Charges Regulations

SC-Restricted

Dear Sir/Madam,

In reference to the Public Notice No. L-1/250/2019/CERC Dated: 9.10.2024 and extension notice dated 11.11.2024, issued to invite comments on Draft 4th Amendment Sharing of ISTS Charges Regulations, please find attached **updated** comments/suggestions on behalf of **Sembcorp**.

Regards,
Raman Gulati

Sembcorp's comments/suggestions on Draft 4th Amendment to Sharing of ISTS Charges Regulations

Sr no.	Draft Amendment Order		Comments/Suggestions
1.	<p>Regulation 13 (2) (h) (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 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</p>	<p>Regulation 13 (2) (h) (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 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</p>	<p>It is understood that the proposed clause (h) of Regulation 13 (2) is added to implement MOP Order dated 09.06.2023 to allow extension of ISTS waiver in case project SCOD is extended by competent authority beyond 30.06.2025 due to reasons beyond control of REGS (including delay in transmission system).</p> <p>It may be noted that proviso to <i>para 3.1 (vii) of the</i> same MOP order also allows the extension in commencement of LTA (which now may be read as Start date of Connectivity) in case SCOD is extended by competent authority.</p> <p>Therefore, it is requested that a suitable clause be inserted to allow extension in start-date of connectivity in case SCOD is extended by the competent authority.</p> <p>Further, it is an agreed fact that in case of delay in ISTS system or any other reasons beyond control of REGS and the project SCOD is extended by competent authority the waiver timelines should be extended. This logic should apply even for each of the subsequent years after 30.06.2025. For example, if a project's SCOD is extended beyond 30.06.2026 and its original SCOD qualified for a 75% waiver band, it should be allowed for 75% waiver and 50% waiver.</p>

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	<p>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>charges as if the said REGS had achieved COD on 30.6.2025:</p> <p>Similar treatment shall be provided to projects getting extension to subsequent years and shall be eligible for waiver in accordance with their original SCOD.</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>Provided that where a REGS is eligible for ISTS waiver in terms of Regulation 13, is granted extension in SCOD by the competent authority, the start date of connectivity shall also get extended accordingly to such extended SCOD.</p>	
	<p>Regulation 13 (3) (3) Where COD of a Connectivity grantee other than Renewable Power Park Developer has not been achieved on or before start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than start date of Connectivity, the Connectivity grantee shall pay Yearly</p>	<p>Clarity required</p>	<p>As per the existing Regulations, the fixed charges of Rs. 3000/MW/Month for delayed COD beyond start date of connectivity is applicable for all RE projects where connectivity is granted on existing margins or augmented system with no ATS. Even for REGS connectivity (without ATS) which got transitioned into GNA Regime, the applicable charges for delay in COD beyond start date is fixed at Rs. 3000/MW/Month.</p> <p>The objective of the proposed amendment in Regulation 13 (3) & (7) as discussed in the EM is to recover the YTC charges pertaining to ISTS Bay (if under ISTS scope). It is understood that as per the proposed change in the draft Amendment, the delayed COD charges of 3000/MW/month shall now</p>

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	<p>Transmission Charges for the Associated Transmission System corresponding to Connectivity capacity which has not achieved COD:</p> <p>Provided that where a Connectivity grantee is Renewable Power Park Developer and the generation capacity within the Renewable Power Park has not declared COD on or before start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than start date of Connectivity, the Renewable Power Park Developer shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to generation capacity which has not achieved COD:</p> <p>Provided further that for cases of augmentation without ATS and where the Terminal Bay(s) at the ISTS sub-station, in the scope of the transmission licensee have achieved COD, which is not earlier than the start date of Connectivity, and the COD of a Connectivity grantee or the</p>		<p>be applicable only for connectivity granted without ATS and the ISTS Bay is also in scope of REGS.</p> <p>In context of above, it may be confirmed that our understanding to the proposed amendment on applicability of charges for delayed COD beyond start date of connectivity is correct and shall be as per following table:</p> <table border="1" data-bbox="1256 483 2136 810"> <thead> <tr> <th data-bbox="1256 483 1442 518">Bay scope -></th> <th data-bbox="1442 483 1615 518">REGS</th> <th data-bbox="1615 483 1787 518">ISTS</th> <th data-bbox="1787 483 1960 518">REGS</th> <th data-bbox="1960 483 2136 518">ISTS</th> </tr> </thead> <tbody> <tr> <td data-bbox="1256 518 1442 592">ATS Requirement</td> <td data-bbox="1442 518 1615 592">No</td> <td data-bbox="1615 518 1787 592">No</td> <td data-bbox="1787 518 1960 592">Yes</td> <td data-bbox="1960 518 2136 592">Yes</td> </tr> <tr> <td data-bbox="1256 592 1442 810">Applicable charges in case of delay in COD beyond start date</td> <td data-bbox="1442 592 1615 810">Rs. 3000/MW /month</td> <td data-bbox="1615 592 1787 810">YTC pertaining only to ISTS Bay</td> <td data-bbox="1787 592 1960 810">YTC pertaining only to ATS</td> <td data-bbox="1960 592 2136 810">YTC pertaining only to ATS</td> </tr> </tbody> </table>					Bay scope ->	REGS	ISTS	REGS	ISTS	ATS Requirement	No	No	Yes	Yes	Applicable charges in case of delay in COD beyond start date	Rs. 3000/MW /month	YTC pertaining only to ISTS Bay	YTC pertaining only to ATS	YTC pertaining only to ATS
Bay scope ->	REGS	ISTS	REGS	ISTS																		
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	<p>Renewable Power Park Developer, as the case may be, has not been achieved, the Connectivity Grantee or the Renewable Power Park Developer, as the case may be, shall pay Yearly Transmission Charges for the Terminal Bay(s) corresponding to the Connectivity capacity which has not achieved COD:</p> <p>...</p> <p>Regulation 13 (7) Where Connectivity is granted to a Connectivity grantee other than Renewable Power Park Developer, on margins of existing system or on the augmented system with no ATS <u>and where the terminal bay is not constructed under ISTS</u>, and if the COD of such Grantee is delayed beyond start date of connectivity, the Connectivity grantee shall, corresponding to the capacity that is delayed, pay transmission charges from the start date of such Connectivity at the rate of Rs. 3000/MW/month:</p>		