

25/11/2024

To,

The Secretary

Central Electricity Regulatory Commission  
World Trade Center, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Floor  
Tower B, Nauroji Nagar, New Delhi- 110029.

**Sub: Comments from Serentica Renewables India Private Limited(SRIPL) on CERC draft (Sharing of Transmission Charges and Losses) (Fourth Amendment) Regulations, 2024.**

**Ref: SRIPL Submission dated 11.11.2024 & Commission Notification for extension of last date from 11.11.2024 to 25.11.2024 dated 11.11.2024.**

Dear Sir,

This is in reference to the above subject where Hon'ble Central Electricity Regulatory Commission (CERC) has invited comments and suggestions on Sharing of Transmission Charges and losses, Fourth Amendment, Regulations 2024 and submission made by SRIPL via letter reference 1 above.

The Hon'able commission has extended the date of submission from 11.11.2024 to 25.11.2024 via public notice dated 11.11.2024. Now SRIPL is re-submitting comments annexed with this letter.

We request the Hon'ble CERC to take our view on record.

Thanking You

**Yours Sincerely,**



**Kunal Lalit Kaistha**



**Serentica Renewable India Private Limited**  
**AVP-Regulatory Affairs**

**Serentica Renewables India Private Limited comments on draft Central Electricity Regulatory Commission hereby makes the following regulations, to amend the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Fourth Amendment) Regulations, 2024**

| S. No | Provision/Clause No.   | Suggested Change in Provision/Clause No (Changes in bold and underline/Strike off)   | Rationale/Comments   |
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| 01    | <p>(7) A new sub-clause (h) shall be inserted after sub-clause (g) under Clause (2) of Regulation 13 of the Principal Regulations as under:<br/>“(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 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</p> | <p>(7) A new sub-clause (h) shall be inserted after sub-clause (g) under Clause (2) of Regulation 13 of the Principal Regulations as under:<br/>(h) Any REGS based on wind or solar source <del>which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulation and is</del> 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 charges as if the said REGS had achieved COD on 30.6.2025</p> <p><b>Provided that REGS who had applied for connectivity to CTU for a connectivity operationalisation date on or before 30<sup>th</sup> June 2025 and that such application was filed considering reasonable time for construction of project, are</b></p> | <p>The definition of eligible REGS for wavier of ISTS charges is not very clearly provided in the regulations. If we refer to the MoP notification dated 09.06.2023, 21.11.2021 &amp; 30.11.2021, projects that get commissioned before 30.06.2025 are eligible for ISTS charges wavier. However, the present amendment is to cater to specifically those scenarios where on account of FM and delay in transmission or government approval the project can't come before 30.06.2025. Hence, we have suggested the deletion of sentence dealing of eligibility of REGS for wavier of ISTS charges to align with the intent of the order.</p> <p>We propose any REGS who has applied for connectivity to the Central Transmission Utility (CTU) with a connectivity operationalization date on or before 30th June 2025—and <b>whose applications considered a reasonable construction period for solar, wind, or REHS projects (normal timelines which are adopted under standard bidding guidelines issued by MoP)—are encountering delays due to prolonged connectivity finalisation processes by CTUIL.</b></p> <p>The delay in granting the final connectivity start date by CTUIL is primarily <b>due to time taken in bidding out the transmission scheme and acquisition of the Special Purpose Vehicle (SPV) responsible for developing the transmission network essential</b></p> |

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|  | <p>period of six months at a time and not more than two times.”</p> | <p><b>subsequently granted final connectivity by CTU bearing connectivity effective date after 30<sup>th</sup> June 2025, shall be eligible for extension in COD and corresponding ISTS charge waver extension on account of transmission delay for the period beyond 30<sup>th</sup> June 2025 and till connectivity effective date. The CTU shall share within 30 days from notification of this regulation details of all such projects to the commission for extension in ISTS charge waver.</b></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><b>Remarks: - We also suggest that the proviso regarding two extensions of 6 months on account of FM, Delay in Transmission &amp; Delay in government approval is restrictive, delays can be more than 1 year and should be granted.</b></p> | <p><b>for power evacuation. Further the transition from Connectivity Regulations to GNA Regulations in 2023 also cause approval delays.</b> This network is critical to enabling connectivity for applicants yet delays in SPV acquisition have disrupted the planned timeline and impacted the final connectivity schedule CTUIL can commit to for these projects.</p> <p>These projects should thus be eligible for an extension in the Commercial Operation Date (COD) and a corresponding waiver on ISTS (Inter-State Transmission System) charges for the delay period beyond 30<sup>th</sup> June 2025 until the date when connectivity is effectively provided.</p> <p>To streamline the implementation of this amendment, <b>the CTU (or CTUIL) should be mandated to provide a list of all affected projects eligible for COD extension due to delay in transmission network and subsequent ISTS charge waiver, to the commission within 30 days from the notification of this regulation.</b> This proactive reporting by CTU/CTUIL will facilitate transparency, accountability, and timely review by the commission for waiver approvals, expediting project commissioning.</p> <p>Furthermore, this approval for COD extensions and ISTS waivers is requested for qualifying projects will reduce the need for individual case-by-case assessments. <b>This approach is backed by the precedent set by the Central Electricity Regulatory Commission (CERC) in the 13/SM/2018 order,</b> where a blanket approval was provided for CIL projects impacted by the imposition of GST, in lieu of VAT and other taxes by the Government of India. This regulatory adjustment reflects an understanding of policy shifts and</p> |
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|    |   |   | <p>delays affecting energy projects at scale and aims to prevent undue administrative delays that could impede renewable project commissioning.</p> <p>Providing this waiver and extension for affected projects would mitigate risks associated with transmission delays, thereby <b>safeguarding project viability, preserving investor confidence, and supporting India's renewable energy targets.</b> This forward-looking measure would ensure renewable projects facing transmission delays remain financially viable and are brought online in a manner that aligns with national clean energy objectives.</p>  |
| 02 | <p>(8) The second Proviso of Clause (3) of Regulation 13 of the Principal Regulations shall be substituted as follows:</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 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>Provided also that Yearly Transmission Charges in respect of the Associated Transmission System and terminal bay(s) corresponding to the Connectivity capacity that have achieved COD shall be included for determination of transmission charges of</p> | <p>(8) The second Proviso of Clause (3) of Regulation 13 of the Principal Regulations shall be substituted as follows:</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 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) <b>As per methodology specified by the commission</b> corresponding to the Connectivity capacity which has not achieved COD:</p> <p>Provided also that Yearly Transmission Charges in respect of the Associated Transmission System and terminal bay(s) corresponding to the Connectivity capacity that have achieved COD shall be included for determination of transmission charges of DICs in</p> | <p>At present TBCB projects these terminal bays for connectivity grantees doesn't have any pre-defined % of yearly transmission charges and the bids are placed quoting leveled yearly transmission charges for complete project with bifurcation of % YTC for Transmission line, reactors, Statcoms and complete substation. So, at present there is no methodology by which one can calculate exact YTC for the terminal bay.</p> <p>So, we propose that commission should define how this liability corresponding to the terminal bay be calculated. In our view, this can be done through specifically mentioning % YTC of terminal bays in upcoming TBCB projects or by pro rata basis by which the YTC is calculated on Con BG2 submitted by connectivity grantee is submitted to CTUIL in lieu of these terminal bays.</p> |

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|  | DICs in accordance with Regulations 5 to 8 of these regulations.” | accordance with Regulations 5 to 8 of these regulations.” |  |
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