

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 240/MP/2021 along with 83/IA/2021

**Coram:
Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member**

Date of Order: 15th of January, 2024

In the matter of:

Petition for Grant of Stage II Connectivity to the Petitioner Under Regulation 32 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and Medium-Term Open Access in Inter-State Transmission and Related Matters) Regulations, 2009 (“Connectivity Regulations”).

And

Petition for seeking appropriate directions by this Hon’ble Commission on Respondent No.1 to grant physical Connectivity for the Petitioner’s Project with Present Transformer Capacity of 55 MVA for achieving early Commissioning of approx. 27 MW out of the total Project Capacity of 50.6 MW

And in the matter of:

Powerica Limited,
Bakhtawar, Nariman point
9th floor Mumbai, India 400 021

.....Petitioner

Versus

- 1. Central Transmission Utility of India Ltd,**
Plot no. 2, Sector 29 Gurugram,
Haryana- 122001

- 2. Solar Energy Corporation of India Limited,**
6th floor, Plate B NBCC office block
Tower-2, East Kidwai Nagar
New Delhi-110023

.....Respondent(s)



Parties Present:

Shri Sakya Singha Chaudhuri, Advocate, Powerica
Shri Praveen Arora, Advocate, Powerica
Shri Ravish Kumar, Advocate, Powerica
Ms. Suruchi Kotoky, Advocate, Powerica
Shri Gul Zehra, Powerica
Shri Swapnil Verma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Ms. Priyanshi Jadiya, CTUIL
Shri Rangudu Sritharan, CTUIL

ORDER

Powerica Limited (hereinafter to be referred to as “the Petitioner”) has filed the present Petition seeking appropriate directions on Central Transmission Utility of India Ltd. (hereinafter to be referred to as “CTUIL”) to grant physical Connectivity for the Petitioner’s Project with Present Transformer Capacity of 55 MVA for achieving early Commissioning of approx. 27 MW out of the total Project Capacity of 50.6 MW. The Petitioner has made the following prayers:

- (a) *Declare and hold that the Petitioner’s evacuation requirement from its 50.6 MW project can be met with the 55 MVA transformer that the petitioner is proposing to set up for the project;*
 - (b) *Quash and / or set aside the communications dated 26.08.2021, 16.09.2021 and 13.10.2021 issued by the Respondent No. 1/CTU to the extent they insist on setting up of 100 MVA transformer in a time bound manner as a condition for connectivity of the Petitioner’s project;*
 - (c) *Pass an order directing Respondent No. 1/CTU to provide connectivity to Petitioner’s project of 50.6 MW with the current transformer capacity of the 55 MVA with the requirement to provide additional transformer capacity as and when required in future;*
 - (d) *Pass such other and further order or orders as this Hon’ble Commission may deem appropriate.*
2. The Petitioner has made following prayers in IA no. 83/IA/2021:
- (a) *Direct Respondent No. 1 to provide connectivity to the Applicant’s plant with the current transformer capacity of the 55 MVA pending adjudication of the present Petition;*
 - (b) *Pass any other order(s) as this Hon’ble Commission may deem fit and proper in the circumstances of the present case.*



Submissions of the Petitioner in Petition No. 240/MP/2021:

3. The petitioner has mainly submitted as follows:
- (a) SECI issued a Request for Selection on 31.12.2018 for setting up a 1200 MW Inter State Transmission System connected wind power project under Tranche VI.
 - (b) The Petitioner, by participating in the bidding process of Tranche VI of SECI, had won a wind power project of 50 MW, and a letter of award in this regard was issued on 17.06.2019. The Petitioner applied for the grant of Stage II connectivity on 27.02.2019 as per the Detailed Procedure, 2018.
 - (c) The Petitioner entered into a power purchase agreement with SECI on 17.10.2019. All the conditions and requirements with regard to the project were laid down in the PPA. The scheduled Date of Commissioning (“SCOD”) in the PPA was indicated to be 15.03.2021. The SCOD was, however, extended thereafter from time to time by the SECI vide letters dated 12.05.2020, 15.03.2021 and 15.09.2021 respectively. The final SCOD at the time of filing this petition was 05.09.2022.
 - (d) The grant of Stage II connectivity was granted to the Petitioner by CTUIL vide a letter dated 03.05.2019. In the said letter, it was stated that the Petitioner was required to comply with the requirements laid down in the Detailed Procedure.
 - (e) Subsequently, a transmission agreement for connectivity was executed between the Petitioner and CTUIL on 22.05.2019 for connectivity of 50.6 MW. In terms of the grant of stage II connectivity, the Petitioner submitted a bank guarantee dated 29.05.2019 for an amount of Rs. 5 crores.
 - (f) The LTA for the 50.6 MW project was granted to the Petitioner by CTUIL vide letter dated 25.09.2019. Under the LTA, the power was to be injected at the Jam khambalia pooling station. The LTA was granted with effect from 01.03.2021 for a period of 25 years up to 28.02.2046. After the grant of open access, Petitioner entered into a Long Term Access Agreement (“LTAA”) for 50.6 MW with CTU.
 - (g) In the meanwhile, there was a change in the policy of the Gujarat Government regarding the allotment of land to wind power projects wherein it was decided that no Government lands would be allotted to wind projects that have been awarded by SECI

under Tranche V-VIII. Thus, the petitioner, having won the bid under Tranche VI, would also be affected by such a decision. The wind power projects were required to obtain a Developer Permission from the concerned State Government authority, which had not been issued for the Petitioner's project for a long time on account of such change in land policy. It was only after several rounds of meetings at various levels that a High Power Committee under the Chief Minister of Gujarat allowed certain specific projects that had been awarded under SECI Tranche V-VIII to be set up in the State.

- (h) The Developer Permission was issued to the Petitioner on 13.07.2021. Accordingly, having regard to such issues, SECI agreed to extend the SCOD for the Petitioner's project up to 05.09.2022 granting an extension of 14 months from the date of minutes of the meeting of the High Power Committee.
- (i) On 20.01.2020, a Supplementary Transmission Agreement was entered into between the Petitioner and CTU.
- (j) The CTUIL vide email dated 26.08.2021 draws the attention of the Petitioner to clause 12.2.2 (iv) of the Detailed Procedure, which lays down the requirement for the developer's evacuation system. It was further stated in the communication that since the capacity of the transformer, as depicted by the Petitioner, is 55 MVA, the same must be revisited. As per the Detailed Procedure, the minimum aggregate evacuation capacity of the generator pooling station shall be not less than 100 MVA (50 MVA for 132kV level in the NE Region).
- (k) Petitioner, vide communication dated 31.08.2021, informed the CTUIL that the generation pooling substation, including the substation building, safety equipment, conductor etc., has been incorporated such that an aggregate evacuation capacity of 100 MVA is maintained. Furthermore, since the evacuation infrastructure is 300 MVA, the evacuation capacity can be further expanded to 300 MVA depending on future projects. The revised Single Line Diagram ("SLD") and layout depicting the aggregate capacity of 100 MVA of the evacuation facility were also provided to the CTUIL for their consideration.
- (l) On 14.09.2021, the Petitioner again wrote to CTUIL, elaborating on the issues that if the transformer capacity has to be revised on an immediate basis, issues such as

delay in commissioning of the project and financial hardship and, at the same time, the viability of the project shall be faced. The Petitioner undertook to ensure that provision for the accommodation of another 55 MVA transformer would be arranged so that any other future project/ expansion could be accommodated.

- (m) Another email was communicated to the Petitioner by the CTUIL on 16.09.2021 wherein it was indicated that any proposed future plans would not be considered by the CTUIL and any temporary setup with a lesser capacity transformer would not be accommodated, and it was directed that the Petitioner should soon submit a revised SLD in terms with the clauses of the Detailed Procedure.
- (n) CTUIL called for a meeting on 22.09.2021 wherein the Petitioner presented their plan to commence the project with their pre-planned transformer having a capacity of 55 MVA. During the meeting held with CEA, CTUIL, POSOCO and SECI on 22.09.2021, the Petitioner highlighted the practical and cost-related issues arising out of CTU's insistence on the installation of a higher capacity transformer for the Petitioner's project. In the meeting, the Petitioner further informed the CTUIL that it was willing to approach the Commission to seek appropriate clarification/direction with regard to the implementation of Regulation 12.2.2 (iv) of the Detailed Procedure and further indicated its willingness to submit a necessary undertaking to CTUIL to abide by directions of the Commission in a time bound manner, in the event it did not succeed before the Commission. However, none of these aspects have been captured in the Minutes of the Meeting ("MoM") that was circulated by CTUIL.
- (o) CTUIL vide e-mail dated 13.10.2021 forwarded the form of undertaking, which is premised on the stipulation that Petitioner shall commission a minimum of 100 MVA transformation capacity within 12 months from issuance of MoM while ensuring space for an additional 200 MVA transformation capacity under future scope. Such undertaking made it mandatory for the Petitioner to set up 100 MVA transformer within 12 months even though the same was required or not.
- (p) Petitioner, by its email dated 13.10.2021, has pointed out to the CTUIL that a minimum 18-month period would be required for the addition of transformed capacity. However, CTUIL did not accept the terms of the undertaking. To carry out the commissioning of the project, the Petitioner was left with no other option but to submit an undertaking on 21.10.2021 in the nature and format that was provided by CTUIL.



- (q) Such an undertaking is conditional only and is without any prejudice to the Petitioner's right to approach the Commission to seek further relief. Since the Petitioner was already in the process of approaching the Commission, the undertaking has been given subject to any Orders/ directions that may be passed by the Commission.
- (r) Since the assigned project is 50.6 MW, the Petitioner had placed an order for a 55MVA transformer that it would utilize for the same. The Petitioner had also obtained loans for this project based on their specific requirements relating to other equipment that would be necessary for this project. This was keeping in mind the optimum balance of iron loss, copper loss as well as oil degradation maintenance that they have to undertake for the transformer.
- (s) It is the capacity of the "evacuation facility", which is to be 100 MVA in aggregate and not the "transformer specifications." In fact, the exact capacity of the transformer that is to be installed has not been mentioned anywhere. The evacuation facility, in common practice, includes facilities like Conductor, Bus power, the CT and BT. Therefore, going by a plain interpretation of clause 12.2.2 (iv) of the Detailed Procedure, if the aforementioned facilities maintain a capacity of 100 MVA, the same would suffice for purposes of connectivity.
- (t) Generally, the transformer is not considered a part of the evacuation facility and the transformer capacity can be increased from time to time as per requirement. It is unclear as to why the Petitioner should be required to setup a minimum 100 MVA capacity transformer to facilitate the functioning of its 50.6 MW plant. In any case and without prejudice to the same, it is pointed out that for the Petitioner's project, 55 MVA transformer capacity is sufficient, and a 100 MVA transformer will not only be unduly expensive but also result in sub-optimal use.
- (u) The 55 MVA transformer has cost the Petitioner an amount of Rs. 3 crore, which has already been invested. At this stage, if the Petitioner is to arrange for another transformer to fulfil the requirement as laid down in the detailed procedure, the same would result in a cost addition, leading to a hike in capital expenditure.
- (v) Furthermore, Petitioners have put in an order for a 55MVA capacity transformer which is due to be delivered by November 2021. This is in line with their target date, which they have set for achieving early commissioning for part of the project, and would.

therefore, help them to achieve the commissioning of the project within the provided timeline.

- (w) In order to get the go-ahead from the CTUIL for a 55 MVA transformer, the Petitioner will be bound by the terms of the undertaking to set up the transformer capacity requirement mentioned in the Detailed Procedure. Unless such an undertaking is provided, connectivity will not be allowed with a 55 MVA transformer, which would cause unnecessary delays to the project. The estimated time that would be required to obtain another transformer would mean another 8-9 months of delay, which the Petitioners cannot afford at this stage, especially when the project has already faced significant delays on account of COVID-19 and also the change in land policy in Gujarat.
- (x) Petitioners have made arrangements for additional transformer capacity to be introduced within the facility, and in case such a requirement arises in future, the Petitioner is not only capable of making arrangements for any increase in capacity but is ready and willing to do the necessary in pursuance thereof.
- (y) The present transformer capacity will provide adequately for the Petitioner's project, even though the evacuation facility is capable of meeting additional load as and when the need arises. Therefore, there is no need to enhance the transformer capacity at this stage. The Petitioner had also sought advice/report from an eminent technical expert to ascertain the feasibility of the present transformer capacity, who provided the technical rationale supporting the Petitioner's position.
- (z) In case a high-capacity transformer is used, there will be maintenance issues surrounding the same. Such a set up would require more time to charge. Also, since the project commissioned is of a smaller capacity, the transformer will also be working at half its capacity, which will reduce the efficiency of such equipment. It would also lead to no load loss, which would be higher than any other form of loss that would arise in such a set up.
- (aa) No undue danger to the safety and security of the grid will be caused due to the setting up of a 55 MVA transformer, and no undue loss or inconvenience will be caused to the CTUIL. However, if the Petitioner's prayers are not allowed, it will cause undue distress to the Petitioner.

Submissions of the petitioner in 83/IA/2021:

4. The petitioner has filed IA no. 83/2021 seeking direction to CTUIL to provide connectivity to the Petitioner's project with a current transformer capacity of 55 MVA pending adjudication of the present Petition. The Petitioner re-iterated its submissions in the main Petition and has mainly submitted as follows:

- (a) The Petitioner's evacuation requirement for its 50.6 MW project can be met with the 55 MVA transformer that the Petitioner is proposing to set up for the project.
- (b) If the Applicant is to set up a 100 MVA transformer at this stage, the same will delay the part commissioning of the plant since adding another transformer so as to make the capacity to 100 MVA would require ordering a transformer for the additional capacity, which would take several months to be delivered, thereby delaying the part commissioning.
- (c) There is no immediate possibility of any other plant to be set up in the vicinity of this Applicant's plant on account of the Gujarat land policy, which has now limited the scope of offering more lands to set up such plants. Therefore, there is very little rationale in insisting on setting up a transformer of capacity that is beyond the requirement of the present project. The Appellant will be able to accommodate a higher capacity transformer in due time if such a need arises in the future, depending on other generators setting up their plants in the vicinity.

Hearing dated 24.03.2022:

5. During the hearing dated 24.03.2022, the Commission admitted the petition and denied the prayer of the petitioner for impleadment of MNRE as a party to the Petition & also directed the petitioner to furnish the following information:

- (a) Current commissioning status of its Wind Project and its Pooling Station with MVA capacity; and
- (b) Drawings including the layout of the instant project, if any, in line with requirements of clauses 12.2.2(i), (iii) & (iv) of the revised RE Procedure.

Reply of CTUIL:

6. CTUIL, in its reply vide affidavit dated 13.04.2022, has submitted as follows:



- (a) Express and wilful non-compliance or contravention of a legal or regulatory provision cannot be considered a dispute for adjudication in terms of Regulation 32 of Connectivity Regulations.
- (b) While seeking a relief expressly against regulatory provision prescribed under the revised procedure, the Petitioner has neither sought power to relax nor justified the exceptional circumstances where such a power could be exercised.
- (c) APTEL also, in its Order dated 20.04.2015 passed in O.P. Nos. 1, 2 and 4/2013 and IA No.291 and 420/2013, had categorically observed that the provision of power to relax must not be used in a manner that would defeat the intent and purpose of any Regulation.
- (d) The matter regarding the evacuation capacity and transformation capacity of the dedicated transmission line and pooling sub-station(s) is a matter of technical consideration that had been duly incorporated in the Detailed Procedure/Revised Procedure.
- (e) Based upon the insistence of the Petitioner for setting up only 55 MVA transformer as against the stipulated requirement of 100 MVA transformer, the matter was further deliberated and considered in a meeting dated 22.09.2021 by two statutory entities of technical expertise i.e. CEA and CTUIL in the presence of representatives from the Petitioner, POSOCO and SECI. After duly considering all the submissions of the Petitioner, it was decided to proceed with processing the CON-4 application of the Petitioner subject to the Petitioner furnishing an undertaking that they would commission 100MVA aggregate transformation capacity within a period of 12 months from the issuance of Minutes of Meeting while ensuring space for additional 200MVA transformation capacity (under future scope).
- (f) The Petitioner had been duly intimated about the requirement to ensure due compliance with all the provisions of detailed procedure at the time of Grant of Stage II Connectivity intimation dated 03.05.2019. Further, the Petitioner also undertook upon itself to ensure compliance under the Detailed Procedure through the signing of the transmission agreement dated 22.05.2019.
- (g) The Petitioner may be directed to ensure strict compliance with the provisions of Revised Procedure generally and specifically of Clause 12.2.2 (iv).

Submission of the Petitioner:

7. The petitioner, in its submission vide affidavit dated 26.04.2022 in compliance to the RoP for the hearing dated 24.03.2022, has submitted the drawings, including the layout of the instant project in line with the requirements of clauses 12.2.2(i), (iii) & (iv) of the revised RE Procedure. The Petitioner has mainly submitted as follows:
- (a) The 50.6 MW wind power project consists of 19 wind turbines, each of 2.7 MW capacity. All turbines have been installed and connected to our Pooling Sub Station (PSS) with the necessary 33 kV internal transmission system. The CEA certifications of WTGs have also been received by the petitioner.
 - (b) 220 kV Transmission line from Petitioner PSS to JKTL 400/220kV Grid SS – Overall line length is 2 (two) km. approx. Out of this 2 (two) Kms transmission line, 1.80 Kms is multi circuit line. Substantial work on the multi-circuit line has been completed, and it is expected that the line will be energized by the end of April 2022.
 - (c) As on date, the complete 220 kV/33 kV Pooling Sub Station is ready in all respects with a 55 MVA transformer. CEA certification has also been received. SCADA system is active and the functioning has been tested online by WRLDC, Mumbai.
 - (d) JKTL 400/220kV Grid Sub Station – Connecting GSS was charged on 02.04.2022. CTU has been requested to operationalize the LTA from 25.04.2022, and the CTU has given approval for the same.
 - (e) 24 MW capacity of the Project is expected to be commissioned by 10th May 2022, and it shall be endeavored to commission the balance capacity at the earliest within the SCOD of 5th September 2022.
 - (f) Clause 12.2.2(iv) of the revised RE Procedure specifies the minimum aggregate evacuation capacity of the generator pooling sub-station to be not less than 100 MVA and does not necessarily require the installation of 100 MVA and Clause 12.2.1 (ii) of the revised RE Procedure clearly specifies the minimum power carrying capacity of the dedicated transmission line, which in case of 220/230 kV is 300 MW per circuit.
 - (g) Since the capacity of the transmission line cannot be upgraded, the Petitioner has installed a transmission line to carry 300 MW, which is also in accordance with the Regulation. The same principle also applies to some of the infrastructure in the sub-



station, such as bus bars, space for bays and transformers, etc. However, a transformer is a standalone item, and transformation capacity can be augmented by installing an additional transformer. The CUF of the wind generating plant is around 35%, and the utilization of one transformer, as it is, is low at 35%. With two transformers or one transformer of double capacity, the utilization of each transformer will be merely 17.5%.

Petitioner's rejoinder to the reply of CTUIL:

8. The petitioner, in its rejoinder vide affidavit dated 27.06.2022 to the reply filed by CTUIL, has submitted as follows:

- (a) It is the capacity of the "evacuation facility" which is to be 100 MVA in aggregate and not the "transformer specifications". In fact, the exact capacity of the transformer that is to be installed has not been mentioned in the regulations. The evacuation facility, in common practice, includes facilities like Conductor, Bus power, the CT and BT. Therefore, going by a plain interpretation of clause 12.2.2 (iv) of the Detailed Procedure, if the aforementioned facilities maintain a capacity of 100 MVA, the same would suffice for the purposes of connectivity. Generally, the transformer is not considered to be a part of the evacuation facility and the transformer capacity can be increased from time to time as per requirement.
- (b) Petitioner's project has been technically designed for interconnection with ISTS and meets all the requirements of the procedure, corresponding to the 50.6 MW project being commissioned. The Petitioner has commissioned 24.3 MW capacity, and the part commissioned project is running smoothly. The Petitioner undertakes that as and when additional capacities come up in the vicinity of the Petitioner's Project, additional transformers can be installed. The Petitioner has already kept a provision for the additional transformer(s) at the pooling station for any and all future requirements up to 300 MW power evacuation. Further, there are no space and land constraints.

Hearing dated 30.06.2023:

9. During the hearing, the Commission directed the Petitioner to submit the current status of its project, including that of 100 MVA transformation capacity as agreed by the Petitioner in the meeting dated 21.10.2021 at their generation pooling station and also directed CTUIL to submit the details of other generators who are coming up in the



vicinity of the Petitioner's Generator Pooling Station and the status of their connectivity.

Submission of the Petitioner:

10. The petitioner in its submission vide affidavit dated 21.07.2023, submitted as follows:

- (a) The Petitioner had already achieved part commissioning of 24.3 MW of its Project as on 02.06.2022. Now, the Petitioner has successfully part-commissioned the remaining 27 MW of its project on 19.08.2022. With the said part-commissioning, the net cumulative capacity commissioned stands at 50.6 MW, i.e., equal to the awarded capacity of 50.6 MW.
- (b) The Petitioner has submitted drawings showing the accommodation of a 100 MVA transformer within the project substation land. The Petitioner has procured additional land at a cost of Rs. 84,99,868.00/- in addition to already acquired land, to expand the infrastructure of pooling substation capacity up to 300 MW as per Clause 12.2.2 (iii) read with Clause 7.5 of the Revised Procedure.
- (c) The total Grid Sub-Station (GSS) capacity is 1500 MW; however, due to the bar on the establishment of another ISTS-connected wind power generating project in the area, there is underutilization of the total capacity, i.e., only 416.4 MW is injected into the system. No other developer has applied for connectivity with the GSS even after the availability of 1000+ MW capacity in the GSS and the area having good wind potential, as the Government of Gujarat has barred approval of projects post SECI-VIII tranche.
- (d) As on date, there is no current requirement for the installed transformer capacity to be 100 MVA. The RE Procedure does not prohibit optimum usage of the transmission capacity to install transformers of necessary capacity from time to time, according to the requirement of the system.
- (e) The Petitioner has already kept provision for an additional transformer as well as additional infrastructure at the pooling station for future requirements and is ready to install an additional transformer of necessary capacity, as well as additional infrastructure, in case it increases its own capacity or has to provide connectivity to any other project in the vicinity.



Submissions of CTUIL:

11. CTUIL, in its submissions vide affidavit dated 24.07.2023, submitted as follows:

- (a) The details of the generators which are coming up in the vicinity of the Petitioner's Generator Pooling Station (based on the location details furnished by the applicants in their respective Connectivity applications) and the status of their connectivity are given below:

Sr. No.	Name of Generator	Connectivity Quantum (MW)	Approx. distance from existing POWERICA Pooling station	Status of Connectivity
1	POWERICA Ltd.	53	Same location as that of existing POWERICA pooling station.	Under process
2	Avaada Energy Private Limited	50	29Kms (approx.)	
	Total	103		

Hearing dated 13.09.2023:

12. During the hearing on 13.09.2023, learned counsel for the Petitioner submitted that it has commissioned its 50.6 MW Wind Power Project with the current transformer capacity of 55 MVA as against the CTUIL's insistence on setting up a 100 MVA transformer. The Learned counsel pointed out that under the General Network Access regime, the requirement of installation of a minimum 100 MVA transformer has already been removed from the Detailed Procedure issued thereunder, and the Petitioner has already undertaken to enhance the transformer capacity to 100 MVA as and when any additional capacity/generation comes up. However, keeping in view the changes in the land policy in the State of Gujarat, it is very unlikely that any additional capacity may come up at the Pooling Station, and in such circumstances, the installation of a 100 MVA transformer will not be an optimal option. The representative of the CTUIL submitted that as per Clause 12.2.2 (iv) of the Detailed Procedure, the Petitioner was required to install the transformer of a minimum of 100 MVA. The representative of CTUIL also confirmed that under the GNA regime, such a requirement is no longer

there. Considering the submissions of Petitioner and CTUIL, the commission reserved the matter for order while directing CTUIL to furnish the following information:

- (a) The technical aspects/difficulties, if any, associated with the non-installation of the 100 MVA transformer and continuing with the existing 55 MVA transformer till additional generation is added?
- (b) The Schedule of other generators, which are planned to come in the vicinity of Petitioner's generator pooling station?

Submissions of CTUIL:

13. CTUIL, in its submissions dated 19.10.2023, has submitted as follows:

- (a) Presently, POWERICA has installed 55MVA, 220/33kV ICT at its generation switchyard for 50.6MW St-II connectivity granted at a 220kV level of 400/220kV Jam Khambhaliya PS through a 220kV S/c line. Further, POWERICA has also applied for an additional 53MW of Connectivity, and the same is under process.
- (b) The 300MVA transformation capacity commensurate with the dedicated transmission line capacity, POWERICA shall ensure that sufficient space for at least 245MW additional transformation capacity is available at its generation switchyard for sharing its Connectivity and dedicated transmission line with other RE developers in the vicinity of the generation project or enhancement of its generation capacity in the future in order to ensure optimum utilization of the transmission system.
- (c) The details of other generators which are coming up in the vicinity of the Petitioner's Generator Pooling Station (based on the location details furnished by the applicants in their respective Connectivity applications) and their generation project schedules as per the received applications are given below:

Name of Generator	Connectivity Quantum (MW)	Approx. distance from existing POWERICA's Generator Pooling Station	Generation project Schedule
POWERICA Ltd.	53	Same location as that of existing POWERICA pooling station.	31/12/25
Avaada Energy Pvt. Ltd.	50	29 Kms (approx.)	30/09/25

NTPC REL	500	93 Kms (approx.)	28/06/2025
Juniper Green Energy Pvt. Ltd.	300 (200+100)	73 Kms (approx.)	31/12/25:100MW 30/06/26:100MW 31/12/26:100MW
Total	903		

Submissions of Petitioner:

14. Petitioner in its submission dated 15.11.2023, submitted as under:

- (a) Non-installation of the 100 MVA transformer and continuing with the existing 55 MVA transformer will cause no difficulty, technically or otherwise, till additional generation capacity is added.
- (b) The revised design layout of the pooling sub-station indicates that adequate evacuation infrastructure for up to 300 MVA is available, and the sub-station design has been revised with the provision of 50 MVA + 125 MVA + 125 MVA, i.e. a total of 3 bays with 300 MVA total.
- (c) As per the current Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, no such requirement of minimum evacuation capacity or the minimum transformer capacity is required anymore.
- (d) The pooling sub-station building, transmission lines, safety equipment, conductors, and other necessary infrastructure are designed to accommodate up to 300 MVA capacity as per the Revised Procedure. As and when it is necessitated, the transformer of the requisite capacity can be installed and accommodated at the pooling sub-station.
- (e) As required by CTUIL, the Petitioner has ensured the availability of sufficient space for 245 MW of additional transformation capacity for sharing the Connectivity and dedicated transmission line with other developers or enhancement of its generation capacity to ensure optimum utilisation of the transmission system, as and when the need arises.

Analysis and decision:

15. The petitioner had filed the present Petition seeking direction to CTUIL to grant

connectivity for the Petitioner's Project with a present transformer capacity of 55 MVA. Stage-II connectivity was granted to the Petitioner by CTUIL on 03.05.2019. The Petitioner has commissioned its 50.6 MW Wind Power Project in two phases (part commissioning of 24.3 MW was done on 02.06.2022 & the rest of the project was commissioned on 19.08.2022) with a current transformer capacity of 55 MVA as against the CTUIL's insistence on setting up a 100 MVA transformer by relying upon Clause 12.2.2 (iv) of the Detailed Procedure for "Grant of Connectivity to the Project Based on Renewable Sources to Inter-State Transmission System," 2021, issued under the Connectivity Regulations, 2009. Petitioner's project has been technically designed for interconnection with ISTS and meets all the requirements of the procedure, corresponding to the 50.6 MW project being commissioned, and the project is running smoothly. The Petitioner has undertaken that as and when additional capacities come up in the vicinity of the Petitioner's Project, additional transformers can be installed. The Petitioner has already kept a provision for the additional transformer(s) at the pooling station for any and all future requirements up to 300 MW power evacuation. Further, there are no space and land constraints.

16. The petitioner has also pointed out that under the General Network Access regime, the requirement of installation of a minimum 100 MVA transformer has already been removed, and since the project capacity is only 50.6 MW, the installed capacity of the transformer, i.e. 55 MVA, is sufficient even though the capacities of evacuation facilities are higher.

17. CTUIL has submitted that, as per Clause 12.2.2 (iv) of the Detailed Procedure 2021, the minimum aggregate evacuation capacity of the generator pooling station has to be at least 100 MVA. Further, as per Clauses 12.2.2 (i) and (iii) of the Detailed Procedure, the Petitioner is required to ensure space and provision for aggregate 300 MW

transformation capacity since the dedicated transmission line, bay equipment, and bus bar are designed for carrying capacity of 300 MW. As per the meeting dated 22.09.2021, after duly considering all the submissions of the Petitioner, it was decided to proceed with processing the CON-4 application of the Petitioner subject to the Petitioner furnishing an undertaking that they would commission 100MVA aggregate transformation capacity within a period of 12 months.

- 18.** We have perused the submissions of the Petitioner and Respondents. In view of the above discussions, the only issue which arises for our consideration is **Whether the Petitioner may be allowed to have connectivity to its project of 50.6 MW with the current transformer capacity of 55 MVA and whether any direction is required to be issued to the Petitioner to set up 100 MVA transformation capacity?**

Now we proceed to discuss the above issue.

- 19.** We observe that the Petitioner was granted Stage II connectivity as per the CERC Connectivity Regulations 2009 at Jam Khambhaliya PS (GIS). Further, the LTA for the 50.6 MW project was granted to the Petitioner by the CTU vide letter dated 25.09.2019. Under the LTA, the power from the Petitioner's project was to be injected at the Jam Khambalia pooling station. With regard to the transformation capacity of the Petitioner's Pooling Station, the CTUIL vide e-mail dated 26.08.2021 requested to revisit the transformation capacity of the 220/33 kV Pooling Station as per clause 12.2.2(iv) of the Revised Procedure for Grant of Connectivity to projects based on Renewable Sources to inter-state transmission system. Subsequently, CTUIL, vide e-mail dated 16.10.2021 requested the Petitioner to adhere to the requirements mentioned in the Revised RE Procedure in the context of the minimum aggregate evacuation capacity at Petitioner's pooling station. The relevant extract of the Revised Procedure is as under:

“12.2.2 Pooling Station of the renewable energy generating stations:

.....

(i) The planned capacity of the generator pooling station shall be not less than the capacity of the Dedicated Transmission Line required to be provided as per the grant of Connectivity.

(ii) The Dedicated Transmission Line shall be terminated at the high voltage side of the generator pooling station. The bus switching scheme should be in line with the requirements specified in the CEA Manual on Transmission Planning Criteria, 2013 as amended from time to time.

(iii) The total capacity of the power transformers of the generator pooling station and the rating of associated equipment like Circuit Breaker, Current Transformer, Capacitive Voltage Transformer, bus duct etc. shall not be less than the planned capacity of the generator pooling station in case the entire power from the renewable energy generating station is being aggregated at the lower voltage side of the generator pooling station.

(iv) The minimum aggregate evacuation capacity of the generator pooling station shall not be less than 100MVA (50MVA for 132kV level in NE Region)”

20. We note that subsequently, a meeting was held on 22.9.2021 in the presence of the representative of CEA, CTUIL, Petitioner, POSOCO and SECI regarding compliance with provisions of the Revised RE procedure with respect to the implementation of the Generator Pooling Station. The relevant extract of the Minutes of Meeting issued on 08.10.2021 is as under:

“CTU presented the clause 12.2.2(i), (ii) & (iv) of Revised RE Procedure for Grant of Connectivity to projects based on Renewable Sources to ISTS:

.....

It was clarified that the RE generators are required to comply with the above provisions related to capacity of the generator pooling station. As per clause 12.2.2(iv), the minimum aggregate evacuation capacity of the generator pooling station has to be at least 100 MVA and presently POWRICA is installing transformation capacity of 55 MVA only in their pooling station. Further, as per provisions 12.2.2(i) & (iii) of the Revised RE Procedure, POWERICA has to ensure space & provisions for aggregate 300 MW transformation capacity. However, they have indicated space and provisions only one number additional 55 MVA, 220/33 kV ICT. Hence POWERRICA will need to install additional transformation capacity to fulfil the above requirements of minimum 100 MVA aggregate evacuation capacity and ensure space provisions for additional 200 MVA transformation capacity.

.....

4. Member (PS) CEA, enquired from POWERICA whether any other RE generation project in their vicinity can share the evacuation infrastructure constructed by them. Representative from POWRRICA stated that presently there are no other RE generating stations in their vicinity. They further added that considering the progress of work, they may be allowed to connect to ISTS and they undertake to install minimum 100 MVA transformation capacity within a period of 12 months from the date of issuance of MOM of this meeting, with replacement of the 55 MVA, 220/33 kV ICT (under implementation) by 100 MVA, 220/33 kV ICT. Further, the space for future ICT would be utilized for installation of an additional 200 MVA, 220/33 kV transformation capacity and the revised layout



drawings confirming the space provisions for balance 200 MVA transformation capacity at their pooling station shall be submitted.

5. After further deliberations, it was decided to proceed with processing of the CON-4 application of POWERICA subject to the following:

i) POWERICA shall furnish an undertaking that they would commission 100 MVA aggregate transformation capacity within a period of 12 months from issuance of MoM of this meeting, while ensuring space for additional 200 MVA transformation capacity (under future scope).

ii) POWERICA shall submit all the revised drawings including layout confirming the above in line with requirements of clause 12.2.2(i),(iii) & (iv) of the Revised RE procedure.”

As per the above minutes, it was agreed to process the CON-4 application of the Petitioner subject to the condition that it would commission 100 MVA aggregate transformation capacity within a period of 12 months from the issuance of the MoM (i.e. 08.10.2021), while ensuring space for an additional 200 MVA transformation capacity, and the Petitioner shall submit an undertaking in this regard. Pursuant to the said meeting, the Petitioner, on 21.10.2021, submitted an undertaking to comply with the Revised Procedure. The relevant extract of the Petitioner’s undertaking is as under:

“..... connectivity granted at 400/220 KV PGCIL Jam-khambaliya PS (GIS) substation undertake the following in regard to the above RE generating station:

(i) Applicant shall abide by and take necessary measures to comply with the revised procedure for Grant of connectivity to projects based on renewable sources to inter-state transmission system dated 20/02/2021.

(ii) POWERICA Ltd. undertakes that they shall commission minimum 100MVA transformation capacity at their generation pooling station within 12 months from issuance of MoM, while ensuring space for additional 200MVA transformation capacity (under future scope)

(iii) POWERICA Ltd shall submit revised drawings including layout confirming the above in line with requirements of Clause 12.2.2 (i), (iii) & (iv) of the Revised RE procedure.

(iv) Above undertaking is without prejudice to Powerica’ contention before Hon’ble CERC and subject to the orders of Hon’ble CERC.”



As per the above undertaking, the Petitioner agreed that it should commission a minimum 100MVA transformation capacity at their generation pooling station within 12 months from the issuance of the MoM, which works out to be 07.10.2022, while ensuring space for an additional 200MVA transformation capacity (under future scope). However, the Petitioner has not installed the transformation capacity of 100 MVA.

21. We also note that after coming into effect of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, the requirement of installation of a minimum 100 MVA transformer has already been removed from the Detailed Procedure issued thereunder. However, as the Petitioner has been granted connectivity under the Connectivity Regulations 2009, it has to mandatorily abide by the provisions of the detailed procedure framed thereunder. Accordingly, the prayer (b) of the Petitioner to set aside the communications dated 26.08.2021, 16.09.2021 and 13.10.2021 issued by the CTUIL to the extent insisting on the Petitioner on setting up a 100 MVA transformer is rejected.

22. However, we observe that the Petitioner has submitted that, keeping in view the changes in the land policy in the State of Gujarat, it is very unlikely that any additional capacity may come up at the Pooling Station, and in such circumstances, the installation of a 100 MVA transformer will not be an optimal option. In this regard, as per the data furnished by the CTUIL, the details of other generators that are coming up in the vicinity of the Petitioner's Generator Pooling Station and their generation project schedules as per the received applications are as below:

Name of Generator	Connectivity Quantum (MW)	Approx. distance from existing POWERICA's Generator Pooling Station	Generation project Schedule
POWERICA Ltd.	53	Same location as that of existing POWERICA pooling station.	31/12/25
Avaada Energy Pvt. Ltd.	50	29 Kms (approx.)	30/09/25
NTPC REL	500	93 Kms (approx.)	28/06/2025
Juniper Green Energy Pvt. Ltd.	300 (200+100)	73 Kms (approx.)	31/12/25:100MW 30/06/26:100MW 31/12/26:100MW
Total	903		

Therefore, we do not agree with the contention of the Petitioner that additional capacity may not come up in the vicinity of the Petitioner's plant due to changes in the land policy in the State of Gujarat.

23. We also observe that CTUIL has not indicated any technical aspects/difficulties, if any, associated with the non-installation of the 100 MVA transformer and continuing with the existing 55 MVA transformer till additional generation is added in the vicinity of the Petitioner's Plant. Further, the Petitioner had already achieved the commissioning of its project on 19.08.2022 with a capacity of 50.6 MW, and its project is running smoothly with the current installed transformer capacity of 55 MVA. Therefore, it is established that there is no constraint on the evacuation of the power till the additional generation capacity is added as, at present, only the Petitioner (50.6 MW) is evacuating its power through its Pooling Station, which has a capacity of 300 MW. Moreover, the Petitioner has also submitted the drawings, including the layout of the instant project in line with the requirements of clauses 12.2.2(i), (iii) & (iv) of the revised RE Procedure, and has already kept provision for additional transformers as well as additional infrastructure at the pooling station for future requirements. He has also undertaken that as and when additional capacities shall come up in the vicinity of the

Petitioner's Project, additional transformers can be installed as there are no space or land constraints, and the Petitioner is ready and willing to do the necessary in pursuance thereof.

24. Keeping in view of the above discussions, we are of the view that as the Petitioner has already been granted physical connectivity to the ISTS and its project is commissioned and running smoothly, the Petitioner is allowed to continue its connectivity to the ISTS with a present transformation capacity of 55 MVA. However, as submitted by the CTUIL, the number of projects is planned to come up within the vicinity of Petitioner's Pooling Station in the near future, and therefore, if the requirement is expressed by the CTUIL in the near future for the installation of additional transformation capacity as per the Revised Procedure 2021, the Petitioner shall install the same within a time bound manner. Accordingly, the prayer (a) and (c) of the Petitioner is allowed. Liberty is granted to the CTUIL to approach this Commission if the Petitioner fails to comply with the directions of the Commission for the installation of additional transformation capacity if a requirement arises in the future.

25. The petition No. 240/MP/2021 and IA No. 83/IA/2021 is disposed of in terms of above.

Sd/	Sd/	Sd/	Sd/
(P. K. Singh)	(Arun Goyal)	(I. S. Jha)	(Jishnu Barua)
Member	Member	Member	Chairperson