

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**IA No. 6/IA/2024 in Petition No. 13/MP/2024  
and 12/IA/2024 in Petition No. 39/MP/2024**

**Coram:**

**Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member**

**Date of Order: 20.02.2024**

**IA No. 6 /2024 in Petition No. 13/MP/2024**

**In the matter of:**

**Application under Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 seeking ad-interim stay order/direction against Respondent No. 1/ Western Regional Load Dispatch Centre.**

**And in the matter of:**

1. Tata Power Renewable Energy Limited  
C/o The Tata Power Company Limited,  
Corporate Centre A Block, 34, Sant Tukaram Road,  
Carnac Bunder, Mumbai, Maharashtra- 400009

**.....Petitioner**

**Versus**

1. Western Regional Load Dispatch Centre,  
F-3, M.I.D.C. Area, Marol, Andheri (East),  
Mumbai, Maharashtra-400093
2. Gujarat Urja Vikas Nigam Limited,  
Commerce Department 2nd Floor,  
Sardar Patel Vidyut Bhavan, Race Course,  
Vadodara, Gujarat-390007
3. Gujarat Power Corporation Limited,  
Block No. 8, 6th Floor, Udhog Bhavan,



**Parties Present:** Shri Shri Venkatesh, TPREL  
Ms. Priya Dhankar, Advocate, TPREL  
Shri Abhishek Nangia, Advocate, TPRL  
Shri Aditya Tiwari, Advocate, TPREL  
Shri Mohit Gupta, Advocate, TPREL  
Shri Gajendra Sinha, WRLDC  
Shri Aditya Das, WRLDC  
Shri Alok Mishra, WRLDC  
Ms. Ranjitha Ramachandran, Advocate, GUVNL

**IA No. 12/2024 in Petition No. 39/MP/2024**

**In the matter of:**

**Application under Section 94(2) of the Electricity Act, 2003 read with Regulation 68 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking ad-interim exparte relief against Respondent No. 1 with affidavit.**

**And in the matter of:**

1. Electro Solaire Private Limited,  
Unit No 3,4 & 5, Sixth Floor, Fountainhead-Tower 2,  
Phoenix Marketcity, Viman Nagar, Pune,  
Maharashtra-411014

.....Petitioner

**Versus**

1. Western Regional Load Dispatch Centre,  
F-3, M.I.D.C. Area, Marol, Andheri (East),  
Mumbai, Maharashtra-400093

2. Gujarat Urja Vikas Nigam Limited,  
Commerce Department 2nd Floor,  
Sardar Patel Vidyut Bhavan, Race Course,  
Vadodara, Gujarat-390007

3. Gujarat Power Corporation Limited,  
Block No. 8, 6th Floor, Udhog Bhavan,  
Sector-11, Gandhinagar, Gujarat-382011

.....Respondents

**Parties Present:** Shri Shri Venkatesh, ESPL  
Ms. Priya Dhankar, Advocate, ESPL  
Shri Abhishek Nangia, Advocate, ESPL  
Shri Aditya Tiwari, Advocate, ESPL  
Shri Mohit Gupta, Advocate, ESPL  
Shri Shantanu Singh, ESPL  
Shri Utkarsh Saxena, ESPL  
Shri Gajendra Sinha, WRLDC  
Shri Aditya Das, WRLDC  
Shri Alok Mishra, WRLDC  
Ms. Ranjitha Ramachandran, Advocate, GUVNL

## ORDER

Tata Power Renewable Energy Limited (TPREL) and Electro Solaire Private Ltd. (ESPL/ENGIE) (hereinafter referred to as 'Petitioners') have filed the present Applications seeking ad-interim stay order/direction against to WRLDC Western Regional Load Dispatch Centre on the operation of WRLDC letter dated 20.12.2023 and e-mail dated 26.12.2023.

Petitioner has made the following prayers in Petition No. 13/MP/2024:

- "(a) Set aside the Impugned letter dated 20.12.2023 and Impugned Email dated 26.12.2023.*  
*(b) Directions to WRLDC to allow the Petitioner to schedule full capacity of power from the Petitioners 100 MW(AC) Solar Power Plant at Plot-G, Raghanesda Ultra Mega Solar Park.*  
*(c) Pass such other order/orders, as may be deemed fit and proper in the facts and circumstances of the case."*

Petitioner has made following prayers in IA No. 6/2024 in Petition No. 13/MP/2024:

- (a) Allow early hearing of the Application;*  
*(b) Allow the present Application and grant an ad-interim ex-parte stay of operation of letter dated 20.12.2023 and email dated 26.12.2023 issued by WRLDC;*  
*(c) Pass any other order or direction as it may deem fit and proper in the facts and circumstances of the case.*

Petitioner has made following prayers in Petition No. 39/MP/2024:

- "(a) Set aside the Impugned Letter dated 20.12.2023 and Impugned Email dated 26.12.2023.*  
*(b) Consequently, restrain WRLDC from restricting the schedule of the Petitioner's 200 MW(AC) Solar Power Plant at Plot-D & E, Raghanesda Ultra Mega Solar Park.*



*(c) Pass such other order/orders, as may be deemed fit and proper in the facts and circumstances of the case.”*

Petitioner has made the following prayers in IA 12/2024 in Petition No. 39/MP/2024

*(a) Allow early hearing of the Application;*

*(b) Allow the present Application and grant an ad-interim ex-parte stay on the operation of letter dated 20.12.2023 and email dated 26.12.2023 issued by WRLDC;*

*(c) Pass any other order or direction as it may deem fit and proper in the facts and circumstances of the case.*

The issues raised in IA No. 6/2024 in Petition No. 13/MP/2024 and IA No. 12/2024 in Petition No. 39/MP/2024 are identical. Hence, pleadings related to IA No. 6/2024 are covered in detail with analysis and decision applicable for both cases.

### **Submissions of the Petitioner in 6/IA/2024**

2. The petitioner TPREL has mainly submitted as follows:

- (a) TPREL has set up a 100 MW Solar Power Plant at Plot-G, Raghnesda Ultra Mega Solar Park and has executed a Power Purchase Agreement dated 28.06.2019 & 26.08.2019 respectively with Gujarat Urja Vikas Nigam Limited.
- (b) WRLDC, by way of the communications dated 20.12.2023 and 26.12.2023, has restricted the Schedule of Gujarat Power Corporation Limited's ("GPCL") Solar Power Park to 492 MW thereby reducing the schedule from its 100 MW Project to 82 MW w.e.f. 00:00 hrs of 28.12.2023 on account of non-compliance of the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations & its amendments.
- (c) WRLDC, while issuing the said communications, has failed to appreciate that the Minutes of Meeting dated 22.05.2023 and MoM dated 20.10.2023 relied upon by WRLDC are not applicable to the Petitioner.
- (d) The Working Group Report, 2022 has been divided into three parts whereby Clause 6 of Part I of the Report of the Working Group in respect of Data Submission Procedure and Verification of Compliance to CEA Regulations on Technical Standards for Connectivity to the Grid by RE Generators' ("Working Group Report, 2022") provides the treatment to those RE generators physically connected to the Grid (i.e. the Projects which have achieved commercial operation before the

issuance of Working Group Report, 2022) but have not submitted test reports/documents towards compliance to CEA Regulations and Part II & Part III of the Report, which provides the procedure and timelines for submission of CON-4 data & list of test/study reports required to be submitted by the RE generators prior to the physical interconnection with the grid (i.e., the Projects which will achieve or has achieved commercial operation after the issuance of the Working Group Report, 2022).

- (e) As per Clause 6 Part-I of the Working Group Report, 2022, each RE Generator (who has achieved commercial operation before the issuance of the Working Group Report, 2022) was mandated to conduct a study and submit the same for approval to the concerned RLDC/CTU. After scrutiny of documents, and in case some non-compliance is observed, such RLDC/CTU shall inform the RE Generator regarding the non-compliances and a period of 12 months shall be given to such RE Generators (who have already achieved commercial operation) for taking necessary measures in order to make their plant compliant failing which appropriate action shall be taken by the RLDC/CTU.
- (f) As per Part-II and Part-II of the Working Group Report, 2022, each RE Generator (who will achieve commercial operation or has achieved commercial operation after the issuance of the Working Group Report, 2022) shall submit the complete CON-4/technical connection prior to the physical interconnection with Grid with the undertaking that the data/RE plant model submitted is accurate. Based on the submitted data, CTU shall share the submitted data and models with POSOCO, and thereafter, both POSOCO and CTU shall convey the observations, with respect to non-compliance with respect to non-compliance of the CEA Regulations, to the RE developer within one month of the receipt of complete CON-4 data. After compliance with the applicable CEA Regulations and receipt of CON-5 along with the signing of the Connectivity Agreement, the RE developer shall apply for registration with the concerned RLDC of the grid user and after successful operation, the RE generator shall request for First Time Charging (“FTC”).
- (g) As the Petitioner already achieved commercial operation on 10.08.2021, i.e. prior to the issuance of the Working Group Report, 2022. Therefore, in case of non-compliance, the Generators, such as the Petitioner, would get one year to comply from the date of intimation of non-adherence /non-compliance.
- (h) In order to be compliant with the requirements under the Working Group Report,

2022 issued by the CEA, the Petitioner, on 24.03.2023 had furnished the Test/Study Reports to WRLDC for its approval in terms of the Working Group Report, 2022. However, till date, GPCL nor WRLDC has neither approved the same, nor has it even given any suggestions on the Report.

- (i) In terms of the Working Group Report, 2022, the time period for the Petitioner to comply with the requirements ends on 19.12.2024.
- (j) WRLDC, in its Impugned Letter dated 20.12.2023, has placed reliance MoM's dated 22.05.2023 and 20.10.2023, whereby CEA has directed that all the 20 RE Plants, to whom provisional/conditional FTC were issued based on the CEA MoM dated 05.03.2023 and 22.05.2023, shall submit the compliance report mentioning the quantum of capacity of non-compliance which should be curtailed or suspended until they meet all compliances as per existing regulations in place. It is quite evident that the provisional/conditional FTC have been issued to those RE Projects which will achieve or has achieved commercial operation after the issuance of the Working Group Report, 2022.
- (k) Petitioner's Project is not part of the 20 RE Plants, and neither has it given any such undertaking based on the CEA MoM dated 05.03.2023 and 22.05.2023; hence, the aforesaid directions of the CEA are not applicable to the Petitioner.

3. Under IA No. 12/2024 in Petition No. 39/MP/2024, Petitioner ESPL has set up a 200 MW Solar Power Plant at Plot-D&E, Raghnesda Ultra Mega Solar Park and has executed a Power Purchase Agreement dated 26.08.2019 respectively with Gujarat Urja Vikas Nigam Limited and WRLDC by way of the same communications dated 20.12.2023 and 26.12.2023 has restricted the Schedule of its 200 MW Project to 164 MW w.e.f. 00:00 hrs of 28.12.2023 on account of non-compliance of the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations.

**Hearing dated 24.01.2024 in Petition No. 13/MP/2024 along with IA No. 6/2024**

4. During the hearing, learned counsel for the Petitioner submitted that WRLDC, by way of the letter dated 20.12.2023 and email dated 26.12.2023, has restricted the Schedule of Gujarat Power Corporation Limited's ('GPCL') Solar Power Park to 492 MW. The said communications have been issued relying upon the CEA's MoMs dated 5.3.2023, 22.5.2023 and 20.10.2023. However, the said MoMs are not applicable to the Petitioner's case as its Project had achieved commercial operation way before the



issuance of the WGR,2022 and the Petitioner's Project has neither submitted any undertaking nor received any conditional/provisional connectivity /FTC based on the said MoMs. In fact, as per the terms of the WGR, 2022, a maximum one year period is to be given to the Petitioner (RE Projects which have already achieved commercial operation prior to WGR, 2022) from the period of intimation of the non-compliance for taking the necessary measures in order to make its Plant compliant and such period is yet to elapse.

5. The representative of the Respondent, WRLDC, submitted that on 6.8.2021, the Petitioner furnished an undertaking that it will comply with Regulation B2(1) of the CEA's Technical Standards Regulations by providing additional capacitive compensation of 25 MVA towards its share in Raghnesda Solar Park. However, the Petitioner has yet to comply with the requirements of such installation. Further, it was incumbent upon the Petitioner to comply with the requirements under the CEA's Technical Standards Regulations. The representative of WRLDC also pointed out that the Raghnesda Solar Park formed part of entities as recorded in the MoMs and had been given the provisional FTC on the basis thereof. It was further clarified that the schedule of the Solar Park has been limited only to the extent of the non-compliance.
6. Regarding the Petitioner's prayer for a stay on the operation of communications of WRLDC, the Commission observed that it is not proper to issue any interim direction at this stage prior to considering the preliminary response/ submission of the Respondent, WRLDC, in the matter.
7. The Commission observed that keeping in view the issues involved in Petition (Diary) No. 64/2024 are identical to the present case, issue a notice in the said matter, and the parties to complete the pleadings within similar timelines as indicated in (a) above.

### **Reply of WRLDC**

8. WRLDC, in its reply vide affidavit dated 06.02.2024, submitted as follows:
  - (a) Through the undertaking dated 06.08.2021, TPREL had committed that the study and order placement would be completed in one month's time, and the equipment installation would be completed in four to five months from placement of the order. It is to be noted that till date, the Petitioner has failed to install any reactive compensation, thereby failing to honour their own commitment.



- (b) There is no mandate under the CEA Connectivity Standards to RLDCs for giving approval in respect of plant design related studies. The SPPD/SPDs seeking connectivity to the grid are themselves responsible for carrying out the studies and taking appropriate measures to ensure compliance to the CEA Connectivity Standards in all respects.
- (c) The studies are always done and submitted for the entire park capacity, and the compliance of the entire RSPP is monitored at the Point of Interconnection (POI) level.
- (d) On 06-03-2023, WRLDC issued a reminder letter to the SPPD (GPCL) seeking timely action for the installation of capacitor banks by the respective SPDs and on 23-03-2023, WRLDC issued another follow-up letter to the SPPD and all individual SPDs under the Raghnesda Solar Park to resolve all deficiencies and complete the pending compliances w.r.t the CEA Connectivity Standards.
- (e) As per the minutes of the meeting dated 13.10.2023 and directions of CEA vide letter dated 30.11.2023. WRLDC restricted the schedules of all RE generators connected to the ISTS grid at the POI who failed to comply with Clause No. B2. (1) of CEA Connectivity Standards. The 600 MW RE generator connected at Raghnesda pooling station was one such RE plant whose non-compliant capacity was 108 MW (i.e. 600-492). Accordingly, WRLDC imposed a schedule restriction and allowed a maximum schedule of 492 MW to Raghnesda Solar Power Park. In the process, the schedule of the TPREL got restricted proportionately.
- (f) The list of all the generators whose injection schedule has been restricted by WRLDC due to the non-compliance of the CEA (technical Standards of Connectivity to the Grid) Regulations are as follows:

<b>Schedule limitation of WR Generators due to non-compliance to CEA Connectivity Regulation Clause B2(1) (status as on 28.12.2023)</b>						
<b>Sub-station</b>	<b>Generation Owner</b>	<b>Generation Capacity (MW)</b>	<b>Beneficiary (Region)</b>	<b>Beneficiary (MW)</b>	<b>Schedule Limitation to (MW)</b>	<b>Restricted Quantum (MW)</b>
<b>Dayapur (Wind)</b>	INOX	50	Haryana (NR)	50	40	10
	Continuum	126	Market	126	100	26
	W1RL (Adani)	50	UP (NR)	50	40	10



<b>Schedule limitation of WR Generators due to non-compliance to CEA Connectivity Regulation Clause B2(1) (status as on 28.12.2023)</b>						
<b>Sub-station</b>	<b>Generation Owner</b>	<b>Generation Capacity (MW)</b>	<b>Beneficiary (Region)</b>	<b>Beneficiary (MW)</b>	<b>Schedule Limitation to (MW)</b>	<b>Restricted Quantum (MW)</b>
	W2RPL (Torrent)	50	UP (NR)	50	40	10
	W3RL (Adani)	50	Jharkhand (ER)	50	40	10
	W5RL (Adani)	50	Market	50	40	10
	NTPC REL	50	Market	50	40	10
<b>Total</b>		<b>426</b>		<b>426</b>	<b>338</b>	<b>88</b>
<b>Gandhar (Solar)</b>	NTPC	20	TSSPDCL (SR)	15.9	14.3	1.6
			TSNPDCL (SR)	4.2	3.7	0.4
<b>Total</b>		<b>20</b>		<b>20</b>	<b>18</b>	<b>2</b>
<b>Raghanesda (Solar)</b>	GIPCL	100	GUVNL (WR)	100	82	18
	TPREL	100	GUVNL (WR)	100	82	18
	ENGIE	200	GUVNL (WR)	200	164	36
	GSECL	200	GUVNL (WR)	200	164	36
<b>Total</b>		<b>600</b>		<b>600</b>	<b>492</b>	<b>108</b>
<b>Grand Total</b>		<b>1046</b>		<b>1046</b>	<b>848</b>	<b>198</b>

- (g) The 600 MW RE generator connected at Raghanesda pooling station was one such RE plant whose non-compliant capacity was 108 MW (i.e. 600-492). Accordingly, WRLDC imposed a schedule restriction and allowed a maximum schedule of 492 MW to Raghanesda Solar Power Park.
- (h) The provisions of CEA Connectivity Standards Regulations amply clarify that it is the requester or user (viz the SPPD in the instant case) who has obtained connectivity at the POI is the entity responsible for ensuring compliance with the said Technical Standards at the POI.
- (i) The list of 20 RE generators to whom provisional/conditional FTC was issued based on CEA MoM dated 05.03.23 and 22.05.23 have been submitted.

## **Submissions of Petitioner TPREL**

9. The Petitioner, in its submissions dated 12.02.2024 and 13.02.2024, have made additional submissions as follows:
- (a) In order to comply with the requirements of the Working Group Report, 2022, on 24.01.2024, the Petitioner has placed an order to its EPC Contractor, i.e., Tata Power Solar Systems Ltd., for procurement of 30 MVAR STATCOM and additional 4 inverters of 3.125 MVA (totalling to 12.5 MVA) for providing reactive compensation of 65 MVA for its 100MW Project.
  - (b) On 10.08.2021, the Petitioner commissioned the entire Project capacity, which was also acknowledged by Gujarat Energy Development Agency (“GEDA”) vide the commissioning certificate dated 13.08.2021.
  - (c) Only under Regulation 49(3) of the IEGC, 2023, WRLDC has the power to curtail generation. In the present case, the curtailment of the power from the Petitioner’s Project is not for the reason of transmission constraints or in the interest of grid security. In any case, WRLDC has not followed the procedure prescribed under Regulation 49(3) of the IEGC, 2023. Therefore, WRLDC has acted in clear violation of IEGC, 2023 and its statutory mandate.
  - (d) On 23.03.2023, WRLDC issued a letter to the Solar Power Park Developer (“SPPD”) and its SPDs (including the Petitioner) wherein WRLDC itself in the context of the present case, relied upon Clause 6 of Part-I of the Working Group Report, 2022 requested the SPPD & its SPDs (including the Petitioner) to take immediate action and resolve the same.
  - (e) In terms of the Working Group Report, 2022, the Petitioner is obligated to submit the study report/test report for the approval of the RLDC. Thereafter, RLDC has to scrutinise the study report submitted by the generators and provide its observation i.e., either accept the study or deny the study. In case of denial on the study report, the generators shall be granted a maximum period of 1 year for taking necessary measures and installation of additional equipment as may be necessary for making the plant compliant.
  - (f) On account of the unlawful instructions issued by WRLDC, the Petitioner has incurred huge losses to the tune of approx. Rs. 0.58 Crore from 28.12.2023 (i.e., date of

commencement of curtailment of power/reduction in schedule) till 12.02.2024 due to restriction of the plant active power to 82 MW of total installed capacity of 100 MW.

10. Similar submissions have been made by the Petitioner Electro Solaire in IA No. 12/2024, vide affidavit dated 03.02.2024, stating that Petitioner is incurring huge losses to the tune of approx. Rs. 4,40,328/- on a daily basis. the Petitioner has incurred losses to the tune of Rs.1,37,38,690/- for the period from 28.12.2023 to 31.01.2024. Further, if the interim relief sought by the Petitioner is not granted, then the generation loss being incurred by the Petitioner will get compounded on a daily basis.

#### **Hearing dated 14.02.2024**

11. The matter was heard on 14.02.2024, and the Orders in IA No. 6/2024 in Petition No. 13/MP/2024 and in IA No. 12/2024 in Petition No. 39/MP/2024 were reserved.

#### **Analysis and Decision**

12. We have perused the submissions of the Petitioner and Respondents and also perused the documents placed on record.

13. The Petitioner (TPREL) in Petition No. 13/MP/2024 has submitted that it has set up a 100 MW Solar Power Plant, which was declared commercial on 10.08.2021, in the Raghnesda Ultra Mega Soar Park (developed by GPCL) having the present installed capacity of 600 MW. WRLDC, by way of the communications dated 20.12.2023 and 26.12.2023, has restricted the Schedule of Raghnesda Solar Power Park to 492 MW, thereby reducing the schedule of Petitioner's 100 MW Project to 82 MW w.e.f. 00:00 hrs of 28.12.2023 on account of non-compliance with the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations. Petitioner has contended that Minutes of Meeting dated 22.05.2023 and MoM dated 20.10.2023 relied upon by WRLDC are not applicable to the Petitioner and hence, schedule restriction by WRLDC may be stayed.

14. The Petitioner (Electro Solaire - referred to as 'ENGIE' in impugned WRLDC communications) in Petition No. 39/MP/2024 has set up a 200 MW Solar Power Plant in Raghnesda Ultra Mega Solar Park and has a Power Purchase Agreement dated 26.08.2019 with the Respondent No. 2, i.e., Gujarat Urja Vikas Nigam Limited, which was commissioned on 10.8.2021 (100 MW) and 13.8.2021 (50 MW). WRLDC, by way of the communications dated 20.12.2023 and 26.12.2023, has restricted the Schedule

of Raghnesda Solar Power Park to 492 MW, thereby reducing the schedule of Petitioner Electro Solaire's 200 MW Project to 164 MW. The Petitioner issued a letter on 04.01.2024 as a response to the Impugned Communications dated 20.12.2023 and 26.12.2023 by WRLDC and urged WRLDC to allow to schedule full capacity and not to impose any restriction on generation from the Petitioner's Project; however, WRLDC, vide its letter dated 10.01.2024 has refused to take note of the same and continues to curtail power generation from the Project. Petitioner has contended that Minutes of Meeting dated 22.05.2023 and MoM dated 20.10.2023 relied upon by WRLDC are not applicable to the Petitioner, and hence, schedule restriction by WRLDC may be stayed.

**15.** WRLDC, in its reply in Petition No. 13/MP/2024, submitted that vide undertaking dated 06.08.2021, TPREL had committed that the study and order placement would be completed in one month's time and the equipment installation would be completed in four to five months from placement of the order. There is no mandate under the CEA Connectivity Standards to RLDCs for giving approval in respect of plant design-related studies. The SPPD/SPDs seeking connectivity to the grid are themselves responsible for carrying out the studies and taking appropriate measures to ensure compliance with the CEA Connectivity Standards in all respects. WRLDC on 06-03-2023, WRLDC issued a reminder letter to the SPPD (GPCL) seeking timely action for the installation of capacitor banks by the respective SPDs and on 23-03-2023, WRLDC issued another follow-up letter to the SPPD and all individual SPDs under the Raghnesda Solar Park to resolve all deficiencies and complete the pending compliances w.r.t the CEA Connectivity Standards. Further, as per the minutes of the meeting dated 13.10.2023 and directions of CEA vide letter dated 30.11.2023, WRLDC restricted the schedules of all RE generators connected to the ISTS grid at the POI who failed to comply with Clause No. B2. (1) of CEA Connectivity Standards. The 600 MW RE generator connected at Raghnesda pooling station was one such RE plant whose non-compliant capacity was 108 MW (i.e. 600-492). Accordingly, WRLDC imposed a schedule restriction and allowed a maximum schedule of 492 MW to Raghnesda Solar Power Park. In the process, the schedule of the TPREL was restricted proportionately.

**16.** We have considered the rival submissions.

**17.** The Commission observes that as per Clause 6 Part-I of the Working Group Report, 2022, each RE Generator (who has achieved commercial operation before the

issuance of the Working Group Report, 2022) was mandated to conduct a study and submit the same for approval to the concerned RLDC/CTU. Further, as per the Working Group Report, after scrutiny of documents, and in case some non-compliance is observed, such RLDC/CTU shall inform the RE Generator regarding the non-compliance, and a period of 12 months shall be given to such RE Generators (who have already achieved commercial operation) for taking necessary measures in order to make their plant compliant failing which appropriate action shall be taken by the RLDC/CTU.

18. Let us peruse the WRLDC letter dated 20.12.2023 and email dated 26.12.2023, which has been disputed in the instant Petition. The said communications are addressed to the Raghnesda Solar Power Park (SPPD, i.e. GPCL) and all the four generating stations within the Raghnesda Solar Power Park, i.e. GIPCL, GSECL, TPREL and ESPL. The relevant extract of the WRLDC letter dated 20.12.2023 is as under:

**“Subject: Non-Compliance to CEA Technical Standards for Connectivity and Intimation for schedule restriction**

*Reference:*

1. WRLDC letter dt. 23.03.2023 to GPCL & its SPDs for Resolving of pending compliances by GPCL & its SPDs w.r.t CEA Technical Standards for Connectivity to the Grid, Report of Working Group for RE- July-2022 and discussions in various meetings

2. Record Notes of Meeting held on 01.03.2023 under the chair of Chairperson, CEA regarding pending First time charging of RE developers. MoM dt. 05.03.2023 & reference no 12/X/S.T.D. (C.O.N.N)/G.M./2023. MoM dt. 22.05.2023 & reference no 12/X/S.T.D. (C.O.N.N)/G.M./2023/615.

3. WRLDC letter dt. 26.09.2023 GSECL regarding undertaking submitted for provisional FTC by M/s GSECL (GSECL Phase-II Solar plant) at Radhanesda Solar Park to resolve the pending compliances wrt. CEA technical standards for Connectivity to the Grid, Report of Working Group for RE-July-2022.

4. Minutes of the Meeting held on 13.10.2023 under the Chairmanship of Chairperson, CEA to discuss non-compliances of CEA (Technical Standards for connectivity to the Grid) Regulations by RE developers by 30.09.2023

5. Letter from CEA to GRID INDIA in regard to action to be taken against non-complaint RE generators dated 30.11.2023.

.....

*This is in reference to WRLDC letter dated 26<sup>th</sup> Sept. 2023 vide Reference (3) and directions received from CEA vide letter dated 30.11.2023--Reference (5) on the action taken for non-compliance to Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 & its amendments.*

*As per the study report submitted by GPCL for its 600 MW solar park at Radhanesda, 192 MVAR reactive power compensation was required to be installed at Radhanesda Solar Park*

220 kV Bus to comply with B2(1) of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 & its amendments. As per the MoM dt 22.5.23 by CEA, the time line allowed for compliance ie., 30.09.2023 is over and the non-compliance still remains.

Directions were received from CEA Chairperson vide CEA MoM dated 20.10.2023. The extracts of the same is extracted below for ready reference.

"After deliberations, it was directed by Chairperson, CEA that all 20 RE Plants to whom provisional/conditional FTC were issued based on CEA MoM dated 05.03.23 and 22.05.23, shall submit the compliance report mentioning the quantum of capacity of non-compliance which should be curtailed or suspended until they meet all compliances as per existing regulation in place."

Further, CEA vide letter dated 30.11.2023 reference (5) has emphasised that the action must be taken in accordance with the decision taken in the meeting dated 13.10.2023 and the quantum of capacity of non-compliance should be curtailed or suspended until RE generators meet all the compliances as per existing regulations of CEA.

With reference to 'Reactive Power Capability Report Version 00 dated 21.11.2022' submitted by GSECL on behalf of GPCL dt. 21.11.2023, as quoted below from section 3.2 of the report-

" ..... Based on the calculation results, the Grid code reactive power requirement can be fulfilled in most of the operation range. But still there is a violation of the grid code in case of the active power output more than 82% in capacitive operation."

**As per above report, it is observed that active power injection beyond 492 MW out of 600MW, 108 MW is non-Compliant to Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 & its amendments.**

**Accordingly, WRLDC would be limiting the schedule of 600 MW Radhanesda Solar Plant to 492MW, considering that all inverters are in service. Further, the plant is hereby directed not to inject more than 492MW at Point of Interconnection."**

As per the above letter, WRLDC has limited the scheduling of the 600 MW Radhanesda Solar Plant to 492 MW.

19. Subsequently, WRLDC, vide e-mail dated 26.12.2023 restricted the schedule of all the generation plants within the Raghnesda Solar Park w.e.f. 00:00 hrs of 28.12.2023. The relevant extract of the WRLDC e-mail dated 26.12.2023 is as follows:

"with reference to trailing e-mail and our letter dt. 20.12.2023, the schedule of GPCL Radhanesda Solar Park is being restricted to **492 MW (GIPCL-82 MW, TPREL-82 MW, ENGIE-164 MW, GSECL-I & II-164 MW) w.e.f. 00:00 hrs of 28.12.2023.** Accordingly, you are requested to limit active power set point in PPCs to a total of 492 MW w.e.f. 00:00 hrs of 28.12.2023."

20. We have perused the directions of the CEA in the referred Minutes of Meeting dated 20.10.2023 for the meeting held on 13.10.2023, quoted as follows:



*“Minutes of the Meeting held on 13.10.2023 (Friday) at 06:00 PM under the Chairmanship of Chairperson, CEA to discuss non-compliances of CEA (Technical Standards for connectivity to the Grid) Regulations by RE developers by 30.09.2023.*

...

*2. Chief Engineer (GM Division), CEA stated that the primary agenda of the discussion is to address the issue of non-compliance by renewable energy (RE) developers with as per the CEA (Technical Standards for Connectivity to the Grid) by 30.09.2023 and to discuss about further course of actions to be taken in this regard. He also briefed about the petition filed by M/s Azure Power Maple Private Limited in the matter of seeking extension of time to install the required reactive power compensation device for the 300 MW solar power project connected at Bhadla in Rajasthan. He stated that M/s Azure Power Maple Pvt. Ltd. has been directed by Hon'ble CERC to approach CEA for resolution of this matter.*

*3. Chairperson, CEA emphasized that the Conditional/Provisional connectivity/First Time Charging was issued based on the undertaking and commitments made by RE developers themselves that they shall comply all the existing regulations in place by 30th June, 2023. The timeline for complying the existing regulations was further extended to 30th September, **2023** which was mutually agreed by all the RE developers. This extension was aimed at facilitating the integration of RE generation into the grid to meet the renewable energy generation targets set by the Government of India. Chairperson, CEA expressed that RE plants who could not comply by the said time limit, should have themselves come forward to say that they have missed the compliance timelines and appropriate actions may be taken against them, including that of the disconnection of RE plant. Chairperson, CEA asked all RE plants and M/s Azure Power Maple Pvt. Ltd. in particular to share the actions taken by them to comply with existing regulations and to honour their own commitments and undertaking that they had submitted earlier when they were granted conditional connectivity / first-time charging approvals.*

*4. Grid-India shared that letters were issued in line with the MoM dated 13.09.2023 by respective RLDCs, to all the RE developers to whom provisional/conditional FTC were issued based on CEA MoM dated 5th March, 2023 and 22nd May, 2023. M/s Azure Maple Pvt. Ltd. submitted the undertaking dated 28.03.2023 stating that it shall install 55 MVA additional inverters capacity (0.185MVA × 296 nos.) as per the study submitted by the RE plant by 30<sup>th</sup> September, 2023.*

.....

*10. Grid-India briefed about the present status of compliance stating that total 20 RE plants of capacity around 4500 MW were issued provisional/conditional FTC. Total 17 numbers of RE plants of capacity around 3700 MW have either complied or partially complied. Additionally, two plants with a capacity of around 500 MW are in various stages of execution to comply with additional reactive power compensation requirements but 300MW of Azure Power Maple Pvt. Ltd. have not even procured the requisite devices to fully address the reactive power requirements.*

***11. After deliberations, it was directed by Chairperson, CEA that all 20 RE Plants to whom provisional/conditional FTC were issued based on CEA MoM dated 05.03.23 and 22.05.23, shall submit the compliance report mentioning the quantum of capacity of non-compliance which should be curtailed or suspended until they meet all compliances as per existing regulation in place.”***

As per the above minutes, the Chairperson, CEA, directed that all the 20 RE Plants to whom provisional/conditional FTC was issued based on CEA MoM dated 05.03.23 and 22.05.23 shall submit the compliance report mentioning the quantum of the capacity of



non-compliance, which should be curtailed or suspended until they meet all compliances.

21. Further, the relevant extract of the CEA letter dated 30.11.2023 is as under:

*“Subject: Action taken on pending compliances by RE generators with reference to CEA minutes of meeting dated 13.10.2023-reg.*

.....

*Vide above referred letters, the concerned RLDCs have requested Central Electricity Authority (CEA) to issue directions on further course of actions for the RE generators who were granted provisional/ conditional FTC in line with the minutes of the meeting (MoM) held under the chairmanship of Chairperson, CEA on 01.03.2023 and 18.05.2023 as the compliances based on the undertakings given by RE generators are yet to be complied even after passing of the last date i.e. 30.09.2023.*

*2. In this regard, further meeting was held under the chairmanship of Chairperson, CEA and the following direction was issued vide MoM dtd 20.10.2023:-*

*“After deliberations, it was directed by Chairperson, CEA that all 20 RE Plants to whom provisional/conditional FTC were issued based on CEA MoM dated 05.03.23 and 22.05.23, shall submit the compliance report mentioning the quantum of capacity of non-compliance which should be curtailed or suspended until they meet all compliances as per existing regulation in place.”*

*3. Subsequent to the meeting held on 13.10.2023, the status of the compliances by the RE generators were sought by CEA vide mail dated 25.10.2023. The status report of the compliances by RE generators was sent by Grid-India vide mail dated 03.11.2023 and attached in Annexure.*

***4. In view of the above, the action must be taken in accordance with the decision taken in the meeting dated 13.10.2023 and the quantum of capacity of non-compliance should be curtailed or suspended until RE generators meet all the compliances as per existing regulations of CEA.”***

As per the above letter dated 30.11.2023, CEA reiterated that the action must be taken in accordance with the decision taken in the meeting dated 13.10.2023 and the quantum of capacity of non-compliance should be curtailed or suspended until the RE generators meet all the compliances as per existing regulations of CEA.

22. We also note that a meeting was held under the Chairmanship of the Chairperson, CEA, regarding First Time Charging of RE developers on 01.03.2023. The relevant extract of the Minutes of the meeting dated 05.03.2023 for the meeting held on 01.03.2023 is as under:

“

*2. Grid-India informed that 15 applications totaling 849.8 MW of RE generation capacity are currently under process, with 2 applications (193 MW) in NRLDC, 11 applications (587.2 MW) in WRLDC, and 2 applications (69.6 MW) in SRLDC. The outstanding issues*

in each case were examined. **Plant-wise status as informed by RE developers in the meeting is enclosed as Annexure-II.**

3. It was noted that the approval of First Time Charging (FTC) was held up in the above cases majorly on account of following non-compliance on the part of REW developers.

- a. Non-submission or incomplete submission of Type test/ Measurement Report.
- b. Non-submission or deficiencies in mathematical models.
- c. Non-availability of real-time telemetry and/or PMU data.
- d. Pending installation of Master Power Plant Controller.
- e. Inadequate reactive power support capability at Point of Interconnection.**

4. After deliberations following decisions were taken:

a. Compliance at **points 3a, 3b, 3c and 3d are the must for issuing of FTC approval.** The developers must ensure compliance with these requirements in order to receive FTC clearance for above mentioned cases.

**b. Regarding point 3e, conditional FTC approval could be granted for the FTC applications received up to 31<sup>st</sup> March, 2023 if the developer submits firm commitment along with supporting documents [i.e. milestones like date of order, date of supply of material, date of completion of civil works and date of final commissioning etc.] to commission the pending reactive power compensation by 30<sup>th</sup> June 2023.** In case, the capacitor banks are not commissioned by 30<sup>th</sup> June 2023, the conditional FTC approval shall stand withdrawn w.e.f. 0000 hrs of 1<sup>st</sup> July 2023 and the complete plant shall be disconnected from the grid. This one time conditional relaxation is provided only for plants whose applications are received by respective RLDCs by 31<sup>st</sup> March 2023. No conditional FTC shall be issued after 31<sup>st</sup> March 2023.

c. RE developers shall submit the progress of installation of reactive power compensation to RLDCs/NLDC as per the commitment. RLDCs/NLDC shall review the progress fortnightly.

6. The non-submission of detailed test reports by SUZLON was also discussed.....In this regard, **Chairperson CEA stated that the submission of requisite test reports is essential for verification of compliance to CEA standards. For secure operation of the Grid, Grid-India has the mandate to collect the required operational data and the test reports etc.....**

7. RLDCs shall issue FTC within 2 days of the compliance of the above decision by RE developers.

**Annexure-II to the minutes dated 05.03.2023**

**Plant wise status as informed by RE developers in the Meeting**

**Western region**

1. Adani Wind Energy (Kutch-AWEK4L)-commissioning by 30<sup>th</sup> Marc. Submission of FRT Test Report to WRLDC by SUXLON at the earliest.

2. AWEK3L+AWEK1L+AWEK5L- Commissioning of balance capacitor bank by June 2023 end.

3. Srijan Energy – Capacitor Bank installation completed. Commissioning of the same is pending. PSCAD Power Quality Model shall also be submitted.

4. Sherisha Rooftop-Capacitor bank installation by 20<sup>th</sup> Apr'23. Models to be submitted within 2-3 weeks.

5. Masaya Solar- 60 MVAR capacitor bank to be commissioned within 4 months (June 2023). Submission of Type Test Report at the earliest.

6. Continuum Power- Capacitor bank commissioning (21 MVAR) by Apr'23. 42 MVAR by May'23, 63 MVAR by June 23. All test reports to be completed within 1 month.

7. Apraava Energy- Capacitor bank commissioning by 15<sup>th</sup> May'23. Model submission, FRT Type test report submission by Jun'23.

8. Netra Wind Pvt. Ltd.- Commissioning of capacitor bank by May'23. HVRT type test report (at 1.3 p.u.) to be submitted by June'23

9. Sitac Kabini Renewables- PPC input from POI-within one week. Capacitor bank commissioning by end of Mar'23. Pending report and model submission by Mar'23 end.

**10. GSECL-Capacitor bank installation by June 23. Master PPC commissioning by March 23 end.**

11. NTPC Gandhar- Capacitor bank installation within three months”

The name of the Petitioner in IA No. 6/2024 in Petition No. 13/MP/2024 (TPREL), as well as in IA No. 12/2024 in Petition No. 39/MP/2024 (Electro Solaire), does not appear in the abovesaid Annexure.

23. Subsequently, another meeting was held on 18.05.2023 under the Chairmanship of the Chairman, CEA, to discuss issues related to pending CON-4/ First Time Charging (FTC) applications of RE developers. The relevant extract of the Minutes of the meeting dated 18.05.2023 (issued on 22.05.2023) is as under:

**“4. Grid -India informed that presently, 9 nos. of FTC applications of RE developers with a cumulative quantum of 458.7 MW are under process with region wise pendency of WR-8 and NR-1. Some of the reasons for pendency are non-submissions of Type test/ Measurement reports, deficiency in modeling files and Purchase Orders (PO) for procurement of Capacitors Banks etc. The details of the pending applications are attached in Annexure-III.**

7. RE developers mentioned that all the requirements of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations may be included in the bidding document so that these are known a priori to the prospective bidders at the bidding stage. The Working group shall involve MNRE and SECI regarding ambient temperature design criteria for RE plant and how it can be included in new bidding documents. However, they requested that the existing and old projects may be exempted from this criterion.

8. The representative of INOX WTG stated that all the requisite data/ files would be ready by 12th June, 2023. On this the representative of ADANI stated that four additional weeks are required to meet all the requirements for FTC. It was also brought to the notice that a number of complaints are there w.r.t the INOX.

9. The representative of Tata Power also mentioned that they have submitted the application for the FTC clearance on 18.05.2023. The same is being examined.



10. After the detailed discussions on the pending applications and based on the submissions made by GRID-India, CTUIL and RE Developers, Chairperson, CEA directed the following -

a. INOX WTG testing and subsequent model development with benchmarking shall be completed in the present pending cases latest by 15th June 2023. In case of noncompliance the action may be initiated against INOX.

**b. Provisional FTC/ CON-4 is to be granted to the cases discussed in the meeting based on the undertaking by the RE developers that all the compliance shall be completed by them latest by 30th September, 2023 else the provisional FTC/CON-4 granted shall stand cancelled and the capacity would be disconnected w.e.f. 1st October, 2023.**

c. Working Group shall prepare the updated report for compliance by consulting the stakeholders within 2 months.

d. The bidding documents for RE projects shall be aligned with the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations and the recommendations of the Working Group.

e. All the future projects should be designed as per Indian ambient conditions.

### **Annexure-III**

#### **Compliance status of other RE plants who have applied for FTC**

.....

S. No.	RE Developer	Total Envisaged I/C (MW)	Capacity already in operation	Capacity requested for FTC (MW)	3a.	3b.	3c.	3d.	3e. In adequate reactive power support capability at Point of Interconnection
7	Gujarat State Electricity Corporation Limited	200	100	100	---	--	---	--	Pending (PO awaited) WRDC letter issued on 31.03.2023

As per the above minutes dated 05.03.2023 and 22.05.2023, it was decided that the conditional FTC is to be given to the plants if the plant developer submits firm commitment along with supporting documents, i.e. milestones like date of order, date of supply of material, date of completion of civil works and date of final commissioning etc. to commission the pending reactive power compensation by 30<sup>th</sup> September 2023. It is observed that the names of the Petitioners in IA No. 6/2024 in Petition No. 13/MP/2024 (TPREL), as well as in IA No. 12/2024 in Petition No. 39/MP/2024 (Electro Solaire), do not appear in the aforementioned Annexure

24. We have perused all the above quoted minutes of meeting held at CEA starting from minutes dated 05.03.2023 (for meeting held on 1.3.2023), 22.05.2023 (for meeting held



on 18.5.2023), 20.10.2023 (for meeting held on 13.10.2023). The generating stations referred to in the said minutes are a list of 20 RE generators which are as follows:

<b>Compliance Status, of RE generators to whom provisional/conditional FTC were issued based on CEA MoM dated 05.03.23 and 22.05.23 as, available With Grid-India</b>							
<b>S. No.</b>	<b>RE Developer Name</b>	<b>State</b>	<b>Pooling Station</b>	<b>Total Envisaged I/C (MW)</b>	<b>Active Power capacity (MW) at Pol for which Reactive Power assessment was submitted by RE Plants</b>	<b>Capacity for which provisional FTC issued (MW)</b>	<b>Reactive Power compensation requirement for envisaged capacity (as per study report submitted by Re Plants)</b>
1.	Renew Surya Ravi Pvt. Ltd.	Rajasthan	Bikaner (PG)	300	300	300	168
2.	Azure Power Maple Pvt. Ltd.	Rajasthan	Bhadla(PG)	300	289	300	169
3.	Nokhra Solar Plant, NTPC Ltd.	Rajasthan	Bhadla-II(PG)	300	288	300	165
4.	TP Surya Pvt. Ltd. (Tata Soar)	Rajasthan	Bikaner (PG)	110	110	110	70
5.	SBSR Cleantech Pvt. Ltd.	Rajasthan	Bikaner (PG)	300	284	300	158
6.	Netra Wind Pvt. Ltd. Kolda Madh connected to 220kV Bhuj PS	Gujarat	220kV Bhuj	300	271.3	119.3	120
7.	Adani Wind Energy Kutch One Limited (AWEK1L) Adani Wind Energy Kutch Three Limited (AWEK3L) Adani Wind Energy Kutch Five Limited (AWEK5L)	Gujarat	220kV Bhuj	555	517.17	555	276
8.	Inox Wind Infrastructure Wind Limited (IWISL) Continuum Power Trading	Gujarat	220kV Bhuj	526	506.3	376	63
9.	Adani Wind Energy Kutch Four Limited (AWEK4L),Nakhatrana	Gujarat	220kV Bhuj-II	300	283.4	174.3	105
10.	Srijan Energy System Private Ltd.	Gujarat	220kV Bhuj-II	148.5	141.76	148.5	26

11.	Sitac Renewable Private Ltd. Kabini	Gujarat	220kV Bhuj-II	300	282.18	300	92
12.	NTPC Gandhar Solar, Jhanor	Gujarat	220kV Jhanor	20	20	20	9
13.	Torrent Sidhpur Pvt. Ltd.	Gujarat	220kV Jam Khambaliya	115	109.13	115	17
14.	Apraava Energy Pvt. Ltd. Khakarda	Gujarat	220kV Jam Khambaliya	250	236.1	138.6	90
15.	Masaya Solar Energy Pvt. Ltd.	Gujarat	220kV Khandwa	300	300	250	155
<b>16.</b>	<b>Gujarat State Electricity Corporation Limited</b>	<b>Gujarat</b>	<b>220kV Radhanesda</b>	<b>200</b>	<b>184.33</b>	<b>200</b>	<b>64</b>
17.	Sherisha Rooftop Solar SPV 4 Pvt. Ltd. Raipur	Chhattisgarh	220kV Raipur	50	49.6	50	26
18.	JSW RENEW TWO ENERGY LIMITED. (JSW NEO ENERGY LIMITED)	Tamil Nadu	220kV TTGS	300	293	216	95
19.	Ostro Kannada Power Pvt Limited (Ostro Kannada Power Pvt. Limited SECI VI JAGALUR)	Karnataka	220kV Hiriyur	300	281	300	66
20.	NTPC Ettyapuram	Tamil Nadu	220kV TTGS	230	230	230	30
<b>Total Capacity (MW)</b>				<b>5204.5</b>	<b>4976.5</b>	<b>4502.7</b>	

It is evident from the abovementioned list that the RE generating stations of the Petitioners in IA No. 6/2024 in Petition No. 13/MP/2024 (TPREL), as well as in IA No. 12/2024 in Petition No. 39/MP/2024 (Electro Solaire), do not appear in the abovementioned list. Accordingly, we observe that curtailment of power carried out by WRLDC on the basis of the CEA letter dated 30.11.2023 and minutes of the meeting dated 20.10.2023 (for a meeting held on 13.10.2023) does not hold good for the said Petitioners when the CEA specifically issued directions for 20 RE Plants only to whom provisional/conditional FTC were issued based on CEA MoM dated 05.03.23 and 22.05.23.

**25.** In view of the discussions above, the Commission is of the opinion that a strong prima facie case is in favour of the petitioners as per the above discussion. We hereby stay the operation of the letter dated 20.12.2023 and email dated 26.12.2023 issued by



WRLDC qua the Petitioners (in Petition in 13/MP/2024 and Petition No. 39/MP/2024), as the Petitioners were not covered in the list of the 20 RE plants quoted herein above. Notwithstanding this direction, RLDC is empowered to take appropriate action in the interest of grid security against all such entities, including generating stations, under the Act and the Regulations framed therein, including the Grid Code for grid security.

26. The IA No. 6/IA/2024 and 12/IA/2024 are disposed of in terms of the above. The Petition in 13/MP/2024 as well as Petition No. 39/MP/2024 shall be listed for final hearing on 06.03.2024.

**Sd/  
(P. K. Singh)  
Member**

**Sd/  
(Arun Goyal)  
Member**

**Sd/  
(Jishnu Barua)  
Chairperson**