

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No.204/2025 along with IA (Diary) Nos. 205 & 206/2025

Subject : Petition under Section 79, including 79 (1)(c), 79 (1)(f) and 79 (1)(k) of the Electricity Act, 2003, seeking continuation of its GNA/ Connectivity of 700 MW. The Petitioner is also seeking consequent directions upon the Respondent/ CTUIL to consider Connectivity Bank Guarantees already furnished by the Petitioner with respect to its GNA applications dated 30.05.2024 to 22.06.2024 as sufficient for the purpose of such continuation, with no requirement to submit fresh Connectivity Bank Guarantees.

Petitioner : Support Properties Private Limited (SPPL).

Respondent : Central Transmission Utility of India Limited.

Date of Hearing : **24.4.2025**

Coram : Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sanjay Sen, Senior Advocate, SPPL
Shri Hemant Singh, Advocate, SPPL
Ms. Supriya Rastogi, Advocate, SPPL
Shri Indradh Chodhary, Advocate, SPPL
Shri Jai Lal, Advocate, SPPL
Shri Nishant Kumar, Advocate, SPPL
Shri Gaurav Prakash Pathak, Advocate, SPPL
Shri Arun Lal, Advocate, SPPL
Shri Akshay Lal, Advocate, SPPL
Shri Pawan Singh, Advocate, SPPL
Ms. Ruth Elwin, Advocate, SPPL
Shri Shubham Arya, Advocate, CTUIL
Shri Rishabh Saxena, Advocate, CTUIL
Ms. Shirin Gupta, Advocate, CTUIL
Shri Swapnil Verma, CTUIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* seeking continuation of 700 MW General Network Access ('GNA') granted to the Petitioner on 24.10.2024 in terms of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 ('GNA Regulations, 2022'). Learned senior counsel mainly submitted as under:

(a) The Petitioner had applied to the Respondent, CTUIL, for GNA/Connectivity for a cumulative capacity of 700 MW (vide 14 applications of 50 MW each) during the period from 30.5.2024 to 22.6.2024. The said connectivity was granted to the Petitioner on 24.10.2024, pursuant to which the Petitioner furnished cumulative

Connectivity Bank Guarantees of Rs. 21 crores to the Respondent. The tentative commissioning date for the common transmission system for the ISTS connectivity of the Petitioner was proposed on 1.1.2027. However, the Petitioner, thereafter, issued a letter dated 22.1.2025 seeking cancellation of the granted GNA, which was accepted by CTUIL vide letter dated 20.3.2025, while intimating that in view of such relinquishment, CTUIL will be proceedings to invoke the Bank Guarantee furnished by the Petitioner.

(b) Subsequently, in view of change in the market conditions, the Petitioner decided to withdraw its earlier request for cancellation of the granted GNA and, vide letter dated 4.4.2025, sought continuation of its GNA/Connectivity. In view of this, the Petitioner also requested CTUIL that the Bank Guarantee submitted *qua* the original GNA application ought to be considered as sufficient and valid.

(c) As per the Petitioner, the present case cannot be seen or considered as first, a case of the relinquishment and then a fresh grant of GNA/connectivity. The present case involves continuation of the GNA to the Petitioner, which essentially means continuation of its earlier GNA/connectivity of 700 MW.

(d) There cannot be any levy of relinquishment charges upon the Petitioners in the first place as CTUIL did not incur any expenses or suffered any loss on account of the relinquishment. In the order dated 8.3.2019 in Petition No.92/MP/2015 also, the Commission held that in case the relinquished capacity is allocated to a new applicant, then no relinquishment charges are payable for the period in which the said new applicant fills in the shoes of the earlier applicant who has relinquished.

(e) Pursuant to the Petitioner's request of cancellation of its relinquishment, a discussion was also held under the Chairmanship of Secretary (Power), MoP on 9.4.2025, wherein the aforesaid issue was deliberated upon. The said discussions indicate that the Ministry is primarily agreeable for such cancellation of relinquishment and they took into the account the lack of any regulatory and operational clarity under the Regulations to address such scenarios. Accordingly, the MoP gave the Petitioner a seven day window to approach this Commission to seek clarity with respect to the same, and if the same is complied with, the *status quo* shall be maintained with respect to Bank Guarantees (Conn-BG-1 and Conn-BG-3).

(f) Accordingly, till the Commission decides upon the issue involved the *status quo* in respect of the Bank Guarantees may continue to be maintained.

2. Learned counsel for the Respondent, CTUIL accepted the notice and sought liberty to file a reply in the matter. Learned counsel pointed out that, in the present case, the withdrawal letter was submitted after the revocation of connectivity by CTUIL, which distinguishes it from other cases of withdrawal prior to the revocation.

3. Further, in response to a specific query of the Commission regarding the non-invocation of the Bank Guarantees furnished by the Petitioner immediately upon relinquishment by the Petitioner, the learned counsel for CTUIL submitted that the Petitioner's letter seeking cancelation of 700 MW of Connectivity/GNA dated 22.1.2025 was e-mailed only on 11.2.2025 and the physical copy thereof was received on 19.2.2025 only. Learned counsel further submitted that the Petitioner, thereafter, vide letter dated 24.3.2025, offered the payment of Rs. 21 crores in lieu of encashment of the Bank Guarantees. Subsequently, by an e-mail dated 26.3.2025, the Petitioner, citing the Financial Year ending, requested an extension upto 2.4.2025 for making the such payment.

4. Considering the submissions made by the learned senior counsel for the Petitioner and learned counsel for the Respondent, CTUIL, the Commission directed as under:

- (a) Admit and issue notice, subject to just exceptions;
- (b) The Respondent to file its reply, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.
- (c) The *status-quo* in regard to the Bank Guarantees submitted by the Petitioners shall continue till the next date of hearing.
- (d) IA (Diary) No. 206/2025 filed for the urgent listing of matter, having served its purpose, stands disposed of.
- (e) Registry is directed to register the Petition after completion of all formalities.

5. The Petition will be listed for hearing on **10.6.2025**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**