

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No.207/2025 along with IA (Diary) No.208/2025

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 and Regulations 65 to 69 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 along with the other provisions under applicable law seeking extension of time in complying with the directions stipulated under order dated 25.11.2024 in Petition No. 326/MP/2024 issued by this Commission vis-à-vis commissioning of the 300 MW Solar Power Projects located at Nokhadhaya, Kolya, Bikaner, Rajasthan.

Petitioners : ACME Solar Holdings Limited and Anr.

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **24.4.2025**

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

Parties Present : Shri Buddy Ranganadhan, Sr. Advocate, ACME
Shri Aniket Prasoon, Advocate, ACME
Ms. Pratiksha Chaturvedi, Advocate, ACME
Shri Aman Sheikh, Advocate, AMCE
Ms. Prithu Chawla, Advocate, ACME
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 Petitioners submitted that the present Petition has been filed *inter alia* seeking extension of time in complying with the directions stipulated under the order dated 25.11.2024 in Petition No. 326/MP/2024 issued by the Commission vis-à-vis commissioning of the 300 MW Solar Power Project ('the Project') located at Nokhadhaya, Kolya, Bikaner, Rajasthan. Learned senior counsel further submitted as under:

- (a) By order dated 25.11.2024 in Petition No. 326/MP/2024, the Commission granted the time to the Petitioners till 21.4.2025 for the commissioning of the Project, subject to the payment of certain compensation to CTUIL as stipulated therein.
- (b) Subsequent to the passing of the said order, certain existing issues, which were beyond the reasonable control of the Petitioner, continued for a longer period of time than as originally envisaged by the Petitioners. However, despite these difficulties,

the Petitioners made consistent and diligent efforts towards the completion of the Project.

(c) As on date, the CEA approval for energization, under Regulation 45 of the CEA Safety Regulations, 2023, has been received for the entire 300 MW of the Project as well as for the dedicated transmission lines. Further, the NRLDC Format II Approval for Charging has also been received for the entire 300 MW and the dedicated transmission lines. Since some of these approvals have been received after the filing of the Petition, the Petitioner may be permitted to place them on record.

(d) The connectivity/GNA granted to the Petitioners has not yet been made effective by CTUIL. As per CTUIL's own submission during the 33rd JCC Meeting, the connectivity / GNA is expected to become effective only from 31.5.2025. Thus, no prejudice will be caused to any stakeholder on permitting the Petitioners to retain the same until its effective utilisation is possible and allowing the additional time to commission its Project.

(e) Even as per the Second Amendment to the GNA Regulations, the commercial operation for the projects where connectivity has been converted from the LoA route to Land route, shall be either the start date of connectivity or six months from the date of conversion, whichever is later.

(f) The Petitioners have already invested substantial amount (~ Rs. 1500 crores) in establishing the Project, and in addition, the Petitioners have also paid the amount of Rs. 9.5 crores towards the compensation as directed by the Commission in its order dated 25.11.2024 in Petition No. 326/MP/2024.

(g) Pertinently, the Project has also been selected under the SECI's Tranche XVIII Solar tender and has been issued a Letter of Award (LoA) dated 9.1.2025 for supply of 300 MW power with the Scheduled Commencement of Supply Date of 30.6.2025. In terms of the said LoA, the Petitioners have also provided Insurance Surety Bond to the tune of Rs. 70.65 crores to SECI as Performance Bank Guarantee and Rs. 3.24 crores towards Success Charges.

(h) In the above background, the Petitioners are also pressing for the interim reliefs in the matters. The Petitioners are urging for interim directions upon CTUIL to keep the revocation of Petitioners' connectivity in abeyance and to allow the Petitioners to undertake the various activities such as (i) first-time charging, (ii) injection of infirm power, (iii) conducting trial run operation, and (iv) scheduling and declaration of commercial operation of its Project. If such reliefs are not allowed, the Petitioner will not only suffer from significant financial & operation losses, but the Project will also get stranded.

2. Learned counsel for the Respondent, CTUIL accepted the notice and sought liberty to file a reply in the matter. Learned counsel submitted that in terms of the order dated 25.11.2024 in Petition No.326/MP/2024, the Petitioners were granted the time till 21.4.2025 to achieve the commissioning of their Project and since the Petitioners having failed to do so, CTUIL has revoked the connectivity granted to the Petitioners and pursuant to such revocation, CTUIL has also proceeded to invoke the Bank Guarantees submitted by the Petitioners. Learned counsel further submitted that the Petitioners' reliance on the Second Amendment to the GNA Regulations is misplaced as in this case, the Petitioners were allowed the extended timeline till 21.4.2025 to commission their Project as a special dispensation and hence, CTUIL's action of revocation of connectivity on account of the Petitioners' failure to achieve the commissioning of their Project by the said timeline is as per the order dated 25.11.2024.

3. In response, learned senior counsel for the Petitioners submitted that the Petitioners' connectivity/GNA being yet to be made effective, CTUIL ought not be permitted to proceed with the invocation of the Bank Guarantee furnished by the Petitioners.

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

(a) Admit subject to just exceptions.

(b) The Respondent, CTUIL to file its replies/submissions within a week with a copy to the Petitioners, who may file their rejoinder, if any, within a week thereafter.

(c) In the meantime, having regard to the status of the Project, the revocation of the connectivity of the Petitioners shall be kept in abeyance and the Petitioners shall be permitted to carry out the various commissioning activities including First Time Charging and Trial Run Operation in respect of their Project till the next date of hearing.

5. The Petition will be listed for hearing on **15.5.2025**.

By order of the Commission

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