

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.353/MP/2025

Coram:

**Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon**

Date of Order: 30.06.2025

In the Matter Of:

Petition under Section 79 (1) (c) of the Electricity Act 2003 read with Regulation 41 and 42 of Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 for seeking relaxation of the date of 30.09.2024 which is stipulated under Regulation 19.2 of the said GNA Regulations for submission of the application for additional GNA for the financial year 2025-26, 2026-27 and 2027-28.

AND

In the Matter Of:

- 1) Odisha Power Transmission Corporation Limited (OPTCL),**
Janpath, Bhubaneswar-751007, Odisha. **..... Petitioner**

Versus

- 1) Central Transmission Utility of India Limited**
Floors No. 5-10, Tower 1, Plot No. 16,
IRCON International Tower, Institutional Area,
Sector 32, Gurugram, Haryana – 122001
- 2) GRIDCO Limited,**
Janpath, Bhubaneswar - 751022. **.....Respondent(s)**



Parties Present:

Mr. Sandeep Kumar Mahapatra, Advocate, OPTCL

Mr. Tribhuvan, Advocate, OPTCL

ORDER

The instant Petition is filed under Section 79 (1) (c) of the Electricity Act 2003 (hereinafter referred to as “the Act”) read with Regulation 41 and 42 of Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 (herein after referred to as the “GNA Regulations”) for seeking relaxation of the date of 30.09.2024 which is stipulated under Regulation 19.2 of the said GNA Regulations for submission of the application for additional GNA for the financial year 2025-26, 2026-27 and 2027-28.

2. The Petitioner has made the following prayers:

a) Allow the present petition

b) Grant relaxation in the Date of 30.09.2024 which is stipulated under Regulation 19.2 of the CERC (Connectivity and General Network Access to the inter-state Transmission System) Regulations, 2022 for submission of the application for additional GNA for the financial year 2025-26, 2026-27 and 2027-28 under Regulations 41 & 42 of the (Connectivity and General Network Access to the inter-state Transmission System) Regulations, 2022.

c) Direct CTUIL the nodal Agency for connectivity and GNA to consider and accept the additional GNA application of OPTCL in terms of Regulation 19.2 of CERC (Connectivity and General Network Access to the inter-state Transmission System) Regulations, 2022 for 130 MW to be effective during the period FY -25-26;

d) Pass such other order/s, as this Commission deems just and proper in the facts and circumstances of the case.

Submissions of the Petitioner**3. The Petitioner vide Petition dated 01.03.2025 has made the following submissions:**

- a) GRIDCO Ltd vide email dated 28.09.2024 and letter dated 30.9.2024, requested the Petitioner to apply for additional GNA of 130 MW for FY 2025-26, FY 2026-27, and FY 2028-29.
- b) Even though the request was made by GRDICO on 30.09.2024, in terms of Regulation 19.2 of the GNA Regulations, OPTCL attempted to apply for additional GNA for the financial year 2025-26, 2026-27 and 2027-28 in the National Single Window System (NSWS portal) on the very same day. However, on account of the last-minute request, certain compliances could not be fulfilled



, leading to the attempt not attaining fruition. It is pertinent to mention that while making the aforesaid attempt, to apply for additional GNA, OPTCL verily understood that its existing board resolution, authorizing its Company Secretary or a delegation to another officer by the Company Secretary, would suffice for the purpose of GNA under Regulation 19.2 of the GNA Regulations. However, due to the application not being accepted/filed, OPTCL deemed it proper to consult CTUIL in this respect, and OPTCL was advised to pass a new board resolution authorizing its official to apply for additional GNA.

- c) Soon after receiving clarification from the officials of CTUIL, the process of passing a new board resolution authorizing Sr. GM, RT&C, OPTCL, to apply for additional GNA was initiated on 24.10.2024. The post of CMD, OPTCL was vacant from 27.08.2024 to 10.11.2024. On 10.11.2024, an appointment was made to the post of CMD, OPTCL, and after completing all internal formalities, the agenda for board resolution was placed in the board meeting on 04.12.2024, and then on 20.12.2024, it was decided to authorize Sr. GM (RT&C), OPTCL, to apply for additional GNA. Thereafter, as per the requirement, OPTCL applied for a digital signature certificate of Sr. GM (RT&C) on 30.12.2024 after obtaining approval from its finance wing through SSA Future Info Service Pvt. Ltd., which issued the digital signature in favour of Sr. GM (RT&C) on 22.01.2025.
- d) In view of the foregoing, the present Petition is being filed before this Commission, seeking appropriate direction to CTUIL for allowing OPTCL to apply additional GNA of 130 MW for FY- 2025-26 and approve the same. In the event that such directions are not issued, GRIDCO will be forced to manage the requirement of additional GNA through T-GNA, though it requires power round the clock, which would entail higher inter-state transmission charges, leading to a situation where the consumers of the State are saddled with such an avoidable situation.
- e) Regulation 41 Power to Relax of the GNA Regulations, 2022 as also Regulation 42 Power to Remove Difficulty of the GNA Regulations, 2022 vests this Commission with the power and judicial discretion to address situation like the present one where the Petitioner despite making efforts was not able to apply

for additional GNA, as detailed above. It is submitted that this Commission, vide order dated 11.01.2025 in Petition No. 434/MP/2024, has already passed appropriate orders for the relaxation of applying for additional GNA. It is submitted that in view thereof, the deadline of 30.09.2024 could be relaxed in appropriate case/s and is not inflexible. It is reiterated that although OPTCL had taken steps to do the needful in a timely manner, on account of genuine difficulties, as detailed in the foregoing paragraphs, the same did not fructify.

- a) In view of the above, the Petitioner is filing the present petition for direction to CTUIL to accept its additional GNA application for FY 2025-26.

Hearing dated 24.06.2025

4. During the hearing, Petitioner submitted that he is seeking direction to CTUIL for allowing OPTCL to apply additional GNA for FY 25-26 after expiry of last date of 30th September 2024 under the GNA Regulations since OPTCL had taken steps to do the needful in a timely manner, however, on account of genuine difficulties, the same did not fructify. Petitioner also submitted that this Commission, in a similar matter in Petition No. 434/MP/2024, has earlier given such relaxation. After hearing the submissions of the Petitioner, the Commission reserved the matter for order.

Analysis and Decision

5. We have considered the submission made by the petitioner and the facts available on the record.
6. The Petitioner has submitted that GRIDCO Limited, vide email and letter dated 28.09.2024 and 30.09.2024 respectively, requested OPTCL, a STU in Odisha State, to apply for an additional GNA quantum of 130 MW from April 2025 onwards under Regulation 19.2 of the 2022 GNA Regulations. However, OPTCL was not able to apply for the additional GNA as the last date for such applications, as per the GNA Regulations, was 30.09.2024, and there were some procedural issues within OPTCL. The Petitioner has therefore approached this Commission to remove regulatory difficulties and relax the GNA Regulations. Furthermore, the Petitioner seeks directions from this Commission to the Nodal Agency (CTUIL) to accept and consider an additional GNA of 130 MW effective from FY 2025-26 till FY 2027-28. In this connection, the Petitioner has placed on record the order of this Commission, dated 11.01.2025, in Petition No. 434/MP/2024, wherein appropriate orders were

issued for the relaxation of time in applying for additional GNA, and accordingly, the deadline of 30th September was relaxed.

7. We have considered the submission of the Petitioner. The issue that arises for our consideration is as follows:

Whether STU can be granted relaxation of the last date of 30.9.2024 for making an application to CTU for additional GNA quantum starting in the years 2025-26, 2026-27, and 2027-28?

This issue is discussed in subsequent paragraphs.

8. Regulation 19.2 of the GNA Regulations, 2022 provides as herein below:

“

19. Application for Grant of additional GNA by STU:

..

*19.2 STU, on behalf of intra-State entities including distribution licensees, may apply, once in a financial year (starting from the financial year following the financial year in which these regulations have become effective) by the month of **September each year**, for additional GNA for the next 3 (three) financial years (with entity-wise segregation) indicating GNA within the region and from outside the region, as stipulated in the 'Detailed Procedure for Connectivity and GNA', issued in accordance with Regulation 39.1:*

Provided that such additional GNA quantum to be added in each of the next three financial years shall be applicable from a specified date of the respective financial year.”

As mentioned above, the State Transmission Utility (STU) is permitted to apply once every financial year, by September, for additional General Network Access (GNA) for the subsequent three financial years.

9. We observe that GRIDCO requested OPTCL (Orissa STU) to apply for additional GNA for the next three financial years on 28.9.24 and 30.9.2024, whereas the last date to make an application was 30.9.2024. We observe that GRIDCO should have been more prudent in approaching the STU in a timely manner. However, we also note that the responsibility for preparing the GNA Application by the STU has been introduced vide the GNA Regulations, and OPTCL was making the application for the first time; accordingly, we find it appropriate to allow relaxation of the stipulated deadline of 30.09.2024 as a one-time measure. We thus invoke our powers to relax as per the relevant provisions for the purpose of removing operational difficulties. Regulation 41 of the GNA Regulations vests the Commission with the power to relax any of the

provisions of the GNA Regulations to remove the hardship in the operation of the GNA Regulations. Regulation 41 of the GNA Regulations is extracted as under:

“41. Power to Relax

The Central Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an affected party to remove the hardship arising out of the operation of these regulations.”

Further, Regulation 42 of the GNA Regulations vests the Commission with the power to remove difficulties under certain circumstances. Regulation 42 of the GNA Regulations is extracted as under:

“42. Power to Remove Difficulty *If any difficulty arises in giving effect to the provisions of these regulations, the Central Commission may, on its own motion or on an application made before it by affected party by order, make such provision not inconsistent with the provisions of the Act or provisions of other regulations specified by the Central Commission, as may appear to be necessary for removing the difficulty in giving effect to the objectives of these regulations.”*

10. Considering the above, we allow the Petitioner’s prayer to apply by way of a fresh application for additional GNA to be added in the financial years 2025-26, 2026-27, and 2027-28, under Regulation 19.2 of the GNA Regulations. Petitioner is directed to file such application within one month of the issue of this Order. CTUIL shall process this application within one month of the Petitioner’s submission of the application.

11. Petition No 353/MP/2025, along with, is disposed of in terms of the above.

**Sd/
(Ravinder Singh Dhillon)**

Member

**Sd/
(Harish Dudani)**

Member

**Sd/
(Ramesh Babu V)**

Member

**Sd/
(Jishnu Barua)**

Chairperson

