CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 169/MP/2026

Coram:
Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V, Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Date of Order: 1st November, 2026

In the matter of:

Petition under Sections 79(1)(c) and 79(1)(k) of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking extension of Scheduled Commercial Operation Date for 198 MW Wind Project in Karur District, Tamil Nadu for the purpose of extension in waiver from payment of Inter-State Transmission System Charges under Regulation 13(2)(h)(ii) of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Fourth Amendment) Regulations, 2025 read with the Office Order dated 30.07.2025, Committee's Report's dated 26.11.2025 and 11.03.2026 and Addendum dated 14.01.2026 issued by this Hon'ble Commission.

And in the matter of:

Tata Power Renewable Energy Limited
Corporate Center B, 34 Sant Tukaram Road,
Carnac Bunder, Mumbai, Maharashtra-400009

……Petitioner

Versus

Central Transmission Utility of India Limited,
Floors No. 5th - 10th, IRCON International Tower,
Tower 1, Plot No. 16, Institutional Area,
Sector 32, Gurugram, Haryana-122003

……Respondent

Parties Present: Shri Venkatesh, Advocate, TPREL
Shri Suhael Buttan, Advocate, TPREL
Ms. Punyam Bhutani, Advocate, TPREL
Shri Nikunj Bhatnagar, Advocate, TPREL
Ms. Pallavi Saigal, Advocate, CTUIL

Ms. Kaavya Madaan, Advocate, CTUIL
Shri Shubham Arya, Advocate, CTUIL

ORDER

The Tata Power Renewable Energy Limited (hereinafter referred to as the "Petitioner/ TPREL") has filed the present Petition seeking extension of Scheduled Commercial Operation Date (SCOD) and consequent waiver from payment of ISTS Charges under Regulation 13(2)(h)(ii) of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (hereinafter referred to as the "2020 Sharing Regulations"). The Petitioner has made the following Prayers:

(a) Allow the present Petition;

(b) Hold and declare that the SCOD of the Petitioner's 198 MW Wind Project at Karur shall stand extended and treated as 04.02.2026, in terms of Regulation 13(2)(h)(ii) of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (as amended), read with the Office Order dated 30.07.2025 and the Addendum dated 14.01.2026, the delay being solely attributable to non-readiness of the CTS and not to the Petitioner;

(c) Consequently, hold and declare that the Petitioner's Project is entitled to continuation of full waiver from payment of ISTS charges in terms of Regulation 13(2)(h)(ii) of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (as amended), read with the Office Order dated 30.07.2025 issued by this Hon'ble Commission up to 04.02.2026, i.e., actual COD of the Project; and/or

(d) Pass such further order(s) and direction(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case.

Submissions of the Petitioner:

2. The Petitioner has mainly submitted as under:

(a) On 01.06.2023, Tata Steel Limited (TSL) issued a Letter of Award (LoA) to the Petitioner for procurement of power from 965.8 MW wind-solar hybrid power project on a long-term basis.

(b) The Petitioner has formed a subsidiary namely, TP Vardhaman Surya Limited (TPVSL), for setting up of 965.8 MW Wind and Solar Hybrid Projects under Captive route at various locations in India including the present Project.

(c) The Petitioner's project of 198 MW is being set up by TPVSL for supply of power to TSL as a captive user.

(d) On 07.09.2023, the Petitioner submitted an application under the 'Land BG Route' for

grant of connectivity for a quantum of 198 MW at Karur PS in Tamil Nadu. In the said Application, the commissioning date of the Project is 01.06.2025 and accordingly, the start date of connectivity was sought as 01.06.2025.

(e) On 06.11.2023, TPVSL executed a Power Delivery Agreement (PDA) for supply of power to TSL as a captive user. Under the PDA, the Project's SCOD is defined as 01.06.2025.

(f) CTUIL, vide letter dated 30.11.2023, granted in-principle connectivity for 198 MW to the Petitioner for its Project, with the start date of connectivity being 01.06.2025. The ISTS Network Expansion scheme (other than ATS) for the CTS included the Narendra - Pune D/c line, which had an SCOD of July 2024.

(g) CTUIL vide letter dated 15.05.2024 granted final connectivity to the Petitioner for 198 MW at Karur PS with the start date of connectivity as 01.06.2025.

(h) Despite timely planning and execution, the Project encountered multiple external impediments, none attributable to the Petitioner.

(i) On 25.09.2025, the 51st JCC Meeting for Generation & Transmission of the Southern Region was held, whereby TPREL was informed that the likely operationalization date for the Transmission System as 31.03.2026.

(j) On 29.09.2025, the Petitioner filed its application to the Committee constituted under Regulation 13(2)(h) of the 2020 Sharing Regulations, seeking recommendation for extension of SCOD and the consequent recommendation of extension of waiver from payment of ISTS charges for its 198 MW Wind project.

(k) On 16.10.2025 and 10.11.2025, Petitioner achieved partial COD of its Project for a capacity of 50.4 MW and 75.6 MW respectively aggregating to 126 MW, despite persistence of constraints relating to evacuation infrastructure and RoW issues.

(l) The Committee, by way of its Report dated 26.11.2025, recommended a first six month extension for a period of six (6) months from 01.06.2025 or till commissioning of CTS, whichever is earlier, to maintain eligibility for ISTS charges waiver.

(m) Petitioner achieved COD for the balance capacity of the Project on 05.12.2025 (28.8 MW), 19.12.2025 (32.4 MW), and 02.02.2026 (10.8 MW) aggregating to 72 MW. With the achievement of the aforesaid milestones, the Project's entire 198 MW capacity was

commissioned and commercially operational.

(n) On 23.02.2026, the Petitioner issued a communication to the Committee and apprised the Committee that COD had been achieved for the balance capacity of 72 MW, thereby completing Commercial Operation of the entire 198 MW capacity of the Project. The Petitioner requested the Committee to extend the benefit of SCOD to the balance 72 MW capacity as well, on the same equitable and regulatory considerations recorded in the Committee's Report dated 26.11.2025.

(o) Subsequently, the Committee, by way of its Report dated 11.03.2026, examined the continued non-availability of the CTS, the achievement of full COD of 198 MW on 04.02.2026, and the applicable regulatory framework under Regulation 13(2)(h) of the 2020 Sharing Regulations. The Committee recommended that the SCOD of the Project be treated as 04.02.2026 for the purpose of determining eligibility for waiver of ISTS charges.

(p) As per the findings and recommendations of the Committee, it is evident that the Committee has, upon due examination and prudence check, categorically concluded that the delay was solely on account of continued non-availability of the CTS and ROW-related litigation, both of which were beyond the control of the Petitioner.

(q) The Petitioner has approached this Commission in terms of the Addendum dated 14.01.2026 issued by this Commission seeking extension of SCOD for 198 MW Wind connectivity for the purpose of extension in waiver from payment of ISTS Charges.

Hearing dated 30.04.2026

3. The Commission admitted the Petition and directed CTUIL to file its reply, including the status of the transmission system required for the effectiveness of the GNA granted to the Petitioner.

Hearing dated 29.06.2026

4. The learned counsel for the Petitioner submitted that the Reports of the Committee and the recommendations therein may be considered, and the matter may be reserved for order. Further, at the request of learned counsel for CTUIL, the Commission permitted CTUIL to file its compliance affidavit within a week. Subject to the above, the matter was reserved for Order.

Submissions of CTUIL in Compliance with the RoP for hearing dated 29.06.2026:

CTUIL, vide affidavit dated 07.07.2026, submitted the anticipated CoD of the transmission systems required for the effectiveness of the GNA granted to the Petitioner, based on the records maintained by CTUIL and the Minutes of the 53rd JCC Meeting of the Southern Region held on 16.03.2026, as 30.6.2026.

Analysis and Decision:

5. We have considered the submissions of the Petitioner and the Respondent, and the documents placed on the record. The following issue arises for our consideration:

Issue 1: Whether the Petitioner's project is eligible for extension in SCOD and is entitled to a 100% waiver of Inter-State Transmission System charges as if the project had achieved COD on or before 30.06.2025, under Regulation 13(2)(h) of the 2020 Sharing Regulations?

6. The above issue is dealt with in subsequent paragraphs.

7. The Petitioner has submitted that the Petitioner's 198 MW Wind Project having connectivity at Karur PS was planned to be commissioned by 01.06.2025, which was the start date of connectivity communicated under the final grant of connectivity. The delay in achieving COD is due to non-operationalisation of GNA because the Common Transmission System required for the effectiveness of GNA was not ready and therefore squarely falls within the scope of relief contemplated under Regulation 13(2)(h) of the 2020 Sharing Regulations. On 29.09.2025, the Petitioner filed its application with the Committee seeking recommendation for extension of SCOD and the consequent recommendation of extension of waiver from payment of ISTS charges for its 198 MW Wind project at Karur PS. The Committee, vide its Report dated 26.11.2025, recommended a first extension for a period of six months or till commissioning of CTS, whichever is earlier. After the Project's COD on 02.02.2026, the Petitioner submitted another representation on 23.02.2026 to the Committee seeking an additional extension. On 11.03.2026, the Committee, vide its Report, recommended a 2nd extension of the SCOD of the 198 MW Wind Project till 04.02.2026.

8. The Petitioner has filed the present Petition seeking extension of SCOD until 04.02.2026, for the purpose of waiver of inter-State transmission charges for its 198 MW Wind Project as recommended by the Committee.

9. The relevant extracts of the Committee's Report dated 26.11.2025 are as under:

"7.2 Recommendation:

The Committee recommends that extension of SCOD of the 198 MW Wind Power Project of TPREL be granted for a period of six (6) months from 01.06.2025 or till commissioning of CTS, whichever is earlier, to maintain eligibility for ISTS charges waiver.

Any further extension, if required, may be considered in accordance with Regulation 13(2)(h) and the CERC Office Order dated 30.07.2025."

10. The relevant extracts of the Committee's report dated 11.03.2026 are as under:

"..

5.2TPREL's achievement of full COD on 02.02.2026 confirms that the developer progressed the project diligently and is ready to inject as soon as CTS is available.

5.3 TPREL has requested that, for the purposes of ISTS-waiver eligibility, SCOD for the project be treated as 04.02.2026 (i.e., two days after the declared COD of 02.02.2026) in line with the Indian Electricity Grid Code allowance commonly applied to account for final formalities around COD. The Committee considers this request practical and reasonable.

5.3 The Committee recommends that SCOD for the TPREL 198 MW Karur project may be considered as 04.02.2026 (i.e., COD of 02.02.2026 plus two days as per Grid Code practice), for the purpose of determining eligibility for waiver of ISTS charges under Regulation 13(2)(h).

5.4 The present recommendation is within the second six-month window measured from original SCOD (i.e., well within the period permitted under the Commission's Office Order dated 30.07.2025)."

As per the above, the Committee has recommended considering the SCOD of the 198 MW wind project of the Petitioner as 04.02.2026, for the purpose of determining eligibility for waiver of ISTS charges under Regulation 13(2)(h) of the 2020 Sharing Regulations.

11. Regulation 13(2)(h) of the 2020 Sharing Regulations provides as under:

"(h) Any REGS based on wind or solar source or RHGS based on combination of wind and solar source or Battery ESS which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commercial operation (SCOD) on or before 30th June 2025 is granted extension of time to achieve commercial operation date (COD) on account of any Force Majeure event including non-availability of transmission system or for reasons not attributable to the REGS, and the project achieves COD on or before the extended date, it shall be eligible for a waiver of inter-state transmission charges as if the said REGS had achieved COD on 30.6.2025. Such extension to achieve SCOD for the purpose of this Regulation shall not exceed a period of six months at a time and not more than two times, where the extension provided is for a period beyond 30.06.2025. Such extension shall be granted by:

(i) Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of a distribution licensee or MNRE as per the competent authority in terms of the Power Purchase Agreements, where PPA has been entered into consequent to tariff based competitive bidding, under Section 63 of the Act;

(ii) Commission based on recommendations of Committee to be appointed by the Commission, for cases other than covered in sub-clause (i) of this Clause. For the purpose

of seeking such extension, the concerned generation project or ESS shall file an application to the Committee as notified through a separate Order by the Commission."

As per the above, the following three conditions are to be met by a RE generator to get extension in SCOD and consequent extension in waiver:

Condition-1: RE generation project has its scheduled date of commercial operation (SCOD) on or before 30th June 2025.

Condition-2: There is a delay in project CoD on account of any Force Majeure event, including non-availability of the transmission system, or for reasons not attributable to the REGS.

Condition-3: RE generation project has achieved COD on or before the extended date.

It is further provided that the extension to achieve SCOD under Regulation 13(2)(h) shall not exceed six months at a time and not more than two times.

12. The Committee has concluded that the SCOD of the Petitioner TPREL's 198 MW Wind Project was 01.06.2025, i.e., before 30.06.2025. Committee, finding the project eligible, recommended extending the SCOD of the Petitioner's project till 04.02.2026, and the Petitioner achieved COD on 04.02.2026.

13. In view of the above discussions, we are of the considered view that the Petitioner's 198 MW wind project shall be eligible for waiver of inter-state transmission charges, as if the project had achieved COD on or before 30.06.2025, in terms of Regulation 13(2)(h) of the 2020 Sharing Regulations.

14. The Petition No. 169/MP/2026 stands disposed of in terms of the above.

Sd/	Sd/	Sd/	Sd/
(Ravinder Singh Dhillon)	**(Harish Dudani)**	**(Ramesh Babu V)**	**(Jishnu Barua)**
Member	**Member**	**Member**	**Chairperson**