

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 191/MP/2026 along with IA No. 67/2026

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 read with the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 together with subsequent amendments thereto and the Procedure for Grant of Temporary General Network Access (TGNA) to the inter-State Transmission System through National Open Access Registry (NOAR), seeking setting aside of the untenable and unwarranted conditions placed by TP Central Odisha Distribution Limited on the grant of NoC to Jindal Steel Limited for onward supply of power on the ISTS and against obstruction to grant of open access/ standing clearance for short-term power trading by Jindal Steel Limited Angul plant.

Petitioner : Jindal Steel Limited (JSL)

Respondents : TP Central Odisha Distribution Limited (TPCODL) & Ors.

Date of Hearing : **30.4.2026**

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

Parties Present : Shri Buddy Ranganathan, Sr. Advocate, JSL
Shri Vishrov Mukherjee, Advocate, JSL
Shri Yashaswi Kant, Advocate, JSL
Ms. Priyanka Vats, Advocate, JSL
Shri Pranav Sood, Advocate, JSL
Ms. Pankhuri Gupta, Advocate, JSL

Record of Proceedings

Learned senior counsel for the Petitioner, JSL submitted that the present Petition has been filed under Section 79(1)(c) and 79(1)(f) of the Electricity Act read with GNA Regulations, 2022 and the Procedure for Grant of T-GNA to ISTS through National Open Access Registry (NOAR) for seeking grant of Open Access/ Standing Clearance under the National Open Access Registry (NOAR)/ Grant of Temporary General Network Access (T-GNA) framework for its Angul plant for the month of May 2026 and for future periods, in compliance with the applicable regulations and without being subjected to

extra-regulatory insistence on DISCOM's consent or conditional NOCs founded on issues wholly unrelated to open access eligibility, dues clearance, metering, communication, or grid security. Learned senior counsel, while pressing on the IA as well as the main Petition, mainly submitted as under:

(a) JSL owns and operates two captive generation facilities at Angul, Odisha (ACPP-I and ACPP-II) and participates in short-term exchange-based/open-access-based power trading through the framework governed by the GNA Regulations and the NOAR Procedure.

(b) As per Regulation 29.7(A)(ii) of the GNA Regulations, in the case of an intra-State entity, the relevant statutory checkpoint for access into the inter-State short-term regime is the grant of Standing Clearance by the concerned SLDC. The purpose of such Standing Clearance is narrow and technical: namely, to confirm the existence of (i) the necessary infrastructure for time-block-wise energy metering and accounting, (ii) the appropriate communication system, and (iii) availability of transmission capacity in the intra-State network.

(c) Regulation 31.3 of the GNA Regulations provides that the refusal of Standing Clearance is permissible only in two specific and limited circumstances: (i) non-existence of necessary infrastructure; or (ii) unavailability of surplus transmission capacity in the intra-State transmission network. In fact, Clause 6 of the NOAR procedure expressly provides that the applications for Standing Clearance shall be processed in accordance with Regulation 31 of the GNA Regulations.

(d) The GNA Regulations do not provide for consent/ NOC of distribution companies to be an independent substantive statutory condition for the grant of T-GNA. Thus, the distribution companies have no role to play in the grant of the standing clearance and cannot be involved in the matter expressly entrusted to SLDC under Regulation 29.7 (A)(ii) and Regulation 31 of the GNA Regulations.

(e) Vide email dated 31.3.2026, TPCODL has arbitrarily made the NOC conditional, subject to the compliance with the following two, entirely unconnected, conditions by the end of April 2026: (i) execution of the pending agreements for providing a new connection of 20 MVA to JSOL (which pertinently is not required by JSOL); and (ii) arrangement of emergency power supply for ACPP-II.

(f) CEA vide clarification dated 10.04.2026, has categorically clarified that ACPP-I, ACPP-II, the Petitioner's load and JSOL's load can collectively be treated as a Captive Generating Plant. CEA has further clarified that, in such a configuration, no separate metering or connectivity at JSOL's end is warranted, and that the system can be treated as one integrated captive complex. Further, it was also clarified that where ACPP-I, ACPP-II and the associated loads form part of an integrated captive generation complex, separate connectivity for start-up power for ACPP-II is not required.

(g) On 10.4.2026, the Respondent, Odisha SLDC, issued a Standing Clearance to the Petitioner for the month of May 2026, for an injection request of 700 MW and a drawal request of 300 MW on a 24-hour basis. Thereafter, JSL applied for the grant of Standing Clearance for the grant of T-GNA on the NOAR platform managed by the Respondent, Grid India. Vide email dated 13.4.2026, it was intimated to the Petitioner that a NOC from TPCODL would be mandatorily required for the grant of Standing Clearance.

(h) Vide mail dated 15.4.2026, JSL informed TPCODL that it has cleared all its dues pertaining to March 2026 and accordingly, requested TPCODL to issue NOC. However, TPCODL, vide email dated 28.4.2026, has again asked the Petitioner to comply with the requirements of NOC as already mentioned in the earlier communications.

(i) The *ad-interim ex-parte* directions may be issued to the Respondents to process, allow and give effect to the standing clearance dated 10.4.2026 for the month of May 2026 without insisting on consent from TPCODL as a precondition pending the disposal of the main matter. Otherwise, the Petitioner's right to participate in the short-term power market for May 2026 will be extinguished permanently once the trading window for that month closes.

2. After hearing the learned senior counsel for the Petitioner, the Commission directed as under:

- (a) Issue notice on IA as well as Petition on both counts, maintainability as well as merits;
- (b) The Respondents to file their replies to IA, if any, within three days, with a copy to the Petitioner, who may file its rejoinder, within 2 days thereafter.
- (c) The Respondents to file their replies to the Petition, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder, within two weeks thereafter.

3. The IA, along with the Petition, will be listed for the hearing on **6.5.2026**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)