

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 310/MP/2026 along with IA No. 107/2026

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 invoking this Commission's power to relax and seeking appropriate direction(s) to Central Transmission Utility of India Limited to grant non-solar hour access for 199 MW at Fatehgarh IV SS as sought by the Petitioner, instead of 166 MW as indicated in the Agenda for the 47th CMETS Meeting – NR.

Petitioner : AMPIN Energy Utility Nine Pvt. Ltd. (AEUNPL) & Anr.

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **7.7.2026**

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

Parties Present : Shri Vishrov Mukerjee, Advocate, AMPIN Energy

Record of Proceedings

Learned counsel for the Petitioners submitted that the present Petition has been filed seeking exercise of power to relax and remove difficulties under Regulations 41 and 42 of the GNA Regulations, to relax the applicability of Regulation 5.11(b) in determining the connectivity margins available at Fatehgarh-IV (Sec-I) PS, for non-solar hour access, against AMPIN Energy Green Private Limited's (AEGPL) connectivity of 300 MW. The learned counsel submitted that, in discharge of its statutory obligations, CTUIL published the details of available margins on 10.10.2025, indicating the availability of 199.5 MW out of the 300 MW connectivity granted to AMPIN Energy Green Private Limited (AEGPL) at Fatehgarh-IV Pooling Station, against which non-solar hour access could be availed. He submitted that, relying upon the said declaration issued by CTUIL, Petitioner No. 1 proceeded to apply for connectivity for a total quantum of 199 MW and the said application also formed the basis for Petitioner No. 1 to participate in the Request for Selection (RfS) for the "Selection of RE Power Developers for Assured Peak Supply of 4800 MWh (1200 MW × 4 Hours) from ISTS-connected RE Projects in India under Tariff-Based Competitive Bidding" (SECI FDRE VII Bid) issued by SECI, wherein the Petitioner has been declared the successful bidder and consequently, issued an Letter of Award on 10.2.2026. The learned counsel further submitted that on 14.5.2026, CTUIL issued the Agenda for the 47th CMETS-NR Meeting, wherein the margin made available at Fatehgarh-IV (Sec-I) PS was revised to 166 MW by placing reliance on the Second



Proviso to Regulation 5.11(b) of the GNA Regulations. The learned counsel submitted that the necessity of filing the present Petition has arisen on account of the arbitrary action of CTUIL in reducing the available capacity for non-solar hour access from 199.5 MW to 166 MW. The learned counsel also requested that since the timeline for various obligations under the LoA has already commenced, the Petition may be listed on an early date for further hearing.

2. In response to the specific query of the Commission on the maintainability of the Petition at this stage since Petitioner No.1 was merely an applicant for non-solar access capacity at Fatehgarh IV (Sec-I) PS and that no rights had accrued in its favour so far for such capacity, the learned counsel submitted that the Petition seeks to challenge CTUIL's action of reducing the available margin for non-solar hour access from 199.5 MW to 166 MW at the said PS and also invokes the Commission's Power to Relax and Power to Remove Difficulty under the GNA Regulations for allowing the non-solar hour access margin as 199.5 MW.

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

(a) Admit and issue notice to the Respondent, subject to just exception.

(b) The Respondent to file its reply, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.

4. The Petition, along with IA, will be listed for hearing on **18.8.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)