CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 557/MP/2026 along with IA Nos.184/2026, 186/2026 and 187/2026

Subject	:	Petition under Sections 79(1)(c) and 79(1)(k) of the Electricity Act, 2003 read with the applicable provisions of the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, as amended from time to time, and Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023, seeking appropriate directions to Central Transmission Utility of India Limited with respect to the consideration and processing of the Petitioners' Connectivity Application(s) under Regulation 5.11(a) of the GNA Regulations for grant of Connectivity during Non-Solar Hours, while preserving the original priority of the said Application(s), along with consequential reliefs.
Petitioners	:	ACME Solar Holdings Limited and Ors.
Respondent	:	Central Transmission Utility of India Limited
Date of Hearing	:	**16.10.2026**
Coram	:	Shri Jishnu Barua, Chairperson Shri Ramesh Babu V, Member Shri Harish Dudani, Member Shri Ravinder Singh Dhillon, Member
Parties Present	:	Shri Sajan Poovayya, Sr. Advocate, ACME Shri Palash Maheshwari, Advocate, ACME Ms. Shreya Singh, Advocate, ACME Shri Aniket Prasoon, Advocate, ACME Shri Aman Sheikh, Advocate, ACME Ms. Tanya Bajaj, Advocate, ACME Shri Amulya Jaiswal, Advocate, ACME Shri Swapnil Verma, CTUIL Shri Shreyshth Ramesh Sharma, Advocate, Enren-I Shri Akash Lamba, Advocate, Enren-I Shri Vedant Choudhary, Advocate, Enren-I Shri Nilesh, Advocate, Enren-I Shri Venkatesh, Advocate

Record of Proceedings

Learned senior counsel and learned counsel appearing for the Petitioners submitted that the present Petition has been filed *inter alia* seeking appropriate directions to the Respondent/CTUIL to consider and process the Petitioners' four (04) Applications for the grant of connectivity with Non-Solar-Hour access at Bikaner PS, Barmer-I, Fatehgarh-III (Sec-I) and Fatehgarh-IV (Sec-II) respectively, while preserving the original date and time

priority of the said applications. The learned senior counsel and learned counsel mainly submitted as under:

(a) The Petitioners had submitted their Applications on 19.11.2025, 24.12.2025, and 1.06.2026, based on the Non-Solar Hour margins declared by CTUIL. At the time of the submission of these Applications, the connectivity locations were stated as "Bikaner Complex", "Barmer, Rajasthan", "Fatehgarh-III" and "Fatehgarh-IV", respectively, whereas the corresponding sub-stations/ sections against which the Petitioners sought Non-Solar Hour Access were Bikaner PS, Barmer-I, Fatehgarh-III (Sec-I) and Fatehgarh-IV (Sec-II), respectively.

(b) CTUIL did not identify or communicate any issue/ deficiency regarding the aforesaid description of the substations/ sections within the period of ten (10) working days prescribed under Regulation 3.5 of the GNA Regulations. CTUIL raised the issue of the precise constituent sub-station/ section at a much later stage, only after the Applications had remained pending for substantial periods. Upon CTUIL seeking such clarification, the Petitioners furnished the requisite particulars either on the same day or on the immediately succeeding day.

(c) Further, in case of Petitioner No.3/ASPPL's connectivity at Bikaner PS, CTUIL, upon taking into account such clarification, proposed the grant of connectivity at Bikaner PS in the Agenda for the 48th CMETS-NR issued on 22.08.2026. However, during the 48th CMETS-NR held on 25.08.2026, one developer raised an objection arguing that ASPPL had originally specified "Bikaner Complex" instead of Bikaner PS. Accordingly, CTUIL informed that it would discuss it internally and inform the decision in its Minutes. CTUIL had also sought similar clarifications from Petitioner No.1/ASHL and Petitioner No.2 AVUPL, which were furnished on the immediately succeeding day.

(d) However, in the Agenda for the 49th CMETS-NR issued on 17.09.2026, CTUIL neither recorded nor considered the aforesaid clarifications furnished by AVUPL and ASHPL and proceeded solely on the basis of the description contained in the original Applications. CTUIL proposed that the said Applications could not be processed because the precise substations/ sections where CTUIL had declared margins had not been identified at the time of filing the Applications.

(e) Subsequently, during the 49th CMETS-NR held on 21.09.2026, while the Petitioners' Applications were not taken forward, CTUIL proceeded to consider and propose the grant of Connectivity to the applicants whose applications had been submitted subsequently at the concerned substations. Since the available Non-Solar Hour margins are finite and inter-se priority amongst competing applications is linked to the date and time of receipt of the applications, further allocations of such margins to subsequent applicants directly affect the priority attached to the Petitioners' Applications

(f) Since CERC was not sitting until 29.9.2026, the Petitioners, being aggrieved by CTUIL's aforesaid action, were constrained to approach the Hon'ble High Court of Delhi by way of WP (C) No. 14148 of 2026. By order dated 24.09.2026, the Hon'ble High Court disposed of the Writ Petition upon recording CTUIL's submissions that it will not give effect to the decision taken by it during the above-mentioned CMETS-NR meetings for the said substations and Applications mentioned herein until the issue is considered by this Commission, while granting liberty to the Petitioners to approach this Commission.

(g) In the above circumstances, the Petitioners are also pressing for an interim direction to CTUIL not to take any steps towards creating third-party rights and/or making any further third-party allocation of the Non-Solar Hour margins at the concerned sub-

stations/ sections to the extent such allocation would prejudice the consideration and proceedings of the Petitioners' Applications in accordance with their original date and time priority.

(h) Significantly, CTUIL itself had failed to comply with the timeline prescribed in Regulation 3.5 of the GNA Regulations, which required it to communicate any deficiency identified in an application within ten (10) working days from the date of receipt thereof, whereafter the applicant is afforded seven (7) working days to rectify the same. The alleged deficiency was, at best, a minor deficiency and could not be treated as fatal to the Petitioners' Applications. The List of Minor and Major Deficiencies published by CTUIL explicitly categorises "*missing mandatory details which are required to be filled in the application"* as a minor deficiency for which CTUIL is required to revert the application for rectification. Notwithstanding the above, even if CTUIL considered the substation description a major incurable defect, it still required to communicate that position within the prescribed time. Had CTUIL done so, the Petitioners could have filed the fresh applications much earlier, and those applications would still have secured date and time stamps ahead of any third party.

2. The representative of the Respondent/CTUIL, while accepting notice, sought time to file a reply. The representative submitted that since the matter involves several intricate aspects, CTUIL had stated before the Hon'ble Delhi High Court that the decision taken in the 49th CMETS-NR shall not be given effect to till the Petitioners approach the Commission and an interim order is passed therein. The representative further submitted that the Petitioners' attempt to evaluate the Applications solely against the stipulations of Regulation 3.5 of the GNA Regulations and the List of Minor and Major Deficiencies published by it may not be appropriate, as they are general provisions applicable for new and/or main applications. In the present case, the Applications were for Non-Solar Hours connectivity under Regulation 4.5(a) of the GNA Regulations, which were required to be made against the specific substations identified by CTUIL.

3. The learned counsel appearing on behalf of the Intervenors, Juniper Green Energy Limited and Enren-I Energy Private Limited, submitted that the Intervenors have filed IA Nos. 186/2026 and 187/2026, respectively, seeking their impleadment as Respondents in the present case. The learned counsel submitted that the Intervenors are the applicants next in line at Barmer-I PS for the available margin therein. Consequently, any directions allowing the Petitioners' (AVUPL's) applications at Barmer I PS with original time stamp would necessarily and directly extinguish the proposed grant in favour of Intervenors. Opposing the Petitioners' request for interim directions, learned counsel submitted that an application under Regulation 4.5(a) of the GNA Regulations lies only "on the sub-stations identified under Annexure-IV" and applications made by the Petitioners without identifying such sub-stations cannot be treated as applications thereunder. The learned counsel added that the Petitioners' Applications seeking a significant quantum of capacity by merely specifying "Barmer, Rajasthan" were nothing but an attempt to squat on the connectivity margins of every sub-station in the district or complex.

4. After hearing the learned counsel and representatives of the parties, the Commission directed as under:

(a) Admit subject to just exceptions.

(b) The Respondent/CTUIL to file its reply to the Petition and IA No. 184/2026, if any, within two weeks with a copy to the Petitioners, who may file their rejoinders, if any, within four days thereafter.

(c) Issue notice on IA Nos. 186/2026 and 187/2026. The Petitioners to file their replies, if any, within two weeks with a copy to Intervenors, who may file their rejoinders, if any, within two weeks thereafter.

(d) In the meantime, the parties will maintain the status quo till the next date of hearing in terms of the Hon'ble High Court of Delhi.

5. The Petition, along with IAs, will be listed for hearing on **8.12.2026.**

By order of the Commission

sd/-
(T.D. Pant)
Joint Chief (Law)