

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No.97/2026 along with IA (Diary) No. 98/2026

Subject : Petition under Section 79(1)(c) and Section 79(1)(f) of the Electricity Act, 2003 read with Regulation 70(2) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 in furtherance of the Order dated 30.4.2024 passed by this Commission in Petition No. 114/MP/2023 and Order dated 30.9.2024 passed in Review Petition No. 20/RP/2024.

Petitioner : Soltown Infra Private Limited (SIPL)

Respondent : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **19.2.2026**

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

Parties Present : Shri Parinay Deep Shah, Advocate, SIPL
Shri Kartik Sharma, Advocate, SIPL
Ms. Shikha Ohri, Advocate, SIPL
Shri Harsh Dev Singh, Advocate, SIPL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed in furtherance of the Commission's order dated 30.4.2024 in Petition No. 114/MP/2023 and order dated 30.9.2024 in Petition No. 20/RP/2024 and pertains to the dispute that emanates from the 675 MW Stage II connectivity granted to the Petitioner at Bikaner II ISTS sub-station. The learned counsel further submitted as under:

(a) On 15.5.2025, the Petitioner filed applications under Regulation 5.2 of the GNA Regulations seeking the addition of generation capacity within the sanction connectivity quantum, without any increase in connectivity or change in the point of interconnection. However, by letters dated 6.6.2025, CTUIL closed the said applications on the ground that, in view of the Blacklisting Letter dated 23.3.2023, any request for the additional capacity would amount to a fresh connectivity or access application, which could not be processed during the subsistence of the blacklisting.

(b) As per the Petitioner, CTUIL's action is inconsistent with the findings of the Commission recorded in the order dated 30.4.2024, wherein it was categorically held that the blacklisting does not extend to the Petitioner's pre-existing 675 MW connectivity and cannot retrospectively impair it.

(c) Subsequently, upon issuance of the Third Amendment to the GNA Regulations introducing the framework of solar and non-solar hour access, the Petitioner is in the process of submitting applications under Regulation 5.2, read with Regulations 5.11, seeking the addition of the generation capacity, including Energy Storage System (ESS), within its existing 675 MW Stage II connectivity. However, in view of CTUIL's earlier refusal to process similar applications by invoking the Blacklisting Letter dated 23.3.2023, the Petitioner has strong apprehension that the forthcoming applications may again be rejected on the same ground.



(d) As per the Petitioner, the proposed applications do not seek any enhancement of connectivity or a fresh grant of access. They arise as a direct consequence of the revised regulatory framework introduced by the Third Amendment, which provides for structured utilisation of connectivity, including injection during non-solar hours. These applications are confined entirely within the already sanctioned 675 MW connectivity and do not involve any change in the point of interconnection.

(e) Since the window for exercising the Right of First Refusal (RoFR) is expiring on 22.2.2026, the Petitioner has also moved the IA (Diary) No. 98/2026 seeking an ad-interim direction to CTUIL to register and process the Petitioner's proposed applications under Regulation 5.2 read with Regulation 5.11 of the GNA Regulations without treating the Blacklisting Letter dated 23.3.2023 as a bar to such processing and to restrain the CTUIL from treating its existing 675 MW Stage II connectivity at Bikaner II ISTS S/s as available for third-party utilisation or allocation of injection rights during non-solar hours, pending adjudication of the Petition.

(f) The Petitioner is also pressing for the interim reliefs prayed for in the IA. If CTUIL is permitted to treat the Petitioner's 675 MW connectivity at Bikaner II S/s as available for third-party utilisation or allocation of injection rights during non-solar hours, the Petitioner's ability to utilise its subsisting connectivity during the pendency of the present proceeding would be materially affected. The Petitioner also faces the risk of losing regulatory priority.

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

(a) Issue notice to the Respondent, CTUIL, on the main Petition as well as IA.

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

(c) As to the interim reliefs, the Commission noted that the Petitioner had not yet made any application(s) under Regulation 5.2 read with Regulation 5.11 of the GNA Regulations (as amended by Third Amendment), and its grievance is based on mere apprehension. The Petitioner firstly should have approached the CTUIL in accordance with the law. The Petitioner may approach CTUIL with appropriate application(s) in accordance with regulations within the stipulated period and thereafter in case the Petitioner is aggrieved by any action of CTUIL, it is at liberty to approach this Commission. Without any justiciable cause of action, the Commission did not find it appropriate to consider the ad-interim reliefs prayed for in IA.

(d) However, it is abundantly made clear that in case the Petitioner makes application(s) as aforesaid with CTUIL, the same shall be considered in accordance with law and nothing contained in this order shall be deemed to be an expression on the merits of the case.

3. The Petition will be listed for hearing on **24.03.2026**.

By order of the Commission

(T.D. Pant)
Joint Chief (Law)

