

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 216/MP/2024 along with 66/IA/2024, 242/MP/2024 along with
57/IA/2024 and 271/MP/2024**

Coram:

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

Date of Order: 28th April, 2026

Petition No. 216/MP/2024

In the Matter Of:

Petition under Section 79 of the Electricity Act, 2003, challenging the levy of Bills of Supply for Bilateral Charges raised by Central Transmission Utility of India Ltd., being contrary to the CERC (Sharing of Inter-State Transmission Charges and losses) Regulations, 2020 and CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022.

And In the Matter Of:

1. ReNew Solar Power Pvt. Ltd.

138, Ansal Chambers-II, Bhikaji Cama Place, Delhi- 110 066

2. ReNew Surya Aayan Pvt. Ltd.

138, Ansal Chambers-II, Bhikaji Cama Place, Delhi- 110 066

3. ReNew Surya Roshni Pvt. Ltd.

138, Ansal Chambers-II, Bhikaji Cama Place, Delhi- 110 066

4. ReNew Surya Vihaan Pvt. Ltd.

138, Ansal Chambers-II, Bhikaji Cama Place, Delhi- 110 066**Petitioner(s)**

Versus

1. Central Transmission Utility of India Limited

“Saudamini”, Plot No-2, Sector-29, Gurgaon, Haryana – 122001

2. Solar Energy Corporation of India Ltd.

6th Floor, Plate-B, NBCC Office Block Tower-2,
East Kidwai Nagar, New Delhi – 110023

3. Powergrid Ramgarh Transmission Ltd.

B-9 Qutab Institutional Area, Katwaria Sarai, New Delhi - 110016



4. Grid Controller of India Ltd.

B-9 (1st Floor), Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

..... Respondent (s)

Petition Number 242/MP/2024

In the Matter Of:

Petition under Sections 79 of the Electricity Act, 2003 seeking for quashing of the 3 Bills/ Invoices dated (i) 22.03.2024; (ii) 22.03.2024 and (iii) 02.04.2024 issued by the Central Transmission Utility of India Limited (CTUIL), cumulatively of Rs. 2,62,71,559/- and for a declaration that the Petitioner has no liability towards payment of transmission charges corresponding to its Long Term Open Access/ General Network Access Quantum of 600 MW.

And In the Matter Of:

1. Adani Renewable Energy Holding Seventeen Limited

(formerly known as Adani Renewable Energy Holding Seventeen Private Limited & SBE Renewables Seventeen Pvt. Ltd.)
C-105 Anand Niketan New Delhi -110021

2. Adani Solar Energy Barmer One Private Limited

(formerly known as SBE Renewables Twenty Three Projects Private Limited)
C-105 Anand Niketan New Delhi -110021

.....Petitioners

Versus

1. Central Transmission Utility of India Limited

Power Grid Corporation of India Limited

CTU-Planning (1st Floor-A Wing)
Saudamini, Plot No. – 2, Sector – 29, Near IFFCO Chowk Metro Station
Gurgaon, Haryana– 122 001

2. NHPC Limited

NPHC Office Complex, Sector – 33, Faridabad,
Haryana – 121003

3. Grid Controller of India Limited

B-9 (1st Floor), Qutab Institutional Area,
Katwaria Sarai, New Delhi -110016

4. `POWERGRID Ramgarh Transmission Limited

B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi – 110016

.....Respondent(s)

Petition 271/MP/2024

In the Matter Of:



Petition under Section 79(1) (c) and 79 (1) (f) of the Electricity Act, 2003 read with Regulation 65 of the CERC (Conduct of Business) Regulations, 2023.

And In the Matter Of:

Altra Xergi Power Private Limited

Corporate office at 8th Floor, DLF Square,
Jacaranda Marg, DLF Phase 2,
Sector 25, Gurugram, Shahpur, Haryana-122002

..... Petitioner

Versus

1. Central Transmission Utility of India Ltd.

First Floor, Saudamini, Plot No.2, Sector-29,
Near IFFCO Chowk Metro Station,
Gurgaon-122 001 Haryana

2. PowerGrid Ramgarh Transmission Limited

B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

3. Power Finance Corporation Consulting Limited

First Floor, Urja Nidhi, 1 Barakhamba Lane, Connaught Place
New Delhi-110 001

4. Grid Controller of India Limited (GRID-INDIA)

B-9 (1st Floor), Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

5. Northern Regional Load Despatch Centre

18-A, Shaheed Jeet Singh Sansanwal Marg
Katwaria Sarai, New Delhi-110016

.....Respondent(s)

Parties Present:

Shri Sanjay Sen, Sr. Advocate, AREHSL
Shri Hemant Singh, Advocate, AREHSL
Shri Lakshyajit Singh, Advocate, AREHSL
Ms. Neha M Dabral, Advocate, AREHSL
Shri Basava Prabhu Patil, Sr. Advocate, RSPPL
Shri Girik Bhalla, Advocate, RSPPL
Shri Vishrov Mukerjee, Advocate, RSPPL
Ms. Garima Adlakha, Advocate, RSPPL
Shri Venkatesh, Advocate, AXPPL
Shri Aashwyn Singh, Advocate, AXPPL
Ms. Manu Tiwari, Advocate, AXPPL
Ms. Ranjitha Ramachandran, Advocate, CTUIL
Ms. Shristi Khindaria, Advocate, CTUIL
Shri Aneesh Bajaj, Advocate, CTUIL
Shri Haribabu Vakada, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Shubham Arya, Advocate, PRTL



Ms. Reeha Singh, Advocate, PRTL
Shri Prashant Kumar, PRTL
Shri Gajendra Singh, NLDC & NRLDC
Ms. Himani Dutta, NLDC & NRLDC
Shri Prashant Garg, NLDC & NRLDC
Shri Ashok Rajan, NLDC & NRLDC
Ms. Priyanshi, NLDC & NRLDC

ORDER

Petition No. 216/MP/2024 pertaining to ReNew Solar Power Pvt. Ltd. (RSPPL), ReNew Surya Aayan Pvt. Ltd. (RSAPL), ReNew Surya Roshni Pvt. Ltd. (RSRPL) and ReNew Surya Vihaan Pvt. Ltd. (RSVPL) (hereinafter to be referred to as “Petitioners RSPPL, RSAPL, RSRPL and RSVPL”), Petition No. 242/MP/2024 pertaining to Adani Renewable Energy Holding Seventeen Limited (AREHSL) and Adani Solar Energy Barmer One Private Limited (ASEBOPL) (hereinafter to be referred to as “Petitioners AREHSL and ASEBOPL”) and Petition No. 271/MP/2024 pertaining to Altra Xergi Power Private Limited (hereinafter to be referred to as “AXPPL”) have been filed challenging the invoices raised by Central Transmission Utility of India Ltd. levying bilateral/ transmission charges under the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (hereinafter referred to as ‘2020 Sharing Regulations’).

2. The Petitioners RSPPL, RSAPL, RSRPL and RSVPL have made the following prayers in Petition No. 216/MP/2024:

- (a) *Set aside the Impugned Invoices dated 22.03.2024, 02.04.2024 and 01.05.2024 issued by CTUIL to the Petitioners levying Transmission / Bilateral Charges on the Petitioners.*
- (b) *Injunct CTUIL from taking any coercive and/or precipitative steps towards recovery of the transmission charges during pendency of the present petition.*
- (c) *Pass such other order or orders which are deemed fit and proper in the facts and circumstances of the case.*

3. The Petitioners AREHSL and ASEBOPL have made the following prayers in Petition No. 242/MP/2024:

- (a) *Quash/ Set aside the impugned bills/ invoices dated (i) 22.03.2024; (ii) 22.03.2024 and (iii) 02.04.2024 issued by the Central Transmission Utility of India Limited (CTUIL), cumulatively of Rs. 2,62,71,559/-, in terms as stated in the present petition;*
- (b) *Consequently, hold and declare that no form of transmission charges can be imposed upon the Petitioners, in terms as stated in the present petition; and*



- (c) *Pass any order and/ or any such orders as this Hon'ble Commission may deem appropriate.*
4. The Petitioner AXPPL has made the following prayers in Petition 271/MP/2024:
- (a) *Quash the Impugned Invoice dated 22.03.2024 for the Month of February 2024, Impugned Invoice dated 22.03.2024 for the month of March, 2024 and Impugned Invoice dated 02.04.2024 issued for the month of April, 2024 by CTUIL;*
 - (b) *Direct the CTUIL to not issue any coercive direction/ backdown/curtailment instructions to NRLDC with respect to the Petitioner's Project;*
 - (c) *Pass any further order(s)/direction(s) that this Hon'ble Court may deem fit in nature of the facts and circumstances of the present case.*
5. The Petitioners RSPPL, RSAPL, RSRPL and RSVPL have also filed an IA being No. 66/IA/2024 in Petition No. 216/MP/2024 and made the following prayers:
- (a) *Allow the present Application and urgently list and hear the Petition No. 216/MP/2024 on 08.08.2024 or at any earliest date convenient to this Hon'ble Commission;*
 - (b) *Direct the CTUIL to not take any coercive steps against the Petitioners, including but not limited to, issuance of directions for backdown / curtailment of power from the Petitioners' Project;*
 - (c) *Pass any such other order(s) as this Hon'ble Commission deems just in the facts and circumstances of the present case.*
6. The Petitioner AREHSL and ASEBOPL have also filed an IA, being No. 57/IA/2024, in Petition No. 242/MP/2024 and made the following prayers in 57/IA/2024:
- (a) *Allow and admit the present application;*
 - (b) *Stay the operation of the impugned bills as the same are against the extant regulations and the mandate of EA 2003;*
 - (c) *Direct the Respondent No. 1/ CTUIL to not issue any further invoices qua transmission charges till the pendency of the petition;*
 - (d) *Direct the Respondent No. 1/ CTUIL to not take coercive measures against the Applicants/ Petitioners, in any manner whatsoever, till the pendency of the petition; and*
 - (e) *Pass any order, as this Hon'ble Commission may deem fit and proper in the light of facts and circumstances of the instant case.*
7. The Commission vide RoP for hearing dated 13.08.2024 in Petition No. 216/MP/2024 along with IA No. 66/2024, directed that, CTUIL, is not to take any coercive steps against the Petitioners, including the issuance of directions for backdown/ curtailment of power from their projects, provided the Petitioners deposit an amount of Rs. 1 crore against such invoices within a week subject to the outcome of the present case.

8. The Commission vide RoP for hearing dated 08.11.2024 in Petition No. 242/MP/2024 along with IA No. 57/2024, directed that, the Petitioners will deposit an amount of Rs. 1 crore on a lump sum basis against the Bilateral Transmission charges invoices raised and subject to such payment, the CTUIL will not take any coercive measures against the Petitioners until further directions.
9. The issues raised in Petition No. 216/MP/2024, 242/MP/2024 and Petition No. 271/MP/2024 are identical. Hence, pleadings in Petition No. 216/MP/2024 are covered in detail, and additional submissions (apart from those already covered in Petition No. 216/MP/2024) in Petitions 242/MP/2024 and 271/MP/2024 are covered in brief. Analysis and decision are applicable to all three cases.

Submissions of Petitioners RSPPL, RSAPL, RSRPL and RSVPL, in Petition 216/MP/2024:

10. The Petitioners RSPPL, RSAPL, RSRPL and RSVPL have mainly submitted as under:
- (a) RSAPL, RSRPL and RSVPL are Special Purpose Vehicles incorporated by RSPPL, for developing and commissioning 300 MW Solar, 400 MW Hybrid (Solar + Storage) and 300 MW Solar Power Project located at Jaisalmer, Rajasthan, respectively.
- (b) Facts pertaining to the project of RSRPL are as under:
- (i) On 10.09.2020, PGCIL granted Stage-II connectivity to RSRPL for its 400 MW Hybrid Project at Fatehgarh-III PS. The Connectivity was to become effective from 01.08.2022 or the availability of the ISTS, whichever is later.
- (ii) On 30.07.2021, Central Transmission Utility of India Ltd. ("CTUIL") granted 400 MW Long Term Access to RSRPL from 31.12.2022 or commissioning of the ISTS as per the LTA grant, whichever is later.
- (iii) RSRPL on 20.08.2021 executed LTA Agreement with CTUIL for availing 400 MW Long Term Access to ISTS from RSRPL Project to its beneficiaries in Northern Region (200 MW), Eastern Region (100 MW) and Western Region (100 MW).
- (iv) On 01.05.2023, RSRPL wrote to CTUIL providing confirmation for the transition of connectivity & LTA granted to RSRPL into GNA in line with GNA Regulations 2022.
- (v) On 25.09.2023, CTUIL granted a deemed GNA to RSRPL under Regulation 37.3 of the GNA Regulations, 2022.

- (vi) On 22.03.2024, CTUIL issued Bills of Supply levying transmission charges on RSRPL for the month of December 2023 and January 2024 for Rs. 20.30 Lacs and 78.66 Lacs respectively.
 - (vii) On 25.03.2024, Grid Controller of India Ltd. ("GCIL") issued a notification levying transmission charges for the month of February 2024 on other ReNew entities, including RSRPL.
 - (viii) On 02.04.2024, CTUIL issued Bill of Supply levying transmission charges amounting to Rs. 73,58,909/- on RSRPL for the month of February 2024.
 - (ix) On 05.04.2024, RSRPL wrote to CTUIL requesting them to withdraw the Bill of Supply issued for the months of December 2023 to February 2024, levying bilateral/ transmission charges on RSRPL.
 - (x) SECI on 08.04.2024 issued a commissioning certificate to RSRPL for the 285 MW capacity of RSRPL's Project.
 - (xi) On 01.05.2024, CTUIL issued Bill of Supply levying transmission charges amounting to Rs. 78.66 Lacs on RSRPL for the month of March 2024.
- (c) Facts pertaining to the 200 MW project of RSVPL are as under:
- (i) On 03.08.2020, PGCIL granted Stage-II connectivity to RSVPL for 200 MW of its 300 MW RSVPL Project at Fatehgarh-III PS. The Connectivity was to become effective from 31.03.2022 or the availability of the ISTS, whichever is later.
 - (ii) On 03.08.2020, PGCIL granted Long Term Access to RSVPL for 200 MW of its 300 MW Solar Project at Fatehgarh-III PS, inter alia, stating that the LTA was to be granted from 31.03.2022 or commissioning of the ISTS as per the LTA.
 - (iii) On 27.08.2020, RSVPL executed a Long Term Access Agreement with system strengthening with PGCIL for availing 200 MW Long Term Access to ISTS for transmission of power from RSVPL's Project in Jaisalmer, Rajasthan, to its target beneficiaries in the Southern Region (200MW).
 - (iv) On 27.08.2020, RSVPL executed a Transmission Agreement for Connectivity with PGCIL with regard to the 200 MW proposed Solar Project.
 - (v) On 16.12.2020, PGCIL issued revised intimation for the grant of 200 MW LTA to RSVPL, revising the start date of LTA to 31.08.2022 or commissioning of ISTS for LTA, whichever is later.
 - (vi) On 16.06.2021, RSVPL executed the 1st Supplementary LTA with CTUIL, wherein it was stated that the start date of the LTA had been modified by CTUIL vide letter dated 03.08.2020. Accordingly, the start date of LTA shall be 31.08.2022 or commissioning of ISTS, whichever is later.

- (vii) On 10.08.2021, CTUIL issued revised intimation for the grant of 200 MW LTA to RSVPL, revising the start date of LTA to 30.11.2022 or commissioning of ISTS for LTA, whichever is later.
- (viii) On 01.05.2023, RSVPL wrote to CTUIL providing confirmation for the transition of connectivity & LTA granted to RSVPL into GNA in line with GNA Regulations 2022. Subsequently, on 25.09.2023, CTUIL granted Deemed GNA to RSVPL under Regulation 37.3 of the GNA Regulations, 2022.
- (ix) On 22.02.2024, GCIL issued a certificate to Renew Surya Pratap Pvt. Ltd. for the successful trial run of 175 MW out of 200 MW Solar Power Plant. Under proviso to Regulation 15.1 of the GNA Regulations 2022, a connectivity grantee may transfer its connectivity to its parent company, or vice versa. Accordingly, Renew Surya Pratap, being the wholly owned subsidiary of RSVPL, is using RSVPL's connectivity.
- (x) On 22.02.2024, Renew Surya Pratap issued '*Intimation of Commercial Operation Date*' for 175 MW of its 200 MW Solar Power Plant, specifying Commercial Operation Date ("COD") as 24.02.2024.
- (xi) On 18.03.2024, CTUIL wrote to RSVPL declaring COD of the last element of the associated transmission system with effect from 25.02.2024 and on 19.03.2024, CTUIL wrote to RSVPL stating that the deemed GNA/ connectivity granted to RSVPL is being made effective from 20.03.2024. In terms of the same, RSVPL shall be liable to bear all commercial and operational liabilities corresponding to the quantum of deemed GNA/connectivity made effective from 20.03.2024.
- (xii) On 22.03.2024, CTUIL issued Bills of Supply levying transmission charges on RSVPL for the month of December 2023 and January 2024 for Rs. 15.45 Lacs and 59.88 Lacs respectively.
- (xiii) On 31.03.2024, GCIL issued a certificate to Renew Surya Pratap for the successful trial run of 22 MW out of 200 MW and on 31.03.2024, Renew Surya Pratap issued an '*Intimation of Commercial Operation Date*' for RSVPL's Project specifying COD of 175 MW as 24.02.2024 and COD of 22 MW as 02.04.2024.
- (xiv) On 02.04.2024, CTUIL issued Bill of Supply levying transmission charges amounting to Rs. 56.02 Lacs on RSVPL for the month of February 2024.
- (xv) On 05.04.2024, RSVPL wrote to CTUIL requesting them to withdraw the Bill of Supply issued for the months of December 2023 to February 2024, levying bilateral/ transmission charges on RSVPL.
- (xvi) On 01.05.2024, CTUIL issued Bill of Supply levying transmission charges amounting to Rs. 24.95 Lacs on RSVPL for the month of March 2024.

(d) Facts pertaining to the 100 MW project of RSVPL are as under:

- (i) On 09.10.2020, PGCIL granted Stage-II connectivity to RSVPL for 100 MW of the RSVPL Project at Fatehgarh-III PS. The Connectivity was to become effective from 13.04.2022 or the availability of the ISTS, whichever is later.
- (ii) On 27.10.2020, PGCIL granted Long Term Access to RSVPL for its proposed 100 MW Solar Power Project at Jaisalmer, Rajasthan, *inter alia*, that the LTA was to be granted from 30.04.2022 or commissioning of the ISTS as per the LTA.
- (iii) On 29.10.2020, RSVPL and PGCIL executed a Transmission Service Agreement for Connectivity with regard to 100 MW of its 300 MW Solar Project.
- (iv) On 24.11.2020, RSVPL executed an LTA Agreement with PGCIL for availing 100 MW Long Term Access to ISTS for transmission of power from RSVPL's 300 Solar Project in Jaisalmer, Rajasthan, to its target beneficiaries in the Eastern Region (100 MW).
- (v) On 18.08.2021, CTUIL issued a letter to RSVPL *inter alia* stating that the start date of the LTA of 100 MW shall be 30.07.2022 or commissioning of ISTS, whichever is later.
- (vi) On 13.09.2021, RSVPL executed a Supplementary LTA with CTUIL wherein it was stated that the start date of the LTA has been modified by CTUIL vide letter dated 18.08.2021. Accordingly, the start date of LTA shall be 30.07.2022 or the commissioning of ISTS, whichever is later.
- (vii) On 27.03.2024, GCIL issued a certificate to RSVPL for the successful trial run of 48 MW and 50 MW out of 98 MW and on 29.03.2024, SECI issued a commissioning certificate to RSVPL for 98 MW capacity out of 100 MW capacity.
- (viii) On 29.03.2024, RSVPL issued '*Intimation of Commercial Operation Date*' for RSVPL's 98 MW Solar Power Project specifying Commercial Operation Date ("COD") as 31.03.2024.

(e) Facts pertaining to the 100 MW project of RSVPL are as under:

- (i) On 09.10.2020, PGCIL granted Stage-II connectivity to RSAPL's Project at Fatehgarh-III PS. The Connectivity was to become effective from 13.04.2022 or the availability of the ISTS, whichever is later.
- (ii) On 27.10.2020, PGCIL granted Long Term Access to RSAPL for its proposed 300 MW Solar Power Project at Jaisalmer, Rajasthan. LTA was to be granted from 30.04.2022, or from the commissioning of the ISTS, as per the LTA.
- (iii) On 29.10.2020, RSAPL and PGCIL executed a Transmission Service Agreement for Connectivity.

- (iv) On 24.11.2020, RSAPL executed the LTA Agreement (with System strengthening) with PGCIL for the transmission of 300 MW quantum of power from the RSAPL Project to the targeted beneficiaries in the Eastern Region.
- (v) On 18.08.2021, CTUIL issued a letter to RSAPL inter alia stating that the start date of LTA shall be 30.07.2022 or commissioning of ISTS, whichever is later.
- (vi) On 13.09.2021, RSAPL executed a Supplementary LTA Agreement with CTUIL wherein it was stated that the start date of the LTA has been modified by CTUIL vide letter dated 18.08.2021. Accordingly, the start date of LTA shall be 30.07.2022 or the commissioning of ISTS, whichever is later.
- (vii) On 01.05.2023, RSAPL wrote to CTUIL providing confirmation for the transition of connectivity & LTA granted to RSAPL into GNA in line with GNA Regulations 2022 and on 25.09.2023, CTUIL granted Deemed GNA to RSAPL under Regulation 37.3 of the GNA Regulations, 2022.
- (viii) On 22.03.2024, CTUIL issued Bills of Supply levying transmission charges on RSAPL for the month of December 2023 and January 2024 for Rs. 15.45 Lacs and 59.88 Lacs respectively.
- (ix) On 27.03.2024, GCIL issued a certificate to RSAPL for the successful trial run of 48.25 MW, 48.75 MW and 193 MW out of 290 MW of RSAPL's Project and on 28.03.2024, SECI issued a commissioning certificate to RSAPL for the commissioning of 290 MW out of 300 MW.
- (x) On 29.03.2024, RSAPL issued '*Intimation of Commercial Operation Date*' for 290 MW out of 300 MW RSAPL Project specifying COD as 31.03.2024.
- (xi) On 02.04.2024, CTUIL issued Bill of Supply levying transmission charges amounting to Rs. 56.02 Lac on RSAPL for the month of February 2024.
- (xii) On 05.04.2024, RSAPL wrote to CTUIL requesting them to withdraw the Bill of Supply issued for the months of December 2023 to February 2024, levying bilateral/ transmission charges on RSAPL.
- (f) The following invoices have been raised by the CTUIL levying bilateral / transmission charges under the 2020 Sharing Regulations:

S.N.	Entity	Date of Invoice	Month	Amount
1.	ReNew Surya Aayan Pvt. Ltd. (RSAPL)	22.03.2024	December 2023	Rs. 15,45,386/-
			January 2024	Rs. 59,88,370/-
		02.04.2024	February 2024	Rs. 56,02,024/-
		01.05.2024	March 2024	Rs. 59,88,370/-
2.		22.03.2024	December 2023	Rs. 20,30,044/-
			January 2024	Rs. 78,66,420/-

	ReNew Surya Roshni Pvt. Ltd. (RSRPL)	02.04.2024	February 2024	Rs. 73,58,909/-
		01.05.2024	March 2024	Rs. 78,66,420/-
3.	ReNew Surya Vihaan Pvt. Ltd. (RSVPL)	22.03.2024	December 2023	Rs. 15,45,386/-
			January 2024	Rs. 59,88,370/-
		02.04.2024	February 2024	Rs. 56,02,024/-
		01.05.2024	March 2024	Rs. 24,95,154/-

(g) Invoices for transmission charges have been issued by CTUIL in contravention of the GNA Regulations 2022, and the 2020 Sharing Regulations, since the GNA / Connectivity has not been made effective till date. In the absence of the GNA having been made effective and the same having been intimated to the Petitioners, the actions of CTUIL in issuing the said invoices are patently illegal.

(h) Petitioners are generating stations based on renewable sources of energy and are, as such, exempt from payment of transmission charges in accordance with the 2020 Sharing Regulations and the extant MoP orders. The only scenario in which a renewable energy-based generating station is required to pay transmission charges is as per Regulation 13(3) of the 2020 Sharing Regulations. Regulation 13(3) of the 2020 Sharing Regulations as amended by the CERC Sharing Regulations (First Amendment) 2023 and CERC Sharing Regulations (Second Amendment) 2023 deals with a scenario where COD of a Connectivity Grantee has not been achieved on or before the start date of connectivity and the Associated Transmission System has achieved COD, then the Connectivity Grantee shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to Connectivity capacity which has not achieved COD. It is submitted that the prerequisite for attributing liability to a connectivity grantee is that the ATS has achieved COD, which is not earlier than the start date of connectivity. The trigger for the application of Regulation 13(3) of the amended Sharing Regulations is that:

(i) Connectivity Grantee (Petitioner in this case) have not achieved COD before the start date of connectivity; **AND**

(ii) The ATS has achieved COD, which is not earlier than the start date of connectivity.

- (i) In the present case, none of the above conditions are satisfied since there has been no delay by the Petitioners in attaining the COD. All the Petitioners have attained COD as below:
- (i) Renew Surya Pratap, wholly owned subsidiary of RSVPL: attained COD for 175 MW capacity on 22.02.2024 and the balance 22 MW on 02.04.2024.
 - (ii) RSVPL (100 MW): attained COD for 98 MW capacity on 31.03.2024.
 - (iii) RSAPL: attained COD for 290 MW capacity on 31.03.2024.
 - (iv) RSRPL: attained COD for 285 MW capacity.
- (j) CTUIL vide Impugned Invoices has sought to levy transmission charges for the months of December 2023, January 2024, February 2024 and March 2024 upon the Petitioners, allegedly for the delay in commencement of generation and supply of power from the Projects. However, without all elements of the transmission system being ready, the issuance of the transmission invoices is completely unlawful and contrary to the extant Regulations and decisions of this Commission. In this regard, the Petitioners' liability to pay transmission charges accrues only when the last element of the transmission asset is operationalised, and the bays at both ends of the transmission line are put to use.
- (k) Regulation 2(1)(g) of the 2020 Sharing Regulations, defined 'COD of the ATS' to mean the COD of the last transmission element of the ATS. Admittedly, all the elements of the ATS/ Common Transmission System as specified in the grant of LTA to the Petitioners are not ready as of the date, and therefore, there is no basis for CTUIL to impose any transmission / bilateral charges.
- (l) Regulation 22.4 of the GNA Regulations 2022 **provides that the start date of connectivity will be the effective date of GNA**. Since the Petitioners have not received any letter/ intimation from CTUIL for operationalisation of GNA, it emerges that the start date of connectivity and effective date of GNA have not been achieved. No transmission charges are payable before the Effectiveness of the GNA/ Connectivity.
- (m) The intimation of grant of LTA to the Petitioners categorically states that liability to pay transmission charges shall start from the start date of LTA as requested by the applicant or from the date of commissioning of the transmission system identified for LTA, whichever is later. Admittedly, the last element of the

transmission system has not been commissioned, and therefore, there is no basis for making effective the GNA/ Connectivity and imposing bilateral charges.

- (n) The various elements of the transmission system envisaged for the Common Transmission System required for the evacuation of firm long term power from the Projects are yet to be commissioned as per data obtained from the CEA Monthly Progress Report for the month of March 2024 and the Joint Co-ordination Committee – Northern Region held in March 2024.
- (o) It is only in the case of RVSP (200 MW) wherein CTUIL vide letter dated 19.03.2024 informed RVSP that PGCIL has declared COD of the last element of the ATS w.e.f. 25.02.2024, and the deemed GNA/ connectivity granted to RVSP is being made effective from 20.03.2024.

Submissions of Petitioners AREHSL and ASEBOP in Petition 242/MP/2024:

11. The Petitioners AREHSL and ASEBOP have submitted as under:

- (a) Petitioner ASEBOP has executed two different PPAs with NHPC Limited, both dated 10.09.2020, for the supply of 280 MW and 320 MW, respectively, on a long term basis for a period of 25 years from COD. Under the said PPAs, the Original Scheduled Commercial Operation Date (SCOD) was 10.03.2022, which was later revised progressively up to 31.08.2024 through multiple SCOD extensions granted by NHPC. Thus, once the SCOD under the aforesaid PPAs stood extended, there can clearly be no allegation of a mismatch in COD by the generator qua the ATS or that the COD has not been achieved. This is because the COD cannot be before the SCOD under the PPAs mentioned in Regulation 13(1).
- (b) As per Regulation 6.2 of GNA Regulations 2022, an ATS has been defined to mean the augmentation, which is required for immediate evacuation of power, excluding terminal bay(s). However, post the transition from LTA to GNA (vide letter dated 25.09.2023 issued by CTUIL), till date, CTUIL has never communicated any revised ATS to the Petitioner. Thus, without such intimation/ communication, it can be assumed that the transmission system as was identified at the time of grant of LTA to the Petitioner, is the ATS under the GNA of the said Petitioner as well, whose elements/ system has till date not achieved commissioning.

- (c) Regulation 13(3) of 2020 Sharing Regulations can only apply if the generator is not able to achieve SCOD/ COD in terms of the PPAs mentioned under Regulation 13(1), while the transmission infrastructure required for immediate evacuation of power (i.e., ATS) achieves COD.
- (d) As per Regulation 13(3) read with Regulation 2(1)(g) of the 2020 Sharing Regulations, Regulation 22.4 of the GNA Regulations 2022 and Clause 7 of the Conditions to the Grant of LTA the liability to pay transmission charges only accrues upon a connectivity grantee from the date of commissioning of all elements identified in the LTA forming part of the Common Transmission System.
- (e) RE Power Plants are exempted from payment of transmission charges under the 2020 Sharing Regulations. Therefore, by imposing such penalty qua transmission charges, CTUIL is in effect acting in contravention to the above Regulations, as well as against the intent of the EA 2003, qua promotion of the RE generation. Hence, on this count also, the impugned invoices deserve to be quashed/ set aside.

Submissions of Petitioner AXPPL in Petition 271/MP/2024:

12. The Petitioner AXPPL has submitted as under:

- (a) On 07.02.2024, the Petitioner declared COD of its entire Project as under:

Description	380 MW AXPPL	
Project Part	Part-1	Part-2
Capacity (MW)	259.60 MW	120.40 MW
Date of Commissioning	30.01.2024	07.02.2024
Commercial Operation Date	31.01.2024	09.02.2024

- (b) It is evident from the provisions of 2020 Sharing Regulations that transmission charges cannot be levied unless the ATS have achieved COD. Admittedly, all the elements of the ATS/ Common Transmission System as specified in the grant of LTA to the Petitioner are not ready as on date, and therefore, there is no basis for CTUIL to impose any transmission/ bilateral charges.

Hearing dated 13.08.2024 in Petition No. 216/MP/2024:

13. The extracts of the RoP for the hearing dated 13.08.2024 is as under:

“The learned senior counsel for the Petitioners submitted that the present Petition has been filed inter alia challenging the invoices raised by the Respondent No.1, CTUIL, levying the bilateral / transmission charges under the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (‘Sharing Regulations’). The learned senior counsel mainly submitted as under:

(a) The Petitioner Nos. 2-4, Special Purpose Vehicle of the Petitioner No.1, are developing renewable energy-based projects in Jaisalmer, Rajasthan, and for the purpose of evacuation of power from their projects, they have applied for and obtained the requisite Stage II connectivity and Long-Term Access.

(b) Pertinently, the aforesaid GNA / connectivity granted to the Petitioners is yet to be made effective and in the absence thereof, the action of CTUIL in issuing the said invoices is completely illegal.

(c) As per Regulation 13(3) of the Sharing Regulations, a renewable energy based generating station is required to pay the transmission charges when the Commercial Operation Date (COD) of the connectivity grantee has not been achieved on or before the start date of the connectivity and the Associated Transmission System (ATS) has achieved the COD. In such case, the connectivity grantee is required to pay the Yearly Transmission Charges for the ATS corresponding to the connectivity capacity that has not achieved the COD.

(d) Also, the Sharing Regulations define the COD of ATS to mean the COD of the last transmission element of the ATS. Since all the elements of the ATS/ Common Transmission System as specified in the grant of the LTA to the Petitioners are not ready as on the date, there is no basis for CTUIL to impose any bilateral / transmission charges.

(e) The Petitioners have also moved IA (Diary) No.502/2024 inter alia for issuance of interim direction to CTUIL to not take any coercive steps against the Petitioners, including but not limited to the issuance of directions for backdown / curtailment of power from the Petitioners’ projects. Since the trigger date of 75 days in respect of the said invoices has already elapsed, CTUIL has already taken steps to regulate the generation of the Petitioners’ projects.

(f) At the relevant point in time, since this Commission was not taking up the adjudication matters under Section 79(1)(f) of the Act due to non-availability of coram having Member (Law), the Petitioners had approached the Hon’ble Delhi High Court in W.P (C) No. 8426 of 2024 challenging the levy of bilateral charges by CTUIL and seeking issuance of direction to CTUIL not to take any coercive steps towards backdown/curtailment of power from the projects. The Hon’ble Delhi High Court, vide its order dated 5.6.2024, granted the stay on initiating any coercive steps by CTUIL. Subsequently, the said Writ Petition was disposed of by the Hon’ble Delhi High Court, holding that since the essential cause of action that has arisen in the matter fell within the jurisdiction of the State of Rajasthan, it would not entertain the Petition. However, a liberty was granted to the Petitioner to approach the jurisdictional High Court and interim protection was extended for a period of 10 days from 29.7.2024.

(g) In the meantime, since this Commission again started hearing the adjudication matters upon having a Coram with Member (Law), the Petitioners are now before this Commission, and the prayer(s) of the Petitioners for interim protection, as granted by the Hon’ble Delhi High Court, ought to be extended by this Commission.

2. The learned counsel for the Respondent, CTUIL, opposed the prayer(s) of the Petitioners for the grant of interim protection and pointed out that since the Petitioners have been evacuating power to the grid, it cannot take any contrary stand as to the non-readiness of the system. The learned counsel further submitted that the Petitioners ought to be directed to pay at least 50% of the outstanding charges forthwith. Learned counsel sought liberty to file a reply in the matter.

3. The learned counsel for Respondent No.3, Powergrid Ramgarh Transmission Limited (PRTL) submitted that the transmission system of the Respondent had been ready since December, 2023, and the Petitioners are evacuating the power from their projects. The learned counsel further submitted that non-payment of the bilateral transmission charges by the Petitioners under the impugned invoices puts the Respondent out of pocket, who is otherwise also entitled to receive such charges under the Transmission Service Agreement. The learned counsel also opposed the grant of any interim protection at this stage and pointed out that any payment made by the Petitioners at this stage can always be adjusted in future based on the outcome of the present Petition.

4. In response, the learned senior counsel for the Petitioners pointed out that presently, the Petitioners are evacuating the power from their projects under the TGNA and not under the GNA.

5. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission ordered as under:

(a) Admit and issue notice to the Respondents.

(b) The Respondents to file their reply, if any, within three weeks, with a copy to the Petitioners, who may file their rejoinder(s) within two weeks thereafter.

(c) The Respondent, CTUIL to file the following details/information along with its reply:

(d) The CTUIL to submit the following information on an affidavit within two weeks, with a copy to the other side:

(i) The details of the bilateral bills raised on the Petitioners as under:

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on to the Petitioner (in MW)	Details of the transmission system against which bilateral bills have been raised on to the Petitioner

(ii) Status of the transmission system required for the effectiveness of the GNA of the Petitioners' Projects and the reasons for the non-effectiveness of the GNA of the Petitioners to date.

(iii) The details of the Associated Transmission System (ATS) for the Petitioners and the present status thereof.

(e) The Petitioners to submit the following information on an affidavit within two weeks:

(i) Implead Grid-India/NLDC and Powergrid Ramgarh Transmission Ltd. (PRTL) as parties to the present Petition.

(ii) What was the SCOD of the Petitioners' Projects and the reasons for the delay in the declaration of the COD, if any?

(iii) The copy of the COD certificate in respect of the generating station of RSRPL (285 MW).

(iv) Status of the COD of the remaining capacity of the following projects, along with a copy of the COD certificate:

Sl. No.	Name of Project	Remaining capacity
1	RSAPL (300 MW)	10 MW
2	RSRPL (400 MW)	115 MW
3	RSVPL (100 MW)	2 MW
4	RSVPL (200 MW)	3 MW

(v) Status of Payment of the bilateral charges raised on the Petitioners.

(vi) A schematic diagram indicating the connectivity of the Petitioner's Project with the transmission system of the Powergrid Ramgarh Transmission Limited.

(vii) The Grid-India/NLDC may be directed to submit the following:

(viii) Certificate of completion of successful trial run in respect of all the elements of PRTL's Transmission System.

(ix) Basis of charging the bilateral transmission charges on the Petitioner under Regulation 13(3) of the CERC (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, under the calculations carried out by NLDC.

(f) PRTL to submit the following information on an affidavit within two weeks:

(a) A copy of the certificate of declaration COD/ deemed COD of the transmission system for which the bilateral charges are being raised on the Petitioner.

(ii) Status of the transmission system being executed by the Powergrid Ramgarh Transmission Ltd. Whether the PRTL has declared the deemed COD of its transmission system, and if yes, a copy of the certificate issued by the CTUIL to the effect that the transmission system is completed in terms of the applicable CEA Standards, and the provisions of the Grid.

(g) The Respondent, CTUIL, is not to take any coercive steps against the Petitioners, including the issuance of directions for backdown/ curtailment of power from their projects, provided the Petitioners deposit an amount of Rs. 1 crore against such invoices within a week subject to the outcome of the present case."

14. In compliance with the RoP, the Petitioner has impleaded Grid-India/ NLDC as a party to the Petition and filed the revised memo of parties. Further, CTUIL has submitted that the Petitioner Renew has deposited Rs. 1 Crore as per the Commission's directions.

Submissions of Grid-India/ NLDC in compliance with the RoP for the hearing dated 13.08.2024 in Petition No. 216/MP/2024:

15. The Respondent, NLDC vide affidavit dated 30.08.2024 has submitted as under:

(a) NLDC has submitted the Certificate of completion of successful trial run (with electrical in respect of all the elements of PRTL's Transmission System. A summary of which is as under:

Particulars of the element	Date and time of energisation and commencement of trial run	Date and time of completion of trial run
Ramgarh-II (Fatehgarh-III) PS – Fatehgarh- II PS 400kV D/c line along with main bays & tie bays	20.12.2023, 02:05 Hrs	21.12.2023, 02:05 Hrs
Ramgarh-II (Fatehgarh-III) PS– Jaisalmer-II (RVPN) 400 kV D/c line along with associated bays and tie bays	20.12.2023, 01:35 Hrs	21.12.2023, 01:35 Hrs

400/220/33 kV 500 MVA ICT1, 400/220/33 kV 500 MVA ICT2, 400/220/33 kV 500 MVA ICT3, 400 kV, 125 MVAR Bus reactor 1, 400 kV, 125 MVAR Bus reactor 2, 400/220 kV 500 MVA ICT- 4, 220 kV Bus coupler Bay	20.12.2023, 13:30 Hrs	21.12.2023:13:30 Hrs
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(b) NLDC billed the Petitioner as per the details provided by CTU to bill under Regulation 13(3) of the 2020 Sharing Regulations.

(c) CTU vide email dated 17.01.2024 had furnished the details to NLDC, whereas the following Connectivity Grantees were included for bilateral billing of transmission charges for the assets owned by POWEGRID Ramgarh Transmission Ltd. (PRTL):

- (i) ReNew Surya Vihan Pvt. Ltd.
- (ii) Renew Surya Roshni Pvt. Ltd.
- (iii) Altra Xergi Power Pvt. Ltd.
- (iv) Adani Renewable Energy Holding Seventeen Pvt. Ltd.
- (v) ReNew Surya Aayan Pvt. Ltd.

PRTL submissions in compliance with the RoP for the hearing dated 13.08.2024 in Petition No. 216/MP/2024:

16. PRTL vide affidavit dated 31.08.2024 has submitted as under:

(a) PRTL has declared the COD w.e.f. 24.12.2023 after successful completion of the trial run operation of elements. Regarding the TSA, the SCOD for the above project was 09.09.2022. However, the aforesaid Transmission Project encountered various Force Majeure events that were not attributable to PRTL during implementation, and it was commissioned on 24.12.2023.

(b) PRTL had issued the Intimation dated 28.12.2023 for COD of assets to all the LTTCs of the Project, including ReNew. The scope of the Transmission Project is as under:

S. No	Project elements	Scheduled COD	Actual COD
1.	Establishment of 400/220 kV, 4x500 MVA at Ramgarh – II (Fatehgarh-III) PS with 420 kV (2x125 MVAR) bus reactor	18 months from the effective date (09.03.2021), i.e. 09.09.2022	24.12.2023
2.	Ramgarh-II (Fatehgarh-III) PS – Fatehgarh-II PS 400 kV D/c line		

3.	2 no. of 400 kV line bays at Fatehgarh- II for Ramgarh-II (Fatehgarh-III) PS- Fatehgarh-II PS 400kV D/c line		
4.	Ramgarh-II (Fatehgarh-III) PS – Jaisalmer-II (RVPN) 400 kV D/c line		
5.	2 no. of 400 kV line bays each at Jaisalmer-II for Ramgarh-II (Fatehgarh-III) - Jaisalmer-II 400kV D/c line		

(c) PRTL has completed its scope and is entitled to the transmission charges from the date of the COD, i.e., 24.12.2023. With regard to the contention of the Petitioner that the entire scope under the LTA is not ready, the same is not relevant to PRTL's entitlement for transmission charges, as PRTL has commissioned the complete transmission system under the TSA.

(d) The entitlement of PRTL towards the transmission charges is independent of the contractual agreement between the Petitioners and CTU. The TSA entered into between the PRTL and LTTCs, including Petitioners, does not in any manner refer to the LTA agreement or any agreement entered into between the three ReNew entities and CTU. Since the commissioning of the ReNew entities' Project, the power from the Project is being evacuated utilising the Transmission Elements implemented by PRTL under the Transmission Project.

CTUIL's submissions in compliance with the RoP for the hearing dated 13.08.2024 in Petition No. 216/MP/2024:

17. CTUIL vide affidavit dated 05.09.2024 has submitted as under:

(a) The details of the bilateral bills raised upon the Petitioners are as under:

ReNew Surya Vihan Pvt. Ltd (300MW)

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on the Petitioner (in MW)	Details of the transmission system against which the bilateral bills have been raised against the Petitioner
1	22-03-2024	1545386	Feb-24	24-12-2023 to 31-12-2023	300	1) Establishment of 400/220 kV, 4x500 MVA Ramgarh-II PS (Fatehgarh-III PS) with 420 kV (2x125 MVA) Bus Reactor
2	22-03-2024	5988370	Mar-24	01-01-2024 to 31-01-2024	300	2) Ramgarh-II PS (Fatehgarh-III) - Fatehgarh-II PS
3	02-04-2024	5602024	Apr-24	01-02-2024 to	300	

				29-02-2024		400kV D/c line (Twin HTLS)
4	01-05-2024	2495154	May-24	01-03-2024 to 31-03-2024	125	3) 2 nos. of 400kV line bays at Fatehgarh-II PS for Ramgarh-II PS - Fatehgarh-II PS
5	03-06-2024	2421281	Jun-24	01-04-2024 to 30-03-2024	125	400kV D/c line
6	01-07-2024	2034522	Jul-24	01-05-2024 to 31-05-2024	101.6	4) Ramgarh-II PS - Jaisalmer-II (RVPN)
7	01-08-2024	1937025	Aug-24	01-06-2024 to 30-06-2024	100	400 kV D/c line (Twin HTLS)
8	02-09-2024	2001592	Sep-24	01-07-2024 to 31-07-2024	100	5) 2 nos. of 400 kV line bays at Jaisalmer-II (RVPN) for Ramgarh-II PS - Jaisalmer-II (RVPN)
	Total	24025354				400 kV D/c line

ReNew Surya Roshni Pvt. Ltd (400MW)

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on the Petitioner (in MW)	Details of the transmission system against which the bilateral bills have been raised against the Petitioner
1	22-03-2024	2030044	Feb-24	24-12-2023 to 31-12-2023	400	1) Establishment of 400/220 kV, 4x500 MVA Ramgarh-II PS
2	22-03-2024	7866420	Mar-24	01-01-2024 to 31-01-2024	400	(Fatehgarh-III PS) with 420 kV (2x125 MVA) Bus Reactor
3	02-04-2024	7358909	Apr-24	01-02-2024 to 29-02-2024	400	2) Ramgarh-II PS (Fatehgarh-III) - Fatehgarh-II PS
4	01-05-2024	7866420	May-24	01-03-2024 to 31-03-2024	400	400 kV D/c line (Twin HTLS)
5	03-06-2024	7633521	Jun-24	01-04-2024 to 30-03-2024	400	3) 2 nos. of 400 kV line bays at Fatehgarh-II PS for Ramgarh-II PS - Fatehgarh-II PS
6	01-07-2024	7887972	Jul-24	01-05-2024 to	400	400 kV D/c line (Twin HTLS)

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on the Petitioner (in MW)	Details of the transmission system against which the bilateral bills have been raised against the Petitioner
				31-05-2024		5) 2 nos. of 400 kV line bays at Jaisalmer-II (RVPN) for Ramgarh-II PS - Jaisalmer-II (RVPN) 400 kV D/c line
7	01-08-2024	7633521	Aug-24	01-06-2024 to 30-06-2024	400	
8	02-09-2024	7887972	Sep-24	01-07-2024 to 31-07-2024	400	
	Total	5,61,64,779				

ReNew Surya Aayan Pvt. Ltd (300MW)

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on the Petitioner (in MW)	Details of the transmission system against which the bilateral bills have been raised against the Petitioner
1	22-03-2024	1545386	Feb-24	24-12-2023 to 31-12-2023	300	1) Establishment of 400/220 kV, 4x500 MVA Ramgarh-II PS (Fatehgarh-III PS) with 420 kV (2x125 MVA) Bus Reactor
2	22-03-2024	5988370	Mar-24	01-01-2024 to 31-01-2024	300	2) Ramgarh-II PS (Fatehgarh-III) - Fatehgarh-II PS 400 kV D/c line (Twin HTLS)
3	02-04-2024	5602024	Apr-24	01-02-2024 to 29-02-2024	300	3) 2 nos. of 400 kV line bays at Fatehgarh-II PS for Ramgarh-II PS - Fatehgarh-II PS 400kV D/c line
4	01-05-2024	5988370	May-24	01-03-2024 to 31-03-2024	300	4) Ramgarh-II PS - Jaisalmer-II (RVPN) 400 kV D/c line (Twin HTLS)
5	03-06-2024	5811074	Jun-24	01-04-2024 to 30-03-2024	300	5) 2 nos. of 400 kV line bays at Jaisalmer-II (RVPN) for
6	01-07-2024	6004777	Jul-24	01-05-2024 to 31-05-2024	300	
7	01-08-2024	5811074	Aug-24	01-06-2024 to	300	

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on the Petitioner (in MW)	Details of the transmission system against which bilateral bills have been raised against the Petitioner
				30-06-2024		Ramgarh-II PS - Jaisalmer-II (RVPN) 400 kV D/c line
8	02-09-2024	6004777	Sep-24	01-07-2024 to 31-07-2024	300	
	Total	4,27,55,852				

- (b) LTAs were granted to projects of the Petitioner at Fatehgarh-III PS (Section-I). After notification of the Connectivity and GNA Regulations, 2022, the LTAs were transitioned as deemed GNA under Regulation 37.3 of the GNA Regulations. The details are as under:

Sr. No.	Developer Name	Deemed GNA Quantum (MW)	Common Transmission System required for deemed GNA	Status/Anticipated Commissioning of Transmission System	Effectiveness Status of Deemed GNA
1	RSVPL	200	Rajasthan SEZ Phase-I Rajasthan SEZ Phase-II Part-A	Commissioned	Effective
2	RSAPL	300	Rajasthan SEZ Phase-II Part-A, B, C & D	Part- A & B: Commissioned Part- C & D: Dec'24	Not Effective
3	RSVPL	100	Rajasthan SEZ Phase-II Part-A, B, C & D	Part- A & B: Commissioned Part- C & D: Dec'24	Not Effective
4	RSRPL	400	Rajasthan SEZ Phase-II Part-A, B, C & D	Part- A & B: Commissioned Part- C, D & G: Dec'24	Not Effective

- (c) All the elements of the common transmission system required for deemed GNA of projects of petitioners are not yet commissioned except for RSVPL (200 MW); accordingly, deemed GNA is not yet made effective. The same shall be made effective upon commissioning of the above transmission system.
- (d) Details of the ATS for the Petitioners and the present status:

Sr. No.	Developer	ATS (Major Elements)	Status of ATS
1	Renew Surya Vihaan Private Limited	Raj. SEZ Ph-II Part-A • 4x500 MVA, 400/220 kV Fatehgarh-III PS • Fatehgarh-III PS – Fatehgarh-II PS (PG) 400 kV D/c line • Fatehgarh-III PS – Jaisalmer-II PS (RVPN) 400 kV D/c line	Commissioned
2	ReNew Surya Aayan Private Limited		
3	ReNew Surya Vihaan Private Limited		
4	Renew Surya Roshni Private Limited		

(e) Elements covered under Rajasthan SEZ Ph-II Part-A are to be used for immediate interconnection to the grid by generation projects connected/ to be connected at Fatehgarh-III PS (Section-I) only. Accordingly, these elements are considered as ATS for generation projects at Fatehgarh-III PS (Section-I). This is in accordance with the direction of the Commission in its order dated 11.06.2022 in Petition no. 9/TT/2021. Further, in addition to the above RE developers, viz. ReNew, two more RE developers, namely Altra Xergi Power Private Limited (380 MW) and Adani Renewable Energy Holding Seventeen Ltd. (600 MW), is connected/ to be connected at Fatehgarh-III PS (Section-I). Accordingly, elements of Rajasthan SEZ Ph-II Part-A are to be considered as ATS of all these RE developers (ReNew, Altra Xergi & Adani).

Submissions of Petitioners RSPPL, RSAPL, RSRPL and RSVPL in compliance with the RoP for the hearing dated 13.08.2024 in Petition No. 216/MP/2024:

18. The Petitioners vide affidavit dated 04.10.2024 have submitted as under:

(a) The details of SCOD and COD of the Petitioner's Projects is as under: -

S. No	Name of the Project	Total Capacity	Original SCOD	Extended SCOD	COD
1	RSAPL	300 MW	28.10.2023	31.03.2024	i. 290 MW on 31.03.2024 ii. 10 MW on 08.06.2024
2	RSRPL	400 MW	06.08.2023	Last date of LTA + 6 months + 60 days	i. 285 on 11.04.2024 ii. 115 MW on 21.06.2024
3	RSVPL	100 MW	01.10.2023	31.03.2024	i. 98 MW on 31.03.2024 ii. 2 MW on 22.05.2024
		200 MW			i. 175 MW on 24.02.2024. ii. 22 MW on 02.04.2024. iii. 3 MW on 18.05.2024.

- (b) The SCOD of RSAPL and RSVPL was extended by SECI vide letters dated 09.03.2023 pursuant to MNRE's OM dated 25.01.2023. Further, SECI vide letter dated 15.05.2023 extended SCOD of RSRPL's Project to the Last actual date of LTA of Solar/ Wind components + 60 days + 6 months.
- (c) The 285 MW of RSRPL's Project achieved COD on 11.04.2024. A copy of the Commissioning Certificate dated 08.04.2024 issued by SECI has been duly submitted by the Petitioner.
- (d) As per the direction of the Commission, on 14.08.2024, payment of Rs. 1 Crore was made to CTUIL. Further, CTUIL has, to date, raised bilateral bills for the months of April 2024 to July 2024 as under:

Entity	Bill no.	Bill date	Month	Amount (in Rs.)
RSVPL	MI11360603240017	03.05.2024	April 2024	2,421,281
	MI11360604240018	01.07.2024	May 2024	2,034,522
	MI11360605240018	01.08.2024	June 2024	1,937,025
	MI11360606240018	02.09.2024	July 2024	2,001,592
RSRPL	MI11360603240018	03.05.2024	April 2024	7,633,521
	MI11360604240019	01.07.2024	May 2024	7,887,972
	MI11360605240019	01.08.2024	June 2024	7,633,521
	MI1136060624001	02.09.2024	July 2024	7,887,972
RSAPL	MI11360603240019	03.05.2024	April 2024	5,811,074
	MI11360604240020	01.07.2024	May 2024	6,004,777
	MI11360605240020	01.08.2024	June 2024	5,811,074
	MI11360606240020	02.09.2024	July 2024	6,004,777

- (e) The Petitioners have submitted a schematic diagram indicating the connectivity of the Petitioner's Project with the transmission system of the PRTL.

Rejoinder of Petitioners RSPPL, RSAPL, RSRPL and RSVPL to PRTL's Reply:

19. The Petitioners, in their rejoinder vide affidavit dated 04.10.2024 to PRTL's reply, have mainly submitted as under:

- (a) The contention raised by PRTL that it's right to claim transmission charges is independent of the contractual agreement between Petitioners and CTUIL is misplaced and erroneous. Schedule 1 of the TSA dated 11.11.2020, executed between the Petitioners and PRTL, clearly provides that transmission/ charges will

be shared and recovered in accordance with the applicable CERC Regulations and the Point of Connection method of sharing.

- (b) There is no delay in commissioning since the Projects of all Petitioners have been commissioned.
- (c) Since the Petitioners are not liable to make payment of transmission charges in terms of Regulation 13(3) of the 2020 Sharing Regulations, PRTL or CTUIL cannot seek to recover transmission charges from the Petitioners under the TSA. It is settled law that regulations framed by this Commission under Section 178 of the Electricity Act override existing contracts. A Constitution Bench of the Supreme Court in PTC v. CERC, reported as (2010) 4 SCC 603, has categorically held that a regulation under Section 178 is subordinate legislation and can override existing contracts.
- (d) Even in the intimation of grant of LTA to the Petitioners (i.e., on 03.08.2020 for RSVPL (200 MW), on 27.10.2020 for RSAPL, on 27.10.2020 for RSVPL (100 MW) and on 30.07.2021 for RSRPL) CTUIL has specified that transmission charges can be levied from the LTA start date or the commissioning date of the transmission system, whichever is later. Therefore, transmission charges are only payable if ATS has achieved COD and Petitioners have not. In the present case, the ATS is yet to achieve COD.
- (e) Evidently, the last element of the ATS has not been commissioned, and therefore, there is no basis for imposing bilateral charges on the Petitioners. A table depicting the status of commissioning of the elements of the Common Transmission System is provided below:

LTA Element	Executing Agency	Expected date of commissioning
Element No. 2: Fatehgarh-II PS-Bhadla-II PS 765 kV D/c line (2 nd)	PGCIL	August 2024
Element No. 4: Establishment of 765/400 kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVar at 400 kV level & 2x330 MVar bus reactors at 765 kV level at Sikar -I	PGCIL	December 2024
Element No. 5: Bhadla-II PS - Sikar-II 765kV D/c line	PGCIL	December 2024
Element No. 6: Sikar-II - Neemrana 400kV D/c line (Twin HTLS)	PGCIL	December 2024
Element No. 9: Sikar-II - Aligarh 765kV D/c line	PGCIL	December 2024

LTA Element	Executing Agency	Expected date of commissioning
Element No. 11: Establishment of 765/400 kV, 3x1500 MVA GIS substation at Narela with 765 kV (2x330 MVAR) bus reactor and 400kV (1x125 MVAR) bus reactor	PGCIL	December 2024
Element No. 12: Khetri - Narela 765 kV D/c line	PGCIL	December 2024
Element No. 13: LILO of 765 kV Meerut - Bhiwani S/c line at Narela	PGCIL	December 2024

- (f) Bilateral Bills issued by CTUIL dated 22.03.2024, 02.04.2024, 01.05.2024, 03.05.2024, 01.07.2024, 01.08.2024 and 02.09.2024 should be set aside.

Hearing dated 08.10.2024 in Petition No. 216/MP/2024, along with IA 66/2024 and Petition No. 271/MP/2024:

20. The extracts of the RoP for the hearing dated 08.10.2024 are as under:

“At the outset, learned counsel for the Respondent, CTUIL, prayed for two days’ time to file a reply in these matters.

2. Learned counsel for the Petitioner, AXPPL, in Petition No.271/MP/2024, opposed the said request. Learned counsel further briefly narrated the sequence of events involved and pointed out that in the instant case, the Petitioner has been compelled to pay the impugned invoice(s) towards the bilateral transmission charges even when the Associated Transmission System has not achieved the commercial operation. Learned counsel also pointed out that the notice in the matter was issued way back on 13.8.2024, and despite this, CTUIL has failed to file its reply so far.

3. Learned senior counsel for the Petitioners in Petition No.216/MP/2024, as such, did not oppose the request of learned counsel for CTUIL and sought liberty to file a rejoinder thereafter.

4. Considering the submissions made by the parties, the Commission deemed it appropriate to give final opportunity to CTUIL to file its reply in the matters within a week, with a copy to the Petitioners, who may file their rejoinder(s), if any, within a week thereafter.

5. The Commission directed the CTUIL to submit the following information on an affidavit within two weeks:

(a) The details of the bilateral bills raised on the Petitioner as under:

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on to the Petitioner (in MW)	Details of the transmission system against which bilateral bills have been raised on to the Petitioner

(b) Status of the transmission system required for the effectiveness of the GNA of the Petitioner’s Project and the reasons for the non-effectiveness of the GNA of the Petitioner till date.

6. The Commission directed the Petitioner to submit the information on an affidavit within two weeks regarding SCOD of the Petitioner’s Power Plant and the reasons for delay if any?



7. The Commission directed Grid-India/NLDC to submit the following information on an affidavit within two weeks:

(a) Certificate of completion of successful trial run in respect of all the elements of PRTL's Transmission System.

(b) Basis of charging the Bilateral Transmission charges onto the Petitioner under Regulation 13(3) of the CERC (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, under the calculations carried out by NLDC.

8. The Commission directed PRTL to submit the information on an affidavit regarding the certificate of declaration of COD by the PRTL for its transmission system for which the bilateral charges are being raised onto the Petitioner."

Reply of CTUIL in Petition No. 216/MP/2024:

21. The Respondent, CTUIL vide affidavit dated 09.10.2024 in its reply has mainly submitted as under:

- (a) The clear regulatory position is that, irrespective of any delay in achieving the project COD, the connectivity grantee is liable to pay transmission charges for the ATS corresponding to the connectivity capacity which has not achieved COD.
- (b) The Petitioners have placed reliance on Regulation 19.1 of the 2020 Sharing Regulations to assert that CTUIL is obligated to provide notice to the Designated ISTS Customer (DIC) at least three months prior to the operationalisation date of LTA. The requirement for notice pertains specifically to the establishment of a Letter of Credit as part of the payment security mechanism, which is not applicable to the Petitioners, who are renewable energy generators for whom transmission charges are waived once their projects are commissioned.
- (c) The bilateral transmission charges bills are raised by CTUIL on behalf of the transmission licensees who submit the required data to the Implementing Agency, and the Implementing Agency, in turn, intimates the claims of the licensees to the concerned RPC for their incorporation in the RTAs issued to CTUIL.
- (d) A GNA grantee, under the GNA Regulations 2022, is placed in a similar position as an LTA grantee under the Connectivity Regulations and, as such, is liable to pay the transmission charges as per the Sharing Regulations; waiver for transmission charges can only be availed by a generating station from the date of its actual COD.
- (e) In the context of the provisions under the GNA regulations, the Commission has notified an amendment in the 2020 Sharing Regulations, wherein ATS is now

defined to have the same meaning as defined in the GNA Regulations and Regulation 13(3) of the 2020 Sharing Regulations was amended. However, since the Petitioner's connectivity and LTA grants (since then transitioned to deemed GNA) had been made under the provisions of the Connectivity Regulations, a subsequent amendment in the Sharing Regulations brought about in view of the fresh grants under the GNA Regulations could not be made applicable to them, more so retrospectively.

- (f) The Petitioners have relied upon Regulation 22.4 of the GNA Regulations to contend that the start date or effective date of connectivity can only occur after operationalisation of GNA, or the start date of connectivity is to be the effective date of GNA. The above provision is necessarily to be read in conjunction with Regulation 13(3) of the 2020 Sharing Regulations, which makes an LTTC liable for transmission charges if the ATS has achieved COD, which is the position in the instant case.
- (g) Elements of Rajasthan SEZ Ph-II Part-A (S. No. A in Annexure-II of the LTA intimation dated 30.7.2021 of RSRPL) is the ATS for the RE developers, viz. [Renew Surya Vihaan Private Limited (200 MW), ReNew Surya Aayan Private Limited (300 MW), ReNew Surya Vihaan Private Limited (100 MW) Renew Surya Roshni Private Limited (400 MW)], Adani Renewable Energy Holding Seventeen Ltd. (600 MW) and Altra Xergi (380 MW) connected at Fatehgarh-III PS (Section-I). The transmission system for effecting LTA of the Petitioner (at S. No. An in Annexure-II of the LTA intimation dated 30.7.2021 of Petitioners RSRPL, RSAPL and RSVPL, which has achieved COD on 24.12.2023, is the ATS for the above-mentioned RE developers. Therefore, irrespective of the effectiveness of the GNA, all the Petitioners are liable for transmission charges for the ATS under Regulation 13(3) of the 2020 Sharing Regulations.
- (h) It is important to note that the ATS identified in the LTA granted to Petitioners RSPPL, RSAPL, RSRPL and RSVPL was commissioned as of December 24, 2023, as under:

Sr. No.	Developer	ATS* (Major Elements)	Status of ATS	Common Transmission System (CTS) (Major Elements)
1	Renew Surya Vihaan Private Limited	Raj. SEZ Ph-II Part-A • 4x500 MVA, 400/220 kV Fatehgarh-III PS • Fatehgarh-III PS – Fatehgarh-II PS (PG) 400kV D/c line • Fatehgarh-III PS – Jaisalmer-II PS (RVPN) 400kV D/c line • Associates 220 kV line bays	Commissioned	Rajasthan SEZ Ph-I
2	ReNew Surya Aayan Private Limited			Raj. SEZ Ph-II Part-B • Fatehgarh-II – Bhadla-II 765 kV D/c line (2nd) Raj. SEZ Ph-II Part-C • 2x1500 MVA, 765/400 kV Sikar-II S/s • Bhadla-II – Sikar-II 765 kV D/c line • Sikar-II – Neemrana 400 kV D/c line (Twin HTLS) Raj. SEZ Ph-II Part-D • Sikar-II - Aligarh 765 kV D/c line
3	ReNew Surya Vihaan Private Limited			Above elements i.e. Raj. SEZ Ph-II Part-B, C, D + Raj. SEZ Ph-II Part-G
4	Renew Surya Roshni Private Limited			• 3x1500 MVA, 765/400 kV Narela S/s • Khetri – Narela 765 kV D/c line • LILO of Meerut – Bhiwani 765 kV S/c line at Narela

(i) The following elements are being considered for the transmission charges to be raised on behalf of PRTL:

- Establishment of 400/220 kV, 4x500 MVA Ramgarh-II PS (Fatehgarh-III PS) with 420 kV (2x125 MVA) Bus Reactor
- Ramgarh-II PS (Fatehgarh-III) - Fatehgarh-II PS 400 kV D/c line (Twin HTLS)
- 2 nos. of 400kV line bays at Fatehgarh-II PS for Ramgarh-II PS - Fatehgarh-II PS 400 kV D/c line
- Ramgarh-II PS - Jaisalmer-II (RVPN) 400 kV D/c line (Twin HTLS)
- 2 nos. of 400 kV line bays at Jaisalmer-II (RVPN) for Ramgarh-II PS - Jaisalmer-II (RVPN) 400 kV D/c line

- (j) As per the LTA granted to the Petitioners, there exists an identified common transmission system which is required for the grant of deemed GNA to be effective.
- (k) All the elements of the common transmission system required for deemed GNA of Petitioners are not yet commissioned except for RSVPL (200 MW). Accordingly, the deemed GNA is not yet effective, and it will become effective upon commissioning of the common transmission system. Since it is an acknowledged fact that the ATS has been commissioned and is currently being utilised for power evacuation by the Petitioners' generating stations, it must be serviced by the DICs in accordance with their LTA quantum. It is reiterated that the requirement of GNA being made effective only depends upon the commissioning of all the elements identified, including the common transmission system, and is inconsequential insofar as the liability to pay transmission charges upon commissioning of the identified ATS is concerned.
- (l) In compliance with the Order dated 13.08.2024, on 14.8.2024, the Petitioners have deposited Rs. 1 Cr to the answering Respondent towards the outstanding transmission charges. Further, bills shall continue to be raised on petitioners for the capacity that has not achieved COD until its COD for their entire generation.

Submissions of PRTL in Compliance with the RoP for hearing dated 08.10.2024:

22. The Respondent, PRTL vide affidavit dated 16.10.2024 submitted as under:

- (a) Petition 271/MP/2024 has been filed by AXPPL seeking, *inter alia*, to quash the Invoices raised by CTUIL, namely, dated 22.03.2024 for the month of February 2024, dated 22.03.2024 for the month of March 2024, and dated 02.04.2024 for the month of April 2024.
- (b) The Transmission Project has been developed by PRTL after making a significant capital investment, and the only avenue to recoup such investment is through the recovery of the Transmission Tariff. Any delayed recovery of such Tariff leads to difficulty in debt servicing and O&M of the Transmission Project. PRTL ought to be provided with an appropriate remedy for the recovery of its transmission Tariff at the earliest in the interest of justice so as to protect PRTL from the uncertainties that have been caused by non-recovery of its transmission Tariff. The Transmission Charges payable to PRTL under the TSA continue to be paid for the

entire term, without any bearing on the LTA or any agreement entered into between Petitioners and CTU.

Rejoinder of Petitioners RSPPL, RSAPL, RSRPL and RSVPL to CTUIL's Reply:

23. The Petitioners in their Rejoinder vide affidavit dated 14.11.2024 to the CTUIL's Reply have mainly submitted as under:

- (a) All the Petitioners were LTA grantees in the erstwhile Connectivity Regulations regime and have transitioned to GNA in terms of Regulation 37.3.2 of the GNA Regulations. Accordingly, CTUIL vide its letter dated 25.09.2023 granted 'Deemed GNA' to the Petitioners. Once the Petitioners have transitioned into the GNA regime and the same has been accepted by CTUIL, the Petitioners shall be governed by the GNA Regulations, 2022 and other applicable CERC Regulations, including the amendment to the 2020 Sharing Regulations.
- (b) Further, the First and Second Amendment to the 2020 Sharing Regulations came into force on 01.10.2023 and 01.11.2023, respectively. The impugned invoices were raised by CTUIL on 22.03.2024, 02.04.2024, 01.05.2024, 03.05.2024, 01.07.2024, 01.08.2024 and 02.09.2024, i.e., after coming into effect of the amended 2020 Sharing Regulations. Therefore, the cause of action for the present petition can only be said to have arisen after issuance of the first invoice, i.e., after 22.03.2024. It is trite that a dispute between parties would be governed by the law as applicable on the date of initiation of the cause of action.
- (c) Minutes of the 30th Joint Coordination Committee meeting dated 26.06.2024 record that the connectivity start date for the Petitioners' Projects is likely to be 01.01.2025.
- (d) COD of ATS has not been achieved by the concerned transmission licensee. Regulation 2(1)(g) of the 2020 Sharing Regulations defines 'COD of the ATS' to mean the COD of the last transmission element of the ATS. Whereas ATS has been defined in Regulation 2(1)(b) to mean the transmission system identified for a generating station by the CTUIL in the LTA grant. Admittedly, the LTA grants dated 03.08.2020, 28.10.2020 and 30.07.2021 for all the Petitioners specified all elements in Parts A and B as the transmission system for the LTA.

- (e) COD in respect of the total capacity of the projects of Petitioners have been achieved on 08.06.2024 for RSAPL; on 21.06.2024 for RSRPL; and on 22.05.2024 for RSVPL. Once the COD has been attained, then, even as per CTUIL's submissions, no bilateral invoices could have been raised. However, CTUIL has continued to raise invoices up to 01.10.2024.

Rejoinder of Petitioner AREHSL and ASEBOPL to the reply of PRTL in Petition No. Petition No. 242/MP/2024:

24. The Petitioner AREHSL and ASEBOPL vide affidavit dated 28.01.2025 submitted as under:

- (a) When the GNA of the AREHSL itself became operational on 22.01.2025, then there is no basis whatsoever for any other parties (either PRTL or CTUIL) to allege that the ATS of the AREHSL is commissioned prior to the said date of 22.01.2025.
- (b) The transmission system developed by the PRTL was to be originally utilised by 5 other LTTCs/ generators, including the AREHSL, for a cumulative capacity of 1780 MW (after considering the LTA quantum of each of the generators) and as per tariff adoption order dated 05.05.2021 in 90/AT/2021 *one of the LTTCs, namely, Renew Surya Roshni Private Limited was removed from the list*. Therefore, the number of generators utilising the PRTL's transmission system was reduced to 4 generators. As such, the original quantum of utilisation was reduced, and certain additional generators were also allowed to utilise the PRTL's Transmission system. The systems were designed and built to more than the capacity required by the respective LTC/ Gencos, including AREHSL.
- (c) Accordingly, while computing the bilateral transmission charges, CTUIL ought to have excluded the corresponding cost of the system which were not part of connectivity/ LTA/ GNA elements or ATS at Sr. No 1 (2x500 MVA capacity of S/s and 2x125 MVA bus reactor), Sl. No. 3 (2 nos. of 400 kV Line bays at Fatehgarh II for (Ramgarh II) Fatehgarh III - Fatehgarh II PS 400 kV D/c line) and Sl. No. 5 (2 nos. of 400 kV Line bays each at Jaisalmer II for (Ramgarh II) Fatehgarh III - Jaisalmer II PS 400 kV D/c line) in the schedule 3 of TSA and further ought to have apportioned the proportionate cost of the system to the AREHSL by considering/ factoring the total system capacity irrespective of the quantum utilised through grant of Connectivity/ LTA/ GNA using the said system.

Hearing dated 18.03.2025 in Petition No. 216/MP/2024 along with IA 66/2024, Petition No. 271/MP/2024, and Petition No. 242/MP/2024:

25. The relevant extracts of the RoP for the hearing dated 18.03.2025 are as under:

“ ...

2. The Petitioner and CTUIL are directed to file the following information:

Petition No: 216/MP/2024

a) The Petitioners have declared the COD of their respective project in parts as under:

Name of the Project	Total Capacity	COD
Renew Surya Ayaan Pvt. Ltd.	300 MW	i. 290 MW on 31.03.2024 ii. 10 MW on 08.06.2024
Renew Surya Roshni Pvt. Ltd	400 MW	i. 285 on 11.04.2024 ii. 115 MW on 21.06.2024
Renew Surya Vihaan Pvt. Ltd	100 MW	i. 98 MW on 31.03.2024 ii. 2 MW on 22.05.2024
	200 MW	i. 175 MW on 24.02.2024. ii. 22 MW on 02.04.2024. iii. 3 MW on 18.05.2024.

The Petitioners to clarify on an affidavit within two weeks whether they are able to evacuate the power from the date of commercial operation of the respective part capacity of their project.

b) CTUIL is directed to submit on an affidavit within two weeks the present status of the effectiveness of the deemed GNA granted to the Petitioners.

Petition No: 271/MP/2024

a) The Petitioner has declared the COD of its part capacity of 259.60 MW on 31.01.2024 and 120.40 MW on 09.02.2024, respectively. The Petitioner to clarify on an affidavit within two weeks whether the Petitioner is able to evacuate its power from the date of commercial operation of the respective part capacity of the project.

b) CTUIL is directed to submit on an affidavit within two weeks the present status of the effectiveness of the deemed GNA granted to the Petitioner.

Petition No: 242/MP/2024

a) The Petitioner is directed to submit on an affidavit within two weeks the present status of its project.

b) CTUIL is directed to submit on an affidavit within two weeks its response to the contentions raised by the Petitioner in its affidavit dated 28.01.2025, that while computing the bilateral transmission charges CTUIL ought to exclude the cost towards elements of the PRTL transmission system which were not the part of the ATS as per the LTA granted to the Petitioner.”

Submissions of CTUIL in compliance with the RoP for hearing dated 18.03.2025 in Petition No. 216/MP/2025 and 271/MP/2024:

26. CTUIL vide affidavit dated 03.04.2025 has submitted the status of effectiveness of the deemed GNA granted to the Petitioners, which is as under:

Name of Grantee	Deemed GNA Quantum (MW)	Status of Effectiveness of Deemed GNA	Remarks
Renew Surya Ayaan Pvt. Ltd.	300	Effective w.e.f. 22.01.2025	
Renew Surya Roshni Pvt. Ltd.	400	Not Effective	Deemed GNA shall be made effective upon commissioning of Raj. SEZ Ph-II Part-G (Expected Commissioning by May'25)
Renew Surya Vihaan Pvt. Ltd.	200	Effective w.e.f. 20.03.2024	
	100	Effective w.e.f. 22.01.2025	
Altra Xergi	380	Effective w.e.f. 22.01.2025	

Submissions of CTUIL in compliance with the RoP for hearing dated 18.03.2025 in Petition No. 242/MP/2024:

27. Elements implemented by PRTL under Raj. SEZ Ph-II Part-A are to be used for immediate interconnection to the grid by generation projects connected/to be connected at Fatehgarh-III PS (Sec-I) only. Accordingly, these elements are considered as ATS for generation projects at Fatehgarh-III PS (Sec-IAs per the LTA grant of the AREHSL, the elements under Raj. SEZ Ph-II Part-A are indicated as required for the present LTA. The LTA system includes 2x500 MVA, 400/220 kV ICTs (3rd & 4th; however, given that various developers share 4x500 MVA, 400/220 kV ICTs and other elements, ATS in the instant case may be considered on a pro rata basis.

Submissions of Petitioner RSPPL, RSAPL, RSRPL and RSVPL (in Petition No. 216/MP/2024) in compliance with the RoP for hearing dated 18.03.2025:

28. The Petitioners vide affidavit dated 14.04.2025 have submitted as under:

- (a) GNA of the RSRPL for a capacity of 400 MW is yet to be made effective as of date.
- (b) The bilateral charges have been imposed on the Petitioners for the period from January 2024 to October 2024. For this period, the Petitioners were evacuating power under T-GNA. During the said period, there have been certain instances wherein, pursuant to instructions from NRLDC, the Petitioners had to curtail/ back down power generation due to various reasons, including unavailability of margin in the grid, thereby leading to generation loss.

Submissions of Petitioner AXPPL (in Petition No. 271/MP/2024) in compliance to the RoP for hearing dated 18.03.2025:

29. AXPPL vide submissions dated 03.04.2025 submitted that their 380 MW solar plant in Rajasthan has been evacuating power under margin from the date of commercial operation till operationalisation of GNA, i.e., on 22.01.2025. Since commissioning, the Petitioner's Project has received multiple instructions to curtail power, which has led to loss of generation. The Petitioner was seeking a Standing Clearance from the NRLDC on a monthly basis, prior to the operationalisation of the GNA, in order to inject power within the available margin.

Submissions of Petitioner AREHSL and ASEBOPL in compliance with the RoP for hearing dated 18.03.2025:

30. Petitioners vide submissions dated 03.04.2025 submitted that the overall commissioning plan of their project is expected to be completed by February-March 2026. (subject to land possession).

Hearing dated 13.05.2025 and 29.07.2025 in Petition No. 216/MP/2024 along with IA 66/2024, 242/MP/2024 along with IA No. 57/2024 and Petition No. 271/MP/2024:

31. The extracts of the RoP for the hearing dated 29.07.2025 are as under:

"During the course of the hearing, the learned counsels for the parties made detailed submissions and concluded their respective arguments in the matters.

2. Learned counsels for CTUIL and PRTL, however, sought to point out that the Petitioner, AREHSL, in Petition No.242/MP/2024, is not paying the applicable bilateral charges even after its connectivity/deemed GNA has been made effective from 22.1.2025. Accordingly, the learned counsels urged the Commission for necessary clarification on the aspect of AREHSL's liability towards transmission charges post 22.1.2025 vis-à-vis the interim protection operating in favour of the Petitioner in terms of Record of Proceedings for the hearing dated 8.11.2024. Learned counsels also pointed out that the total outstanding dues of AREHSL are already to the tune of approximately 19.48 crores, and post operationalization of deemed GNA, PRTL is losing out on approximately Rs. 1.27 crore on account of non-payment of the transmission charges due to it. Per contra, learned senior counsel for the Petitioner, AREHSL, submitted that the Petition was filed in May 2024 and the above issue, as now sought to be raised by the Respondents, is beyond the present Petition. In any case, the Respondents cannot seek any order/relief in the Petition filed by AREHSL.

3. Based on their request, the Commission permitted the parties to file their respective written submissions, if any, within two weeks, with a copy to the other side.

4. The Commission directed the CTUIL to file the following information on an affidavit within two weeks:

(a) Total outstanding amount of bilateral transmission charges in Petition No. 216/MP/2024 and 242/MP/2024 in the following format:

Sl. No.	Bill date	Bill Amount (in INR)	Billing Month	Billing Period	Quantum for which bilateral bills are raised onto the Petitioner (in MW)	Details of the transmission system against which bilateral bills have been raised onto the Petitioner

(b) Status of effectiveness of the GNA of 400 MW granted to Renew Surya Roshni Pvt. Ltd. in Petition No. 216/MP/2024.

5. The Commission observed that the interim protection issued by the Commission in Petition No. 242/MP/2024 would not extend to the period post-deemed GNA Operationalized by CTUIL (Or would not preclude the CTUIL from raising the applicable bilateral bills and taking an appropriate recourse in case of non-payment in terms of applicable GNA Regulations for the period after the operationalization of deemed GNA).

6. Subject to the above, the Commission reserved the matters for order”

Submissions of CTUIL in Compliance with the RoP for the hearing dated 29.07.2025:

32. The Respondent, CTUIL vide affidavit dated 02.09.2025 has submitted as under:

- (a) The GNA of 400 MW granted to Renew Surya Roshni Pvt. Ltd, shall be made effective upon commissioning of Rajasthan SEZ Ph-II Part-G & G1, i.e. 30.11.2025. The Generation- 400MW has been commissioned (285 MW- 11.04.2024 and 115 MW- 21.06.2024).
- (b) The details of total outstanding dues in Petition No. 242/MP/2024 for the billing period till 30.06.2025 are Rs. 20.63 Crore.

Written submissions of PRTL dated 25.08.2025 in Petition No. 216/MP/2024:

33. PRTL, in its written submission, reiterated its earlier submissions and mainly submitted as under:

- (a) The Scheduled Commissioning date (SCOD) of PRTL’s Transmission Project was 09.09.2022 (18 months from the effective date) as per Schedules 2 and 3 of the TSA, with actual commissioning on 24.12.2023, due to the various Force Majeure events not attributable to PRTL.
- (b) Bilateral transmission charges of ATS implemented by PRTL are being continued to be levied upon Adani Renewable Energy Holding Seventeen Ltd. on account of non-commissioning of its generation capacity till date.
- (c) With regard to the contention of the Petitioner that the entire scope under the LTA was not ready and without the entire scope being ready, PRTL ought not to be

paid for completing its scope, it is submitted that the same is not relevant to PRTL's entitlement for transmission charges, as PRTL has commissioned the complete transmission system stipulated under the TSA.

- (d) Since the commissioning of ReNew as well as Altra Xergi's Project, the power from the Project is being evacuated utilising the Transmission Elements (ATS) implemented by PRTL under the Transmission Project.

Written submissions of CTUIL dated 25.08.2025 in Petition No. 216/MP/2024:

34. CTUIL, in its written submission, reiterated its earlier submissions and mainly submitted as under:

- (a) The attempt of the Petitioners to equate the COD of ATS with the operationalisation of GNA is not correct. It may be noted that despite the notification of the GNA Regulations and necessary amendments to the Regulations, the obligation of payment of transmission charges continues to commence upon achievement of COD of ATS, even if GNA has not been operationalised.
- (b) The LTA was granted and identified the transmission system, which is provided in two categories:
- i. Part A - Transmission System for the present LTA
 - ii. Part B - Common Transmission System (Part of Transmission System associated with SEZ in Rajasthan 8.9 GW Phase – I scheme) in case of Petitioner No. 4 - 200 MW and Common Transmission System (Part of Transmission System associated with SEZ in Rajasthan 8.1 GW Phase – II scheme) in case of Petition No. 2, Petition No. 3, Petitioner No. 4 - 100 MW.
- (c) The elements covered under Part-A are designated for immediate interconnection to the grid for generation projects connected or to be connected at Fatehgarh-III PS (Section-I). This covers the Petitioners and two other Renewable energy developers – Altra Xergi Power Private Limited (380 MW) and Adani Renewable Energy Holding Seventeen Ltd. (600 MW). Accordingly, the elements of Rajasthan SEZ Ph-II Part-A are to be considered as ATS for all these developers (ReNew, Altra Xergi, and Adani).

- (d) The Common Transmission System identified for the Petitioners were part of the larger scheme – either the Phase I scheme related to 8.9 GW or the Phase II scheme related to 8.1 GW. Whereas Part A is identified only for the generation projects connected/ proposed to be connected at Fatehgarh-III PS (Sec-I).
- (e) In the present case, the applications and grant letters were prior to the GNA Regulations. The provisions of GNA Regulations cannot be made applicable retrospectively to these aspects. While the Petitioners exercised the option to convert their LTAs into GNAs deemed to have been granted under the GNA Regulations, the deemed GNA is not a fresh grant under the GNA Regulations. This is also clear from the letter dated 25.09.2023. There was no change in start date or transmission system requirements from the earlier grant.
- (f) The contention of the Petitioner that both Part A and Part B be identified as ATS would render the entire purpose of the division into two categories, both in the LTA letters and Regulation 6 of GNA Regulations, redundant, besides being contrary to the definition of ATS.
- (g) The fact that the ATS is only Part A, which was already commissioned on 24.12.2023, can also be clear from the fact that the Petitioners' generating stations were able to declare COD utilising the Part A system mentioned under LTA and, in fact, were able to evacuate power under T-GNA. Therefore, ATS was clearly sufficient for the immediate evacuation of power, as per Regulation 6.2 of the GNA Regulations. The Petitioners were undoubtedly able to commission and evacuate power from the generating station, indicating that the ATS was ready. If the Petitioners had been ready on 24.12.2023, they could also have commissioned the generating station on that day.
- (h) Petitioners have sought to refer to Regulation 22.4 of GNA Regulations 2022, which refers to the effective date of GNA. However, Regulation 13(3) of 2020 Sharing Regulations is not with reference to the effective date of GNA, and therefore, the reliance is misconceived. The provision is necessarily to be read in conjunction with Regulation 13(3) of the 2020 Sharing Regulations, which makes the Generator liable for transmission charges if the ATS has achieved COD.

Written submissions of Petitioners RSPPL, RSAPL, RSRPL and RSVPL in Petition No.216/MP/2024 dated 29.08.2025:

35. Petitioners RSPPL, RSAPL, RSRPL and RSVPL, in their written submission, re-iterated its earlier submissions and mainly submitted as under:

- (a) No distinction has been made at the time of granting the LTA as to whether Part A or Part B or both constitute the ATS.
- (b) The Commission has itself observed that COD can be declared only after a successful trial run of the last element of the ATS, and there can be no relaxation, as commercial liability starts soon after COD of all elements of the ATS. Therefore, CTUIL and PRTL cannot hold Petitioners liable to pay transmission charges before COD of the last element of the ATS (being the Annexure specified in the grant of LTA).
- (c) Instead of raising a bilateral bill upon the Petitioners, PRTL is entitled to recover its amounts in terms of Regulation 13(12) of the 2020 Sharing Regulations, which provides the modalities for a transmission licensee to recover its Transmission Charges.

Written submissions of Petitioners AREHSL and ASEBOPL in Petition No. 242/MP/2024 dated 25.08.2025:

36. Petitioners in their written submission re-iterated its earlier submissions and mainly submitted as under:

- (a) The right to impose bilateral bills by CTUIL, on behalf of transmission licensees such as PRTL, under Regulation 13(3) of the 2020 Sharing Regulations, is contingent upon the CTUIL being able to offer effectiveness of GNA to the generator, while the said generator has not commissioned. In the event that GNA cannot be said to be effective, PRTL is not entitled to recover its transmission charges from the generators through CTUIL, in terms of the above Regulations. In such an event, the transmission charges for PRTL must be passed on to the POC Pool in terms of regulation 13(12) of the 2020 Sharing regulations.
- (b) The Petitioner's GNA became effective/ operationalised only from 22.01.2025, i.e., after the commissioning of the 765/400 kV Sikar-II S/s, Bhadla-II – Sikar-II – Neemrana 400 kV D/c line. Until then, whatever system/ elements were made ready were not sufficient for the desired transfer of power on a long term basis, in terms of the LTA grant.

- (c) There cannot be a situation where a transmission system is ready for immediate evacuation of power; however, the GNA itself is not operationalised, meaning thereby that there cannot be any flow of power to intended beneficiaries on a long term basis even after commissioning the transmission system.
- (d) Only 3 elements out of the elements covered under Schedule III of the TSA executed with PRTL are covered under the LTA/ GNA of the Petitioners. Therefore, transmission charges qua only these elements can be levied upon the Petitioner. The total capacity of PRTL's transmission system comprises the following:

Sr. No	Name of Elements	Capacity	Remarks
1	Establishment of 400/220 kV, 4x500 MVA , at (Ramgarh II) Fatehgarh-III PS With 420 kV (2x125 MVA bus reactor)	2000 MVA	2x500 MVA capacity of S/s and 2x125 MVA bus reactor was not part of Petitioner's ATS/ elements and should not be apportioned such cost to the Petitioner, and even for the 2 x 500 MVA, which was part of the ATS, should be apportioned on the basis of its system cost proportionate to 600 MW
2	(Ramgarh II) Fatehgarh III PS - Fatehgarh-II PS 400 kV D/c line	3304 MW (Assuming 1652 MW per Circuit as per industry practice)	Per MW cost to be arrived considering the full system capacity of 3304 MW (<i>not the LTA/ Connectivity/ GNA capacity</i>), then to apportion such cost to the petitioner w.r.t. 600 MW
3	Ramgarh II (Fatehgarh III) PS - Jaisalmer II (RVPN) 400 kV D/c line	3304 MW (assuming 1652 MW per Circuit as per industry practice)	Per MW cost to be arrived considering the full capacity of 3304 MW (<i>not the LTA/ Connectivity/ GNA capacity</i>) and then to apportion such cost to the petitioner w.r.t. 600 MW
4	2 nos. of 400 kV Line bays at Fatehgarh II for (Ramgarh II) Fatehgarh III- Fatehgarh II PS 400 kV D/c line	NA	Not part of Petitioner ATS/elements
5	2 nos. of 400 kV Line bays each at Jaisalmer II for (Ramgarh II) Fatehgarh III - Jaisalmer II PS 400 kV D/c line	NA	Not part of Petitioner ATS/elements

Analysis and Decision

37. We have considered the submissions of the Petitioner and Respondents and the documents placed on record. The following issue arises for our consideration.

Issue 1: Whether the Petitioners are liable to pay the bilateral transmission charges for the PRTL transmission system (a) before the effectiveness of GNA, and (b) until the extended SCOD under the PPA? Whether the invoices raised on the Petitioners on account of bilateral transmission charges for the PRTL transmission system are liable to be quashed?

38. We now proceed to discuss the above issues.

39. The Petitioners RSPPL, RSAPL, RSRPL and RSVPL (in Petition No. 216/MP/2024), ASEBOPL and AREH17L (in Petition No. 242/MP/2024), and AXPPL (in Petition No. 271/MP/2024) have primarily disputed the invoices raised by CTUIL for the transmission system of PRTL under Regulation 13(3) of the 2020 Sharing Regulations. The common arguments raised by the Petitioners in each of the Petitions are summarised as under:

- (a) Invoices raised by CTUL are in contravention of the GNA Regulations 2022, and the 2020 Sharing Regulations, since the GNA granted to the Petitioners has not been made effective (except in the case of RV SPL (200 MW))
- (b) All the elements of the ATS/Common Transmission System as specified in the grant of LTA to the Petitioners are not ready as on the date, and therefore, there is no basis for CTUIL to impose any transmission/bilateral charges. Also, the intimation of grant of LTA to the Petitioners categorically states that liability to pay transmission charges shall start from the start date of LTA as requested by the applicant or from the date of commissioning of the transmission system identified for LTA, whichever is later.
- (c) As per Regulation 6.2 of GNA Regulations 2022, an ATS has been defined to mean the augmentation, which is required for immediate evacuation of power, excluding terminal bay(s). However, post the transition from LTA to GNA (vide letter dated 25.09.2023 issued by CTUIL), CTUIL has never communicated any revised ATS to the Petitioners. Thus, without such intimation/communication, it can be assumed that the transmission system as was identified at the time of grant of LTA to the Petitioner, is the ATS under the GNA of the said Petitioner as well, whose elements/ system have till date not achieved commissioning.

(d) SCOD of the RE generator has been extended by REIA, and hence, there is no delay by the generating station, in which case the invoice should not have been raised.

- 40.** The Respondent, NLDC, has submitted that NLDC has billed the Petitioners under Regulation 13 (3) of the 2020 Sharing Regulations as per details provided by CTU vide email dated 17.01.2024 to NLDC in which Petitioners were included for bilateral billing of transmission charges for the assets owned by PRTL.
- 41.** Respondent PRTL has submitted that it has declared the COD of transmission elements in its scope w.e.f. 24.12.2023, after successful completion of the trial run operation of elements and is entitled to the Transmission Charges from the date of the COD, i.e., 24.12.2023. PRTL had issued the Intimation dated 28.12.2023 regarding the COD of assets to all the LTTCs, i.e. Petitioners in the present case. The entitlement of PRTL towards the Transmission Charges is independent of the contractual agreement between the Petitioners and CTU. The TSA entered into between the PRTL and LTTCs, including Petitioners, does not in any manner refer to the LTA agreement or any agreement entered into between the Petitioners and CTU. Since the commissioning of the Petitioner's Project, power from the Projects is evacuated utilising the Transmission Elements implemented by PRTL under the Transmission Project.
- 42.** The Respondent, CTUIL has submitted that the Petitioner's case falls squarely under the Regulation 13(3) of the 2020 Sharing Regulations, which stipulates that a generating station is liable to pay transmission charges corresponding to the LTA granted to it, particularly in instances where the commissioning of the generation station is delayed, while the associated ATS has achieved its COD. Further, the waiver of transmission charges can be availed only by a generating station from the date of its actual COD.
- 43.** CTUIL has also submitted that elements of Rajasthan SEZ Ph-II Part-A (S. No. A in Annexure-II of the LTA intimation, which has achieved COD on 24.12.2023) are the ATS for the RE developers, viz. [Renew Surya Vihaan Private Limited (200 MW), ReNew Surya Aayan Private Limited (300 MW), ReNew Surya Vihaan Private Limited (100 MW), Renew Surya Roshni Private Limited (400 MW)], Adani Renewable Energy Holding Seventeen Ltd. (600 MW) and Altra Xergi (380 MW) connected at Fatehgarh-III PS (Section-I). Therefore, irrespective of the

effectiveness of the GNA, the Petitioners are liable for transmission charges for the ATS under Regulation 13(3) of the 2020 Sharing Regulations.

44. We have considered the submissions of Petitioners and Respondents in each of the Petitions. We have perused the disputed Invoice dated 22.03.2024, 02.04.2024 and 01.05.2024 in Petition No. 216/MP/2024, Invoice dated 22.03.2024 and 02.04.2024 in Petition No. 242/MP/2024 and Invoice dated 22.03.2024 in Petition No. 271/MP/2024. A snapshot of the invoice dated 22.03.2024 in Petition No. 216/MP/2024 is as under:

Ref No: CTUIL/BCD/Serial No:94401557

Date: 22 MAR 2024

To,
ReNew Surya Aayan Pvt. Ltd.
Commercial Block, Zone, Golf Cours , DLF City Phase 5-122002.
Gurugram , 122002
Haryana

DIC PAN :

Subject: Bill of Supply for Bilateral Bill for Billing month of Feb'24 on behalf of POWERGRID Ramgarh Trans. Ltd
Dear Sir,

Please find enclosed the Bill of Supply for Bilateral Bill for Billing month Feb'24 on behalf of POWERGRID Ramgarh Trans. Ltd as per sharing Regulation 2020.

1. Bill of Supply No :MI0636120199

Dated : 22 MAR 2024

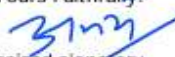
2.Amount : Rs.1,545,386.00

(In words: Rupees Fifteen Lakh Forty Five Thousand Three Hundred Eighty Six Only)

The Bill has been raised as per CERC (Sharing of Inter-State transmission charges & losses)Regulation 2020.

Thanking You,

Yours Faithfully,


Authorized signatory
For & On Behalf of
Central Transmission Utility of India Ltd

Encl: a/a

45. We note that the Petitioner RSRPL, RSAPL and RSVPL in Petition No. 216/MP/2024, AREHSL in Petition No. 242/MP/2024 and AXPPL in Petition No. 271/MP/2024 have been granted Stage-II Connectivity under 2009 Connectivity Regulations. The ISTS elements identified under the Stage-II connectivity with respect to all the Petitioners are as under:

- i. Establishment of 500 MVA 400/220 kV ICTs at Fatehgarh-III PS.
- ii. Fatehgarh-III PS – Fatehgarh-II PS (Twin HTLS) 400 kV D/c line
- iii. 220 kV bays at Fatehgarh-III PS for connectivity transmission system

- iv. Establishment of Jaisalmer (RVPN) S/s and Jaisalmer (RVPN) S/s - Fatehgarh-III PS (twin HTLS) 400 kV D/c line.

46. We note that the Petitioners RSRPL, RSAPL, RSVPL in Petition No. 216/MP/2024, AREHSL in Petition No. 242/MP/2024 and AXPPL in 271/MP/2024 were also granted Long Term Access under 2009 Connectivity Regulations, where the transmission system was identified under the annexures of such LTA grant. The relevant snapshots of the annexures of LTA grants in respect of all the Petitioners are as under:

LTA grant to RSRPL (400 MW) dated 30.07.2021:

**CENTRAL TRANSMISSION UTILITY OF INDIA LIMITED
Intimation for Grant of Long-term Access (LTA)**

1	Intimation No. Date :	: C/CTU/N/07/1200003269 30/07/2021
2	Ref. Application No. Date :	: 1200003269 17/05/2021
3	Name of the Applicant	: Renew Surya Roshni Private Limited
4	Address for Correspondence	: Renew Hub, Commercial Block-1, Zone-6, Golf Course Road DLF City Phase V, Gurugram, Haryana.
5	Nature of the Applicant Normal Generator (other than captive) Captive Generator Bulk Consumer Electricity Trader Distribution Licensee Others	: Generator (Hybrid-Solar + Storage)
6	Details for Long Term Access (LTA)	
6a	Quantum (MW) for which LTA is granted	: 400 MW
7	Injection of Power (more than one only in case of single Drawl)	
	Entity-1	: Renew Surya Roshni Private Limited
	State/Region	: Rajasthan / NR
	Quantum-1	: 400 MW
	Connectivity with the Grid	: 220 kV switchyard of Fatehgarh-III PS
8	Drawl of Power (more than one only in case of single Injection)	
	Entity-1	: Eastern Region
	State/Region	: ER (Target)
	Quantum-1	: 100 MW
	Connectivity with the Grid	: Interconnection of ISTS network with STU network
	Entity-2	: Western Region

State/Region	: WR (Target)
Quantum-2	: 100 MW
Connectivity with the Grid	: Interconnection of ISTS network with STU network
Entity-1	: Northern Region
State/Region	: NR (Target)
Quantum-1	: 200 MW
Connectivity with the Grid	: Interconnection of ISTS network with STU network
9 Transmission System for LTA	: As per Annexure-I
9a Date from which LTA is granted	: 31-12-2022 or commissioning of ISTS for LTA as per Annexure-I , whichever is later
9b Date upto which LTA is granted	: 31-12-2047
9c Implementing Agency for transmission system required for LTA	: ISTS Licensee(s)
9d Agencies between which agreement is to be signed for implementation of transmission system	: Renew Surya Roshni Private Limited and CTU/ ISTS Licensee
9e Amount (in Rupees) for which Bank Guarantee is to be provided by the applicant	: Rs. 20 Cr (@ Rs 5 Lakhs/MW)
10 Transmission Charges Applicable	: As per CERC (Sharing of ISTS Charges & Losses) Regulations, 2020 & amendment(s) thereof.

Annexure-II

A. Transmission system for present LTA at Fatehgarh-III PS

1. Augmentation of 1x500 MVA (4th) 400/220kV ICT at Fatehgarh-III Pooling station
2. Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line
3. Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line

B. Common Transmission system (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

1. Augmentation with 765/400kV, 2x1500MVA Transformer (5th & 6th) at Fatehgarh-II PS
2. Fatehgarh-II PS – Bhadla-II PS 765kV D/c line (2nd)
3. 1x240 MVA Switchable line reactor for each circuit at each end of Fatehgarh-II – Bhadla-II 765kV D/c line
4. Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVA at 400kV level & 2x330 MVA bus reactors at 765kV level at Sikar -II
5. Bhadla-II PS – Sikar-II 765kV D/c line
6. Sikar-II – Neemrana 400kV D/c line (Twin HTLS)*
7. 1x330 MVA Switchable line reactor for each circuit at Sikar-II end of Bhadla-II –Sikar-II 765kV D/c line
8. 1x240 MVA Switchable line reactor for each circuit at Bhadla-II end of Bhadla-II – Sikar-II 765kV D/c line
9. Sikar-II – Aligarh 765kV D/c line
10. 1x330 MVA switchable line reactor for each circuit at each end of Sikar-II – Aligarh 765kV D/c line
11. Establishment of 765/400 kV, 3X1500 MVA GIS substation at Narela with 765 kV (2x330 MVA) bus reactor and 400kV (1x125 MVAR) bus reactor.
12. Khetri – Narela 765 kV D/c line
13. LILO of 765 kV Meerut- Bhiwani S/c line at Narela
14. 1x330 MVA Switchable line reactor for each circuit at Narela end of Khetri – Narela 765kV D/c line
15. Removal of LILO of Bawana – Mandola 400kV D/c (Quad) line at Maharani Bagh /Gopalpur S/s. Extension of above LILO section from Maharani Bagh/ Gopalpur upto Narela S/s so as to form Maharani Bagh – Narela 400kV D/c(Quad) and Maharani Bagh-Gopalpur-Narela 400 kV D/c (Quad) lines.
16. 2 no of line bays at Narela each for Maharani Bagh – Narela 400 kV D/c (Quad) and Maharani Bagh –Gopalpur-Narela 400 kV D/c (Quad) lines formed after removal of LILO of Bawana – Mandola 400kV D/c(Quad) line at Maharani Bagh/Gopalpur S/s and Extension of above LILO section from Maharani Bagh/Gopalpur upto Narela S/s.
17. STATCOM:
Fatehgarh – II S/s: STATCOM: ± 600 MVA, 4x125 MVAR MSC, 2x125 MVA MSR
Bhadla – II S/s: STATCOM: ± 600 MVA, 4x125 MVAR MSC, 2x125 MVA MSR

*with minimum capacity of 2100 MVA on each circuit at nominal voltage

LTA grant to RSVPL (200 MW) dated 03.08.2020:



**POWER GRID CORPORATION OF INDIA LTD.
Intimation for Grant of Long-term Access (LTA)**

- | | | | |
|-----------|--|---|--|
| 1 | Intimation No. | : | C/CTU/N/07/1200002567 |
| | Date : | : | 03/08/2020 |
| 2 | Ref. Application No. | : | 1200002567 |
| | Date : | : | 30/04/2020 |
| 3 | Name of the Applicant | : | ReNew Surya Vihaan Private Limited |
| 4 | Address for Correspondence | : | ReNew Power, Commercial Block-1,
Zone-6, Golf Course Road,
DLF City Ph-V, Gurugram – 122009 |
| 5 | Nature of the Applicant | : | Generator (Solar) |
| | Normal Generator (other than captive) | : | |
| | Captive Generator | : | |
| | Bulk Consumer | : | |
| | Electricity Trader | : | |
| | Distribution Licensee | : | |
| | Others | : | |
| 6 | Details for Long Term Access (LTA) | : | |
| 6a | Quantum (MW) for which LTA is granted | : | 200 MW |
| 7 | Injection of Power (more than one only in case of single Drawl) | : | |
| | Entity-1 | : | ReNew Surya Vihaan Private Limited |
| | State/Region | : | Rajasthan / NR |
| | Quantum-1 | : | 200 MW |
| | Connectivity with the Grid | : | 220kV switchyard of Fatehgarh-III PS |
| 8 | Drawl of Power (more than one only in case of single Injection) | : | |
| | Entity-1 | : | Target |
| | State/Region | : | SR |
| | Quantum-1 | : | 200 MW |
| | Connectivity with the Grid | : | Interconnection of ISTS network with STU network |
| 9 | Transmission System for LTA | : | As per Annexure-I |
| 9a | Date from which LTA is granted | : | 31/03/2022 or commissioning of ISTS proposed for LTA as per Annexure-I , whichever is later |

Annexure-I

Transmission system for 200 MW LTA to ReNew Surya Vihaan Private Limited for transfer of power from Fatehgarh-III PS to SR

A. Transmission system for present LTA (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

- 1) Establishment of 1x500 MVA (1st) 400/220kV ICT at Fatehgarh-III Pooling station
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line
- 4) 1X1500MVA, 765/400 kV ICT (5th) at Fatehgarh-II PS

B. Common transmission system under implementation (Part of Transmission system associated with SEZ in Rajasthan under 8.9 GW Phase-I scheme)

- 1) Establishment of 765/400kV, 4X1500MVA ICT (1st to 4th) pooling station at suitable location near Fatehgarh (Fatehgarh-II PS)
- 2) Establishment of 765/400kV, 3x1500MVA pooling station at suitable location near Phalodi/ Bhadla in Jodhpur (Bhadla-II PS)
- 3) Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Khetri
- 4) Charging of Fatehgarh-II PS–Bhadla section at 765kV level
- 5) LILO of both ckts of 765kV Ajmer – Bikaner D/c line at Bhadla-II PS
- 6) Fatehgarh-II PS – Bhadla -II PS 765kV D/c line
- 7) Bhadla-II PS – Bhadla (PG) 400kV D/c Line (Twin HTLS)
- 8) Bikaner(PG) – Khetri S/s 765kV D/c line
- 9) Khetri – Jhatikara 765kV D/c line
- 10) Khetri – Sikar (PG) 400kV D/c line (twin AL59)
- 11) Augmentation with 1x1000MVA, 765/400kV transformer (3rd) at Bhiwani (PG)
- 12) Ajmer (PG)– Phagi 765kV D/c line
- 13) Associated Reactive Power Compensation
- 14) Transmission scheme for controlling high loading and high short circuit level at Moga substation (Suitable bus splitting arrangement at 765/400/220 kV Moga S/s)

Following Transmission System for Connectivity shall also be required for grant of LTA at Fatehgarh-III PS:

- 1) Establishment of Fatehgarh-III Pooling station along with 1x500 MVA (1st) 400/220kV ICT.
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line.

The start date of LTA of RSVPL (200 MW) was revised to 30.11.2022 vide CTUIL letter dated 10.08.2021.



LTA grant to RSVPL (100 MW) dated 27.10.2020:

FORMAT-LT

POWER GRID CORPORATION OF INDIA LTD. Intimation for Grant of Long-term Access (LTA)

1	Intimation No. Date :	: C/CTU/N/07/1200002783 27/10/2020
2	Ref. Application No. Date :	: 1200002783 18/08/2020
3	Name of the Applicant	: Renew Surya Vihaan Pvt. Ltd.
4	Address for Correspondence	: Renew Power, Commercial Block-1, Zone-6, Golf Course Road, DLF City, Phase-V, Gurugram-122009, Haryana
5	Nature of the Applicant Normal Generator (other than captive) Captive Generator Bulk Consumer Electricity Trader Distribution Licensee Others	: Generator (Solar)
6	Details for Long Term Access (LTA)	
6a	Quantum (MW) for which LTA is granted	: 100 MW
7	Injection of Power (more than one only in case of single Drawl) Entity-1 State/Region Quantum-1 Connectivity with the Grid	: Renew Surya Vihaan Pvt. Ltd. Rajasthan / NR 100 MW 220kV switchyard of Fatehgarh-III PS
8	Drawl of Power (more than one only in case of single Injection) Entity-1 State/Region Quantum-1 Connectivity with the Grid	: Target ER 100 MW (ER) Interconnection of ISTS network with STU network
9	Transmission System for LTA	: As per Annexure-I
9a	Date from which LTA is granted	: 30/04/2022 or commissioning of ISTS proposed for LTA as per Annexure-I,

Annexure-I

Transmission system for LTA

A. Transmission system for present LTA at Fatehgarh-III PS

- 1) Establishment of 2x500 MVA (3rd & 4th) 400/220kV ICT at Fatehgarh-III Pooling station—Part-A
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line—Part-A
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line—Part-A

B. Common Transmission system (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

- 1) Augmentation with 765/400kV, 2x1500MVA Transformer (5th & 6th) at Fatehgarh-II PS—Part-B1
- 2) Fatehgarh-II PS – Bhadla-II PS 765kV D/c line (2nd) —Part-B
- 3) 1x240 MVar Switchable line reactor for each circuit at each end of Fatehgarh-II – Bhadla-II 765kV D/c line—Part-B
- 4) Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVar at 400kV level & 2x330 MVar bus reactors at 765kV level at Sikar -II—Part-C
- 5) Sikar-II – Neemrana 400kV D/c line (Twin HTLS) —Part-C
- 6) Bhadla-II PS – Sikar-II 765kV D/c line—Part-C
- 7) 1x330 MVar Switchable line reactor for each circuit at Sikar-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 8) 1x240 MVar Switchable line reactor for each circuit at Bhadla-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 9) Sikar-II – Aligarh 765kV D/c line—Part-D
- 10) 1x330 MVar switchable line reactor for each circuit at each end of Sikar-II – Aligarh 765kV D/c line—Part-D



The start date of LTA of RSVPL (100 MW) was revised to 30.07.2022 or commissioning of ISTS for LTA, whichever is later, vide CTUIL letter dated 18.08.2021.

LTA grant to RSAPL (300 MW) dated 27.10.2020:

**POWER GRID CORPORATION OF INDIA LTD.
Intimation for Grant of Long-term Access (LTA)**

- | | | |
|-----------|--|--|
| 1 | Intimation No.
Date : | : C/CTU/N/07/1200002782
27/10/2020 |
| 2 | Ref. Application No.
Date : | : 1200002782
18/08/2020 |
| 3 | Name of the Applicant | : Renew Surya Aayan Pvt. Ltd. |
| 4 | Address for Correspondence | : Renew Power, Commercial Block-1,
Zone-6, Golf Course Road, DLF City,
Phase-V, Gurugram-122009, Haryana |
| 5 | Nature of the Applicant
Normal Generator (other than captive)
Captive Generator
Bulk Consumer
Electricity Trader
Distribution Licensee
Others | : Generator (Solar) |
| 6 | Details for Long Term Access (LTA) | |
| 6a | Quantum (MW) for which LTA is granted | : 300 MW |
| 7 | Injection of Power (more than one only in case of single Drawl)
Entity-1
State/Region
Quantum-1
Connectivity with the Grid | : Renew Surya Aayan Pvt. Ltd.
: Rajasthan / NR
: 300 MW
: 220kV switchyard of Fatehgarh-III PS |
| 8 | Drawl of Power (more than one only in case of single Injection)
Entity-1
State/Region
Quantum-1
Connectivity with the Grid | : Target
: ER
: 300 MW (ER)
: Interconnection of ISTS network with STU network |
| 9 | Transmission System for LTA | : As per Annexure-I |
| 9a | Date from which LTA is granted | : 30/04/2022 or commissioning of ISTS proposed for LTA as per Annexure-I , |

Transmission system for LTA**A. Transmission system for present LTA at Fatehgarh-III PS**

- 1) Establishment of 2x500 MVA (3rd & 4th) 400/220kV ICT at Fatehgarh-III Pooling station—Part-A
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line—Part-A
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line—Part-A

B. Common Transmission system (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

- 1) Augmentation with 765/400kV, 2x1500MVA Transformer (5th & 6th) at Fatehgarh-II PS—Part-B1
- 2) Fatehgarh-II PS – Bhadla-II PS 765kV D/c line (2nd) —Part-B
- 3) 1x240 MVAR Switchable line reactor for each circuit at each end of Fatehgarh-II – Bhadla-II 765kV D/c line—Part-B
- 4) Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVAR at 400kV level & 2x330 MVAR bus reactors at 765kV level at Sikar -II—Part-C
- 5) Sikar-II – Neemrana 400kV D/c line (Twin HTLS) —Part-C
- 6) Bhadla-II PS – Sikar-II 765kV D/c line—Part-C
- 7) 1x330 MVAR Switchable line reactor for each circuit at Sikar-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 8) 1x240 MVAR Switchable line reactor for each circuit at Bhadla-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 9) Sikar-II – Aligarh 765kV D/c line—Part-D
- 10) 1x330 MVAR switchable line reactor for each circuit at each end of Sikar-II – Aligarh 765kV D/c line—Part-D

The start date of LTA of RSVPL (100 MW) was revised to 30.07.2022 vide CTUIL letter dated 18.08.2021.

LTA grant to AREHSL (600 MW) dated 27.10.2020:

POWER GRID CORPORATION OF INDIA LTD.		FORMAT-LTA/
Intimation for Grant of Long-term Access (LTA)		
1	Intimation No. Date :	C/CTU/N/07/1200002789 27/10/2020
2	Ref. Application No. Date :	1200002789 01/08/2020
3	Name of the Applicant	SBE Renewables Seventeen Pvt. Ltd.
4	Address for Correspondence	1 st Floor, Worldmark-2, Asset Area-8, Aerocity, Delhi-110037
5	Nature of the Applicant Normal Generator (other than captive) Captive Generator Bulk Consumer Electricity Trader Distribution Licensee Others	Generator (Solar)
6	Details for Long Term Access (LTA)	
6a	Quantum (MW) for which LTA is granted	600 MW
7	Injection of Power (more than one only in case of single Drawl)	
	Entity-1	SBE Renewables Seventeen Pvt. Ltd.
	State/Region	Rajasthan / NR
	Quantum-1	600 MW
	Connectivity with the Grid	220kV switchyard of Fatehgarh-III PS
8	Drawl of Power (more than one only in case of single Injection)	
	Entity-1	Target
	State/Region	WR
	Entity-2	Target
	State/Region	NR
	Quantum-1	320 MW (WR)
	Quantum-2	280 MW (NR)
	Connectivity with the Grid	Interconnection of ISTS network with STU network
9	Transmission System for LTA	As per Annexure-I

9a	Date from which LTA is granted	: 01/03/2022 or commissioning of ISTS proposed for LTA as per Annexure-I, whichever is later
9b	Date upto which LTA is granted	: 28/02/2047
9c	Implementing Agency for transmission system required for LTA	: CTU(POWERGRID) / ISTS Licensee
9d	Agencies between which agreement is to be signed for implementation of transmission system	: SBE Renewables Seventeen Pvt. Ltd. and CTU(POWERGRID) / ISTS Licensee
9e	Amount (in Rupees) for which Bank Guarantee is to be provided by the applicant	: Rs. 30 Crore [@Rs. 5 lakh/MW]
10	Transmission Charges Applicable	: As per CERC (Sharing of ISTS Charges & Losses) Regulations, 2010 & amendment(s) thereof.

Annexure-I

Transmission system for LTA

A. Transmission system for present LTA at Fatehgarh-III PS

- 1) Establishment of 2x500 MVA (3rd & 4th) 400/220kV ICT at Fatehgarh-III Pooling station—Part-A
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line—Part-A
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line—Part-A

B. Common Transmission system (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

- 1) Augmentation with 765/400kV, 2x1500MVA Transformer (5th & 6th) at Fatehgarh-II PS—Part-B1
- 2) Fatehgarh-II PS – Bhadla-II PS 765kV D/c line (2nd) —Part-B
- 3) 1x240 MVAR Switchable line reactor for each circuit at each end of Fatehgarh-II – Bhadla-II 765kV D/c line—Part-B
- 4) Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVAR at 400kV level & 2x330 MVAR bus reactors at 765kV level at Sikar -II—Part-C
- 5) Sikar-II – Neemrana 400kV D/c line (Twin HTLS) —Part-C
- 6) Bhadla-II PS – Sikar-II 765kV D/c line—Part-C
- 7) 1x330 MVAR Switchable line reactor for each circuit at Sikar-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 8) 1x240 MVAR Switchable line reactor for each circuit at Bhadla-II end of Bhadla-II – Sikar-II 765kV D/c line—Part-C
- 9) Sikar-II – Aligarh 765kV D/c line—Part-D
- 10) 1x330 MVAR switchable line reactor for each circuit at each end of Sikar-II – Aligarh 765kV D/c line—Part-D

LTA grant to AXPPL (380 MW) dated 10.09.2020:



**POWER GRID CORPORATION OF INDIA LTD.
Intimation for Grant of Long-term Access (LTA)**

- | | | | |
|-----------|--|---|--|
| 1 | Intimation No. | : | C/CTU/N/07/1200002639 |
| | Date : | : | 10/09/2020 |
| 2 | Ref. Application No. | : | 1200002639 |
| | Date : | : | 12/06/2020 |
| 3 | Name of the Applicant | : | Altra Xergi Power Pvt. Ltd. |
| 4 | Address for Correspondence | : | ABL Workspaces, 2nd Floor,
Two Horizon Centre,
DLF Ph-V, Gurugram – 122009 |
| 5 | Nature of the Applicant | : | Generator (Solar) |
| | Normal Generator (other than captive) | : | |
| | Captive Generator | : | |
| | Bulk Consumer | : | |
| | Electricity Trader | : | |
| | Distribution Licensee | : | |
| | Others | : | |
| 6 | Details for Long Term Access (LTA) | | |
| 6a | Quantum (MW) for which LTA is granted | : | 380 MW |
| 7 | Injection of Power (more than one only in case of single Drawl) | | |
| | Entity-1 | : | Altra Xergi Power Pvt. Ltd. |
| | State/Region | : | Rajasthan / NR |
| | Quantum-1 | : | 380 MW |
| | Connectivity with the Grid | : | 220kV switchyard of Fatehgarh-III PS (new) |
| 8 | Drawl of Power (more than one only in case of single Injection) | | |
| | Entity-1 | : | Target |
| | State/Region | : | WR |
| | Quantum-1 | : | 380 MW |
| | Connectivity with the Grid | : | Interconnection of ISTS network with STU network |
| 9 | Transmission System for LTA | : | As per Annexure-I |
| 9a | Date from which LTA is granted | : | 01/03/2022 or commissioning of ISTS proposed for LTA as per Annexure-I , |

Annexure-I**Transmission system for LTA****A. Transmission system for present LTA at Fatehgarh-III PS**

- 1) Establishment of 2x500 MVA (1st & 2nd) 400/220kV ICT at Fatehgarh-III Pooling station—Part-A
- 2) Fatehgarh-II PS – Fatehgarh-III PS 400 kV (Twin HTLS) 400 kV D/c line—Part-A
- 3) Jaisalmer (RVPN) S/s - Fatehgarh-III PS (Twin HTLS) 400 kV D/c line—Part-A

B. Common Transmission system (Part of Transmission system associated with SEZ in Rajasthan under 8.1 GW Phase-II scheme)

- 1) Augmentation with 765/400kV, 2x1500MVA Transformer (5th & 6th) at Fatehgarh-II PS—Part-B1
- 2) Fatehgarh-II PS – Bhadla-II PS 765kV D/c line (2nd) —Part-B
- 3) Establishment of 765/400kV, 2x1500 MVA S/s at suitable location near Sikar (Sikar-II Substation) with 1x125 MVA at 400kV level & 2x330 MVA bus reactors at 765kV level at Sikar -II—Part-C
- 4) Bhadla-II PS – Sikar-II 765kV D/c line—Part-C
- 5) Sikar-II – Neemrana 400kV D/c line (Twin HTLS) —Part-C
- 6) Associated reactive power compensation —Part-C

As per the above, the transmission system constructed by PRTL has been indicated as 'transmission system required for current LTA' and additional common transmission systems associated with SEZs in Rajasthan under the 8.1 GW Phase-II scheme and 8.9 GW Phase-I scheme were also identified under the respective LTA grants. Further, it is provided that the transmission charges are payable in accordance with the CERC Sharing Regulations and any amendments thereto. It is noted that after the effectiveness of the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, the Petitioners have been granted deemed GNA for the respective capacity vide CTUIL intimation dated 25.09.2023 and the status of effectiveness of the deemed GNA granted to the Petitioners as per records are as under:

Sr. No.	Petitioner Name	Deemed GNA Quantum (MW)	Effectiveness Status of Deemed GNA
1	RSVPL	200	Effective from 20.03.2024
2	RSAPL	300	Effective from 22.01.2025
3	RSVPL	100	Effective from 22.01.2025
4	RSRPL	400	Not Effective
5	AREH7L	600	Effective from 22.01.2025
6	AXXPL	380	Effective from 22.01.2025

47. We observe that the Petitioners in the present Petitions have also entered into a Transmission Service Agreement (TSA) with PRTL on 11.11.2020 to use the available transmission capacity of the transmission system to be executed by PRTL. The snapshot of Schedule 1 of the TSA is as under:

Schedule: 1

List of Long Term Transmission Customers

Sr. No.	Name of the Long Term Transmission Customer	Address of Registered Office	Law under which incorporated	Allocated Project Capacity (in MW)*
1.	SBE Renewables Seventeen Private Limited	15C Floor, WORLDMARKS AEROCITY NEW DELHI - 110037	Companies Act	600 (WR & NR)
2.	Renew Surya Aayan Private Limited	138, Ansal Chambers II, Bhikaji Cama Place, Delhi - 110066	Companies Act	300 (ER)
3.	Renew Surya Vihaan Private Limited	138, Ansal Chambers II, Bhikaji Cama Place, Delhi - 110066	Companies Act	100 (ER) & 200 (SR)
4.	Renew Surya Roshni Private Limited	138, Ansal Chambers II, Bhikaji Cama Place, Delhi - 110066	Companies Act	400 (WR & NR)
5.	Altra Xergi Power Private Limited	C-53, Flatted Factory, Complex, Jhandewala, New Delhi - 110055	Companies Act	380 (WR & NR)

* While the bidding is being done on the basis of existing Standard Bidding Documents (SBDs), and the list of LTTC is being provided as per the format of the existing SBDs. It is clarified that the transmission charges will be shared and recovered as per the applicable CERC regulation. The transmission charges will be shared and recovered for payment as per the applicable CERC regulation which is at present the Point of Connection mechanism of sharing. As per the present CERC regulation the charges will be recovered by the Central Transmission Utility from the DICs and disbursed to the TSPs as per the Revenue Share Agreement.

Note: The above list of Long Term Transmission Customers is subject to change. Any addition or deletion in this list after the award of LoI shall be duly notified to the Parties to the Agreement.

The new Long Term Transmission Customers shall become a Party to this Agreement after agreeing to the terms and conditions of this Agreement and

RNTL

SBER17PL

RSAPL

RSVPL

AXPPL

RSRPL

As per the above, TSA provides that transmission charges shall be recovered in accordance with the applicable CERC Regulations.

48. The snapshot of Schedule 3 of the TSA is as under:

Schedule: 3

Scheduled COD

[Note: As referred to in the definition of "Element", "Scheduled COD", and in Articles 3.1.3 (c), 4.1 (b) and 4.3 (a) of this Agreement]

Sr. No	Name of the Transmission Element	Scheduled COD in months from Effective Date	Percentage of Quoted Transmission Charges recoverable on Scheduled COD of the Element of the Project	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Establishment of 400/220 kV, 4x500 MVA at Ramgarh - II (Fatehgarh-III) PS with 420kV (2x125 MVAR) bus reactor	18 months	100%	Elements marked at Sl. No. 1 to 5 are required to be commissioned simultaneously as their utilization is dependent on commissioning of each other.
2.	Ramgarh-II (Fatehgarh-III) PS - Fatehgarh- II PS 400kV D/c line (Twin HTLS*)	18 months		
3.	2 no. of 400 kV line bays at Fatehgarh- II for Ramgarh - II (Fatehgarh-III) PS - Fatehgarh- II PS 400kV D/c line	18 months		
4.	Ramgarh -II (Fatehgarh-III) PS- Jaisalmer-II (RVPN) 400 kV D/c line (Twin HTLS*)	18 months		
5.	2 no. of 400 kV line bays each at Jaisalmer- II for Ramgarh - II (Fatehgarh-III) - Jaisalmer-II 400kV D/c line	18 months		

* with minimum capacity of 2100 MVA on each circuit at nominal voltage

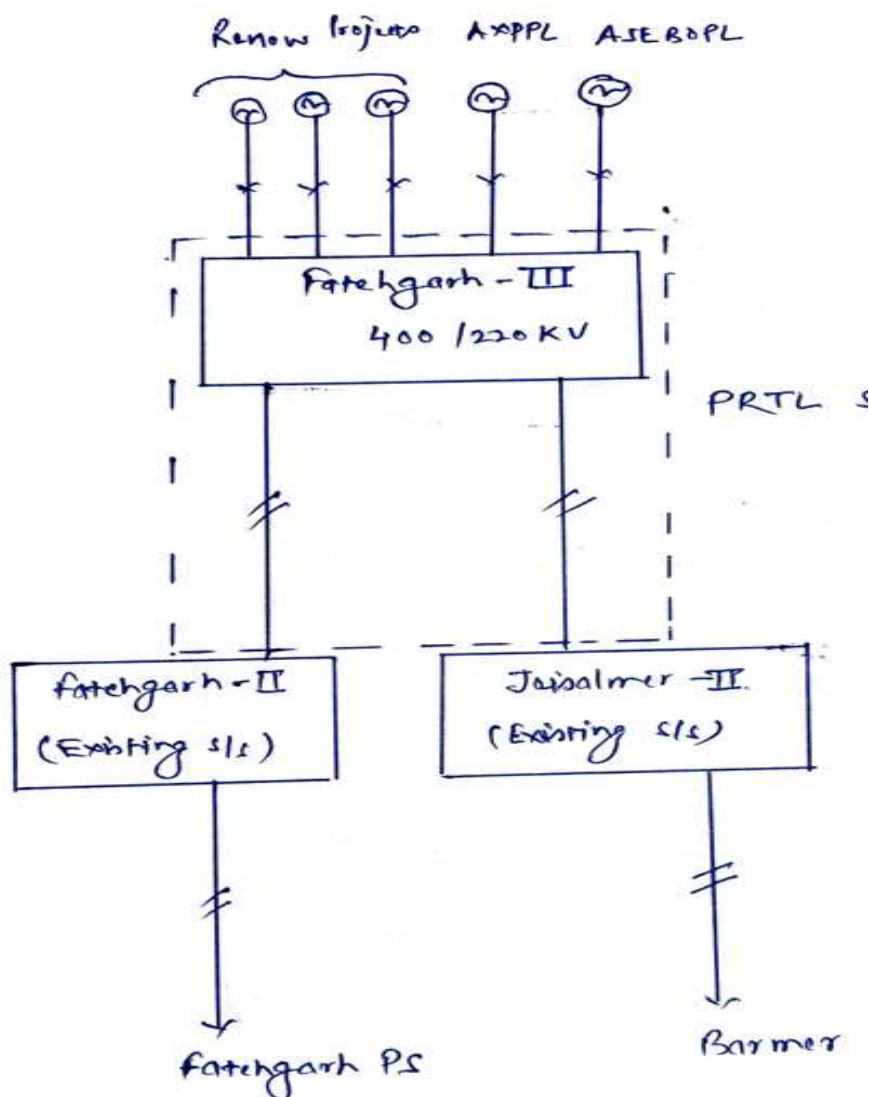
The payment of Transmission Charges for any Element irrespective of its successful commissioning on or before its Scheduled COD shall only be considered after successful commissioning of the Element(s) which are pre-required for declaring the commercial operation of such Element as mentioned in the above table.

Scheduled COD for overall Project: 18 months from Effective Date



As per the above, all elements in schedule 3 of the TSA are to be commissioned together. It is also noted that the 400 kV line bays at Fatehgarh-II and Jaisalmer II, associated with the Fatehgarh-II to Jaisalmer-II line, are intended for the termination of the said transmission line, and even if not specifically identified separately in the LTA grant, are included within the identified transmission line.

49. An SLDC indicating the transmission system in the PRTL's scope, its inter-connection with the generators and other transmission lines, is as under:



As per above, we have seen that the PRTL's transmission system at one end was to be connected to the Petitioners' projects and at the other end it was to be connected with Fatehgarh II PS and Jaisalmer II PS, which are the existing substations.

50. We observe that the SCOD of PRTL's transmission system was 09.09.2022, and after successful trial operation, PRTL has declared the COD of the complete transmission system in its scope as per the TSA on 24.12.2023.

51. We note that the Status of the project of Petitioners covered under the present Petitions is as under:

S. No.	Name of the Project	Total Capacity (MW)	Original SCOD	COD
1	RSAPL	300	28.10.2023	i. 290 MW on 31.03.2024 ii. 10 MW on 08.06.2024
2	RSRPL	400	06.08.2023	i. 285 MW on 11.04.2024 ii. 115 MW on 21.06.2024
3	RSVPL	100	01.10.2023	i. 98 MW on 31.03.2024 ii. 2 MW on 22.05.2024
		200		i. 175 MW on 24.02.2024. ii. 22 MW on 02.04.2024. iii. 3 MW on 18.05.2024.
4	ASEBOPL	600	10.03.2022	Not declared COD yet. Expected by February -March 2026
5	AXPPL	380	27.02.2022	i. 259.60 MW on 31.01.2024 ii. 120.40 MW on 09.02.2024

As per above, Project of Petitioners RSAPL, RSRPL and RSVPL (in Petition No. 216/MP/2024), ASEBOPL (in Petition No. 242/MP/2024), and AXPPL (in Petition No. 271/MP/2024) were not ready on 24.12.2023, when the PRTL transmission system was declared under commercial operation.

52. The disputed period under the present Petitions is 24.12.2023 and onwards. ATS is defined under the 2020 Sharing regulations applicable during the period of dispute as follows:

“(b) ‘Associated Transmission System’ or ‘ATS’ shall have the same meaning as defined in GNA Regulations;”

53. Further, the GNA Regulations, 2022, provide as under:

“(b) “Associated Transmission System” or “ATS” for Applicant(s) for Connectivity means the ATS as determined in accordance with Regulation 6 of these regulations;

...

6.2. *Of the augmentation requirement as identified under Regulation 6.1 of these regulations, augmentation required for immediate evacuation of power of the Applicant (s), excluding terminal bay(s), shall be considered as the Associated Transmission System (ATS) for the Applicant(s)."*

As per above, the GNA Regulations define the 'ATS' as the transmission system required for the immediate evacuation of power of the Applicant. We note that although Petitioners were granted Stage-II Connectivity and LTA under the 2009 Connectivity Regulations, they transitioned to GNA Regulations, and as of the date of the dispute, the GNA Regulations were effective and, hence, Petitioners are bound by the provisions of the GNA Regulations. As per the GNA Regulations, since ATS is not the entire system identified for making the GNA effective for an entity, and it is only the immediate evacuation system, the contention of Petitioners to consider the entire transmission system, including the transmission system for the LTA and the common system under the respective LTA grants, as ATS is not acceptable.

54. Petitioners have stated that CTU never communicated to them as to what their ATS was, after the GNA Regulations were made effective, and hence they are not liable to pay charges for ATS. We do not agree to these contentions of Petitioners since Petitioners are liable to pay charges for ATS as per the extant regulations; nonetheless, if CTU had communicated the ATS to the Petitioners while transitioning to GNA, it would have provided clarity to the Petitioners much before the bills were raised.

55. Regulation 13(3) of the 2020 Sharing Regulations applicable during the disputed period provides as under:

"(3) Where COD of a Connectivity grantee other than Renewable Power Park Developer has not been achieved on or before start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than start date of Connectivity, the Connectivity Grantee shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to Connectivity capacity which has not achieved COD:

Provided that where a Connectivity grantee is Renewable Power Park Developer and the generation capacity within the Renewable Power Park has not declared COD on or before start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than start date of Connectivity, the Renewable Power Park Developer shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to generation capacity which has not achieved COD:

Provided that Yearly Transmission Charges in respect of Associated Transmission System corresponding to the Connectivity capacity which have achieved COD shall

be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations.

As per the above, transmission charges for ATS are to be levied on the connectivity grantee corresponding to the Connectivity capacity that has not achieved COD, in case ATS has achieved COD (*not earlier than the start date of Connectivity*), but the generating station is delayed.

As per the above, the levy of bilateral transmission charges is not linked with the effectiveness of GNA, provided that the levy of ATS is not prior to the 'start date of Connectivity'. The 'start date of connectivity' under the GNA Regulations is the same as 'start date of LTA' under the 2009 Connectivity Regulations, since under the GNA Regulations, connectivity implies LTA for a quantum equal to Connectivity. The start date of LTA, as per the LTA grants for each Petitioner, is prior to 24.12.2023, i.e., the date on which ATS achieved COD.

56. We observe that the issue of liability and obligation of the generator towards the payment of transmission charges for ATS, on account of delay in commissioning of generating stations, has also been dealt with in the order dated 09.09.2025 in Petition No. 9/TT/2021 quoted as follows:

"Issue No. 2: Whether ESUCRL can be made liable for payment of transmission charges of the entire 750 MW Bhadla Solar Park before the effective date of LTA on 1.06.2021?"

32. ESUCRL has submitted that the Petitioner, vide letter dated 19.05.2021, informed Respondent No. 20 that the effective date of the 750 MW Long-Term Access Agreement (LTAA) was 01.06.2021; however, the Petitioner has erroneously stated in the Petition that the start date was 31.12.2018. This error is contradicted by the CERC Judgment dated 11.06.2022, which clearly records that the LTAA was operationalised from 01.06.2021. Therefore, without prejudice, it is submitted that transmission charges cannot be imposed for any period prior to the grant and operationalisation of the said LTAA.

33. The petitioner has submitted that the Commission, in line with the applicable provisions of the Sharing Regulations, 2010 and 2020, as well as its consistent regulatory approach including the decision in Petition No. 1/MP/2016, has rightly held that ESUCRL is liable to pay transmission charges for the mismatch period during which POWERGRID's associated transmission assets (Assets 1(c), 3, and 4) had achieved COD, but the corresponding solar generation capacity (750 MW) at ESUCRL's end was either partially commissioned or remained uncommissioned. The regulatory framework clearly mandates that in cases of delayed COD of a generating station while the transmission system is ready, the generator must bear the transmission charges to avoid burdening other stakeholders and ensure recovery of costs for assets developed on time.

34. We have gone through the submissions of the petitioner and ESUCRL. ESUCRL had applied for LTA vide its application dated 30.05.2015, for the evacuation of 750

MW of Power from Phalodi-Pokhra Solar Power Park at Jaisalmer. CTUIL vide its letter dated 12.10.2017 has granted LTA, while the Long-term Access and Transmission Service Agreement was executed between CTUIL and ESUCRL on 7.11.2017. The LTA was granted from 31.12.2018 or on the availability of the ISTS Petitioner for LTA, whichever was later.

.....

36. CTUIL vide its letter dated 19.05.2021 had informed M/s ESUCRL that the 750 MW LTA granted to M/s ESUCRL was being made effective from 01.06.2021, and M/s ESUCRL shall be liable for payment of applicable transmission charges for the delayed generation period in accordance with CERC regulations/ procedure & directions/orders issued from time to time.

.....

38. As per our order dated 31.3.2016 in Petition No. 1/MP/2016 read with corrigendum order dated 31.3.2016, the following transmission scheme has been approved for evacuation of power from Saurya Urja Company of Rajasthan Limited [SUCRL] (500 MW), Adani Renewable Energy Park Rajasthan Limited [AREPRL] (250 MW) and Essel Saurya Urja Company of Rajasthan Limited [ESUCRL] (750 MW):

(a) "Establishment of 765/400/220 kV (765/400 kV: 3x1500 MVA, 400/220 kV, 3X500 MVA) Pooling Station at Bhadla (PG);

(b) 765 kV Bhadla (PG)-Bikaner (PG) D/C

(c) 400 kV Bhadla (PG)-Bhadla (RVPN) D/C (Quad)

(d) 2 nos. 400 kV and 4 nos 220 kV line bays at Bhadla (PG) for interconnection of solar parks inter-connection

(e) 1x240 MVar switchable line reactor at each end (each ckt) of the 765 kV Bhadla (PG)-Bikaner (PG) D/C line

(f) 1x124 MVar (765 kV) and 1x125 MVar (400 kV) Bus reactor at Bhadla Pooling Station

39. The relevant extracts of the regulatory approval order dated 31.3.2016 in Petition No. 1/MP/2016 are as follows:

"26. With regard to recovery of transmission charges on account of delay in commissioning of solar generation, in the Statement of Reasons for the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-state Transmission and related matters) (Fifth Amendment) Regulations, 2015, and Central Electricity Regulatory Commission (Grant of Regulatory Approval for execution of Inter-State Transmission Scheme to Central Transmission Utility) (First Amendment) Regulations, 2015, the following has been clarified:

"8.2.1 With regard to the suggestions of PGCIL, it is clarified that SPPD who shall apply for Connectivity/Long term Access shall be liable to deposit Application Bank Guarantee/Construction Bank Guarantee as required under Connectivity Regulation. Further, SPPD shall also be liable for payment of transmission charges for delay in commissioning of generator and relinquishment charges towards transmission access under Connectivity Regulations and Sharing Regulations. Regulation 7(1)(u) of the Sharing Regulations provides that "No transmission charges for the use of ISTS

network shall be charged to solar based generation" is applicable only when the power is evacuated through the transmission system to the beneficiaries after the commercial operation of the generating station. Therefore, transmission charges for delay in commissioning of solar power generators shall be payable by such solar generators/SPPD on the same line as the liability for payment by the thermal and hydro generating station in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

8.2.2 With regard to delay of internal system, it is clarified that SPPD shall be executing internal system on behalf of solar power generators. The treatment of delay or other modalities should be covered in Agreement between solar power generators and SPPD. In regard to NTPC's comments on development of transmission matching with generation, it is clarified that CTU shall carry out coordination with the SPPD/solar power generators in accordance with Section 38 of the Act."

Therefore, the transmission charges for delay in commissioning of solar power generators shall be paid by such solar generators/SPPD on the same line as the liability for payment by the thermal and hydro generating stations in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

40. The Commission, in its order dated 11.06.2022 in petition no. 9/TT/2021 at para 93, has observed the following:

"93. The Petitioner has implemented transmission system which is capable of transferring about 3000 MW power from Bhadla Solar Park. The transmission system has been developed considering the potential of various RE generators associated with Ultra mega Solar park at Bhadla. In order to facilitate Pooling of power from various solar power generators in the park as well as evacuate and transfer of power from Ultra mega Solar park at Bhadla, the Petitioner has proposed to establish 765/400/220 kV Pooling station at Bhadla along with 765 kV interconnection to Bikaner Substation and Bhadla Poling station is interconnected with Bhadla (RVPN) substation through a 400 kV D/C line. The petitioner also developed necessary 220 kV & 400 kV interconnection line from Solar Power parks upto 220/400/765 kV Bhadla Pooling station. The instant transmission system has been evolved in a comprehensive manner which consists of associated transmission system (ATS) for immediate inter connection and transfer of power and second is common transmission system which can be utilised by the existing and upcoming RE generators, as indicated below:

....

41. The Commission, vide its RoP dated 26.07.2023, directed the CTUIL to submit the details of the connectivity system and LTA system associated with three generators, i.e. AREPRL, Saurya Urja Company of Rajasthan Ltd., Essel Saurya Urja Company of Rajasthan Ltd. CTUIL vide its affidavit dated 31.10.2023 has submitted the following:

Connectivity System:

That Connectivity was granted to AREPRL, Saurya Urja Company of Rajasthan Ltd., Essel Saurya Urja Company of Rajasthan Ltd. at Bhadla (PG) S/s through a separate 220kV D/c line. Lines were to be implemented by the above RE generators. However, for the termination of the 220kV line from AREPRL & Saurya Urja at Bhadla (PG), 220kV bays (2 nos. for AREPRL and 2 nos. for

Saurya Urja) at Bhadla (PG) S/s were implemented under ISTS. 220kV bays for Essel Saurya Urja were implemented by Essel Saurya itself.

LTA System:

Common transmission system for LTA of M/s AREPRL, M/s Saurya Urja & M/s Essel Saurya:

i. Establishment of Pooling Station at Bhadla (PG) (765/400kV: 3x1500MVA and 400/220kV: 3x500 MVA)

ii. 765kV Bhadla (PG) – Bikaner (PG) D/c line.

iii. 400kV Bhadla (PG) – Bhadla (RVPN) D/c line (Quad).

iv. 1x240MVA switchable line reactor at each end (each circuit) of 765kV Bhadla (PG) – Bikaner (PG) D/c line.

v. 1x240MVA (765kV) & 1x125 MVA (400kV) bus reactors at Bhadla Pooling Station.

In addition to the above, 1x500MVA, 400/220kV transformer (4th ICT) at Bhadla (PG) was associated with LTA of M/s Essel Saurya. This ICT was also utilized by other RE generators, granted LTAs at Bhadla (PG).

It may also be mentioned that 400/220kV ICTs being implemented as part of the LTA system are to be utilized by the RE generator. Accordingly, the 400/220kV ICTs may be considered as an Associated Transmission System (ATS) with the LTA of the RE generator. Considering this, transmission lines as well as 765/400kV ICTs at Bhadla (PG), may be considered to serve a common purpose, i.e. evacuation of RE power from different pockets/potential areas. However, 400/220kV ICTs along with 220kV terminating bays for dedicated lines are being considered as an Associated Transmission System (ATS) with the LTA of the RE generator.

.....

45. The Asset-1(c), Asset-3, Asset-4 and 400/220 kV (4th ICT) have achieved COD on 29.04.2019, 17.05.2019, 01.06.2019 and 03.01.2021, respectively, whereas M/s ESUCRL has commissioned its 300 MW generation capacity out of 750 MW on 18.06.2021.

46. Accordingly, the recovery of charges of the connectivity system of M/s ESUCRL from their COD to 31.10.2020 shall be in terms of the third proviso of Regulation 8(5) of the Sharing Regulation 2010. **M/s ESUCRL is liable for payment of bilateral charges from COD to 31.10.2020 as per the Commission's finding in its order 11.6.2022 in Petition No. 9/TT/2021.**

47. The Sharing Regulations 2010 were repealed, and the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 were made effective from 1.11.2020. Regulation 2(1)(b) of the 2020 sharing Regulations defines the 'Associated Transmission System' or 'ATS', as under:

"Associated Transmission System' or 'ATS' means the transmission system identified for a generating station by the Central Transmission Utility in the Long Term Access grant."

48. Regulation 2(1)(g) of the 2020 sharing Regulations defines the 'COD of the Associated Transmission System', as under:

"COD of the Associated Transmission System' shall mean COD of the last transmission element of the Associated Transmission System."

49. Regarding sharing transmission charges in specific cases, Regulation 11(3) of the 2020 sharing regulation specifies that "Where COD of a generating station or unit(s) thereof is delayed and the Associated Transmission System has achieved COD, which is not earlier than its SCOD, the generating station shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to Long Term Access granted for the generating station or unit(s) thereof, which have not achieved COD".

50. In the Long-Term Access granted to M/s ESUCRL, the following elements of the transmission system were identified by CTUIL:

Annexure-A

Transmission system for LTA

- **Common transmission system for LTA of M/s Adani, M/s Surya & M/s ESUCRL:**
 - 765kV Bhadla (PG) – Bikaner (PG) D/c.
 - 400kV Bhadla (PG) – Bhadla (RVPN) D/c (Quad).
 - Establishment of Pooling Station at Bhadla (PG) (765/400kV: 3x1500MVA and 400/220kV: 3x500 MVA).
 - 1x240MVar switchable line reactor at each end (each circuit) of 765kV Bhadla (PG) – Bikaner (PG) D/c line.
 - 1x240MVar (765kV) & 1x125 MVar (400kV) bus reactors at Bhadla Pooling Station.
- **Additional transmission system for LTA of M/s ESUCRL:**
 - 1x500MVA, 400/220kV transformer (4th ICT) at Bhadla Pooling Station (PG).

51. In terms of the Sharing Regulations 2020, all the transmission elements mentioned above are included in the LTA granted to M/s ESURCL, which will be the ATS and the COD of the ATS is the COD of the last element of the ATS, which is the COD of the 500 MVA, 400/200 kV ICT (4th), i.e., 03.01.2021. It is noted that the common transmission system implemented by the petitioner, which consists of 3 nos. of 500 MVA ICTs at Bhadla substation, is sufficient for the evacuation of 1500 MW power. Accordingly, we are of the view that ESURCL would have been able to evacuate 750 MW from the common transmission system implemented by the petitioner; therefore, M/s ESURCL is liable for payment of Yearly Transmission Charges for the Associated Transmission System corresponding to 750 MW from 1.11.2020 till 17.06.2021 and corresponding to 450 MW from 18.06.2021 till 30.09.2023.

52. The Principal Sharing Regulations, 2020 were amended vide First Amendment of SR, 2023 and are effective from 1.10.2023. The First Amendment of SR, 2023 is defined as Associated Transmission System, or 'ATS' is extracted as under:

"Associated Transmission System' or 'ATS' shall have the same meaning as defined in GNA Regulations."

53. As per GNA Regulation, 2022, ATS has been specified as under:

"....."

6.2 Of the augmentation requirement as identified under Regulation 6.1 of these regulations, augmentation required for immediate evacuation of power of the Applicant (s), excluding terminal bay(s), shall be considered as the Associated Transmission System (ATS) for the Applicant(s)."

54. As per GNA regulations, 2022, on receipt of applications for grant of Connectivity, the Nodal Agency shall carry out an interconnection study as specified in the CEA Technical Standards for Connectivity, along with the requirement of augmentation to the existing ISTS, if any, for enabling transfer of power over ISTS under General Network Access. And out of the total augmentation identified, the augmentation required for the immediate evacuation of power of the Applicant (s) shall be considered as the Associated Transmission System (ATS) for the Applicant(s).

55. The Petitioner has implemented a transmission system which is capable of transferring about 3000 MW of power from Bhadla Solar Park. The transmission system identified consists of a shared transmission system for evacuation of 3000 MW RE projects (ATS-shared) and a dedicated transmission system (ATS-dedicated) for 1500 MW RE projects. The ATS-dedicated includes 4 no. 400/220 kV 500 MVA ICTs at Bhadla substation for the evacuation of Power from the RE projects, i.e. (SUCRL- 500 MW, AREPRL - 250 MW and ESUCRL- 750 MW), which will be able to cater to the evacuation of RE capacity of 1500 MW with N-1 contingency. The ATS-shared portion includes 765/400 Bhadla Substation (3X1500 =4500 MVA) substation along with Bhadla- Bikaner 765 kV DC line and Bhadla (PG)- Bhadla (RVPN) 400 kV D/C line, which is capable of evacuating 3000 MW RE capacity.”

As per the above, the Commission has taken the view that the generator is liable to pay the bilateral transmission charges against the ATS from the date of COD of such ATS till the COD of the generation capacity, even if the corresponding LTA is not effective.

57. We observe that Petitioners in Petition No. 216/MP/2024 and 271/MP/2024 were able to declare the COD of their respective generation projects and are also able to evacuate the power even before the effectiveness of their GNA with the available transmission system of PRTL. The same is also established from the fact that elements of the PRTL transmission system were identified for effecting the connectivity in respect of Petitioners projects. In view of the above discussions, the contention of the Petitioners that the complete transmission system (including the common transmission system) mentioned under the LTA grants is ATS for their projects is not correct. Accordingly, we are of the considered view that the elements of the PRTL's transmission system qualifies as ATS for connectivity to the Grid in respect of projects of the Petitioners in Petition No. 216/MP/2024, 242/MP/2024 and 271/MP/2024, under Regulations 13(3) of the 2020 Sharing regulations and GNA Regulations, 2022 which has achieved COD on 24.12.2023.
58. In view of the above discussions, we are of the considered view that the Petitioners in Petition No. 216/MP/2024, 242/MP/2024 and 271/MP/2024 are liable to pay the bilateral transmission charges for the PRTL's transmission system on Pro-rata basis till the COD of the respective generation project under Regulation 13(3) of the 2020 Sharing Regulations. The bilateral transmission charges shall be payable

corresponding to the generation capacity that was delayed. Further, since the Petitioners in the present Petitions (except in Petition No. 242/MP/2024) have achieved the COD of their respective generation projects in different phases therefore, transmission charges corresponding to the capacity which have declared COD shall be considered for sharing of the transmission charges under Regulation 5 to 8 of the 2020 Sharing Regulations and the Petitioner in Petition No. 242/MP/2024 shall continue to pay the bilateral transmission charges against the PRTL's transmission system till its COD.

- 59.** We observe that the Petitioners AREHSL and ASEBOPL in Petition No. 242/MP/2024 have contended that only 3 elements out of the elements covered under Schedule III of the TSA executed with PRTL are covered under the LTA/ GNA of the Petitioners. Therefore, CTUIL ought to have excluded the corresponding costs of the system, which were not part of the LTA elements or ATS at Sr. No 1 (2x 500 MVA capacity of S/s and 2x125 MVar bus reactor), Sl. No. 3 (2 nos. of 400 kV Line bays at Fatehgarh II for (Ramgarh II) Fatehgarh III- Fatehgarh II PS 400 kV D/c line) and Sl. No. 5 (2 nos. of 400 kV Line bays each at Jaisalmer II for (Ramgarh II) Fatehgarh III - Jaisalmer II PS 400 kV D/c line) in schedule 3 of TSA. In this regard, we note that terminal bays associated with a transmission line covered under S.No. 3 and S. No. 5 are part of the transmission line (under the definition of 'transmission line' under the Act) even if explicitly not indicated. Further, the specific reference to one or two 400/220 kV ICTs in each of the LTA grants for the instant Petitioners, it is noted that the entire system in scope of the PRTL has been divided pro rata among the Petitioners as ATS. Since the PRTL system has been billed on a prorate basis to each Petitioner, it is not the case that all four transformers have been billed to the Petitioner under 242/MP/2024. Under the GNA Regulations, CTU was to identify the ATS for the Connectivity Grantees, and CTU has identified ATS as the PRTL system, which has been billed on a prorate basis. Hence, we do not find any need for specific billing for the identified transformer(s).
- 60.** The Petitioners AREHSL and ASEBOPL in Petition No. 242/MP/2024 have also contended that the transmission system developed by the PRTL was to be originally utilised by 5 other LTTCs/ generators, including the AREHSL, for a cumulative capacity of 1780 MW (after considering the LTA quantum of each of the generators) and as per tariff adoption order dated 05.05.2021 in 90/AT/2021

one of the LTTCs, namely, Renew Surya Roshni Private Limited was removed from the list. Therefore, the number of generators utilising the PRTL's transmission system was reduced to 4 generators. As such, the original quantum of utilisation was reduced, and certain additional generators were also allowed to utilise the PRTL's Transmission system.

In this regard we are of the view that Renew Surya Roshni Private Limited (RSRPL) is one of the Petitioners in Petition No. 216/MP/2024 and the bilateral transmission charges are being raised on RSRPL also. Further, the cumulative generation capacity of the RSRPL, RSAPL, RSVPL, AXPPL and AREHSL works out to be 1980 MW, which clearly matches with the transformation capacity in the scope of PRTL, i.e., 4x500 MVA ICTs (totalling to 2000 MVA). In view of the above, the contention of the Petitioner AREHSL that certain additional generators were also allowed to utilise the PRTL's Transmission system does not appear to be factually correct without any data substantiating its argument.

- 61.** The Petitioners in Petition No. 216/MP/2024 and 271/MP/2024 have submitted that the Petitioners were evacuating power under T-GNA from the date of commercial operation till operationalisation of GNA and there have been certain instances wherein pursuant to instructions given by NRLDC, they had to curtail/ back down power generation due to various reasons including unavailability of margin in grid thereby leading to generation loss. Further, it has been contended by the Petitioners in Petition No. 242/MP/2024 that the systems/ elements that were made ready were insufficient for the desired transfer of power.

In this regard, we note that nothing has been filed by Petitioners in Petition No. 242/MP/2024 and 271/MP/2024 to substantiate whether there was any curtailment of the power of their projects post COD. We have perused the generation curtailment data submitted by the Petitioners in Petition No. 216/MP/2024, as per which partial curtailment of power occurred for some hours on 6 days during the Period from July 2024 to December 2024. Similar is the data for RSVPL and RSPPL. The reasons for the said curtailment are mentioned as load curtailment as per the NRLDC schedule. It is not clear whether curtailment was due to high frequency, i.e., load generation balance or transmission constraint. In case of inadequacy of PRTL system, curtailment of power would have occurred on regular basis and not on isolated occasions.

62. The Petitioners in Petition No. 216/MP/2024 have submitted that in spite of achieving the COD for full capacity of their respective projects, CTUIL has continued to raise the invoices to them on account of bilateral transmission charges. In this regard, we note that Petitioners have submitted the COD in respect of the total capacity of the projects of Petitioners in Petition No. 216/MP/2024 as under:

Name of the Project	Total Capacity	COD
Renew Surya Ayaan Pvt. Ltd. (RSAPL)	300 MW	i. 290 MW on 31.03.2024 ii. 10 MW on 08.06.2024
Renew Surya Roshni Pvt. Ltd (RSRPL)	400 MW	i. 285 on 11.04.2024 ii. 115 MW on 21.06.2024
Renew Surya Vihaan Pvt. Ltd. (RSVPL)	100 MW	i. 98 MW on 31.03.2024 ii. 2 MW on 22.05.2024
	200 MW	i. 175 MW on 24.02.2024. ii. 22 MW on 02.04.2024. iii. 3 MW on 18.05.2024.

We have already concluded that Petitioners are liable to pay the bilateral transmission charges against PRTL's transmission charges on a pro rata basis till the COD of the respective Connectivity capacity, under Regulation 13(3) of the 2020 Sharing Regulations. Accordingly, the Petitioners RSAPL, RSVPL and RSRPL are not liable to pay the bilateral transmission charges for the PRTL's transmission system, as per invoices raised by the CTUIL for the period post COD. We direct CTUIL to check the COD declaration certificates of these generating stations and make the necessary adjustment against the invoices raised for the period post COD of projects of RSAPL, RSVPL and RSRPL, within a period of 15 days of issuance of this Order, if not already done.

63. We also note that the Petitioner, AXPPL, in Petition No. 271/MP/2024 has already paid the total due amount of bilateral transmission charges. However, the Petitioners in Petition No. 216/MP/2024 and 242/MP/2024 have paid an amount of Rs. 1 Crore (each) against invoices raised towards bilateral transmission charges. Accordingly, the Petitioners in Petition No. 216/MP/2024 and 242/MP/2024 are directed to make the payment of outstanding bilateral transmission charges due as on date of issuance of this Order after adjustment of Rs. 1 Crore, and after adjustment as per directions under Paragraph 62 of this Order for invoices raised post generating station COD period, within a period of one month of issuance of this Order.

- 64.** Regarding the issue raised by the Petitioners that since SECI has extended the SCOD of the Petitioners, they cannot be considered as delayed and hence charges cannot be levied under Regulation 13(3) of the 2020 Sharing Regulations, it is clarified that SCOD extension of Projects by SECI has no bearing on liabilities being accrued under Regulation 13(3) of the 2020 Sharing Regulations. The energy contract with SECI is separate from the booking of transmission capacity under LTA/GNA, which is a different contract. The delay of the generating station with respect to the transmission system is from the start date of LTA or the start date of Connectivity, whichever is later, as per the date sought by the generating station in its own assessment. Therefore, the contentions raised by the Petitioners are rejected.
- 65.** Petitioners have also contended that, being solar power developers, they are exempt from payment of transmission charges under the 2020 Sharing Regulations and in terms of Ministry of Power Orders dated 23.11.2021 and 06.06.2023, if the Projects are commissioned prior to 30.06.2025. It is clarified that any waiver for inter-state transmission charges is applicable only after the COD of the RE generation project. Therefore, the contentions raised by the Petitioners are not acceptable.
- 66.** Under the preceding paragraphs, we have concluded that the Petitioners in Petition No. No. 216/MP/2024, 242/MP/2024 and 271/MP/2024 are liable to pay the bilateral transmission charges for the PRTL transmission system on Pro-rata basis till the COD of the respective generation project under Regulation 13(3) of the 2020 Sharing Regulations, accordingly the prayer of the Petitioners to quash the invoices raised by the CTUIL towards bilateral transmission charges against the PRTL transmission system, subject to our directions to revise the invoices for period beyond COD of generating station, is rejected.
- 67.** The Petition No.(s) 216/MP/2024 along with 66/IA/2024, 242/MP/2024 along with 57/IA/2024 and 271/MP/2024 are disposed of in terms of the above.

**Sd/
(Ravinder Singh Dhillon)
Member**

**Sd/
(Harish Dudani)
Member**

**Sd/
(Ramesh Babu V)
Member**

**(Sd/
Jishnu Barua)
Chairperson**