

सेंद्रल ट्रांसमिशन यूटिलिटी ऑफ इंडिया लिमिटेड

(पावर ग्रिड कारपोरेशन ऑफ इण्डिया लिमिटेड के स्वामित्व में)

(भारत सरकार का उद्यम)

CENTRAL TRANSMISSION UTILITY OF INDIA LTD.

(A wholly Owned Subsidiary of Power Grid Corporation of India Limited)

(A Government of India Enterprise)

Ref no. CTU/CERC/GNA

Date: 27/02/2023

The Secretary

Central Electricity Regulatory Commission
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi- 110001

Sub: Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the Inter-State Transmission System) (First Amendment) Regulations, 2023– reg.

Dear Sir,

This is with reference to CERC public notice no No. L-1/261/2021/CERC dated 27.01.2023 inviting comments on the Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the Inter-State Transmission System) (First Amendment) Regulations, 2023.

Towards this, para wise comments on the draft regulation are enclosed at **Annexure-I**.

Thanking you,

Yours faithfully,


(Vikram Singh Bhal)

Executive Director (CTUIL)

Encl: A/a

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Sl. No.	Clause as per existing regulation	Changes proposed in draft Amendment	CTUIL proposed changes	Remarks
1.	3.5 After scrutiny, the Nodal Agency shall intimate the deficiencies, if any, in the application for grant of Connectivity or grant of GNA, to the Applicant within one week of the receipt of application, in order of date and time of receipt of application. The Applicant shall rectify the deficiency within one week thereafter, failing which the application shall be closed and 20% of the application fee shall be forfeited. Balance 80% of the application fee shall be refunded by the Nodal Agency to the Applicant within 15 days of closure of the application.	No change proposed.	3.5 After scrutiny, the Nodal Agency shall intimate the deficiencies, if any, in the application for grant of Connectivity or grant of GNA, to the Applicant within one week fifteen days from the last date of the month in which application has been received of the receipt of application in order of date and time of receipt of application. The Applicant shall rectify the deficiency within one week fifteen days thereafter, failing which the application shall be closed and 20% of the application fee shall be forfeited. Balance 80% of the application fee shall be refunded by the Nodal Agency to the Applicant within 15 days of closure of the application.	It has been observed that majority of the applicants submit their applications in last 2-3 days of the month and therefore scrutiny of all the applications along with supporting documents in 7 days period is not feasible and prone to lapse of timelines. Further, a number of applicants have approached CTU to increase the timeline of 7 days for rectification of errors. A number of applications need to be closed due to non-receipt of revised/rectified applications within 7 days. Accordingly, it is proposed that the timeline of 7 days may be extended to 15 days for revert and 15 days for submission of revised applications.
2.	5.8 (vii) Not present	In case of Renewable Power Park Developer, the following documents shall be submitted: a) authorisation by the Central Government or the State Government, as applicable, to undertake infrastructural	In case of Renewable Power Park Developer, the following documents shall be submitted: a) authorization by the Central Government or the State Government or the agency appointed/authorized by	A number of applicants have represented that for execution of the generation project, requirement of land is required at a later stage and many other activities such as approvals from various agencies, site identification, feasibility of the

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		<p>activities including arrangement for Connectivity on behalf of solar power generators or wind power generators; and</p> <p>b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>c) Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity.</p>	<p>the Central/State Government for implementing the policies for development of renewable power projects, as applicable, to undertake infrastructural activities including arrangement for Connectivity on behalf of solar power generators or wind power generators; and</p> <p>b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>c) Auditor's certificate in prescribed format (as per Detailed Procedure) issued by Statutory auditor of the applicant company certifying the release of at least 10% of the project cost including the land acquisition cost through equity along with details of expenditure.</p>	<p>project location in terms of solar irradiance/wind speed etc are to be taken up during the initial period. Further, the grant of Connectivity on the ISTS S/s sought by applicant is contingent on availability and is governed by the principle of first-come-first-serve basis. Accordingly, they have requested that land documents may be asked for after a reasonable time such as within 12 months from the date of grant of Connectivity.</p> <p>In view of the above, it is proposed that land requirement may be removed at the time of application and the land documents may be obtained within a period of 12 months from the grant of Connectivity as proposed under a new proposed Clause , i.e, Clause 9.4</p> <p>In furtherance of the same, an approach paper detailing out appropriate regulatory intervention which are required</p>

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				in scrutiny of eligibility, requirement regarding land-use rights and financial closure etc. is annexed as Annexure “A” with the present comments.
3.	5.8 (xi) Not Present	<p>5.8 (xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant(PSP)) the following documents shall be submitted:</p> <p>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:</p> <p>Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at</p>	<p>5.8 (xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant(PSP)) the following documents shall be submitted:</p> <p>(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:</p> <p>Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at</p>	<p>To include cases wherein LOA issued by authorized agency on behalf of distribution licensee</p> <p>A number of applicants have represented that for execution of the generation project, requirement of land is required at a later stage and many other activities such as approvals from various agencies, site identification, feasibility of the project location in terms of solar irradiance/wind speed etc are to be taken up during the initial period. Further, the grant of Connectivity on the ISTS S/s sought by applicant is contingent on availability and is governed by the principle of first-come-first-serve basis.</p>

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		<p>each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.</p> <p>Or</p> <p>b)</p> <p>i. Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>ii. Auditor’s certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity</p>	<p>each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee or an authorized agency on behalf of distribution licensee, as the case may be shall be submitted.</p> <p>Or</p> <p>b)</p> <p>i. Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and</p> <p>ii. Auditor’s certificate in prescribed format (as per Detailed Procedure) issued by Statutory auditor of the applicant company towards certifying the release of at least 10% of the project cost including the land acquisition cost through equity along with details of expenditure.</p>	<p>Accordingly, they have requested that land documents may be asked for after a reasonable time such as within 12 months from the date of grant of Connectivity.</p> <p>In view of the above, it is proposed that land requirement may be removed at the time of application and the land documents may be obtained within a period of 12 months from the grant of Connectivity as proposed under a new proposed Clause , i.e, Clause 9.4</p> <p>In furtherance of the same, an approach paper detailing out appropriate regulatory intervention which are required in scrutiny of eligibility, requirement regarding land-use rights and financial closure etc. is annexed as Annexure “A” with the present comments.</p>

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4.	<p>7.2 In case the Nodal Agency, after the interconnection study undertaken in accordance with Regulation 6.1 of these regulations, determines that ATS is required, the Nodal Agency shall intimate in-principle grant of Connectivity to the Applicant within 60 days from the last day of the month in which the application had been received:</p> <p>Provided that intimation for in-principle grant of Connectivity shall mention the ATS and terminal bay(s), estimated cost of such ATS and terminal bay(s), minimum design features for dedicated transmission lines to be constructed by the Applicant and the likely date of start of Connectivity:</p>	<p>7.2 In case the Nodal Agency, after the interconnection study undertaken in accordance with Regulation 6.1 of these regulations, determines that ATS augmentation (with ATS or without ATS) is required, the Nodal Agency shall intimate in-principle grant of Connectivity to the Applicant within 60 days from the last day of the month in which the application had been received:</p> <p>Provided that intimation for in-principle grant of Connectivity shall mention the ATS augmentation (with ATS or without ATS) and terminal bay(s), estimated cost of such ATS augmentation (with ATS or without ATS) and terminal bay(s), minimum design features for dedicated transmission lines to be constructed by the Applicant and the likely date of start of Connectivity:</p>	<p>7.2 In case the Nodal Agency, after the interconnection study undertaken in accordance with Regulation 6.1 of these regulations, determines that augmentation (with ATS or without ATS) is required, the Nodal Agency shall intimate in-principle grant of Connectivity to the Applicant within 60 days from the last day of the month in which the application had been received:</p> <p>Provided that intimation for in-principle grant of Connectivity shall mention the ATS details of augmentation (with ATS or without ATS) and terminal bay(s), estimated cost of such ATS (if any) and terminal bay(s), minimum design features for dedicated transmission lines to be constructed by the Applicant and the likely date of start of Connectivity:</p>	

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5.	8.2 (b) Conn-BG3 @ Rs. 2 lakh/MW, for the existing ISTS, shall be furnished by the entity.	No change proposed.	8.2 (b) Conn-BG3 @ Rs. 2 lakh/MW, for the existing ISTS or Augmentation without ATS shall be furnished by the entity.	Conn-BG3 is applicable in case of “existing system” as well as “augmentation (without ATS)”
6.	8.2 (c) Conn-BG1, Conn-BG2 and Conn-BG3, as applicable, shall be furnished within 1 (one) month of intimation of in-principle grant of Connectivity, failing which the application for Connectivity shall be closed and application fee shall be forfeited.	No change proposed.	8.2(c) For cases covered under 7.1 , Conn-BG1, Conn-BG2 and Conn-BG3, as applicable, shall be furnished within 1 (one) month of intimation of in-principle grant of Connectivity, failing which the application for Connectivity shall be closed and application fee shall be forfeited.	Timelines for BG submission in case of 7.2 are different from 7.1
7.	8.2(d) Not Present	8.2(d) Not Present	8.2(d) For cases covered under Regulation 7.2 of these regulations where augmentation without ATS is required, the timelines for intimations of grant of connectivity and submission of BGs shall be as per timelines mentioned in Regulation 8.3.	
8.	9.3 Not Present	9.3 An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of	9.3 An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of	Suitable provision for financial closure in case of start date of connectivity is less than or equal to one year may be incorporated.

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		connectivity has been issued, shall have to achieve the financial closure for the capacity of such Connectivity, (a) within a period of 12 months from the date of issuance of final grant of connectivity, if the start date of Connectivity is within 2 years from date of issuance of final grant of connectivity or (b) a period equivalent to 50% time period between issue of final grant of Connectivity and start date of Connectivity, if the start date of Connectivity is more than 2 years from date of issuance of final grant of connectivity:”	connectivity has been issued, shall: (i) have to achieve the financial closure for the capacity of such Connectivity, and (ii) procure and submit registered title deed as a proof of ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought, (a) within a period of 12 months from the date of issuance of final grant of connectivity, if the start date of Connectivity is within 2 years from date of issuance of final grant of connectivity or (b) a period equivalent to 50% time period between issue of final grant of Connectivity and start date of Connectivity, if the start date of Connectivity is more than 2 years from date of issuance of final grant of connectivity:”	
9.	9.3 Not present	9.3 First Proviso: Provided that such an applicant shall submit proof of Financial Closure of the project (with copy of loan sanction letter or	9.3 First Proviso: Provided that such an applicant shall submit to CTU: (a) proof of Financial Closure of the project (with copy of loan	It has been observed that many applicants submit Board Resolution/undertaking from the applicant company/ parent company regarding

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		proof of first disbursement of loan amount) to CTU within 15 days of achieving the financial closure.	<p>sanction letter or proof of first disbursement of loan amount to CTU within 15 days of achieving the financial closure; and (b) registered title deeds for 50% of land for which Connectivity is sought, within 15 days of registration of such documents. The documents for financial closure may be as below:</p> <p>(i) In case of financing from the Banks/ Financial Institutions, Copy of loan sanction letter and acceptance letter towards the same and/or proof of first disbursement of loan amount.</p> <p>(ii) In case of funding from Applicant company or any other company including parent company, Board Resolution of the lending Company and Applicant Company clearly specifying the source of such financing to the applicant company and</p>	commitment for financing the entire project cost. In such cases, the capability/financial strength of the parent company to fund such projects cannot be ascertained. Accordingly, requirement of additional documents such as Audited/Certified Balance sheet, Profit & Loss Account Statement, Bank Statement and Cash Flow Statement, etc has been proposed.

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			<p>documentary evidence thereof certified by statutory auditor of financing company. Applicants shall also submit Audited/Certified Balance sheet, Profit & Loss Account Statement, Bank Statement and Cash Flow Statement in support of availability of Internal resources of the Project Company and of the Company other than Project Company.</p>	
10.	9.3 Not present	<p>9.3 Second proviso: Provided further that if the Connectivity grantee fails to achieve the financial closure within the stipulated time as per this regulation or fails to submit the 5 copy of financial closure as per first proviso to this regulation Connectivity shall be revoked and Conn-BG1, Conn-BG2 and Conn-BG3 shall be treated in terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.</p>	<p>Provided further that if the Connectivity grantee fails to achieve the financial closure or obtain possession over 50% of the land for which Connectivity is sought, within the stipulated time as per this regulation or fails to submit the copy of financial closure or registered title deeds, as per first proviso to this regulation Connectivity shall be revoked and Conn-BG1, Conn-BG2 and Conn-BG3 shall be treated in</p>	In line with earlier comments.

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			terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.	
11.	9.4 Not present	9.4 Not present	<p>An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of connectivity has been issued, shall ((i) within a period of 12 months from the date of issuance of final grant of connectivity, if the start date of Connectivity is within 2 years from date of issuance of final grant of connectivity or (ii) a period equivalent to 50% time period between issue of final grant of Connectivity and start date of Connectivity, if the start date of Connectivity is more than 2 years from date of issuance of final grant of connectivity: These documents shall be submitted through the approved advocates / Law firms empaneled by CTU who shall also issue a Title Search</p>	<p>If the “land use right” option is retained, the same needs to be defined clearly. In past, CTU is in receipt of multiple type of documents under “land use rights” such as MoU/ agreement to sell/agreement to lease/order of Collector, or other document, the effectiveness of which is contingent on some conditionality. These documents may not vest the undisputed right to the applicant on the property for the entire period of anticipated life of the project. Accordingly, it is required to include a detailed guideline with clear acceptable criteria under “land use rights” in the Regulations itself, if such option is included.</p> <p>Suitable provision for financial closure in case of start date of connectivity is less than or equal to one year may be incorporated.</p>

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			<p>Report of the Land in prescribed format (Formats shall be provided in the Detailed Procedure).</p> <p>Provided that if the Connectivity grantee fails to submit the requisite valid documents within the stipulated time as per this regulation Connectivity shall be revoked and Conn-BG1, Conn-BG2 and Conn-BG3 shall be treated in terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.</p> <p>Provided further that CTU shall examine the above documents and seek clarifications (if required) within a period of 30 days. Connectivity grantee shall submit clarifications within a period of 15 days thereafter failing which CTU shall initiate action towards revocation of Connectivity and encashment of Conn-</p>	

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			<p>BG1, Conn-BG2 and Conn-BG3, as applicable.</p>	
12.	9.5 Not present	9.5 Not present	<p><u>9.5 Submission of duplicate/forged/ fabricated documents</u></p> <p>The applicant shall observe the highest standard of ethics during the application Process.</p> <p>If at any time it is found through any means that an applicant has submitted the same land documents/LoA/PPA/any other documents or has submitted the forged/fabricated documents related to eligibility of the applicant across same or multiple applications, the connectivity equivalent to un-commissioned capacity granted against all such applications shall be revoked, BG encashed and applicant shall be debarred to apply for connectivity to CTU for a period of 1 year. However, if it is found that same land documents/LoA/ PPA/any</p>	<p>Submission of duplicate documents/ fraudulent documents cannot be ascertained at the time of receipt and scrutiny of such documents, therefore such clause shall be there to discourage the applicants/grantees and full responsibility against such action shall be to the account of applicant only. This will be in furtherance of the strict compliance of the ‘eligibility’ mandated under the Regulations.</p>

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			<p>other documents have been used across applications of multiple applicants, the connectivity equivalent to un-commissioned capacity of the application of later applicant shall be revoked, BG encashed and applicant shall be debarred for a period of 1 year.</p>	
13.	15.3 2 nd Proviso Not Present	No change proposed	<p>2nd Proviso (Addition of proviso after 1st proviso):</p> <p>Provided that Connectivity granted to a parent company may be transferred to its 100% subsidiary and vice versa.</p>	Transfer of Connectivity from parent company to subsidiary is not explicitly mentioned as was provided in the extant Regulations/Detailed procedure
14.	16.2 Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.	<p>16.2 Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.</p> <p>Provided that in case of declaration of commercial</p>	<p>16.2 Conn-BG2 and Conn-BG3 shall be returned in five equal parts over five years corresponding to the generation capacity which has been declared under commercial operation by the Connectivity grantee.</p> <p>Provided that in case of declaration of commercial</p>	

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		<p>operation of part capacity by the Connectivity grantee in a financial year, total quantum of such capacity declared under commercial operation within a financial year shall be considered while returning the Conn-BG2 and Conn-BG3 at the end of the financial year.</p>	<p>operation of part capacity by the Connectivity grantee in a financial year, total quantum of such capacity declared under commercial operation within a financial year shall be considered while returning the Conn-BG2 and Conn-BG3 at the end of the financial year.</p> <p>Reduction of Conn-BG2 and Conn-BG3 in all cases for generation capacity commissioned in part or full shall be considered at the end of financial year for the generation quantum commissioned in that year.</p>	
15.	20.4 Not Present	<p>20.4 Entities covered under clause (iii) of Regulation 17.1 of these regulations shall be eligible to apply for GNA to draw power only from renewable sources as identified at clause (2) of the Regulation 13 of the Sharing Regulations. Such GNA shall be called as GNA_{RE} for purpose of calculation of transmission charges in accordance with the</p>		<p>As per this Regulations Bulk consumers/ distribution Licensees shall be initially eligible to draw power from RE sources only.</p> <p>This may create issues as several Bulk consumers may desire to source their power from their own conventional plants initially. However, as per these Regulations these entities have to apply for GNA_{RE} first and</p>

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		Sharing Regulations. For purpose of these regulations GNA _{RE} shall be same as GNA: Provided that if such an entity with GNARE intends to draw power from the sources other than the sources identified at clause (2) of the Regulation 13 of the Sharing Regulations, it may: (a) apply for grant of additional GNA; or (b)it may convert GNA _{RE} into GNA by making an application to the Nodal Agency.		only then subsequently convert to GNA as additional GNA cannot be applied for without any GNA.
16.	24.6 Not Present	24.6 Revocation of Connectivity (d) Connectivity granted to a Renewable Power Park developer shall be revoked for the corresponding capacity, if the generating station(s) within the Power park fails to achieve COD on or before, (i) scheduled date of commercial operation of the generation project as per LOA or PPA as extended or delayed commissioning permitted by the		Since the RPPD (Renewable power park developer) is coming up based on Land & Auditor documents (10%) with authorization by the Central Government or the State Government (as applicable) to undertake infrastructural activities, they are not bound by any revocation clause in case of delay in bidding/LOA issued by them. Accordingly, some timelines may be mandated by which bidding and award of

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		Renewable Energy Implementing Agency or the distribution licensee or the authorized agency on behalf of distribution licensee, as the case may be. (ii) six months after the scheduled date of commercial operation for generating station(s) being set up without LOA or PPA		LOA should be completed by the RPPD.
17.	(24) Relinquishment of Connectivity and GNA	No change proposed	Relinquishment should be replaced with “ Relinquishment/Revocation ” everywhere in Regulation (24) including title	
18.	24.1. First Proviso: Not present	No change proposed	24.1. First Proviso: To be added For entities covered under 4.1 wherein GNA accrues for injection of power, the corresponding GNA quantum shall be considered as Connectivity under these Regulations for purposes of relinquishment/revocation of Connectivity & GNA.	As for entities covered under 4.1[excluding ESS under 4.1(c) & 4.1(e)] only “connectivity” is applicable any GNA accruing to there entities may be referred by the name “Connectivity under GNA” instead of GNA/Deemed GNA i.e, there may not be any separate GNA product for injecting entities and the same may be subsumed under “Connectivity for GNA”

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				Thus, when GNA/Deemed GNA is revoked Connectivity may also stand revoked for injecting entities
19.	24.6 – Revocation of Connectivity: Not present	24.6 – Revocation of Connectivity: Added	<p>Revocation of connectivity should be applicable based on the status of transmission system availability.</p> <p>If transmission system is delayed, the delay in generation to match with transmission system should not lead to revocation of connectivity</p> <p>Therefore, the conditions mentioned for revocation in Regulation 24.6 should include status of transmission system.</p>	General recommendation regarding Clause 24.6
20.	24.6 (d) 1 st Provisio Not present	24.6 (d) 1 st Provisio Not present	<p>Provided that Renewable Power Park Developer (RPPD) shall intimate Generator wise SCOD of all the generating stations proposed to be located in the park within a period of Six months from the date of in-principle grant of Connectivity failing which SCOD of the generating</p>	It has been observed that at the time of application, RPPDs provide only a single date for commissioning schedule for the generating station and individual generating station details are not provided. Accordingly, it is proposed that SCODs may be provided within 06 months

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			<p>station mentioned at the time of application shall be considered as SCOD of all the generating stations for the purpose of revocation under this clause.</p> <p>Notwithstanding the above, SCOD as mentioned in final grant of connectivity shall be the date of SCOD.</p>	
21.	24.7 Not Present	24.7 Not Present	<p>For entities covered under regulation 7.2 (augmentation without ATS) and where Conn-BG2 and Conn-BG3, as applicable has been furnished as per regulation 8.2 of these regulations, relinquishment charges shall be as per regulation 24.2</p>	<p>Due to insertion of word “augmentation (with ATS or without ATS)” in regulation 7.2 same is proposed for addition in regulation 24 i.e. Relinquishment of Connectivity</p>
22.	<p>25.1 (a) For an entity covered under clause (i) of Regulation 17.1 of these regulations, STU may relinquish GNA on behalf of identified intra-State entity. The relinquishment charges shall be equal to 24 times the transmission charges paid by such intra-State entity for the last billing month under the</p>	<p>25.1 (a) For an entity covered under clause (i) of Regulation 17.1 of these regulations, STU may relinquish GNA on behalf of identified intra-State entity. The relinquishment charges shall be equal to 24 18 times the transmission charges paid by such intra-State entity for the last billing month under the</p>	<p>25.1 (a) For an entity covered under clause (i) of Regulation 17.1 of these regulations, STU may relinquish GNA on behalf of identified intra-State entity. The relinquishment charges shall be equal to 24 18 times the total transmission charges payable by such intra-State entity for the last billing month</p>	<p>Amount paid by concerned grantee may be less than amount payable</p>

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	Sharing Regulations, corresponding to the relinquished quantum.	Sharing Regulations, corresponding to the relinquished quantum.	under the Sharing Regulations, corresponding to the relinquished quantum.	
23.	37.3 If Connectivity and Long Term Access have been granted in accordance with the Connectivity Regulations, 2009 but either both Connectivity and Long term Access are yet to become effective or Connectivity is effective and Long term access is yet to become effective as on the date of coming into effect of these regulations, the same shall be treated as under:	No change proposed	37.3 If Connectivity and Long Term Access or only Long Term Access (intra state entities) have been granted in accordance with the Connectivity Regulations, 2009 but either both Connectivity and Long term Access are yet to become effective or Connectivity is effective and Long term access is yet to become effective as on the date of coming into effect of these regulations, the same shall be treated as under:”	To take care transition of intrastate generation having only LTA granted under Connectivity Regulations, 2009 and having connectivity with state network provision is proposed
24.	37.3(2)&(3) (b) Option under clause (a) of this Regulation shall be exercised by the entity within one month of coming into effect of these Regulations, failing which such Long term Access granted under the Connectivity Regulations, 2009 shall be considered as surrendered.”	No change proposed	37.3(2)&(3) (b) Option under clause (a) of this Regulation shall be exercised by the entity within one month of coming into effect of these Regulations, failing which such Long term Access along with connectivity if any granted under the Connectivity Regulations, 2009 shall be considered as surrendered.”	In case of surrendering LTA granted corresponding quantum of connectivity shall also need to be surrendered as GNA does not treat these as separate products-

CTUIL Comments on proposed 1st amendment to CERC GNA Regulations, 2023

Sl. No.	Clause as per existing regulation	Changes proposed in draft Amendment	CTUIL proposed changes	Remarks
25.	37.3 (c) In case the Long term Access is surrendered in terms of option(ii) of clause (a) or clause (b) of this Regulation, the Construction Bank Guarantee furnished under Connectivity Regulations, 2009 shall be encashed to the extent of estimated cost of ATS has been awarded for implementation (maximum up to value of the bank guarantee already furnished) and balance, if any, shall be returned. The quantum of Connectivity granted under the Connectivity Regulations, 2009 for such quantum of Long term Access which has been surrendered shall be treated as per clause (1) of this regulation.”	No change proposed	37.3 (c) In case the Long term Access is surrendered in terms of option(ii) of clause (a) or clause (b) of this Regulation, the corresponding connectivity quantum shall also be considered deemed surrendered and the Construction Bank Guarantee furnished under Connectivity Regulations, 2009 shall be encashed to the extent of estimated cost of ATS has been awarded for implementation (maximum up to value of the bank guarantee already furnished) and balance, if any, shall be returned. The quantum of Connectivity granted under the Connectivity Regulations, 2009 for such quantum of Long term Access which has been surrendered shall be treated as per clause (1) of this regulation.	In case of surrendering LTA granted corresponding quantum of connectivity shall also need to be surrender as GNA does not treat these as separate products
26.	37.3 (d) Not present	Not present	37.3 (d) If on or before the date of GNA regulations coming into effect, the LTA granted to generator is effective but LTA grantee/generation	

CTUIL Comments on proposed 1st amendment to CERC GNA Regulations, 2023

Sl. No.	Clause as per existing regulation	Changes proposed in draft Amendment	CTUIL proposed changes	Remarks
			<p>project has not achieved COD for full or part for the quantum of LTA which is effective, higher of the value of the Bank guarantee(s) provided under connectivity regulations 2009 and the amount of CON BG to be provided under GNA regulations shall be considered as requisite Con BG for transition of connectivity/LTA under GNA regulations.</p>	
27.	Misc.	No change		<p>CTU has received representation from state govts./wind forums wherein it has been requested that to make the approvals and permissions of the State Nodal Agency, NREDCAP a pre-requisite and mandatory document for according power evacuation approvals to Wind, Solar and Wind-Solar project/park developers on the upcoming CTUIL substations.</p> <p>Letter dated 23.01.2023 from Govt. of AP and 23.01.2023</p>

CTUIL Comments on proposed 1st amendment to CERC GNA Regulations, 2023

Sl. No.	Clause as per existing regulation	Changes proposed in draft Amendment	CTUIL proposed changes	Remarks
				from IWPA are attached at Annexure-B
28.	18.1 (d) GNA deemed to have been granted to STU as per clause (c) of this Regulation, shall be published by the Nodal Agency within 30 days of notification of these regulations, as (i) GNA within the region and (ii) GNA from outside the region, in proportion to contracts, within the region or outside the region, under Long Term Access and Medium Term Open Access obtained in terms of the Connectivity Regulations, 2009.	No change proposed		<p>CTU has received requests from states for revision in GNA quantum outside and inside the region (keeping the total GNA quantum same). Same may be allowed through suitable provision.</p> <p>Letter dated 31.10.2022 from KSEB and 26.12.2023 from PCKL and are attached at Annexure-C</p>
29.	Transfer of GNA: Not Present	No change proposed	Clauses w.r.t “Transfer of GNA” can be added	<p>It is proposed that Clauses for transfer of GNA to 100% SPVs or part transfer after COD of that part can be incorporated (excluding trading/ Transmission Licensees) in line with Regulation (15)-Transfer of Connectivity.</p> <p>This is because Bulk Consumers may desire to transfer their GNA to 100% SPVs or other entities after COD</p>

APPROACH PAPER ON APPROPRIATE
REGULATORY INTERVENTION REQUIRED
FOR SCRUTINY OF LAND DOCUMENTS AS
AN ELIGIBILITY REQUIREMENT FOR
CONNECTIVITY APPLICATIONS UNDER
GNA REGULATIONS

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I. INTRODUCTION

The implementation of the Electricity Act, 2003, delicensed the generation of electricity and also introduced the concept of open access in transmission system. However, implementation of the open access concept required development of a robust transmission system in the country. In furtherance of this objective and to regulate the connectivity and access to the transmission system the Central Electricity Regulatory Commission (“**CERC**”) notified the CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and Related Matters) Regulations, 2009 (“**Connectivity Regulations**”), which came into force with effect from January 1, 2010¹, superseding the erstwhile CERC (Open Access in Inter-state Transmission) Regulations, 2004.

Further, based on the suggestions of the committee formed by CERC on “*Review Transmission Planning, Connectivity, Long Term Access, Medium Term Open Access and other Related Issues*” under the chairmanship of Shri Mata Prasad, and to provide a framework to facilitate nondiscriminatory open access for use of Inter-State Transmission System (“**ISTS**”) through general network access, CERC has recently enacted the CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 (“**GNA Regulations**”) on June 7 2022.²

The CERC has notified October 15, 2022, as the effective date for certain provisions of the GNA Regulations. However, the date following which, fresh applications for connectivity are to be made under the GNA Regulation is yet to be notified. While the GNA Regulations have been enacted in supersession of the Connectivity Regulations, in the interim period, till the GNA Regulations are fully enacted, the applications are being made and evaluated in accordance with Connectivity Regulations.

The Hon’ble Commission has proposed the CERC (Connectivity and General Network Access to the Inter-State Transmission System) (First Amendment) Regulations, 2023³ (“**Draft GNA Amendment Regulations**”), which, *inter alia*, proposes certain amendments to avoid squatting on connectivity and promote seriousness of the applicants. The CERC has sought comments on the Draft GNA Amendment Regulations by February 27, 2023.

This approach paper has been framed to discuss the issues arising out of the prerequisite to provide land documents such as registered title/lease deeds along with an application for grant of connectivity

¹ Notification No.–L-1/(3)/2009-CERC dated August 7, 2009 published in Gazette of India Ext., Pt. III, S.4, dated August 10, 2009

² Notification No. L-1/261/2021/CERC dated June 7, 2022 published in Gazette of India Ext., Pt. III, S.4, July19, 2022

³ Notification No. L-1/261/2021/CERC dated January 27, 2023

under the Connectivity Regulations and as proposed to be inserted through the Draft GNA Amendment Regulations.

II. REGULATORY FRAMEWORK

(in context of the requirement to submit land documents as a prerequisite to application for grant of connectivity)

A. CONNECTIVITY REGULATIONS & DETAILED PROCEDURE

Regulation 8 of the Connectivity Regulations provides that an application for connectivity shall contain details such as proposed geographical location of applicant, quantum of power to be interchanged with the ISTS, and such other details as laid down by the central transmission utility (“CTU”) in the detailed procedure. However, the obligation is only limited to identification of the land and there is no prerequisite to acquire land prior to the application for grant of connectivity. Such an obligation was inserted, pursuant to Power Grid Corporation of India Limited’s (erstwhile CTU) (“PGCIL”) petition⁴ seeking regulatory intervention to ensure efficient utilization and for preventing underutilization of bays for connectivity granted to wind/solar generation projects (“Petition 145/MP/2017”). In the aforementioned Petition 145/MP/2017, CERC vide its order dated September 29, 2017, recognized squatting of connectivity as a prevalent issue and directed the CTU to frame objective criteria through amendment to detailed procedure to tackle this issue.

Under Petition 145/MP/2017, CTU had prayed for cancellation of connectivity if any 2 of the following milestones had not been achieved within 6 months of grant of connectivity:

1. Affidavit for acquisition/ lease hold rights over 50% of the land with respect to total quantum of connectivity;
2. Letter of award by bidding agency for at least 50% of the connectivity quantum authorized;
3. Letter of award for internal transmission infrastructure and machines; and
4. Signing of bay implementation agreement & advance deposit for bays implementation at ISTS substation end within stipulated time period.

Further, Ministry of New and Renewable Energy had submitted that the grant of connectivity be cancelled if the applicant fails to acquire rights over 50% of land required for the quantum of connectivity granted within 12 months from date of grant of connectivity. However, the Detailed

⁴ Petition No. 145/MP/2017 before CERC

Procedure for “Grant of Connectivity to projects based on Renewable Sources” approved by CERC vide order dated May 15, 2018 contained the obligation requiring a REGS to submit land documents evidencing rights over 50% of the land for which connectivity was to be obtained, as a part of application for grant of connectivity for Stage-II.

The detailed procedure was superseded in 2021 and CERC notified the “Revised Procedure for Grant of Connectivity to Projects Based on Renewable Sources to Inter-State Transmission System” on February 20, 2021 (“Detailed Procedure”). Applications under the Detailed Procedure were processed in 2 stages i.e., Stage-I and Stage-II. Application for Stage-I connectivity is made under paragraph 6 of the Detailed Procedure. After conducting necessary study for grant of connectivity, the CTU is required to grant Stage-I Connectivity indicating the substation for connectivity, within 60 days of the last date of the month in which the application was received. However, the Stage-I connectivity does not create any rights in favour of the grantee. The actual grant of connectivity is undertaken in Stage-II for which the applicant needs to meet certain eligibility criteria. The Connectivity Regulations and the Detailed Procedure framed under it also allow the applicant to apply for Stage-I approval and Stage-II approval simultaneously.

Paragraph 9.2.2 of the Detailed Procedure stipulates the eligibility of an applicant to apply for Stage-II connectivity. In this regard, paragraph 9.2.2 states that any entity, not covered under the eligibility criteria prescribed under 9.2.1:

1. who has been granted Stage-I connectivity; or
2. has applied for Stage-I and Stage-II connectivity simultaneously;

shall be eligible to apply for Stage-II connectivity, provided, such applicant has achieved the following milestones:

“(i) Ownership or lease rights or land use rights for 50% of the land required for the capacity of Stage-II Connectivity; and

(ii) Financial closure of the project (with copy of sanction letter) or release of at least 10% of the project cost including the land acquisition cost through equity, duly supported by Auditor’s certificate.

Note: The entity shall submit registered documents regarding land rights in its favour. The documents, if not in English or Hindi language, shall be furnished along with its English or Hindi translation from authorized translators.”

Consequently, the applicant for Stage-II connectivity has to provide evidence of being in possession of at least 50% of the land, to be eligible for Stage-II connectivity.

B. GNA REGULATIONS & DETAILED PROCEDURE

The GNA Regulations have done away with the system of Stage-I connectivity and Stage-II connectivity to introduce in-principle and final grant of connectivity. Further, the GNA Regulations specifically excludes the requirement to provide evidence of land acquisition as a part of the application for connectivity. The reasoning behind this change has been recorded in paragraph 5.9 of the explanatory memorandum issued for the GNA Regulations.⁵ Paragraph 5.9 records the stakeholders' comments on this issue as:

“that renewable energy generating stations selling part capacity under PPA and part capacity as merchant capacity are required to apply twice to obtain connectivity, once using LOA and other using land documents. Some stakeholders have submitted that such an arrangement leads to suboptimal planning of dedicated transmission line by such generating stations.”

In furtherance of such opinion of the stakeholders', the requirement to submit letter of award or power purchase agreement or land for grant of connectivity was not retained in the GNA Regulations.

However, based on the MoP Letter, the Draft GNA Amendment Regulations seek to reintroduce such requirement by amending Clause 5.8 (vii) and 5.8 (xi) of the GNA Regulations and require renewable energy generating stations (“REGS”) and renewable power park developers (“RPPD”) to provide registered title deed as proof of ownership or lease rights or land use rights⁶ for 50% of the land for the capacity for which the connectivity application has been made. Consequently, the applicant has to acquire rights over such land even before applying for the in-principal approval for grant of connectivity.

The Central Transmission Utility of India Limited (“CTUIL”) has been evaluating the applications for grant of connectivity based on the requirements under the Connectivity Regulations and the

⁵ Notification No. L-1/261/2021/CERC dated January 26, 2022

⁶ The usage of the term “land use rights” is vague and ambiguous. Right of exclusive possession of the property for a longer term with all rights attached to such property can be granted only through a sale deed or a lease deed.

Detailed Procedure, and based on its practical experience, foresees the following issues, if similar provisions are introduced into the GNA Regulations.

III. ISSUES

(arising out of making land acquisition a pre-requisite for connectivity application)

A. TIME DIFFERENCE BETWEEN APPLICATION AND UTILIZATION OF LAND

As per the Connectivity Regulations and the Detailed Procedure, the CTU is required to grant Stage-I connectivity within 60 days of the last date of the month in which the application was received, and the Stage-II connectivity within 15th day of the following month reckoned from 2400 hours of the last day of the month in which the applications were received. Intimation for grant of Stage-II Connectivity is required to be issued within a period of 15 days thereafter.

Similarly, paragraph 7, 8 and 9 of the GNA Regulations, and Annexure A of the detailed procedure issued under it on October 14, 2022 (“**GNA Detailed Procedure**”), provide for the following maximum timelines for grant of connectivity:

1. Where ATS/Augmentation is required – 345 days approximately from the last date of the month of the application.
2. Where ATS is not required – 75 days approximately from the last date of the month of the application.

As per Regulation 10, an entity is required to furnish technical connection data for execution of the connection agreement. If such data is not available with the connectivity grantee, then the connectivity grantee may submit tentative data but will be required to submit the final data at least 1 year prior to the physical connection. Additionally, basis the MoP Letter and Clause 9.3 as inserted by the Draft GNA Amendment Regulations, it can be inferred that the period between the final grant of connectivity and the start date of connectivity can be more than 2 years as well. Further, in certain instances it has been seen that the applicant has changed the location of the land post grant of connectivity, while maintaining the same details with CTU as provided during grant of connectivity. Such cases put the sanctity of the whole process for application and grant of connectivity in question. Considering this, it is prudent that the land documents be sought post grant of final connectivity, within a prescribed timeline, when there is more certainty in relation to the project location.

In this regard, it is also pertinent to draw inference from the power purchase agreements executed by public sector enterprises, to understand when proof of possession of land is sought under such agreements. For example, under Article 23.2 of the Solar Energy Corporation of India Limited (“SECI”) power purchase agreement for hybrid projects⁷ (“SECI PPA”), the developer is required to demonstrate possession or right to use over 100% of the land for the project, on or before the scheduled commissioning date of the project.

Consequently, there could actually be a considerable time difference between the date of application of connectivity, prior to which 50% of the land is required to be in possession of the applicant, and the start date of connectivity. From the perspective of an applicant, the following issues present themselves under the extant regime:

1. The applicant will have to block a considerable amount of its funds upfront for acquisition of rights over land while the project will be implemented at a much later date. Further, given that this act of acquiring rights over land will be simultaneous to achieving financial close, this investment will block the applicant’s equity.
2. In the interim period, the vacant land may be subjected to encroachment which will create hindrances and unnecessary delay in implementation of the project.

B. UNCERTAINTY AT THE TIME OF APPLICATION WITH RESPECT TO THE ISTS SUBSTATION AT WHICH REGS WILL BE CONNECTED

Regulation 8 (3-A) of the Connectivity Regulations provides that a REGS shall be granted Stage-I connectivity by indicating the location where it is to be connected. However, if the capacity at such location is fully allocated to Stage-II grantees then the balance Stage-I grantees will be allocated Stage-II connectivity at a different location.

Similarly, as per Regulation 9.1 of the GNA Regulations, the details of the substation where the connectivity is to be granted will be intimated to the applicant as a part of the final grant of connectivity and not as a part of the in-principal approval.

⁷ Request for Selection (RfS) Document for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects with assured Peak Power supply in India under Tariff-Based Competitive Bidding (Tranche-VI), RfS No. SECI/C&P/IPP/13/0007/22-23 dated November 2, 2022

Consequently, the requirement to acquire land prior to application or as eligibility for Stage-II may have a significant cost impact, in the following manner:

1. If the substation is further away from the location of the desired substation as stipulated in the application, near which where land has been procured, it may result in the applicant incurring additional cost for commissioning extra length of dedicated transmission line.
2. Alternatively, the applicant may be required to shift its project to a more convenient location, which will result in loss of the amount already spent on the land previously acquired.
3. Connectivity is granted on first come first served basis. Therefore, an applicant who has purchased land prior to application may not be allocated the substation of his choice if he is lower on the priority list. Further, it may also be of pertinence that Regulation 8 (8), provides that the CTU shall plan the transmission system in such manner that the maximum length of the dedicated transmission line does not exceed 100 kilometers from the switchyard of the applicant till the nearest pooling substation of the transmission licensee. Considering this, in case of absence of availability in the terminal bay in the nearest pooling substation (which was previously available while land was being acquired by the applicant), the CTU may allot a pooling sub-station anywhere within 100 kilometers and the applicant will have to construct the dedicated transmission line up to such allotted substation. This will result in a significant increase in the project cost for the applicant.

C. LAND COST

REGS require large tracts of land for implementation. Typically, a wind project takes up to 2-3 acres of land per turbine and depending on the technology, a solar project may take up to 2-4 acres of land per MW. Given the significant cost of land, for large scale project, acquisition of 50% land rights may also amount to a significant cost, which has to be borne by the applicant without any certainty on whether the same may be used for project implementation.

For example: If an applicant is seeking connectivity for a 500 MW solar project, depending on the technology, the approximate land requirement would be between 1100-2500 acres. Taking an estimate of Rs. 24 to Rs. 48 lakhs as cost of land per MW, the upfront capital requirement for an application for grant of connectivity is approximately Rs. 120 crores to Rs. 240 crores, which will block the substantial funds of the applicant at the time of the application, without specific certainty regarding the ISTS S/s where the applicant may be granted Connectivity. Thus,

substantial amount is required even before the financial closure is achieved, which will pose an avoidable hardship to the applicants.

In this regard, it is also pertinent to note that while the Draft GNA Amendment Regulations require 50% of the land to be in possession of the applicant before making the application for grant of connectivity, under Regulation 9.3, the requirement to achieve financial closure is 12 months from the date of issuance of final grant of connectivity, if the start date of connectivity is within 2 years; and 50% of the time period between issue of final grant of connectivity and start date of connectivity, if the such date is more than 2 years.

From this, it can be concluded that the applicant has to finance the acquisition of the 50% of land rights out of its own fund. Considering the cost of land, and the uncertainty around whether the same land can be used or not, it may not be prudent to require the applicant to bear the cost even before the financial closure for the project has been achieved.

Parallel can also be drawn from the SECI PPA referred above where the obligation of achieving financial closure is 12 months from the effective date of the SECI PPA, however, evidence for possession of 100% percent of land is required to be given by scheduled commissioning date.

D. RECOMMENDATION BY MOP

From the explanatory memorandum of the Draft GNA Amendment Regulations⁸, we note that the amendment to Regulation 5.8 has been implemented pursuant to the recommendation in the MoP Letter. The MoP Letter, *inter alia*, also recommends the following:

“a. Generator shall submit ownership or lease rights (and not just agreement) for 50% of the land required for the capacity of connectivity granted within 6 months from the date of grant of connectivity; failing which the connectivity shall be revoked and the Bank Guarantee (BG) encashed.”

From the captioned paragraph above, it is evident that there is a difference between the recommendation under the MoP Letter and the adaptation in the Regulation 5.8 (vi) and 5.8 (xi) as proposed in the Draft GNA Amendment Regulations. While the MoP letter requires the

⁸ Notification No. No. L-1/261/2021/CERC dated February 13, 2023

submission of land documents post grant of connectivity, the Draft GNA Amendment Regulations make it a prerequisite to the application for grant of connectivity.

E. ISSUES BEING FACED BY CTU DURING APPLICATION SCRUTINY - LAW AND REGIONAL DIVERSITY

As per Regulation 5-A (d) of the Connectivity Regulations and Regulation 3.5 of the GNA Regulations the CTU is required to scrutinize the application and intimate any deficiency therein to the applicant within 1 week of the receipt of the application. The applicant is then required to rectify the deficiency within a further period of 1 week to submit the same to the CTU.

Given the timelines stipulated above, if the procurement and submission of land documents is made a pre-requisite to the application, the following issues will be faced by the CTU as well as the applicant:

1. Details of land and the documents pertaining thereto (i.e., sale deeds, jamabandis/mutation records, encumbrance certificate etc.) differ from region to region in India and given this regional diversity, the CTU may not be equipped to authenticate the veracity of the land documents submitted by the applicants located in different regions of the country.
2. Further, as the CTUIL does not have regional presence and resources, therefore, verifying the land documents within such short timeline (presently 7 days) may be cumbersome.
3. It has been observed that most of the applications are received in the last few days of the month. Consequently, CTU has to evaluate numerous applications simultaneously within the time frame provided under law, and with limited resources. This ultimately puts tremendous strain on CTU's resources. Further, it is pertinent to note that while evaluating such numerous amounts of documents, including voluminous land documents, the regulatory provisions do not provide CTU with a method to comment on or seek further rectification of any error in documents that might have been missed during the initial scrutiny of application.
4. If any error is found in the documents and intimated by the CTU to the applicant, the timelines (presently 7 days) provided for submission of rectified documents by the applicant may not be adequate.

F. IRREGULARITY BY APPLICANTS

The onerous obligations and the issues discussed above have contributed to the applicants resorting to certain irregular practices while applying for grant of connectivity, including instances where the same set of land documents have been used to apply for connectivity in 2(two)

different applications. CTU will have to scrutinize different applications to evaluate if there has been any irregular practice, including duplicity of land documents under different applications, which is a cumbersome ask. Further, under the extant Regulations/Procedure, there is no specific provision which disallows an applicant to change the land on which the generation project is commissioned viz-a-viz the land for which the land documents were submitted at the time of application. Accordingly, there may be cases where the generation project is commissioned on a land which is different from the land documents which have been submitted at the time of application.

In consideration of the issues highlighted above, we propose the following resolutions:

IV. PROPOSED RESOLUTIONS

A. REVISION IN PROPOSED AMENDMENTS

As set out in issues presented under paragraph III (A) to III (C) above, upfront requirement of possession of land presents with multiple issues pertaining to land acquisition cost, blocking of funds of applicant, loss due to change in substation, applicants engaging in irregular practices to obtain connectivity etc. Consequently, procurement of rights over and should not be a pre-requisite, to apply for grant of connectivity.

Further, as set out in issue identified under paragraph III (D) above, the amendments proposed under the Draft GNA Amendment Regulations differ from the recommendation made under the MoP Letter, to prevent squatting.

Therefore, we propose the following changes in the Draft GNA Amendment Regulations in terms of requirement to have possession of 50% of land upfront:

“4 Amendment to Regulation 5.8 of the Principal Regulations:

4.1 Clause (vii) of Regulation 5.8 of the Principal Regulations shall be substituted as under:

“(vii) In case of Renewable Power Park Developer, the following documents shall be submitted:

(a) authorisation by the Central Government or the State Government, as applicable, to undertake infrastructural activities including arrangement for Connectivity on behalf of solar power generators or wind power generators; and

~~(b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and~~

~~(c) Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity."~~

4.2 New clause namely, clause (xi) shall be added after clause (x) of Regulation 5.8 of the Principal Regulations as under:

"(xi) In case of Applicants which are REGS (other than Hydro generating station) or ESS (excluding Pumped Storage Plant (PSP)) the following documents shall be submitted:

(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:

Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.

Or

(b)

~~*i. Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought; and*~~

~~*ii. Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity."*~~

~~*"*~~

8. New Regulation 9.3:

A new Regulation, namely, Regulation 9.3 shall be added after Regulation 9.2 of the Principal Regulations as under:

9.3 *An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of connectivity has been issued, shall: (a) have to achieve the financial closure for the capacity of such Connectivity, and (b) procure and submit registered title deed as a proof of*

ownership or lease rights or land use rights⁹ for 50% of the land required for the capacity for which Connectivity is sought, (a) within a period of 12 months from the date of issuance of final grant of connectivity, if the start date of Connectivity is within 2 years from date of issuance of final grant of connectivity or (b) a period equivalent to 50% time period between issue of final grant of Connectivity and start date of Connectivity, if the start date of Connectivity is more than 2 years from date of issuance of final grant of connectivity:

Provided that such an applicant shall submit to CTU: (a) proof of Financial Closure of the project (with copy of loan sanction letter or proof of first disbursement of loan amount) within 15 days of achieving the financial closure; and (b) registered title deeds for 50% of land for which Connectivity is sought, within 15 days of ~~achieving the financial closure~~ registration of such documents.

Provided further that if the Connectivity grantee fails to achieve the financial closure or obtain possession over 50% of the land for which Connectivity is sought, within the stipulated time as per this regulation or fails to submit the copy of financial closure or registered title deeds, as per first proviso to this regulation Connectivity shall be revoked and Conn-BG1, Conn-BG2 and Conn-BG3 shall be treated in terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.”

B. PRIOR SCRUTINY BY EXPERTS TO BRING CERTAINTY TO THE EVALUATION PROCESS.

As detailed in issue identified in paragraph III (E) above, the CTU may not be equipped to evaluate the veracity of the land documents submitted by the applicant, whether with the application for grant of connectivity or after the grant of connectivity. Evaluation of such documents requires knowledge of local laws and understanding of regional language as well. The CTU may look at engaging lawyers/law firms specializing in verification of land documents by evaluating the flow of the title over the past 30 years. Such engagement will add credibility to report as the law firms engaged would already have been selected by the CTU based on a set of technical criteria to be met by the bidders.

⁹ As highlighted above, the term “land use rights” is vague and uncertain. We request either deletion of the term or specifying the list of documents that will be acceptable as evidence for land use rights.

Multiple regulatory bodies and public sector enterprises¹⁰ engage reputed law firms to assist them in accordance with the scope of work identified. Further, public sector banks have a list of engaged lawyers who undertake land due diligence on the land on which security is to be created by the borrower.

The engagement can be undertaken in the following manner:

1. CTU may engage a panel of law firms through a tender process, by setting out specific eligibility criteria such as:
 - a. The law firm should have at least 1 office in each region (regions can be divided into North, South, West, and East);
 - b. The law firm should have an average annual turnover of Rs 2 crores in the preceding 3 financial years; and
 - c. The law firm should have a minimum of experience of 3 years in undertaking land due diligence.
2. The detailed procedure or an advisory issued to the applicants will require each applicant to submit the land documents along with a title search report prepared by one of the engaged lawyers. The cost of such diligence will be borne by the applicant. To ensure that the engaged lawyers do not charge an extravagant amount for undertaking land due diligence the price band may be pre-determined. Typically, such diligence report can be obtained on a Rs. 4000 to Rs. 6000 per acre basis. All documents for the diligence must be provided by the applicant.

The CTU shall rely on the report prepared by the law firm, however, it, and its officers will not be held liable for any consequences arising due to an error or misrepresentation in the report. Further, an engaged lawyer who, while undertaking diligence, becomes aware of the same land being submitted as part of 2 applications, shall be required to immediately notify the CTU.

The law firm engaged should be required to generate the due diligence report setting out the following:

1. Parcels of land that have clear title;

¹⁰ Please see tender floated by BSNL for “Legal Due Diligence of Spare-Able Land Parcel Located in BSNL, Telecom Factory, Deonar, Mumbai-400 088”, e-TFM/ Legal Due Diligence of Land Parcel/31/2022-

2. Parcels of land that do not have clear title or has land use issues.
3. Parcels where there is ambiguity (including details on the nature of ambiguity).

In such cases the CTU would be required to take the final decision on whether such documents can be accepted as proof of ownership/lease rights over the land where project is to be implemented.

**GOVERNMENT OF ANDHRA PRADESH
ENERGY (POWER.II) DEPARTMENT**

Letter No.ENE01-APRE/6/2023, dated:23-01-2023

From
The Special Chief Secretary to Government,
Energy (Power.II) Department,
A.P.Secretariat, Amaravati.

To
The Chairman and Managing Director,
Central Transmission Utility of India Limited,
Saudamini, Sector 29, Near IFFCO Chowk Metro Station
Gurgaon – 122 001, Haryana.

Sir,

Sub: Energy Dept – Renewable Energy - Request to mandate the State Nodal Agency's recommendations and approvals while according power evacuation to Wind, Solar and Wind-Solar project/park developers on the upcoming CTUIL substations in the State of Andhra Pradesh – reg.

- Ref:** - 1. IWPA Letter No. IWPA/MNRE/2022-23/22 dated 11.01.2023
2. Wind Measurement by Private Sector and subsequent development (MNRE No. 51/9/2007-WE dated 20.06.2008)
 3. Guidelines for Development of Onshore Wind Power Projects (MNRE F.No. 66/183/2016-WE dated 22.10.2016)
 4. AP Wind Power Policy, 2015 dated 13.02.2015
 5. AP Solar Power Policy, 2015 dated 12.02.2015
 6. AP Wind Power Policy, 2018 dated 03.01.2019
 7. AP Solar Power Policy, 2015 dated 03.01.2019
 8. AP Wind Solar Hybrid Power Policy dated 03.01.2019
 9. AP Renewable Energy Export Policy, 2020 dated 17.07.2020.

I am to inform that Andhra Pradesh has significant potential each for Solar, Wind and Wind -Solar Hybrid generation and the State has ideal conditions for setting up Renewable Energy projects for consumption within the State and also for export of energy to other States through the ISTS network.

2. Further, I am to inform that CTUIL is in the process of setting up new substations in

the Rayalaseema region of Andhra Pradesh which has the entire wind potential and majority of the solar potential. This would help Andhra Pradesh to tap on the available RE sources and export the power through the proposed ISTS power evacuation network of CTUIL.

3. The Government of Andhra Pradesh is also aligned with the larger objective of creating congenial atmosphere in the State to attract investments especially in the Power Sector and to project Andhra Pradesh as an investment destination center for Renewable Energy which aligns with the National objectives.

4. In the process of achieving the same, the Government of Andhra Pradesh would also like to have an healthy and orderly growth of the RE industry in the State and to facilitate the same, the Energy Department, Government of Andhra Pradesh has already put in place the Wind Power Policy - 2015, Solar Power Policy - 2015 followed by the Wind Power Policy - 2018, Solar Power Policy - 2018, Wind-Solar Hybrid Power Policy – 2018 and AP Renewable Energy Export Policy - 2020 which clearly define the process and the procedures to be adhered to while implementing the renewable energy projects and the responsibility to ensure this systematic and orderly growth has been casted on the State Nodal Agency, NREDCAP.

5. We wish to highlight the fact that we are one of those few States who have been exhibiting utmost care in complying with all the procedures stipulated under Guidelines set out by the MNRE mentioned as reference 2 and 3 above and NIWE. NREDCAP is the State Nodal Agency (SNA) and also a single window clearance agency which has clear process of according the permissions for the RE project development including signing the agreements with developers, project allotments, demarcation of the project boundaries and facilitating connectivity and land to developers in the most hassle-free and timely manner.

6. In the case of development of wind power projects, the Wind Power Policy - 2015, Wind Power Policy – 2018 and Solar-Wind Hybrid Power Policy - 2018 clearly sets out the process to be followed for the Wind Resource Assessment (WRA) and the subsequent project development as we understand the importance of the technicalities to be followed in case of the wind power project development which unlike solar is very resource and site specific and hence, proper regulation by the State Nodal Agency is required to ensure that we develop the projects in a systematic manner keeping in view the performance of the projects as well.

7. Taking into consideration the aforesaid facts and the intent of the Central and State government to have an organized development of the RE sector, we request CTUIL to make the approvals and permissions of the State Nodal Agency, NREDCAP a pre-requisite and mandatory document for according power evacuation approvals on the upcoming CTUIL substations in the State of Andhra Pradesh under the existing connectivity guidelines and also upcoming General Network Access (GNA) for obtaining connectivity and also advise the Central Bidding Agencies like SECI, NTPC & NHPC to make this a part of their bid documents to ensure that there are no subsequent issues during the project implementation stage.

Thanking you.

Yours faithfully,

Special Chief Secretary to Government

Copy Submitted -

1. The Secretary, Minister of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. The Secretary to Government of India, Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi.
3. The Private Secretary to Minister, Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Manoj Kumar
4. The Joint Secretary (Transmission, Green Energy Corridor), Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Ajay Yadav
5. The Joint Secretary (Solar and Energy Storage), Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Lalit Bohra
6. The Joint Secretary (Wind), Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Dinesh Dayanand Jagdale
7. The Joint Secretary (Transmission), Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi. Kind Attn – Shri Mohammad Afzal
8. The Advisor, Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Dilip Nigam
9. The Managing Director, Solar Energy Corporation of India Limited, Prius Platinum building District center, Saket, New Delhi.
10. The Chairman and Managing Director, NTPC Limited, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi – 110003
11. The Chairman and Managing Director, NHPC Office Complex, Sector-33, Faridabad - 121003 (Haryana)
12. The Vice Chairman & Managing Director, NREDCAP, River Oaks Apartment, CSR Kalyana Mandapam Road, Tadepalli, Guntur District
13. The Secretary, Central Electricity Regulatory Commission, Chanderlok Building, 36, Janpath, New Delhi-110001.
14. Indian Wind Power Association, Door - E, 6th Floor, Shakti Towers-1, 766, Anna Salai, Chennai – 600 002.
15. Indian Wind Turbine Manufacturers Association Transit House: C-1, 2nd Floor, Soami Nagar, New Delhi - 110 017.
16. National Solar Energy Federation of India, 135-137, 1st Floor, Rectangle-1, D-4 Saket District Center, New Delhi – 110017
17. Wind Independent Power Producers Association, Tower 4A, MG Road, DLF Corporate Park, Gurgaon - 122002

IWPA/MNRE/2022-23/24

January 23, 2023



**The Joint Secretary (Transmission, Green Energy Corridor),
Ministry of New & Renewable Energy,
Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road,
New Delhi.**

Dear Sir,

Sub: Request to mandate the State Nodal Agency's recommendations and approvals while according connectivity to Wind and Wind-Solar project/park development on the upcoming CTUIL substations– reg.

Ref:

1. Your good offices email dated 18.01.2023 pertaining to meeting on issues of RE developers w.r.t. transmission on 31.01.2023
2. Guidelines for Tariff bidding Competitive Bidding Process for procurement of power from Grid connected Wind power projects dated 08.12.2017
3. Guidelines for Tariff bidding Competitive Bidding Process for procurement of power from Grid connected Wind Solar Hybrid Power projects dated 14.10.2020
4. Wind Measurement by Private Sector and subsequent development (MNRE No. 51/9/2007-WE dated 20.06.2008)
5. Guidelines for Development of Onshore Wind Power Projects (MNRE F. No. 66/183/2016WE dated 22.10.2016)

The Indian Wind Power Association (IWPA) was set up in 1996 as a non-profit organization. The Association has over 1400 members spread all over India with a total installed capacity of around 26,000 MW. Since its inception, it has worked consistently, towards removing barriers to wind power development and creation of an enabling regulatory and policy environment for investments in this sector. The Association works closely with several national industry bodies such as Ministry of Power (MoP), Ministry of New and Renewable Energy (MNRE), Ministry of Environment, Central Electricity Regulatory Commission (CERC), Central Electricity Authority (CEA), Indian Renewable Energy Development Agency Limited (IREDA), National Institute of Wind Energy (NIWE), Grid Controller of India, Regional Power Committees, Regional Load Dispatch Centres, Confederation of Indian Industry (CII), State Utilities, State Electricity Regulatory Commissions (SERC) and State Nodal Agencies. IWPA actively supports the national goals of energy access at affordable prices, economic development of India's manufacturing capacity, energy security and independence, and meeting the goals of greater sustainability

Indian Wind Power Association

NATIONAL OFFICE

Door No. E, 6th Floor, Tower -1, Shakti Towers, No. 766, Anna Salai, Chennai 600 002.

Regional Council: *New Delhi*

State Councils: *Ahmedabad, Bengaluru, Hyderabad, Indore, Jaipur, Mumbai*

Phone : 044 4550 4036, 4550 4281

E-mail : iwpa@windpro.org
secretary.general@windpro.org

Website : www.windpro.org

Renewable energy being the most emerging sector in our country due to the abundance of natural resources to set up the non-conventional energy generating projects, there have been numerous projects set-up in various States of the country. It is much appreciated that the States are taking efforts to accommodate the projects in line with the National commitment made by our country in COP 26. Today, India has become the destination for many global companies backed by international funds for development of RE projects.

The earlier projects in the States were developed on the basis of Wind Energy Policies declared by the respective State Governments and in accordance with the tariff orders of the respective ERCs who were determining the Feed-In-Tariff for Wind Projects from time-to-time. Such projects had proper area demarcation under the close supervision of State Nodal Agencies due to which there has been consistent capacity addition in those states.

As the country moved towards a reverse auction regime, focused on discovering the optimal tariffs, thus contributing to sizeable capacity addition in order to achieve the goals set for the nation and the commitments made towards emission reduction and the achievement of net zero, all the processes were elevated, and geographical boundaries were erased for project set-up.

While the advantages of this regime stand as is, the major issue developers are facing today is that only a few states are following the required protocol and the minimum and basic processes provided for guidelines for wind and solar projects for smooth implementation of projects. Not following these is resulting in overlapping of project boundaries amongst the developers and is creating a chaotic atmosphere, resulting in projects being left in a moribund state. Not only is this situation affecting the developers, but it is also directly affecting the international investments and the commitments made as a country. The **Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Power Projects, issued by Ministry of Power** on 08.12.2017 in its clause 19 and **Guidelines for Tariff Based Competitive Bidding Process of procurement of power from Grid Connected Wind Solar Hybrid Projects** dated 14.10.2020 in clause 20.2 clearly stipulate that the wind projects will be developed as per MNRE Guidelines on development of onshore wind power projects.

Guidelines for Wind Measurement by Private Sector and subsequent development (MNRE No. 51/9/2007-WE dated 22.06.2008) and **Guidelines for Development of Onshore Wind Power Projects** (MNRE F.No. 66/183/2016WE dated 22.10.2016) clearly stipulate the site selection and feasibility requisites and micrositing requirements.

Indian Wind Power Association

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E-mail : iwpahq@windpro.org
secretary.general@windpro.org

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The relevant provisions from the MNRE Guidelines are mentioned below for your kind reference–

“III. Site Selection and Feasibility

The process of wind power project development starts with site selection. Identification of suitable sites depends upon land use permission, availability of wind resource, technically and commercially feasible grid connectivity, transport logistics and environmental acceptability.

- a. ***Land Use Permission:*** *The project developer should ensure that the land being selected for the wind power project can be legally used for the purpose and all regulations regarding land use/land cover are complied with.*

In case of allotment of land or land use permission given by State Government for the purpose of development of wind power project, a maximum period of 4 years may be allowed for development and start of commissioning of the project after allotment/permission to use land given by the Government. If the project is not developed within the given time frame the land allotment/land use permission may be cancelled, however, extension may be granted for force majeure conditions.

For existing project developers, where land is already allotted or land use permission has been already given 18 months or higher, prior to issue of these guidelines may be given another 30 months subject to providing an undertaking that they are willing to develop and start commissioning of the project within stipulated period of 30 months.

- b. ***Availability of wind resource:*** *The project developer is required to ensure the availability of wind resource at the site based on the various parameters measured for the purpose. The project developer is also required to ensure the quality of the data captured at a particular site for the correct assessment of the wind resource potential, project viability and sustainability of the project over the designed lifetime of the project.*

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In order to facilitate the wind industry, academia and research institution to analyse the wind power potential, the time series data from all the wind masts installed by NIWE through financial assistance from Government of India will be made available by NIWE without charging any cost.

- c. **Technically and commercially feasible grid connectivity:** *The project developer should ensure that grid connectivity is technically and commercially feasible at the site selected.*

“V. Micrositing

Micrositing is the optimization of energy production through the correct placement of wind turbine generators in the wind farm area, considering all physical constraints of the area. The optimized location of wind turbine generators (WTGs) may be computed by running an appropriate wind flow modelling, optimisation tools (linear and Non-linear) and techniques in any terrain conditions. The criteria for Micrositing shall be based on an optimised output rather than a strict mandated minimum distance between wind turbines. Micrositing criteria are prescribed as under:

- i. *Developer(s) shall optimise the wind turbine locations within their land using appropriate wind flow modelling and optimisation tools (linear and Nonlinear)/techniques subject to site assessment as per IEC 61400-1 standard for turbine safety considering extreme wind, flow inclination, vertical wind shear, and turbulence with added wake effects and corrections for terrain complexity etc.*
- ii. *Developer(s) shall maintain a distance of $2 \times D$ (D -Rotor Diameter) distance perpendicular to the predominant wind direction and $3 \times D$ distance in the predominant wind direction from the boundary line of each adjoining land of other developer(s) with appropriate offset.*
- iii. *Developer(s) shall maintain a wake loss (in terms of energy) of 10% between wind turbines with appropriate offset for wind turbines sited on a foot print basis.*

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- iv. *Developer(s) shall maintain a distance of $HH+1.2RD+5m$ (Hub Height+ Half Rotor Diameter +5 meters) from Public Roads, railway tracks, highways, buildings, public institutions and EHV lines.*
- v. *Developer(s) shall not site wind turbines within 500 m of any dwelling for the mitigation of noise”*

Despite the fact that MNRE has provided for specific procedure to be adhered to while setting up the projects such as site selection and feasibility, wind resource assessment studies, land use permissions, micrositing, project registration etc., which ideally if followed would not cause any hindrance to the project development, the developers who are not following are create an unviable situation for all the projects around the project premises.

While the projects are being initiated, the State Nodal Agencies of each State is the hub for information and accurate plan of action. Therefore, ideally the developers, if they act in consonance with the recommendations made by the State Nodal Agencies, would be an ideal condition under which a disciplined and an organized development shall take place.

Even the Guidelines issued by the MNRE place a great emphasis on the State Nodal Agencies to bring discipline amongst the developers in the respective States by a process of registering the projects, seeking all necessary documentation including the power evacuation approvals obtained from CTUIL and the boundaries within which they intend to develop a project.

While the role of the State Nodal Agencies in implementing the Guidelines of MNRE is paramount, the role of State Nodal Agencies cannot be ignored by the Central Bidding Agencies like SECI, NTPC and NHPC. The Central Bidding Agencies while awarding the projects have to clearly take into consideration the wind resource assessment permissions, the boundary demarcations done for the projects and the project development permissions that are already in place for any other developers in that State accorded to them as per the prevailing or the earlier Wind Power Policies or any other Policies that have been put in place for encouraging development of projects of this nature.

The CTUIL while according the power evacuation approvals, not only should follow a ***first-cum-first-serve basis***, but also should strictly take into consideration the recommendations, approvals and technical feasibilities issued by the State Nodal Agencies, as some of the States as per their respective wind power policies, have given permissions for wind resource

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assessment, signed agreements with boundary demarcations for development of projects with clear commitments and timelines which, if not taken into consideration while according the power connectivity approvals, would lead to a situation where the projects would get into legal embargo as the sanctions for the site are available with one developer and the RE permissions would be with another developer, thus seriously affecting the plan to add wind power to the grid.

Thus, to have an organized development of the RE sector, we request MNRE to kindly advise the CTUIL to make the approvals and permissions of the State Nodal Agency a pre-requisite and mandatory for according connectivity approvals in the upcoming CTUIL substations for project development under the existing connectivity guidelines and also upcoming General Network Access (GNA) and also advise the Central Bidding Agencies like SECI, NTPC & NHPC to make this a part of their bid documents to ensure that there are no subsequent issues during the project implementation stage.

Thanking you.

Yours sincerely,

For Indian Wind Power Association



Ajay Devaraj
Secretary General

Indian Wind Power Association

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Copy Submitted to –

1. The Secretary to Government of India, Ministry of New & Renewable Energy (MNRE), Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Bhupinder Singh Bhalla
2. The Joint Secretary (Wind), Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Dinesh Dayanand Jagdale
3. The Joint Secretary (Transmission), Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi. Kind Attn – Shri Mohammad Afzal
4. The Advisor, Ministry of New & Renewable Energy, Atal Akshay Urja Bhawan, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Shri Dilip Nigam
5. The Chairman and Managing Director, Central Transmission Utility of India Limited, Saudamini, Plot No. 2, Sector 29, Near IFFCO Chowk Metro Station Gurgaon – 122 001, Haryana
6. The Scientist, R&D (Wind), Wind Energy (Offshore and Onshore), Ministry of New & Renewable Energy, Block-14, CGO Complex, Lodhi Road, New Delhi. Kind Attn – Mr. Rahul Rawat.
7. The Secretary, Central Electricity Regulatory Commission, Chanderlok Building, 36, Janpath, New Delhi-110001.

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E-mail : iwpaHQ@windpro.org
secretary.general@windpro.org

Website : www.windpro.org

No: PCKL/A12/18/2020-21/V2/ 6205-13

26 DEC 2022

Dy. Chief Operating Officer,
Central Transmission Utility of India,
First Floor, Saudamini,
Plot No. 2, Sector-29,
Near IFFCO Chowk Metro Station,
Gurgaon – 122 001.
Haryana.

Sir,

Sub: Deemed Grant of GNA in line with Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-state Transmission System) Regulations, 2022 –reg
Ref: Work shop held on 28.11.2022.

With reference to the above, it is to inform that as per the presentation given by CTUIL at SRPC on 28.11.2022 on detailed Procedure for Connectivity and GNA to ISTS, total deemed GNA has granted for the State of Karnataka is 4376 MW, out of which within the region GNA granted is 4075 MW and outside the region is 301 MW (Slide No. 18).

The ESCOMs of Karnataka are having PPA with DVC for 450 MW of installed capacity and the net ex-bus capacity is 424 MW. During the work shop, it was informed that State can represent for the GNA quantum outside the region and inside the region.

Therefore, based on the discussions, it is hereby requested to revise the GNA quantum in respect of outside the region and within the region for the State of Karnataka as below:

Details	GNA quantum (in MW)
Outside the region	424
Inside the region	3952
Total	4376

Yours faithfully,

Rammal 26/12
ADDITIONAL DIRECTOR (PROJECTS)



KERALA STATE ELECTRICITY BOARD LTD.

(Incorporated under the Indian Companies Act, 1956)

Office of the Chief Engineer (Transmission System Operation)

LD Centre, H.M.T. Colony P.O., Kalamassery - 683 503.

Phone: 0484 2555965, 2555950, 9496019100 Fax: 0484 2543850

Email: cesoklsy@gmail.com, ceso@kseb.in Website: www.kseb.in



CESO/ EELDII/AEE/OA /2022-23/ 1774

Dated: 31.10.2022

To

1. **The Director (T, S.O, P&S),**
KSEBL, V.B, Thiruvananthapuram.
2. **The Director, CTUIL,**
Gurgaon Haryana.
3. **The Executive Director,**
NLDC, New Delhi.

Sir,

Sub: - Deemed Grant of GNA in line with CERC (Connectivity and GNA to the ISTS) Regulations, 2022- reg.

Ref: - 1. E-mail received from the CTU on 31.10.2022.
2. E-mail received from the CTU on 03.10.2022.

As per Regulation 18.1(d) of CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 vide Gazette notification dated 19-07-2022, CTU as a Nodal Agency had bifurcated the Deemed GNA quantum of STUs into two parts viz. (i) GNA from within the region and (ii) GNA from outside the region. The quantum of GNA allocated to Kerala is as follows:

State	GNA	Inside Region (GNA)	Outside Region (GNA)
Kerala	2,679	1,454	1,225

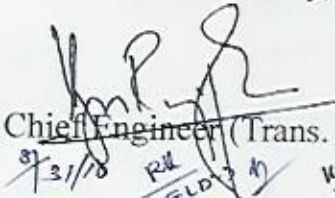
As per Regulation 18.1(e) of CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022:

"GNA deemed to have been granted to STU under clause (d) of this Regulation, shall be segregated for each intra-State entity, including distribution licensee, by the respective SLDC, and intimated to STU, Nodal Agency and NLDC within 1 month of publication of details by the Nodal Agency under clause (d) of this Regulation."

In Kerala, KSEBL is the only State Distribution Licensee procuring inter state power, hence the entire GNA quantum allocated to Kerala is hereby re-allocated to the DISCOM KSEBL as follows.

Intra-State Entity	GNA	Inside Region (GNA)	Outside Region (GNA)
Kerala State Electricity Board Limited	2,679	1,454	1,225

Yours faithfully,


Chief Engineer (Trans. S.O.)
31/10
R&L
EGLD
KCM

- Copy submitted to:
1. The Director (D, IT & SCM), KSEBL, V.B, Thiruvananthapuram.
 2. The Executive Director, SRLDC, Bangalore.
 3. The T.A to CMD, KSEBL, V.B, Thiruvananthapuram.
 4. The Executive Engineer (MO), O/o the CE (TSO), Kalamassery.
 5. The Executive Engineer (LDII), O/o the CE (TSO), Kalamassery.