



system security and safety, no generating unit shall be synchronized with the State Power Grid without the necessary instructions from SLDC and inject power into the Grid without declaration of COD.

13. COD is the date when generating plant has demonstrated the installed capacity as per the terms of the PPA in case of plants having PPA with Discom, because under Section 86(1)(b) of Electricity Act, 2003, power procurement of the Discom is approved by the Commission and same cannot be in variance with the approved PPA. In case of third party sale where there is no PPA or generator is selling the power at exchange, the installed capacity, for which the generator seeks COD, must be demonstrated. The same should not be an issue as there is historical data available with SLDC from the date of synchronization. Therefore, the Petitioner shall provide the generation data to the SLDC which shall be verified by SLDC from the data available with it and accordingly provide clearance for issuance of COD in accordance with the codes, practices and procedures and applicable Regulations and grant of connectivity. In view of intermittent generation from renewable energy projects, generating plant needs to demonstrate at least maintaining the peak corresponding to the installed capacity over one-time block of 15 minute for at least any three days within a continuous period of two weeks.

14. The Commission heard the parties and directs as follows: The Petitioner shall submit the generation data in respect of declaration of COD to SLDC within one week and SLDC shall verify the data and provide clearance for declaration of COD within two weeks of receiving the generation data. Thereafter,



the Petitioner shall submit the same to the Commission within one week. The sequence for entering WBA with the Discom shall be as follows:

- *Declaration of COD, which is essential for commercial operation of the Plant.*
- *UPPCL to give format of bank guarantee format within two weeks and Petitioner to submit Bank Guarantee for an amount equal to applicable charges payable as per Regulations/ tariff order to UPPCL for the eventuality that petitioner fails to meet the captive generator status.*
- *Signing of WBA agreement. The Petitioner shall also submit an undertaking stating that the WBA will be subject to the generating plant satisfying the conditions of the Captive Generating Plant.*

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e. The Petitioner has made possible efforts, however the project could only demonstrate between 13MW to 14MW out of the installed capacity of 20MW due to harsh winter months, since the Solar Power is infirm in nature and depends upon the weather conditions. Moreover, the directions contained under Order dated 27.07.2020 is specific to M/s Amplus only and may not be applicable to other generators. Therefore, the Commission is requested to issue appropriate directions in this regard.

3. The Commission observed that vide its Order dated 27.07.2020 in Petition no. 1517/2019 has provided the guidelines related to COD of the solar power plant and the same is applicable till the Commission frames any specific guidelines/procedure.
4. The Counsel of the Petitioner, requested the Commission to allow him to file the application within 2 days to amend the prayers of the Petition for seeking part



commissioning of the plant. The Petitioner further requested to club the Petition no. 1644 of 2020 & 1662 of 2020 as they are related.

5. The Commission allowed the Petitioner to file the application to amend the prayers of the Petition within 2 days and thereafter, the Respondents shall file their response within one week.

6. **The Petition No. 1644 of 2020 and 1662 of 2020 are clubbed together as per the request of the Petitioner. The matter is listed for next hearing on 27th January, 2021.**

(Vinod Kumar Srivastava)
Member (Law)

Place: Lucknow

Date: 22 01.2021

(Raj Pratap Singh)
Chairman