



UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010.

Petition No 1625/ 2020

Quorum

Shri Raj Pratap Singh, Chairman

Shri Kaushal Kishore Sharma, Member

Shri Vinod Kumar Srivastava, Member (Law)

In the matter of:

Petition under Sections 86(1)(e), (f)& (k) and 181 and other relevant provisions of the Electricity Act, 2003 read with Regulation 7 of the UPERC (Grant of Connectivity to intra-State Transmission System) Regulations, 2010 read with relevant provisions of the Connectivity Procedure issued thereunder and Regulation 57 of the UPERC (Conduct of Business) Regulations, 2019 for seeking necessary orders and/or directions from this Hon'ble Commission.

Binjj Systems Private Limited, S-21, Panchsheel Park New Delhi-110017.

.....Petitioner

Versus

1. Uttar Pradesh Power Transmission Corporation Ltd., through its Managing Director, 7th Floor, Shakti Bhawan, 14 Ashok Marg, Lucknow-226001.
2. Uttar Pradesh New & Renewable Energy Development Agency, through its Director, Vibhuti Khand, Gomti Nagar, Lucknow- 226010.

..... Respondents

The following were present:

1. Sh. Pankaj Saxena, Executive Engineer, UPPTCL
2. Sh. Aniket Prasoon, Advocate for Petitioner
3. Sh. Puneet Chandra, Advocate for UPPTCL
4. Namrata Karla, UPNEDA
5. Sh. Rishabh Sharma
6. Ms. Akansha Tanvi
7. Sh. Saurav Bagchhi
8. Sh. Arun Bharti
9. Sh. Viraj Gadhoke





ORDER

(Date of Hearing 23.02.2021)

1. The present Petition is being filed by Binjj Systems Pvt Limited under Sections 61(h),66, 86(1)(e) and 181 of the Electricity Act, 2003 ("Act") read with Regulation 7.2 of the UPERC (Grant of connectivity of intra-State Transmission System) Regulations, 2010 and Regulations 57 of the UPERC (Conduct and Business) Regulations, 2019, for seeking necessary orders and/or directions. The Petitioner has prayed the following:
 - i) Declare that the Respondent No. 1's letter dated 13.08.2020 rejecting the Petitioner's Application on account of non-availability of grid margin is arbitrary, illegal and beyond the scope of UPERC Connectivity Regulations and Connectivity Procedure.
 - ii) Direct UPPTCL to forthwith grant connectivity to the Petitioner's 100 MW Solar Park at Chitrakoot from the Mau sub-station or any other nearest feasible sub-station, preferably closer to the proposed sub-station at Mau, Chitrakoot, without requiring Binjj Systems to make fresh application.
 - iii) Direct UPPTCL to demonstrate the relevant records that it has undertaken required and necessary system study and based on the same it has discovered that there is technical constraint in terms of non-availability of grid margin at the Mau Sub-station.
 - iv) Direct UPPTCL to disclose reasons, in terms of Clause 7.2 of the UPERC Connectivity Regulations, qua non-grant of connectivity to the Petitioner from the nearest sub-station.
 - v) Direct the Respondents to ensure timely grant of further approvals required from them for the development of Solar Park by the Petitioner subject to necessary compliances being undertaken by it; and
 - vi) Pass such other order(s) as this Hon'ble Commission may deem just in the facts and circumstances of the present case.
2. Sh. Aniket Prason, Counsel of the Petitioner submitted that the Petitioner is in the process of setting up of 100 MW Solar Park at Chitrakoot. The Petitioner had made an application on 14.12.2018 to UPPTCL for grant of grid connectivity of their Solar Park to the 132kV/33kV sub-





station at Mau, Chitrakoot ("Sub-station") along with all the necessary documents and had also furnished the prescribed fee for the same. At the time of submission of application for grant of grid connectivity, it was informed to the Petitioner that the grid connectivity will be granted by August 2019. Further as per UPERC (Grant of Connectivity to Intra State Transmission System) Regulations, 2010 UPPTCL is required to communicate in writing along with the reasons for not allowing interconnection at the nearest pooling station, within forty five (45) days from the date of receipt of application to the applicant.

3. Sh. Aniket Prason, Counsel of the Petitioner further submitted that in the event of rejecting the application, UPPTCL was required to update the Petitioner within a period of 90 days. However, the same was not granted after numerous follow ups and the Petitioner meantime also requested UPPTCL to suggest an alternative substation in case connectivity is not available at the proposed substation. The application for the connectivity was rejected by UPPTCL after twenty months on the grounds of non-availability of grid margin without suggesting the alternative sub-station. He further requested the Commission to decide the matter early so that he can avail the incentives provided in the UP Solar Policy, 2017.
4. Ms. Namrata Kalra on behalf of UPNEDA submitted that the incentives under U.P. Solar Policy, 2017 shall be available to the developer only if the project comes up by March 2022.
5. Sh. Puneet Chandra, Counsel of UPPTCL requested the Commission to grant four (04) weeks of time to submit its counter. Sh. Pankaj Saxena, Executive Engineer on behalf of UPPTCL submitted that the request for grant of connectivity of the Petitioner was denied as there was no capacity at the proposed sub-station. Also, the Petitioner has proposed to evacuate 100 MW solar power at 132 kV substation, however, this cannot be evacuated at 132 kV substation and would require 220 kV substation to evacuate 100 MW solar power.
6. The Commission enquired the petitioner whether he is a Solar Park developer or a generating company?
7. Sh. Aniket Prason, Counsel of the Petitioner submitted that it has neither finalized the land nor has entered into PPA as first it would like to finalize the sub-station at which connectivity will be granted. Once the connectivity is granted the land will be identified accordingly. Further, he



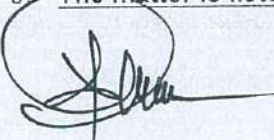


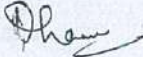
Uttar Pradesh Electricity Regulatory Commission


clarified that the Petitioner is a solar park project developer and under this model, each generator who will set up its plant in the Solar park would sign the PPA with the buyer.

8. The Commission heard the parties and directed UPPTCL to submit what measures it has taken to evacuate the power in Bundelkhand region for smooth implementation of UP Solar Policy 2017. Therefore, UPPTCL shall provide the following details along with its counter within four (4) weeks.
- Details of existing substations and new substations to be constructed by UPPTCL to evacuate power along with grid margin available at different voltage levels in Bundelkhand region for capacity addition under UP Solar Policy 2017.
 - Details of nearest substation where the transmission margin is available and in how many days connectivity shall be granted to the Petitioner.

9. The matter is listed on 23rd March 2021 for next hearing.


(Vinod Kumar Srivastava)
Member


(Kaushal Kishore Sharma)
Member


(Raj Pratap Singh)
Chairman

Place: Lucknow
Dated: 19.03.2021

