

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 628/MP/2020

Subject : Petition under Section 79(1)(c), Section 79(1)(f) and Section 79(1)(k) of the Electricity Act, 2003 seeking directions from this Commission to Power Grid Corporation of India Limited to extend the Long-Term Access start date and extend the deadline for completion of the dedicated transmission line and pooling sub-station.

Date of Hearing : 27.4.2021

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioners : Azure Power India Private Limited and 3 Ors. (Azure Power)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties Present : Shri Buddy Ranganadhan, Advocate, Azure Power
Shri Shashwat Kumar, Advocate, Azure Power
Shri Rahul Chouhan, Advocate, Azure Power

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioners submitted that the present Petition has been filed, *inter alia*, seeking direction to the Respondent, PGCIL to extend the Long-term Access ('LTA') start date under the agreements for Long-term Access and system strengthening between the Petitioner No. 1 and the Respondent to align with the Scheduled Commercial Operation Dates ('SCODs') of the Projects of the Petitioners. Learned counsel further submitted the following:

(a) The Petitioners are developing 1200 MW Solar Power Projects in the State of Rajasthan and have obtained LTA for 1200 MW (600 MW for Bhadla and 600 MW for Bikaner) in terms of the LTA agreements executed with PGCIL.

(b) However, the commissioning of the Petitioners' Projects got delayed due to reasons beyond their control and consequently, SCODs of the Projects under the PPAs have been extended by SECI.

(c) Subsequently, the Petitioners vide their various letters also requested PGCIL to extend the LTA start date and the deadline relating to Dedicated Transmission Lines ('DTL') and Pooling Substation ('PSS') in consonance with the extended SCODs of the Projects. However, PGCIL has not acceded to the said request.

(d) Similar issue has been raised before the Commission in Petition No. 525/MP/2020 (Sprng Renewable Energy Pvt. Ltd. v. PGCIL and Anr.) which has

been admitted by the Commission vide Record of Proceedings for the dated 11.8.2020.

(e) Subsequent to filing of the Petition, certain developments have taken places, namely, SECI has further extended the SCODs of the Projects vide its subsequent letters and the Ministry of Power vide its order has also provided that the LTA and SCOD of the transmission facilities can also be extended by five months. Accordingly, the Petitioners may be permitted to file additional affidavit to bring on record such subsequent developments.

3. After hearing the learned counsel for the Petitioners, the Commission ordered as:-

Admit. Issue notice to the Respondent.

4. The Petitioner to serve copy of the Petition on the Respondent immediately, if not already served. The Respondent to file its reply, if any, by 24.5.2021 after serving copy to the Petitioner, who may file its rejoinder, if any, by 21.6.2021. The Petitioner is permitted to file additional affidavit to bring on record the subsequent developments as prayed for by 14.5.2021.

5. At the Prayer of the Petitioner for an interim direction to the Respondent, CTU not to take any coercive actions during the pendency of the Petition. The learned counsel replied that CTU is not going to take any coercive action against the Petitioner. The submission of the learned counsel for CTU was taken on record.

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**