



7. During the hearing on 22nd March 2021, Sh. Aniket Prasoon, Counsel of the Petitioner submitted that he has received the Counter Affidavit through email just an hour back before the commencement of the hearing, therefore he requested the Commission to grant one-week time to reply. The Commission granted one-week time to file the reply as requested by the Petitioner.
8. During the hearing on 29th April 2021, it was discovered that the reply to the counter was not filed by the Petitioner instead an email has been sent requesting for adjournment on ground of prevailing Covid 19 pandemic. While accepting that the severity of Covid 19 is a plausible issue, the Commission observed that the outcome of this dispute hinges exclusively on the status report/reply of the Respondents as it is a matter of grid margin and system stability. Accordingly, the Commission allowed the respondents to place before it the technical details and other associated issues related to grant of connectivity to the Petitioner.
9. At the outset, Shri Puneet Chandra Counsel for UPPTCL submitted that the Petition is non-maintainable in the eyes of law as the application of the Petitioner for grant of connectivity did not provide required details as prescribed under Regulation 6 of UPERC (Grant of connectivity to intra-state transmission system) Regulations 2010. The Respondent contended that under the application for grant of connectivity, the Petitioner has declared that the process of identification of land to establish the solar power plant is still under process. The Petitioner, in its application, has mentioned that all the activities are in the identification stage only. Therefore, UPPTCL came with the firm argument that it cannot provide any alternate location to the petitioner near 132 KV substation Mau, Chitrakoot as nothing has been finalized by the Petitioner. It was also vehemently argued by the Respondents that connectivity of Petitioner's upcoming 100 MW Solar Power Plant is not technically feasible from 132 KV voltage level and it needs to be evacuated from 220 KV voltage level. It was of also the case of Respondents that the Petitioner has submitted the incomplete application without annexing any of





the relevant documents. Therefore, the application was incomplete and hence was rejected. Moreover, it is pertinent to mention that UPPTCL has already made an online connectivity portal on the official website of UPPTCL i.e. www.upptcl.org. keeping in view with an objective to provide equal opportunity and transparency in allotment of vacant margin to solar Open Access projects at UPPTCL substations. Further, UPPTCL vide its letter dated 13th August 2020, informed the Petitioner that he may apply for connectivity in the upcoming list. The list was made available on official website of UPPTCL on 1st September 2020. However, it is noteworthy that the Petitioner did not apply on the online portal which shows non-seriousness on the part of the Petitioner in getting grant of connectivity through a transparent and fair means.

10. UPPTCL further submitted that the letters dated 18th September 2019, 13th November 2019 and 26th December 2019 emailed by the Petitioner as follow up were written to Chairman and Principal Secretary UPPTCL and not to Director (Operations) UPPTCL, who is the nodal officer as per the Regulations. Accordingly, the Petitioner itself failed to adhere the Regulations and the alleged letters, as mentioned above, have been written with an ulterior motive to fortify the legal process.

11. UPPTCL submitted that it has only one 220 KV substation Pahadi in district chitrakoot where there is no available margin for power evacuation as it is already evacuating approximately 125 MW Solar power projects connected to different 132 kV substations being fed from 220 kV Pahadi Substation. Further, in compliance to the Commission's directions the details of existing substations and proposed substations in Bundelkhand area has been filed with the CA suggesting that there is no margin available in bundelkhand region at present.

Commission's Observations

12. The Commission, heard the parties and after taking into account submissions made by the Parties on record, was of the view that the Petitioner has already

