

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.339/MP/2022

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Article 16.3.1 of the Power Purchase Agreement dated 29.10.2021 executed between Tunga Renewable Energy Private Limited and Solar Energy Corporation of India Limited seeking extension in the timelines for achieving Conditions Subsequent and Scheduled Commissioning Date of the 190 MW wind power project being set up by Tunga Renewable Energy Private Limited in Karnataka.

Date of Hearing : 31.7.2023

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

Petitioner : Tunga Renewable Energy Private Limited (TREPL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.

Parties Present : Shri Sanjay Sen, Sr. Advocate, TREPL
Shri Jafar Alam, Advocate, TREPL
Shri Sahil Kaul, Advocate, TREPL
Ms. Ruth Elwin, Advocate, TREPL
Ms. Neha Dabral, Advocate, TREPL
Ms. Tanya Sareen, Advocate, SECI
Shri Ranjeet S Rajput, CTUIL
Shri Ankush Patel, CTUIL

Record of Proceedings

At the outset, learned counsel for the Petitioner prayed for an adjournment on the ground of non-availability of the arguing counsel. In response to the specific query of the Commission with regard to the Project status, the learned counsel for the Petitioner clarified that the Petitioner is going ahead with the implementation of the Project.

2. Learned counsel for the Respondent No.1, SECI, submitted that the maximum time limit permissible for setting up the Project (with liquidated damages) under the Power Purchase Agreement dated 29.10.2021 has already expired in the month of June, 2023.

3. In response to the specific query of the Commission to CTUIL with regard to the shifting of the date of Connectivity to the Petitioner's Project from 5.9.2022 to 30.6.2023, the representative of CTUIL submitted that at the time of granting the Stage II Connectivity (115 MW) to the Petitioner, the Common Transmission System was under bidding stage and its firm date of availability was not available with

CTUIL, and accordingly, the Connectivity was granted with a start date as 5.9.2022 (as requested in the application) or the availability of the Common Transmission System for Connectivity, whichever was later. However, subsequently, upon receipt of the communication from the Bid Process Coordinator towards successful transfer of SPV for Common Transmission System with an implementation schedule of 18 months, the Connectivity intimation was revised with the start date as 30.6.2023.

4. Considering the request of the learned counsel for the Petitioner, the Commission adjourned the matter and further directed that the interim protection granted vide Record of Proceedings for the hearing dated 29.11.2022 will continue till the next date of hearing.

5. The Petition shall be listed for hearing on **20.9.2023**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)