

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 657/MP/2025

Subject : Petition under Section 79(1)(c) and 79(1)(f) of the Electricity Act, 2003, read with Regulations 41 and 42 of the CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022.

Petitioner : JSW Renew Energy Five Limited (JSW).

Respondent : Central Transmission Utility of India Limited (CTUIL) and Ors.

Date of Hearing : **24.6.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sanjay Sen, Sr. Advocate, JSW
Shri Aman Anand, Advocate, JSW
Shri Aman Dixit, Advocate, JSW
Ms. Ruth Elwin, Advocate, JSW
Ms. Natasha Debroy, Advocate, JSW
Ms. Srishti Gupta, Advocate, JSW
Shri Shubham Arya, Advocate, CTUIL
Ms. Reeha Singh, Advocate, CTUIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking protection against the proposed action of revocation of connectivity Nos. 212100039 and 212100040, granted for the Petitioner's 500 MW (2 x 250 MW) Battery Energy Storage System (BESS) Projects at the ISTS Fatehgarh-III substation, Rajasthan by the Respondent, CTUIL. Learned senior counsel further referred to the Pleadings and mainly submitted as under:

(a) The Commission, vide order dated 2.1.2025 in Petition No. 138/AT/2024 (SECI v. JSW & Ors.), declined to adopt the tariff in respect of the 500 MW / 1000 MWh Standalone Battery Energy Storage System (BESS) Pilot Projects. The said order of the Commission dated 2.1.2025 is pending challenge in appeals filed before the APTEL, by the Petitioner as well as the SECI. The said appeals have been heard at length by the APTEL, and the oral submissions therein have also been concluded. Under such circumstances, the BESS Projects are being delayed only due to pending regulatory proceedings, the appeals being a continuation of the original tariff adoption proceedings.

(b) Despite this position, CTUIL is proposing the revocation of connectivity granted to the Petitioner's BESS Projects at the ISTS Fatehgarh-III Substation, Rajasthan on 30.6.2025, even when the dates of original SCODs of the Petitioner's BESS Projects are 5.9.2025 and 16.11.2025.



(c) At the same time, CTUIL also demanded payment of one-time GNA charges of Rs. 1 lakh per MW each (for 2x250 MW BESS Projects), for making the connectivity/GNA effective with effect from 30.6.2025. This demand was made on 29.5.2025, and as per the demand, the one-time GNA charges were to be paid within 15 days, i.e., by 13.6.2025. On 11.6.2025, the Petitioner has made the said payment of one-time GNA charges to CTUIL under protest.

(d) Despite various communications/letters and even after the payment of one-time GNA charges, the CTUIL issued letters/notices dated 17.6.2025 for both connectivity Nos. 212100039 and 212100040, to the Petitioner for expected non-compliance of Regulation 24.6(a)(i) of the GNA Regulations, 2022. Without advertent to any of Petitioner's communications, CTUIL has asked the Petitioner to either update the information regarding extension of its SCOD or face consequences under Regulation 24.6 of the GNA Regulations, 2022, i.e., revocation of its connectivity.

(e) By the letters/e-mail dated 20.6.2025/23.6.2025, the Petitioner had also approached SECI for the extension of SCOD in terms of Regulation 24.6(a)(i) of the GNA Regulations. However, SECI vide email dated 23.6.2025 has stated that since the order of the Commission dated 2.1.2025 is sub-judice before the APTEL in Appeal Nos. 54/2025 & 26/2025 respectively, SECI is unable to proceed with any request till the outcome of the above-mentioned Appeals.

(f) In the above circumstances and given that CTUIL has already indicated to initiate the coercive action against the Petitioner in relation to its connectivity granted against Application Nos. 212100039 and 212100040, the Petitioner is also pressing for an interim direction for maintaining the *status-quo*, qua the connectivity and network access of the Petitioner's BESS projects.

2. Learned counsel for the Respondent, CTUIL, submitted that CTUIL is required to act strictly in accordance with the GNA Regulations, 2022, and consequently, the connectivity granted to the Petitioner is liable to be revoked on 30.6.2025. Learned counsel also clarified that in the event the connectivity granted to the Petitioner is not revoked, the applicable bilateral charges shall ensue post 30.6.2025. Learned counsel also pointed out that the SCODs referred to by the Petitioner (i.e., 5.9.2025 & 16.11.2025) are as per its own interpretation and do not meet the requirement as specified in the GNA Regulations, 2022. Learned counsel further sought liberty to file a reply in the matter.

3. Considering the submissions made by the learned senior counsel and the learned counsel for the parties, the Commission directed the Respondent, CTUIL, to file its reply, within a week, with a copy to the Petitioner, who may file its rejoinder, within a week thereafter. With regard to interim relief, the Commission did not deem it appropriate to grant the same at this stage.

4. The Petition will be listed for hearing on **15.7.2025**.

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