

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

No. L-1/261/2021/CERC

Dated: 03.03.2025

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 178 and clause (ze) of sub-section (2) of Section 178 read with clause (47) of Section 2, clause (d) of sub-section (2) of Section 38, clause (c) of Section 40 and clause (c) of sub-section (1) of Section 79 of the Electricity Act, 2003 and all other powers enabling it in this behalf and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 (hereinafter referred to as “the Principal Regulations”) namely:

1. Short Title and Commencement

- 1.1. These regulations may be called the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Fourth Amendment) Regulations, 2025.
- 1.2. These regulations shall come into force with effect from the date of their publication in the Official Gazette.

2. Amendment to Regulation 2.1 of the Principal Regulations:

- 2.1. A new Clause (q-i) shall be inserted after Clause (q) of Regulation 2.1 of the Principal Regulations as under:

“(q-i)” Entities with Restricted Access” means REGS or ESS whose injection scheduling rights are restricted for solar hours or non-solar hours in accordance with Regulation 5.11 and Annexure-IV of these regulations;”

2.2. A new Clause (ai-i) shall be inserted after Clause (ai) of Regulation 2.1 of the Principal Regulations as under:

“(ai-i)” Restricted Access” means restricted scheduling rights for solar hours or non-solar hours of the day for entities covered under Regulation 5.11 of these Regulations;”

2.3. Following new Clauses, namely, Clause (ak-i), Clause (ak-ii) shall be added after Clause (ak) of Regulation 2.1 of the Principal Regulations as under:

“

(ak-i) “Solar hours” means the time blocks of the day as declared by NLDC on each Saturday for the subsequent week starting from Monday to Sunday every week for each State based on anticipated solar insolation;

(ak-ii) “Non-Solar hours” means the time blocks other than ‘Solar hours’ of the same day;

3. New Regulation 5.2a

3.1. A new Regulation, namely Regulation 5.2a. shall be added after Regulation 5.2 of the Principal Regulations, as under:

“

5.2 a The additional generation capacity under Regulation 5.2 of these regulations shall be subject to the following conditions:

(a) Connectivity Bank Guarantee Conn-BG1 and Conn-BG3 under Regulation 8 of these regulations shall be furnished by the existing grantee for such additional generation capacity;

(b) The existing grantee shall intimate the scheduled date of commercial operation

for such additional capacity;

- (c) In case additional capacity for which approval is sought under Regulation 5.2 of these regulations is REGS (with or without ESS) or ESS (except PSP), the scheduled date of commercial operation for such additional capacity shall not be later than 18 months from date of approval by the Nodal Agency;
- (d) The applicant shall furnish documents required under Regulation 5.8.(xi) of these Regulations, as applicable, for such additional capacity, and shall also be subject to other Regulations including Regulation 11A, 11B, 24, 24.6 of these Regulations.
- (e) The entity which has already made an application or has been granted approval by the Nodal Agency under Regulation 5.2 of these Regulations prior to the date of effectiveness of these amendments, shall furnish the scheduled date of commercial operation for such additional capacity, within a period of two weeks from effectiveness of these regulations:

Provided that, in case such additional generation capacity is REGS (with or without ESS) or ESS (other than PSP), the scheduled date of commercial operation for such additional capacity shall not be later than 18 months from the date of effectiveness of these amendments or date of approval by the Nodal Agency, whichever is later.

Provided also that such additional generation capacity shall also comply with Clauses (a) to (d) of this Regulation, within a period of one month from the date of effectiveness of this Regulation, failing which approval for such additional generation capacity shall be revoked.”

4. Amendment to Regulation 5.8

- 4.1. A new sub-clause (d) shall be inserted after sub-clause (c) of Clause(vii) of Regulation 5.8 of the Principal Regulations as under:

“(d) The Renewable Power Park Developer shall furnish the scheduled date of commercial operation of the generating station under the Park prior to grant of final connectivity.”

- 4.2. A new Clause(xii) shall be inserted after Clause (xi) of Regulation 5.8 of the Principal Regulations as under:

“

(xii) The details of promoters and their shareholding pattern in the Company.”

5. New Regulation 5.11

- 5.1. A new Regulation 5.11 shall be added after Regulation 5.10 of the Principal Regulations, as under:

“5.11 Entities with Restricted Access

(a) An REGS (with or without ESS) based on Wind source or ESS may seek Connectivity with restricted access (non-solar hours) at a terminal bay of an ISTS substation:

- (i) Through a separate dedicated transmission system, or
- (ii) Which is already allocated to another REGS or Renewable Power Park, with restricted access (solar hours),

Example: An REGS (Wind - 400 MW, ESS - 200 MW) may seek Connectivity of 600 MW with restricted access rights, where injection scheduling rights during solar hours shall be Nil and injection scheduling rights during non-solar hours shall be 600 MW.

(b) The In principle or final grant of Connectivity intimated to an REGS (with or without ESS) based on solar source or an RHGS with a combination of solar source with another source including ESS (including cases where GNA is effective) shall be converted as an entity with restricted access (corresponding to non-solar capacity during non-solar hours) within a period

of one week after the expiry of three months from date of effectiveness of this Regulation:

Provided that while converting to restricted access, the Nodal Agency shall consider the application which such an entity may make for additional capacity under this Regulation 5.2 or Regulation 5.11(a) of these regulations, within a period of three months from effectiveness of this Regulation:

Provided further that if the quantum of Connectivity that can be made available for non-solar hours is less than 50 MW, such RES or RHGS shall not be considered for conversion as an entity with restricted access.

Examples:

- (i) If an REGS based on a Solar source has been granted Connectivity of 1000 MW, such entity shall have restricted injection scheduling rights for 1000 MW in Solar hours and shall have no injection scheduling rights during Non-Solar hours. However, it may draw power during non-solar hours.
 - (ii) If an RHGS (Solar - 700 MW, Wind - 400 MW, ESS – 200 MW) having Connectivity of 1000 MW shall have restricted access rights, where injection scheduling rights during solar hours shall be for 1000 MW and injection scheduling rights during non-solar hours shall be 600MW (400 MW Wind + 200 MW ESS).
 - (iii) If an RHGS (Solar - 600 MW, Wind - 500 MW, ESS - 160 MW) has Connectivity of 700 MW, if converted under restricted access, injection scheduling rights during non-solar hours shall be for 660 MW (500+160 MW) leaving 40 MW (700-(500+160)) for conversion under restricted access and the same shall not be considered for such conversion since it is less than 50 MW.
- (c) REGS (with or without ESS) based on a solar source or an RHGS with a combination of solar source with another source, including ESS seeking Connectivity under Regulation 4.1 of these regulations, shall be considered for grant of Connectivity as an entity with restricted access:

Provided that if the quantum of Connectivity that can be made available for non-solar hours is less than 50 MW, such REGS or RHS shall not be considered as an entity with restricted access.

Example: An RHGS (Solar - 700 MW, Wind - 400 MW, ESS - 200 MW) seeking Connectivity for 1000 MW shall be granted Connectivity with restricted access right, where injection scheduling rights during solar hours shall be for 1000 MW and injection scheduling rights during non-solar hours shall be 600MW (400 MW Wind + 200 MW ESS).

- (d) The Detailed modalities for entities with restricted access shall be as per Annexure-IV of these Regulations.

6. Amendment to Regulation 11A

- 6.1. A new Clause (6) shall be added after Clause (5) of Regulation 11A of the Principal Regulations, as under:

“(6) Any changes in shareholding pattern of the Connectivity grantee upto CoD of the project shall be subject to the following:

(a) The promoters of the Connectivity grantee shall not cede control (where control shall mean the ownership, directly or indirectly, of more than 50% of the voting shares of such Company or right to appoint majority Directors) of the Company.

(b) In case the Connectivity grantee has multiple promoters (but none of the shareholders have more than 50% of voting rights and paid-up share capital), the shareholding pattern shall be maintained and cannot be changed upto COD of the project.

(c) Any change in shareholding pattern other than covered in sub-clauses (a) and (b) shall require prior approval of the nodal agency and shall be filed for information of commission within 45 days of such approval. Nodal Agency may allow such application considering the practical requirement for change in shareholding.

(d) In case any change in control or shareholding pattern of the Connectivity grantee is carried out in contravention to sub-clauses (a) to (c) of this Clause, the Connectivity shall be revoked, Bank Guarantee submitted under sub-clause (c) of Clause (vii) or sub-clause (c) of Clause (xi) of Regulation 5.8 of these regulations shall be encashed, and Conn-BG1, Conn-BG2 and Conn-BG3 shall be treated in terms of Regulation 24.2 or Regulation 24.3 of these regulations, as applicable.”

7. Amendment to Regulation 19.2 of the Principal Regulations:

7.1. The Proviso to Regulation 19.2 of the Principal Regulation shall be substituted as under:

“Provided that such additional GNA quantum to be added in each of the next three financial years shall be applicable from a specified date(s) of the respective financial year subject to a maximum four dates for a year ”

8. Amendment to Regulation 24.6 of the Principal Regulations:

8.1. Sub-clause (d) of Clause (1)) of Regulation 24.6 of the Principal Regulations (except sub-clauses(i) and (ii) shall be substituted as under:

“(d) Connectivity granted to a Renewable Power Park developer shall be revoked for the corresponding capacity, if the Connectivity and corresponding GNA has been made effective in terms of Clause (a) of Regulation 22.4 of these regulations and generating station(s) within the Power park fails to achieve COD on or before, “

9. A new Annexure

9.1. Annexure-IV shall be inserted at the end of the Regulations as under:

Annexure-IV

Modalities of Restricted Access for Solar Hours and Non-Solar Hours of the day

(1) Grant of Connectivity with restricted access to an entity covered under Regulation 5.11 (a) of these regulations:

(a) Such entity shall be granted Connectivity with restricted access where:

- i. during non-solar hours, it shall be allowed to inject upto the Connectivity quantum, subject to availability in the transmission system,
- ii. during the solar hours, the injection rights shall be vested with the entity covered under Regulation 5.11(b) or (c) of these regulations;

Provided, such entity under Regulation 5.11(a) may enter into an agreement with an entity under Regulation 5.11(b) or 5.11(c) with either of them as a lead generator or appoint a QCA (in terms of Grid Code), to utilize the access of an entity under Regulation 5.11(b) or 5.11(c) for the purpose of injection during solar hours.

(b) Such entity shall be allowed to draw power from the Grid throughout the day, subject to transmission constraints.

(c) Such entity, if participating under Ancillary services under the CERC (Ancillary Services Regulations), 2022 may be directed by RLDC or NLDC, as applicable for injection during solar hours or non-solar hours.

(d) The scheduled date of commercial operation shall not be more than 18 months from the date of intimation of the in-principle grant of connectivity.

(e) In case an entity covered under Regulation 5.11 (a) of these regulations is granted Connectivity through a sub-pooling station of an entity under Regulation 5.11(b) or 5.11(c), an agreement shall be entered into between these entities for sharing of a dedicated transmission system including payment of charges towards using the dedicated transmission system in proportion to the quantum of Connectivity granted to each of such entities which shall be mutually agreed between the parties.

(f) Nodal Agency shall publish, within 30 days of notification of this Regulations, the indicative Capital Cost of various configurations of the dedicated transmission system as a reference cost to enable cost sharing between entities. The Nodal Agency shall update such a list based on newer configurations and updated indicative capital cost.

(g) In case the mutual agreement is not achieved for payment of charges for the dedicated transmission system, including sub-pooling station of an REGS, sharing of the dedicated transmission system shall be carried out as follows:

- i The entity under Regulation 5.11(b) or 5.11(c) shall not charge more than the indicative Capital cost of the similar configuration as notified by the Nodal Agency from the entity under Regulation 5.11(a) for using the dedicated transmission system, proportionate to the quantum of Connectivity for each entity.
- ii An entity covered under Regulation 5.11 (a) of these regulations shall be responsible for the implementation of any modification in the dedicated transmission system and for compliance with the Grid Code and other regulations of the Central Commission, at its own cost.

(h) Connectivity Bank Guarantee:

For cases covered under Clause (1)(e) of this Annexure, Connectivity Bank Guarantee viz Conn-BG2 and Conn-BG3, as the case may be, already furnished by an entity under Regulation 5.11(b) or 5.11(c) shall be shared on prorated basis between the entity under Regulation 5.11(b) or 5.11(c) and entity covered under Regulation 5.11 (a) of these regulations. Conn-BG1, as per Regulation 8 of these regulations shall be submitted separately by each entity.

(i) One time GNA charges:

For cases covered under Clause (1)(e) of this Annexure, One time GNA charges already furnished by an entity under Regulation 5.11(b) or 5.11(c) shall be shared on a prorated basis (on the basis of quantum of Connectivity) between the entity under Regulation 5.11(b) or 5.11(c) and entity covered under Regulation 5.11 (a) of these regulations.

(j) The shared dedicated transmission system shall not form part of the ISTS transmission charges pool;

(2) Connectivity for an entity covered under Regulation 5.11 (b) and 5.11(c) of these regulations:

(a) Such entity shall be granted Connectivity with shared access where during solar hours it shall be allowed to inject upto the Connectivity quantum, subject to availability in the transmission system, and access during the non-solar hours shall be limited to the capacity of a source other than solar source. Balance quantum of access during non-solar hours shall be vested on another entity covered under Regulation 5.11(a) of these regulations;

(b) Such entity shall be allowed to draw power from the Grid throughout the day, subject to transmission constraints.

(c) Such entity, if participating under Ancillary services under the CERC(Ancillary Services Regulations), 2022, may be directed by RLDC or NLDC, as applicable for injection during non-solar hours.

(d) Such entity may enter into an agreement with an entity under Regulation 5.11(a) with either of them as a lead generator or appoint a QCA (in terms of Grid Code), to utilize the access of an entity under Regulation 5.11(a) for injection during non-solar hours.

(e) Entity covered under Regulation 5.11(b) may seek approval for additional generation capacity (with or without ESS) or ESS under Regulation 5.11(a) or Regulation 5.2 of these Regulations which shall be considered as per date and time stamp of the application. In case application under Regulation 5.2 is approved by the Nodal Agency, the balance connectivity quantum shall be considered for a grant under Regulation 5.11(a)of these Regulations.

(3) The Nodal Agency, within 30 days of notification of this Regulation, shall publish the following list and shall update the same on a monthly basis also:

(a) Substation-wise details of entities who have been intimated in principle grant of connectivity, final grant of connectivity, whose GNA is effective under Clause (a) to (c) of Regulation 5.11 of these Regulations, including quantum of Connectivity granted and their source wise configuration

(b) the vacant bay(s), if any, available at the substations covered under sub-clause (a) of this Clause, where Connectivity can be granted to an Applicant covered under Regulation 5.11(a) of these regulations.

- (4) As on effectiveness of this Regulation, the Applicant(s) for whom an application for grant of Connectivity is under process and in principle grant of Connectivity is yet to be intimated, shall also be given three months from the date of effectiveness of this Regulation to make an application under Regulation 5.11 of these regulations for non-solar hours.
- (5) Entities with restricted Access to whom Connectivity has been granted for the same ISTS transmission capacity, either through a separate dedicated transmission system or through sharing of the dedicated transmission system, shall make one of the entities from them a 'Lead generator' in terms of Regulation 2.1 (y)(ii) of these regulations or may appoint a QCA in terms of the Clause (11)(a) of Regulation 45 of the Grid Code, on their behalf to coordinate and facilitate scheduling under the provisions of the Grid Code;

Provided that if such Applicants appoint a lead generator or QCA, scheduling of the power of an entity covered under Regulation 5.11(a) of these regulations may be permitted during solar hours by such lead generator or QCA;

- (6) NLDC shall notify the Solar hours and Non-solar hours beginning from date of notification of these amendments on a weekly basis for each State. NLDC may revise such hours during the week in case of unforeseen contingency including weather changes.

(Harpreet Singh Pruthi)

Secretary

Note:

(i) The Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, were published on 19.07.2022 in Part III, Section 4 of the Gazette of India (Extraordinary) No. 364.

(ii) The Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (First Amendment) Regulations, 2023 were published on 06.04.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No. 229.

(iii) The Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (Second Amendment) Regulations, 2023 were published on 01.07.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No. 469.