

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

IA No. 44 and 45 of 2024 in Petition No. 2405 of 2024.

In the matter of:

Interim Application for seeking interim relief under Regulations 26(3), 80-82 of GERC (Conduct of Business) Regulations, 2004 r/w Section 151 of Code of Civil Procedure, 1908.

Applicant : M/s. Suzlon Global Services Limited

Represented by : Ld. Adv. Buddy Ranganathan alongwith Sr. Adv.

Mr. Saunak Kumar Rajguru

V/s

Respondent No. 1 : State Load Dispatch Centre

Represented by : Ld. Adv. Ranjita Ramachandran alongwith Mr.
Parag Parmar

CORAM:

Anil Mukim, Chairman

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 17.12.2024.

Order on the Interim Application filed by the Petitioner.

1. The present Application has been filed by the Petitioner seeking interim relief under Regulations 26(3), 80 and 82 of the GERC (Conduct of Business) Regulations, 2004 read with Section 151 of Code of Civil Procedure, 1908 as under:

1.1. Allow the present Application; and

1.2. Permit the Petitioner/Applicant to commission its nine (9) WTGs [which have been erected and are on the verge of commissioning] by adopting the alternative compliance mechanism as set out at Para 7(b) above, instead of installing RTU at each WTG.

1.3. Pass such other Order(s) as this Ld. Commission may deem just in the facts of the present case.”

2. The brief facts submitted by the Applicant are as follows:

2.1. The Applicant/Petitioner i.e., Suzlon Global Services Limited, a Renewable Energy Project Developer.

2.2. Pursuant thereto, the Commission on 31.08.2024, passed an Order being Order No. 05 of 2024 for Tariff Framework for procurement of power by Distribution licensees and others from wind power projects commissioned during the control period of 06.06.2022 up to 31.03.2027.

2.3. At Para 2.7.3 of the said Tariff Order the Commission has held that the wind power project developers shall install RTU at the pooling station as well at individual Wind Power Generators (WTGs) at their own cost for transferring the real time data to SLDC for its monitoring purpose, and in accordance with the orders passed by the Commission from time to time.

2.4. It is submitted that this new requirement to install RTU at each WTG, alongside installing RTU at pooling sub-station, has adverse effects on (i) recently commissioned WTG(s); (ii) WTG(s) which are on the verge of commissioning, and (iii) all prospective WTG(s) to be developed in the state of Gujarat. Implementation of such conditions, being imposed through Wind Tariff Order 2024, not only entails higher project cost, but also operational and technical difficulties in their compliance.

2.5. The Petitioner has been granted Development Permissions dated 29.05.2024 and 07.08.2024 for setting up 10.5 MW and 4.2 MW wind power projects in Jamnagar meant for captive use in terms of the Gujarat Renewable Energy Policy-2023 dated 04.10.2023 notified by Government of Gujarat.

- 2.6. Suzlon Global Services Limited ("Suzlon") filed the present Petition seeking certain reliefs vis-a-vis the Commission's direction in Order No. 05 of 2024 dated 31.08.2024 in the matter of "Tariff Framework for procurement of power by Distribution licensees and Others from Wind Power Projects for State of Gujarat" ("Wind Tariff Order 2024"), to install Remote Terminal Unit ("RTU") at each Wind Turbine Generators ("WTG"). Prior to the Wind Tariff Order, 2024, RTU was required to be installed only at the pooling sub-stations. However, by virtue of Wind Tariff Order, 2024, RTU is directed to be installed at each WTG as well.
- 2.7. Presently, there are nine (9) WTGs developed by Suzlon which have been erected and are on the verge of commissioning, for which, it is not practically possible to comply with and implement the new requirement to install RTU at each WTG. This is owing to several operational and technical difficulties, as elaborated.
- 2.8. It is submitted that while nine (9) WTGs of Suzlon have been erected, Suzlon is not in a position to charge the WTGs so as to commission the same in view of this new requirement in the Wind Tariff Order 2024 i.e., to install RTU at each WTG. Additionally, after the Wind Tariff Order 2024 was passed, for WTGs without the RTUs installed at each WTG along at the pooling sub-station, Gujarat State Load Despatch Centre ("SLDC") is not issuing the no objection certificate ("NOC"), in absence of which, Gujarat Energy Transmission Corporation Limited ("GETCO") and DISCOMs cannot proceed to execute the agreements with Suzlon's customers for selling/wheeling of electricity. This has led to a scenario where the nine (9) WTGs of Suzlon have been erected, but the same are left stranded, without power generation.
- 2.9. It is submitted that this is not only has resulted in significant losses to Suzlon, but it also defeats the object and purpose of the Electricity Act, 2003 inter alia being promotion of renewable energy.
- 2.10. Through the present Application, in greater interest of renewable energy sector

in state of Gujarat, it is prayed that, as an interim measure, let the nine (9) WTGs of Suzlon which have been erected and are on the verge of commissioning be permitted to commission, by enhancing their existing Supervisory Control and Data Acquisition ("SCADA") system at each WTGs ("alternative compliance mechanism") as detailed at Para 7(b) of the Petition, instead of installing RTU at each WTG. Notably, through such alternative compliance mechanism, the data is transmitted to SLDC on real time basis in a more (i) time effective and (ii) cost efficient manner as compared to installing RTU at each WTGs.

2.11. It is submitted that such alternative compliance mechanism, alongside serving the same purpose as is intended to be achieved by the Commission by making a requirement to install RTU at each WTGs, will also facilitate Suzlon achieve its commissioning targets qua its nine (9) WTGs which have been erected and are on the verge of commissioning viz.: -

Sl. No.	Name	WTG ID No.	WTG Loc.	Area	Capacity	Connected polling & GETCO S/S
1	VMS Fabrics Pvt. Ltd.	VMSFPL/Suzlon/2100/2024-25/8077	NMT 413	Nani Bhalsan, Kalawad, Survey No. 497/p, Jamnagar UTM Coordinates: X: 620786 Y: 2461788	2.1 MW	Pooling S/s: 33/66 kV GETCO S/s: 220kV Jamnagar
2	Atlantia Polyfab Pvt. Ltd.	APPL/Suzlon/2100/2024-25/8078	NMT 308	Beraja, Kalawad, Survey No. 398/p, Jamnagar UTM Coordinates: X: 621491 Y: 2463902	2.1 MW	
3	Kansai Nerolac Paints Ltd.	KNPL/Suzlon/2100/2024-25/8080		Beraja, Kalawad, Survey No. 398/p, Jamnagar, UTM Coordinates: X: 622165	2.1 MW	

Sl. No.	Name	WTG ID No.	WTG Loc.	Area	Capacity	Connected polling & GETCO S/S
				Y: 2463079		
4	Shyam Corporation Pvt. Ltd.	SCPL/Suzlon/2100/24-25/8079	NMT 346	Beraja, Kalawad, Survey No. 398/p, Jamnagar, UTM Coordinates: X: 621657 Y: 2463280	2.1 MW	
5	Bajrang Green Energy Pvt. Ltd.	BGEPL/Suzlon/2100/24-25/8135	NMT 501	Moti Bhalsan, Jamnagar, Rural, Jamnagar UTM Coordinates: X: 622379 Y: 246990	2.1 MW	
6	Colourtex Industries Unit-I	CIPL-I/Suzlon/2100/24-25/8132	NMT 307	Beraja, Kalawad, Survey No. 398/p, Jamnagar UTM Coordinates: X: 621241 Y: 2464440	2.1 MW	
7	Colourtex Industries Unit- II	CIPL-II/Suzlon/2100/24-25/8133	NMT 414	Beraja, Kalawad, Survey No. 270/p, Jamnagar UTM Coordinates: X: 620634 Y: 2462409	2.1 MW	
8	Amber Spintex Pvt. Ltd.					
9	Amber Spintex Pvt. Ltd.					

2.12. It is submitted that the essential conditions for the Commission to issue such ad-interim ex-parte reliefs are satisfied viz. (a) There exists a prima facie case in favour of the Petitioner/Applicant Suzlon;(b) Irreparable injury and loss will be caused to the Petitioner/Applicant Suzlon, if the Application is rejected; and (c)

balance of convenience is in favour of the Petitioner/Applicant Suzlon.

2.13. It is submitted that there exists a prima facie case in favour of Suzlon with following grounds stated as under:

(a) Operational and technical difficulties posed for nine (9) WTGs of Suzlon to comply with the mandate to install RTU at each WTG: -

- i. To comply with the new norm will take significant time as Suzlon will have to install requisite infrastructure and arrangements qua communication interface, data input and output adequacy, cyber security, etc. which additionally pose several operational and technical constraints.
- ii. Installing RTUs at each WTGs will significantly delay the commissioning, and consequently generation by such WTGs by 8 months. The commissioning schedule as approved by Wind Tariff Order 2020 and 2024 is not sufficient for this purpose.
- iii. If Suzlon is forced to comply with this new requirement to install RTU at each WTG, then Suzlon is bound to go beyond its commissioning timelines attracting associated contractual liabilities/penalties.
- iv. Suzlon, while entering into agreements for developing such WTGs, was under the bona fide belief that the tariff framework stipulated by Wind Tariff Order 2020, including requirements qua installation of RTU, would continue to apply during the intervening period and until the issuance of a new wind tariff order by this Ld. Commission, in accordance with the practice adopted by this Ld Commission to ensure regulatory certainty. Accordingly, the commercial terms agreed by Suzlon, for development of the WTGs, factored in cost of installing RTU only at the pooling sub-station, and not at each WTGs.
- v. The mandate to install RTU at each WTGs, if implemented retrospectively, will now have to be borne by Suzlon alone for such WTGs, which is an

unforeseen and unfair financial burden on Suzlon, rendering the projects unviable.

(b) The alternate compliance mechanism is more (a) time effective and ii) cost efficient as compared to installing RTU at each WTGs: -

- i. To meet the object and purpose behind the direction to install RTU at each WTG i.e., to ensure transfer of real-time data to SLDC, Suzlon proposes to adopt an alternative compliance mechanism by enhancing its existing SCADA system at each WTG.
- ii. Through the alternative compliance mechanism, the data will be transmitted to SLDC on real time basis in a more (a) time effective and (b) cost efficient manner as compared to RTU viz.: -
 1. Suzlon shall install RTU (IEC104) at the pooling sub-station which shall be connected with SLDC, for transferring real-time data, in a strong connectivity frequency.
 2. Data from the WTG shall be made available in real time basis as per IEC104's protocols. The data would be transmitted to SLDC, in the prescribed format, with time stamps further verifying the preciseness.
 3. Digital data collected from WTG shall also be made available with time stamp and as per SLDC format which will be transmitted by installing optical fibre network from each WTG to the pooling station. The WTG data shall be made available on common DCU installed at pooling sub-station. Each WTG will be connected to SLDC by providing independent IP or common IP from pooling substation's installed RTU.

4. For ensuring cyber security qua end-to-end connectivity, there shall be provision of router and firewall which will ensure reliability and safety for communication of WTG data at SLDC.
- iii. The alternate compliance mechanism for data transfer is a proven technology across the country in all Inter State Transmission system projects as per Grid India (NLDC), CEA and CTU procedures. CEA and CTU have already moved to SCADA system based data transfers, and the data is transferred on real time basis to load despatch centres successfully.

2.14. Irreparable injury and loss will be caused to Suzlon if the Application is rejected

- (a) While nine (9) WTGs which have been erected, however, Suzlon is not in a position to charge the WTGs so as to commission the same in view of the new requirement to install RTU at each WTG.
- (b) After passing of the Wind Tariff Order, 2024, for WTGs without the RTUs installed at each WTG along at the pooling sub-station, SLDC is not issuing NoC, in absence of which, GETCO and DISCOMs cannot proceed to execute the agreements with Suzlon's customers for selling/wheeling of electricity.
- (c) These will lead to a scenario where while nine (9) WIGs of Suzlon have been erected, the same would be left stranded, without power generation, resulting in irreparable injury and loss to Suzlon and the wind energy developers/ owners.
- (d) Unless interim relief as prayed for is granted on emergent basis, Suzlon is bound to go beyond its commissioning timelines attracting associated contractual liabilities/ penalties, for no fault of its own. Such financial injury will be irreparable.

2.15. Balance of Convenience is in favour of Suzlon: -

(a) All along until 31.08.2024 (i.e., when Wind Tariff Order, 2024 was passed), the law required RTU to be installed only at pooling sub-station. The real-time data was being transferred from WTGs to SLDC all this while. Therefore, no prejudice will be caused to any stakeholder, if the same arrangement qua RTU is continued in the interregnum.

(b) In fact, in addition to installing RTU at pooling sub-station, Suzlon proposes to adopt an alternative compliance mechanism by enhancing its existing SCADA system at each WTG to meet the object and purpose behind the direction to install RTU at each WTG i.e., to ensure transfer of real-time data to SLDC.

(c) No adversarial interim relief is being sought against any particular party. Accordingly, no prejudice will be caused to any party if the interim relief as prayed for is granted. In contrast, if the interim relief is refused, then grave prejudice will be caused to Suzlon as demonstrated above. Accordingly, balance of convenience lies in favour of Suzlon.

2.16. It is submitted that the present Application is being filed bona fide in the interest of justice.

3. The Respondent has submitted the Reply in IA and brief of the same is as under:

3.1. The Petitioner has filed the above-mentioned Petition before the Commission in regard to the issue of installation of Remote Terminal Units at individual wind power generators.

3.2. It is submitted that the issue related to SLDC is limited to the aspect of commissioning of power project of the Petitioner and the necessary equipment in this regard.

3.3. The respondent submitted that the requirement is the availability of the data (of

five parameters) on real time basis from individual WTG-

Analog (a) MW, (b) MVAR, (c) Voltage (R-Y Phase), (d) Frequency and Digital (a) Circuit Breaker Status (Double time).

3.4. It is further submitted that the requirement of SLDC is the availability of data (of five parameters) on real time basis from individual WTGs. This was also clarified in email dated 24.09.2024 as under:

“However, following SLDC Requirement shall be fulfilled.

1) Communication protocol from WTG/WTG RTU/SCADA-Gateway to Existing RTU of PSS should be one of the following:

IEC-104, 61850, DNP3, Modbus, Modbus TCP/IP, OPC

2) WTG Analog Data (MW, MVAR, Volt, Freq) format should be M_ME_NC (group 0 & group 3) – Class-2

3) WTG Digital Data (Breaker Status) Format should be M_DP_TA (group 0 & group 2)

- Please note that M_DP_TA is with Time tag with Double Point – Class-1*

4) WTG Real-time Data Should be updated at regular interval (Analog every 3-4 Seconds and Digital by exception) at SLDC as per regulatory requirements.

5) The test Setup shall be witnessed by deputed engineer based on which approval shall be issued for architecture.

6) Any further requirement of SLDC to comply to GERC order no 5 of 2024 required to be fulfilled by developer.”

3.5. It is submitted that the SLDC requires such data on real-time basis for the purpose of Monitoring Availability of Wind Generation and Wind Turbine Generator, which are essential for real-time grid operation and management. It is therefore necessary that the wind power projects are capable of providing reliable, accurate and precise data in regard to the above.

- 3.6. It is submitted that in any event, the issue is that the said requirements are necessary to allow the commissioning of Wind Generators. If the Petitioner's project is capable of providing the above data in a reliable, precise and accurate manner, SLDC has no technical objection on allowing the commissioning subject to fulfilment of other requirements.
- 3.7. The Petitioner has in the Petition referred to the installation of the Remote Terminal Units on individual WTG Units (No issue raised on RTU in pooling station which is already installed and the same is not subject matter of the present Petition). As already submitted, the technical requirement of SLDC is availability of accurate, precise and reliable data from the individual WTGs with regards to various electrical parameters and weather parameters which are also mentioned in Bid documents. The Commission may therefore take a view on the contentions of the Petitioner in regard to necessity of the RTU on individual WTGs, if the above data in relation to the individual WTGs is otherwise available and the time, if any to be granted. SLDC craves leave reference to the Order No. 5 of 2024 at the time of hearing for its true scope and interpretation and the interpretation of the Petitioner is not admitted.
4. During the hearing on dated 04.12.2024, Ld. Adv. Buddy Ranganathan appearing on behalf of the Petitioner reiterated the facts as stated in Para 2 above. He further submitted as under:
- 4.1. The Commission has heard the IA No. 34 of 2024 in Petition No. 2395 of 2024 on similar subject matter wherein the Order in IA is reserved.
- 4.2. There are nine (9) WTGs developed by Suzlon which have been erected and are on the verge of commissioning, for which the installation of RTUs at each WTG is not feasible, as it would delay commissioning and generation. The Petitioner is unable to charge the WTGs for commissioning due to this requirement. Additionally, the Respondent has not issued the no objection certificate, preventing GETCO and DISCOMs from finalizing agreements for the

sale/wheeling of electricity with Suzlon's customers.

- 4.3. It was also submitted that while nine (9) WTGs of the Petitioner have been erected, the same have been left stranded, without power generation, resulting in irreparable injury and loss to the Petitioner. It was requested that without interim relief as prayed for is granted on emergent basis, the Petitioner will continue sustaining losses, alongside being subjected to associated contractual liabilities/ penalties, for no fault of its own.
- 4.4. He further submitted that as per the Petition filed wherein it was highlighted that SLDC has the requirement of data (five parameters) on real time basis from individual WTGs i.e., A. Analog: MW, MVAR, Voltage (R-Y Phase), Frequency and B. Digital: Circuit Breaker Status (Double Point), which is based on the tariff Order dated 31.08.2024.
- 4.5. Referring to the submission made by the SLDC, it is submitted that if the data required by the SLDC as mentioned in their reply, if it is available from SCADA or with any others way, there should not be any issue for the SLDC as far as requirement of data is concerned.
- 4.6. It is stated that it is a mandatory provision to provide a real time data of the WTGs to the SLDC by the Wind Turbine Generator. Tariff Order No. 5 of 2024 passed by the commission, highlight the requirement of real- time data from the Wind Turbine Generator. It is further submitted that such data should be available to the SLDC. Further, he submitted that SLDC itself has mentioned in its letter that the WTG data can be provided by way of SCADA gateway, which substantiates the fact that the Petitioner does not need to necessarily install the RTUs at each WTGs. Though the Petitioner is able to provide such data from SCADA gateway providing the commissioning of the part capacity of the Projects.
- 4.7. On query of the Commission that the SCADA data are provided or available from each WTG since how much time and OEM of WTG are providing facility and utilize it by the WTG and OEM and accuracy of the same, he submitted that the

said details provided by the Petitioner/Applicant.

4.8. On query of the Commission that as the subject matter is of the generic Tariff Order No. 05 of 2024 dated 31.08.2024, it is necessary to join all the stakeholders/objectors and Discoms, GETCO and GEDA who are certifying authority for commissioning of WTG. He agreed for the same.

5. Ld. Adv. Ms. Ranjitha appearing on behalf of the Respondents submitted in compliance of the Tariff Order No. 5 of 2024 dated 31.08.2024, the Respondent has written a letter to the Petitioner to comply the requirements of installation of RTUs at each WTGs.

5.1. On query of the commission that as stated by the Petitioner that it provides the required real time data of electrical parameters and weather data of each WTGs from SCADA gateway to SLDC, Ld. Adv. of the SLDC submitted that the requirements of real time data from each WTG of electrical parameters and weather parameters either from SCADA gateway or from the each RTUs installed at each WTGs would suffice the requirement of the SLDC.

6. Heard the Parties. We note that the present Application filed by the Petitioner for seeking interim relief and sought aforesaid prayers.

6.1. We also note that the Applicant /Petitioner who is one of the Renewable Energy Project Developer and its nine wind turbines are ready for installation and generate electricity. The installation and commissioning of the wind turbine generators and energy generated from such turbines is for self-use/ sale to third party. As the issue relates installation of RTU and provide real time data of each WTGs of electrical parameters and other parameters and the said mandate to the Petitioner, it is necessary to refer to the relevant provisions of the Order No. 5 of 2024 dated 31.08.2024.

6.2. Para 2.7.3 of the Tariff Order No. 05 of 2024 for Tariff Framework for

procurement of power by Distribution licensees and others from wind power projects commissioned during the control period of 06.06.2022 up to 31.03.2027 passed by the Commission on 31.08.2024 is reproduced below:-

“2.7.3 Analysis and Commission’s Ruling

As regard to the suggestions of IWEA, the Commission notes that the installation of RTU on each WTG is necessary for monitoring of injection of energy by the SLDC on a real time basis. The Commission finds merit in the submission of SLDC and hence accepts the suggestion received from SLDC for benefit of all stakeholders and decide to modify the provisions as under:

- Metering Point and Interconnection Point for the Wind Power Project shall be the point of connection at the GETCO substation where feasibility and connectivity is granted by GETCO. The Wind Project Developers shall provide energy metering and communication facility in accordance with the (a) CEA (Installation and Operation of meters) (Amendment) Regulations 2014 and its subsequent amendments, (b) Gujarat Electricity Grid Code 2013 and its subsequent amendments (c) GERC (Terms and Conditions of Intra-State Open Access) Regulations, 2011 and its subsequent amendments, (d) GERC Distribution Code 2004 and its subsequent amendments and (e) GERC (Terms and Conditions for Green Energy Open Access) Regulations, 2024 and its subsequent amendments.*
- Wind Power Projects shall have to provide four quadrant ABT compliant meters at both interface points (i.e. receiving and sending end) which shall conform to the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2014, as amended from time to time. GETCO/ DISCOM to stipulate necessary specifications in this regard. The ABT meter shall be compatible with SIDC AMR facility.*
- Further, wind generators/GEDA/ DISCOM/ GETCO as case may shall ensure that the Generator end and GETCO substation end data*

shall be available on every Tuesday for the previous week to SLDC through such AMR compatible meters. In case of non-availability of AMR, it will be responsibility of Wind Generators/ GEDA/ DISCOM/ GETCO, as the case may be, to send ABT meter data in encrypted mode to SLDC with other mode of communication as per SLDC procedure and requirement.

- *The Wind Project Developers shall also install Remote Terminal Unit (RTU) at the pooling station as well at individual WTG at their own cost for transferring the real time data to SLDC for its monitoring purpose, and in accordance with the GERC orders from time to time.*

- *State Load Dispatch Centre shall certify actual injected energy and energy drawn (if any) from local DISCOM on monthly basis. Energy metering and communication facility shall be provided by the developer of Wind Power Projects in accordance with the following Regulations/Codes/Orders and their subsequent amendments:*
 - i. *Central Electricity Authority (Installation and Operation of meters) Regulations 2014 and its subsequent amendments*
 - ii. *Gujarat Electricity Grid Code 2013 and its subsequent amendments*
 - iii. *GERC (Terms and Conditions of Intra-State Open Access) Regulations, 2011 and its subsequent amendments*
 - iv. *GERC distribution code 2004 and its subsequent amendment*
 - v. *GERC terms and conditions for Green Energy Open Access) Regulations 2024*

For the purpose of energy accounting, all Wind Power Project Developer shall have to provide ABT compliant (four quadrant) meters and if the power is to be wheeled to consumers' premises, then ABT cum Tariff compatible meter is to be installed at the consumers' premises also. While in case of consumer seeking open access below 1 MW, installation of Special Energy Meter capable of energy recording on 15 Minute Time Block basis at consumption end shall be allowed. GEDA, GETCO and DISCOMs shall ensure the energy accounting of Active and Reactive energy from Wind project for each consumer/customer. Energy

Accounting shall be done by SLDC.

Provided that in case of Wind project connected with Inter-State Transmission System (ISTS) network through state network, the provisions related to metering point and interconnection point shall be governed by the provisions of Intra-State generator provided in this Order. While in case of the Wind Projects directly connected to ISTS network shall be governed by the provisions of CERC Regulations.”

- 6.3. In the aforesaid Para, it was decided by the Commission that the RE project developer shall abide by the provisions of Grid Code, grid connectivity standards, provide communication system for transmission of electricity etc. CEA Metering Regulations shall apply. Joint meter reading be taken by GEDA, GETCO and Project developer.
- 6.4. Further, we note that as per Para 2.7.3 of the Tariff Order No. 05 of 2024 for Tariff Framework for procurement of power by Distribution licensees and others from wind power projects commissioned during the control period of 06.06.2022 up to 31.03.2027 passed by the Commission on 31.08.2024, WTG owner had to install Remote Terminal Unit (RTU) for transferring the real time data to SLDC i.e., the Respondent for its grid operation management on real time basis monitoring purpose. The purpose of installation of RTU on each WTG which is essential for real time grid operation and management.
- 6.5. The aforesaid Para provides for providing the synchronizing equipment, RTUs etc. for communication of data, including scheduling of power generated from project, transmission of data to concerned utilities i.e., SLDC as per applicable regulations shall be installed by the power producers at its generation facility. The commissioning of WTGs shall be done in presence of GETCO, SLDC and GEDA officials.
- 6.6. We also note that Pursuant to para 2.7.3 of the Tariff Order No. 05 of 2024 for Tariff Framework for procurement of power by Distribution licensees and others from wind power projects commissioned during the control period of 06.06.2022

up to 31.03.2027 passed by the Commission on 31.08.2024 has held that the wind power project developers shall install RTU at the pooling station as well as individual Wind Power Generators (WTGs) at their own cost for transferring the real time data to SLDC for its real time monitoring and management of grid parameters purpose. We note that the real time data availability necessity provided in the order is for carrying out real time grid management and operation by the SLDC. In the present case, the demand of SLDC is not new demand, but it is as per Order No. 5 of 2024 dated 31.08.2024 passed by the Commission.

- 6.7. We note that the Petitioner has submitted that it has successfully developed 9 wind turbines, and this capacity is currently posed for commissioning. Further, we note that SLDC/ GETCO itself mentioned in the Letter dated.14.10.2024 that the each WTGs data can be provided by way of SCADA gateway which suffice the real time monitoring and management of grid parameters, this substantiates the fact that to provide the real time electrical parameters and other data of each WTGs for monitoring by SLDC/ GETCO, the Petitioner agreed for the same for providing such requirement through SCADA gateway and SLDC/ GETCO have no objection.
- 6.8. We also note that as the Petitioner has requested to allow the commissioning of the 9 WTG's of the Petitioner which is at the stage of commissioning, on provisional basis, and as the Respondent also submitted that the required real time data of electrical parameters and weather data of each WTGs can also be available from the SCADA gateway provided by the Petitioner which serve the purpose of Wind Tariff Order No. 5 of 2024 dated 31.08.2024 of the Commission and the Respondent has not objected to the same, we decide to allow the same, on interim basis till the matter decided finally.
- 6.9. We note that the Applicant/ Petitioner has sought to allow the commissioning of 9 WTG's by providing real time based electrical and weather data through SCADA system. The Respondent/ SLDC who is a statutory body and responsible

for real time based grid management, energy accounting, measuring deviations in forecasting and scheduling etc.requires to collect the real time data from each WTGs has submitted that the technical requirement of SLDC is availability of accurate, precise and reliable data from the individual WTGs and if the Petitioner agrees to provide the same on real time basis than the Commission may allow Commissioning of 9 WTGs of the Petitioner. The intent of SLDC is availability of real time-based technical data of electrical parameters and weather data and Circuit Breaker Status.

6.10. We further note that the prayer sought by the Petitioner to declare that implementation of the Tariff Order dated 31.08.2024 by the Commission directing to install Wind Power developer to install RTUs at pooling station as well as the individual Wind Power Generator at the cost of Wind Power Developer for transferring the real time data to Respondent SLDC for its monitoring purpose is qualify as review of Wind Tariff Order No. 5 of 2024 dated 31.08.2024 to be decided in the main Petition, after hearing all the stakeholders who have filled their objection/ suggestions in the proceedings of the above order. Hence, we decided and direct the Petitioner/Applicant to join all stakeholders/ objectors as who have been party including Discoms, GETCO, GEDA to above order with a copy to them and file compliance affidavit. We also decide that all the stakeholders and DISCOM, GEDA, GETCO are directed to file their submissions within three weeks to the Commission with a copy to the Petitioner. Petitioner is at the liberty to file its response if any within one week's time.

6.11. As the Applicant/Petitioner has sought approval for its 9 WTG's for commissioning purpose and agreed for providing the real time data from the SCADA gateway on provisional basis till the main matter be decided by the Commission and Respondent SLDC has submitted that if the Petitioner's project is capable of providing the real time data in reliable, precise and accurate manner with respect to technical data of each WTGs, Analog : (i) MW, (ii) MVAR, (iii) Voltage (R-Y Phase),(iv) Frequency and Digital: (v) Circuit Breaker Status

(Double Point) for the purpose of monitoring of Wind Generation and Wind Turbine which are essential for real time grid operation, management as well as for energy accounting point of view of the Respondent SLDC has no technical objection on allowing the commissioning of the project on fulfilling of above condition. We also note that as per submission of Petitioner 9 WTGs has been ready for the commissioning purpose and during the hearing both the parties agreed to share/collect the real time data from the SCADA gateway. Hence, we are of the view that the Applicant has to file an undertaking for providing the data on real time basis to the Respondent SLDC for its monitoring purpose and thereafter, SLDC may decide about access of SCADA gateway data from each WTG provided by the Petitioner and allows the commissioning of 9 WTGs to the Applicant.

6.12. The Petitioner requests interim relief upon providing real time basis data of the electrical and weather parameters through SCADA gateway from each WTGs to SLDC for real time operation and management and SLDC agreed for such arrangement provided by the Petitioner and allowed to commissioning of the Power Plant would suffice the purpose of the commissioning of 9 WTGs of the Petitioner which are ready for commissioning. Hence, we decide to allow the commissioning of 9 WTGs of the Petitioner by providing real time electrical and weather parameters of each WTGs to SLDC through SCADA gateway.

6.13. On a query of the Commission that the SCADA data of each WTG and pooling stations are introduced/and utilize by the WTG developers from OEM, the Petitioner agreed to provide the said details stating that they confirm with OEM and provide details of SCADA data on each WTG basis and pooling station created and utilized through Communication from the year when it was introduced its accuracy and utilization of the same by the WTGs owner, OEM, wind power project developers and the same is also provided by the Petitioner on affidavit with supporting documents, if any.

6.14. As agreed by the Petitioner we also direct to the Petitioner to join all Discoms,

GETCO, GEDA and objectors as party Respondent to the present Petition as they require to hear prior to passing final Order in the matter.

6.15. The Petitioner is directed to join them as party to the Petition and amend the memo of the Petition and provide copy to them and file compliance affidavit. The joined parties shall file their reply if any within 15 days with a copy to the petitioner and the Petitioner is at liberty to file its reply to the same within 10 days from the date of receipt of submissions from joined party with a copy to them.

7. With this Order, the IAs stands disposed of.

8. The main Petition would be heard separately.

9. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar.
Date: 17/12/2024