

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 232/MP/2024

Subject : Petition under Sections 66 and 79 of the Electricity Act, 2003 read with Regulations 4, 10 and 18 of the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022.

Petitioner : Tadas Wind Energy Limited (TWEL)

Respondents : National Load Despatch Centre and Ors.

Date of Hearing : **26.12.2024**

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

Parties Present : Shri Hemant Singh, Advocate, TWEL
Shri Nehul Sharma, Advocate, TWEL
Ms. Lavanya Panwar, Advocate, TWEL
Shri Alok Mishra, NLDC
Shri Gajendra Sinh, NLDC
Shri Ashok Rajan, NLDC
Ms. Anisha Chopra, NLDC
Shri Abhishek Jain, NLDC.

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition had been filed *inter alia* for setting aside the communications issued by Respondent No. 2/ Karnataka Power Transmission Company Limited (KPTCL) denying the issuance of Energy Injection Report (EIR) *qua* power supplied from 18.10.2023 onwards till such supply is made under the Section 11 directions issued by the Government of Karnataka to the Petitioner *vide* order 16.10.2023. Learned counsel mainly submitted as follows:

(i) The Petitioner developed the 100MW wind power projects in 2012, with different capacities in Shiggaon and Kundagol taluks of Haveri district, Karnataka. The Petitioner also referred to Section 11 directions and submitted that there was a sudden requirement of power in the State. Therefore, the Government of Karnataka issued Section 11 directions on 16.10.2023.

- (ii) Thereafter, from 18.10.2023 till the date of continuation of Section 11 directions, *i.e.*, till 31.3.2024, the Petitioner started supplying energy to HESCOM.
- (iii) The Petitioner, through various letters, approached KPTCL for issuance of EIR for the power supplied to HESCOM for the period from 18.10.2023 to December 2023. However, KPTCL declined such a request as the power was supplied in terms of Section 11 directions *w.e.f* 18.10.2023.
- (iv) As per Regulation 4(1)(a) of the REC Regulations, 2022, the Petitioner falls under the category of Renewable Energy generating stations. Further, the eligibility conditions mentioned under Regulation 4(2) are not applicable to the Petitioner as the Petitioner's tariff is neither determined under Section 62 nor under Section 63 of the Act. Also, the Section 11 directions did not imply that the Petitioner's power would be used for the RPO of the distribution companies (ESCOMs).
- (v) Appropriate directions, relaxing the timelines for filing the application for issuance of the RECs under Regulation 10 of the REC Regulations, 2022, for corresponding generation during the period between October 2023 to March 2024, may be issued by the Commission.
- (vi) Direct KPTCL to process the Petitioner's application for the issuance of the Energy Injection Reports, which could be submitted to the Central Agency for issuance of the RECs.

2. The representative of NLDC submitted that the views of the SLDC Karnataka, as referred to in the e-mail dated 6.11.2024, may be considered wherein SLDC Karnataka informed the Central Agency that the Petitioner was generating electricity in terms of Section 11 directions issued by the Government of Karnataka from October 2023 to May 2024 and during that period, energy generated by the Petitioner was utilized by buying entities *i.e.*, ESCOM's for the RPO compliance.

3. None appeared on behalf of Respondent No. 2/ KPTCL.

4. Considering the submissions of the parties, the Commission decided to provide one last opportunity to Respondent No. 2/ KPTCL to file its reply in the matter within three weeks with a copy to the Petitioner, who may file its rejoinder within two weeks thereafter.

5. The Petition will be listed for hearing on **6.2.2025**.

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