

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2470 of 2025.

In the Matter of:

Petition under Section 86 of the Electricity Act, 2003 read with Order No. 01 of 2024 dated 22.02.2024 'Tariff Framework for Procurement of Power by Distribution Licensees and Others from Wind-Solar Hybrid Projects Including Storage, if any, and other Commercial Issues for the State of Gujarat' passed by the Commission, seeking extension of the Scheduled Date of Commissioning (SCOD) of infrastructure being developed by the Petitioner for evacuation of power from its 6 MW Hybrid Power Plant to the Respondent's 66KV Gangiyavadar Substation, on account of occurrences and circumstances beyond the reasonable control of the Petitioner being Force Majeure events.

Petitioner : M/s Opera Engitech Pvt. Limited
207, Kuber Avenue, Punch Bungalow Road
Near Gurudwara Cross Road, Jamnagar
Gujarat-361001.

Represented By : Ld. Advocates Mr. Mridul Chakravarty and
Mr. Harshit Singh

V/s.

Respondent : Gujarat Energy Transmission Corp. Limited
Sardar Patel Vidyut Bhavan
Race Course Circle, Vadodara – 390007.

Represented By : Ld. Adv. Mr. Aneesh Bajaj along with
Mr. M.J Vasava, Mr. P.P Shah

CORAM:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 29/09/2025.

DAILY ORDER

1. The present matter was kept for hearing on 16.09.2025.
2. Ld. Adv. Mr. Mridul Chakravarty appearing on behalf of the Petitioner submitted that the Petitioner has filed amendment in the present Petition which was being allowed to be registered as per the last daily order dated 05.08.2025 of the Commission.
 - 2.1. He submitted that the present amendment application pertains to certain documents which are not on record, but the same has been filed by the Respondent in its reply. He further submitted that the amendment application has been filed in terms of Order VI Rule 17 of the Civil Procedure Code, 1908.
 - 2.2. He submitted that the Petitioner is in the process of setting up of evacuation infrastructure for 36 MW Wind Solar Hybrid Power Plant, wherein connectivity were granted by the Respondent on two different dates consist of 30 MW and 6 MW capacity for its 36 MW Hybrid Power project at GETCO 66 kV Gangiyavadar sub-station by the Respondent.
 - 2.3. He submitted that the Petitioner was granted Stage-II connectivity for 6 MW on 31.03.2024. In the said document, it is stated that for optimum utilization of the transmission asset, it is proposed that the infrastructure created by M/s Opera Engitech Private Limited will be utilized for connectivity of other RE developer in future.
 - 2.4. The Petitioner has furnished BG dated 01.02.2024 which is valid till 01.01.2026. The said BG was further amended on 21.03.2024.

- 2.5. He further submitted that on 18.04.2024, the Respondent issued a letter, whereby it is provided for Provisional estimate of supervision charges for work of erection of 66kV transmission network for evacuation of 6 MW Hybrid Power at GETCO's 66kV Gagiavadar S/S through sharing mechanism with Stage-II grantee by M/s Opera Engitech Private Limited for captive use under Option-III. The Annexure-2 of the said letter provides for Detailed rating and specification of CTs and EMPTs for M/s Opera Engitech Private Limited end. In the table of specification at Sr. No. 1, it is provided for 66 kV CT ratio of 75/1 Amp for each 66 kV line for 6 MW connectivity granted by the Respondent.
- 2.6. He submitted that Petitioner was granted Stage-I and Stage-II connectivity on 31.01.2024 *qua* evacuation of 30 MW (hybrid) at GETCO's 66kV Gagiavadar S/S.
- 2.7. He further submitted that on 12.02.2024, the Respondent issued a letter, whereby it provided for provisional estimate of supervision charges for erection of transmission network for evacuation of 30 MW hybrid power at 66 kV Gagiavadar GETCO S/S from hybrid Power Station of M/s Opera Engitech Private Limited for Third Party sale under Option-III. The Annexure-2 of the said letter provides for Detailed rating and specification of CTs and EMPTs for M/s Opera Engitech Private Limited end. In the table for specification at Sr. No. 1, it is provided for required ratio of 66 kV CTs which was 300/1 Amp for each 66 kV line.
- 2.8. He submitted that a kick off meeting was held on 13.06.2024 for evacuation capacity of 36 MW (30 MW + 6 MW) Hybrid Power. It was

stated by the Respondent that the CT Ratio at Grid sub-station and Power System Stabilizer was 400/1 Amp.

- 2.9. He submitted that the Respondent has allocated the bay to the Petitioner in which it had allocated additional 9 MW capacity on sharing basis to the JSW Limited.
- 2.10. He submitted that on 31.03.2024, Consortium Agreement was signed between the Petitioner and JSW being another generator having been allocated 9 MW capacity by the Respondent, seeking interconnection with the Transmission Network at a single connection point being Petitioner's Hybrid Power evacuation at 66 kV Gangiyavadar S/S. The Petitioner's (30 MW + 6 MW) and JSW 9 MW, thereby makes total evacuation capacity of 45 MW.
- 2.11. He submitted that on 11.07.2024 a joint visit of 66 kV Gangiyavadar S/S was carried out by DE of the Respondent GETCO and representative of the Petitioner for site feasibility for 36 MW hybrid Power evacuation at 66 kV Gangiyavadar S/S. It was noted in the said MoM dated 11.07.2024 that no work will be allowed in 66 kV Gangiyavadar S/S prior to approval of layout & statutory permission etc.
- 2.12. He submitted that on 07.10.2024, the Petitioner issued a letter to GETCO submitting the Consortium Agreement for development of combined 45 MW evacuation infrastructure and further requested to provide the revised CT Ratio at PSS and GSS by considering the total project feeder capacity as 45 MW (36 MW of Petitioner + 9 MW of JSW) for resizing the feeder bay equipment.

- 2.13. He submitted that another kick of meeting was held on 10.10.2024 for the project qua the additional capacity of 9 MW being added on account of inclusion of another developer, JSW. He submitted that considering the revised total capacity of the project i.e. $30 + 6 + 9 = 45$ MW, the CT ratio at GSS and PSS was determined and communicated by the Respondent to be 450/1 Amp.
- 2.14. He further submitted that the Petitioner submitted the standard drawings for seeking approval for the revised capacity of hybrid power evacuation at Gangiyavadar 66 kV S/S which was approved by GETCO on 17.12.2024.
- 2.15. It is submitted that on 20.12.2024 the Respondent issued approval of drawings for M/s ECS make 66 kV CT Ratio: 450/1 Amp and 66 kV Dead end PT for 45 MW hybrid power evacuation at Gangiyavadar 66 kV for the Petitioner under bay sharing and Option -III.
- 2.16. He submitted that it was not at the behest of Petitioner for inclusion of JSW and consequent increase in CT Ratio requiring de novo approval for the revised capacity which has caused substantial delay in commissioning of the project, which as per the procedure, expired on 31.03.2025.
- 2.17. He submitted that on 18.02.2025 GETCO conveyed the Petitioner that it shall initiate coercive action, in case the Petitioner fails to achieve the completion timeline.
- 2.18. He submitted that the Petitioner was undertaking the completion of the project work, the said project was impacted due to occurrence of uncontrollable and unforeseeable events which were beyond the reasonable control of the Petitioner and continued to delay the

completion of the construction work and achieving the SCOD of the Project viz (i) Addition of JSW through consortium Agreement for combined capacity of 45 MW (ii) Consequent to the addition of JSW, it required the Petitioner to take de novo permissions/ clearances for the revised capacity and changed configurations. (iii) Revised CT/PT ratio requires to install by the Petitioner from time to time which affected to decide, purchase and install the correct size of the CT as it is a technical requirement for evacuation equipment and metering and protection purpose. In absence of it, the allocation of work for transmission system etc. is not possible.

2.19. He submitted that the connectivity approval granted to the Petitioner by the Respondent read with the Procedure for grant of Connectivity to projects based on Renewable sources to Intra-state Transmission system dated 07.01.2023, obligate the Petitioner to allow another RE generator to utilize the infrastructure for optimum utilisation of the transmission asset. In compliance thereof, the Petitioner entered into the consortium agreement with JSW and consequently, was obligated to realign its project activities and de novo initiate the procedure for obtaining approvals for revised capacity and configuration.

2.20. He submitted that initially the Petitioner was undertaking to develop a 36 MW (30 MW+6 MW) hybrid Power project wherein taking into account the project capacity of 36 MW, the CT ratio was decided as 400/1 Amp in the kick off meeting dated 13.06.2024. The Petitioner had also obtained the vendor approval for the project based on the kick off meeting dated 13.06.2024 and also submitted its standard drawings for approval based on the said approved CT ratio of 400/1 Amp. Another generator being JSW renewable energy Anjar limited

was added to the project vide a consortium agreement executed with the Petitioner on sharing basis of bay allocated to the Petitioner after adding JSW energy. The total capacity of the project on sharing basis was then increased to 45 MW for which Petitioner once again required to obtain the requisite approvals from GETCO and other vendors for the revised capacity and changed configuration. On 20.12.2024 the GETCO confirmed the CT ratio of 45 MW came to be 450/1 Amp which is completely different from the one approved earlier that was 400/1 Amp. Thus, the Petitioner was hindered by an unforeseen and uncontrollable event by the addition of JSW as a generator, thereby leading to a revision of the CT ratio from 400/1 to 450/1. The aforesaid event lead to change the technical requirement for developing the transmission infrastructure which fall, under realm of 'unforeseen reasons' as provided under clause 3.10 of the Tariff Framework Order.

2.21. With regard to the allegation of the GETCO that the Petitioner was aware about the addition of other RE generators in future, thereof it should have developed the project keeping in mind the subsequent addition of RE generators, Ld. Adv. for the Petitioner submitted that the possibility of other RE generators may be added or what quantum of capacity may be added, cannot be foreseen by the developer as alleged. The aforesaid events are beyond the control of the Petitioner and qualify as unforeseen reasons and qualify for extension in completion of transmission network and project commissioning.

2.22. With regard to the status of the project, he submitted that the Petitioner has submitted the revised current status of the project. He further submitted that the project is almost completed and just

awaiting for changing. Further, the Petitioner has invested a substantial money in its project, which is more than Rs. 200 Crores.

3. Ld. Adv. Mr. Aneesh Bajaj appearing on behalf of the Respondent GETCO, submitted that as per the last Daily Order dated 05.08.2025 of the Commission, the Petitioner was allowed to file the amendment application and direction was given for registration and numbering of it. He submitted that as on today, the matter was not listed for the amendment application, he has not filed its reply to the amendment application. He requested for time to file reply to the amendment application/written submission.
- 3.1. He submitted that they have no objection if the Petitioner wants to rely on the documents of the Respondent but the Petitioner cannot change the prayer at this stage. He further submitted that Petitioner cannot add anything new which is not on the record.
- 3.2. He submitted that the present Petition has been filed by the Petitioner in regard to the 6 MW Hybrid Power Project which was granted Stage-II connectivity on 31.03.2024. He objected to the submission in the amendment application in which issue in respect of the 30 MW Hybrid project of the Petitioner has been raised. He submitted that Petitioner cannot raise issue in respect of 30 MW in this Petition.
- 3.3. He submitted that the Petitioner was granted Stage-II connectivity at the same sub-station for 30 MW on 31.01.2024 for which the line is being constructed and would be shared for the 6 MW connectivity. The timeline of 30 MW expired on 31.07.2025, and 6 MW expired on 30.03.2025.

- 3.4. He submitted that in regard to the connectivity for 30 MW, both the letter dated 31.01.2024 and the Provisional Estimate dated 12.02.2024 were clear on sharing with others in future and the same was also clarified in the Stage-II connectivity for 6 MW.
- 3.5. With respect to CT ratio he submitted that the lead generator must update the CTR (Current Transformer Ratio) based on sharing connectivity granted at the same sub-station upto the full capacity. At 66 kV sub-station, the full capacity is 50 MW. The Petitioner only needs to update the CTR drawings from both end of the transmission line. There is no other change as infrastructure is already for full capacity of 50 MW.
- 3.6. He submitted that CT ratio was 300/1 Amp based on 30 MW and thereafter 400/1 Amp for 36 MW. On 31.03.2025, an additional 9 MW was granted at 66 kV Gangiyavadar sub-station being total of 45 MW and accordingly CT ratio was updated 450/1 Amp, as recorded in the kick off meeting dated 10.10.2024. The Petitioner was aware of this as it had in the letter dated 07.10.2024 itself requested GETCO for CT PT ratio by considering 45 MW.
- 3.7. He submitted that the Petitioner was aware that there can be subsequent RE developers and it was also stated that the Petitioner has to lay line and associated bay equipment for maximum capacity of bay and transmission system of bay 50 MW per circuit and for balance / future capacity, separate feasibility study will be carried out. The fact of sharing was also noted in the letter dated 18.04.2024. The Petitioner itself admits that the sharing is provided in the letters as well as detailed procedure.

- 3.8. He objected the allegation that post approval of standard drawings on 17.12.2023, CT ratio was again revised to 450/1. He submitted that the agreement dated 21.09.2024 and the meeting dated 10.10.2024 CT ratio of 450/1 Amp was already decided.
- 3.9. He submitted that the Petitioner on 30.11.2024 submitted the drawings/document for ECS make 66 kV CT Ratio 450/1 Amp and 66 kV Dead end PT which were approved on 20.12.2024.
- 3.10. He further submitted that the Petitioner was well aware of the timelines of its Hybrid Power Project which was required to achieve SCOD qua the evacuation infrastructure within 12 months from the date of Stage-II connectivity.
4. In response to reply of the Respondent, Ld. Adv. for the Petitioner submitted that the contentions of the Respondent are not correct because the change in connectivity from 6 MW to 36 MW and later on 45 MW lead to change in CT ratio by the Respondent from time to time and accordingly need to change in transmission network. Further the grant of bay on sharing basis led to uncertainty in the transmission network and had to create the proper size of bay and bus-bar, which qualifies as unforeseen reason and qualifies for extension of time of the Petitioner. He requested two weeks' time for filing written submission.
5. Heard the parties. We note that the present Petition has been filed by the Petitioner seeking extension of the SCOD of infrastructure being developed by the Petitioner for evacuation of power from its 6 MW and 30 MW Hybrid Power Plant to the Respondent's 66KV Gangiyavadar Substation, on account of occurrences and

circumstances beyond the reasonable control of the Petitioner being Force Majeure events. As and when change in connectivity granted by the Respondent, there would be change in CT ratio which lead to change the necessary transmission structure, design etc. affecting the transmission system.

- 5.1. We note that the Petitioner has filed its amendment application and the Respondent has sought time to file its reply for the amendment application and also written submission in the matter. The Petitioner also sought time to file written submissions and rejoinder reply, if any, in the matter.
- 5.2. We note that the counsels for both the parties have made their submissions and completed their arguments in the matter. Let the Respondent file its reply for amendment application and written submission within two weeks' time with a copy to the Petitioner. The Petitioner would be at liberty to file its rejoinder and written submission, if any, within a period of two weeks. The matter will be kept for appropriate Order thereafter.
6. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 29/09/2025.