

**Issues for discussion with Secretary, MNRE for Meeting
with Solar Developers on 10th December 2020.**

S.No	Issue Description	Presenter
1.	<p>i. Aligning LTA SCD (LTA Start Date) with the SCD/ Extended SCD under the PPA</p> <p>a. Project developers are obligated to commission the project by SCD (or extended SCD) defined in the PPA. Therefore, no penalty on account of LTA, shall be imposed on the project developers by PGCIL/CTU, in case the power evacuation system (including LTA readiness and LTA operationalisation) is completed prior to the SCD (or extended SCD) under the PPA. The rationale of above construct is that project developers should not be penalised by PGCIL/ CTU for the period for which they do not have any obligation to commission or generate power, under the PPA.</p> <p>b. Hence, in this construct, Project developer will be penalised, both under the PPA as well LTA, but only when the project is not commissioned by SCD (or extended SCD) defined in the PPA. i.e. penalty under the PPA (to be levied by Off-taker) and non-utilisation of evacuation system (levied by Powergrid/ CTU) will be triggered at same time (i.e. after SCD / extended SCD in the PPA).</p> <p>ii. Extension of Stage-II Connectivity (24 month) timeline till the SCD/ Extended SCD under PPA</p> <p>a. Extension of Stage-II Connectivity (24 month) timeline (to complete the Project's Dedicated Transmission Line & Pooling Sub-station) should also be aligned with the extended PPA SCD given under PPA by the intermediary/ end procurer.</p> <p>The above is important, considering that as per the present RE-Connectivity Procedure (the amendment in which is likely to be stuck for a while, considering CERC is still non-functional), the consequence of not completing the DTL, PSS within 24 months is not just encashment of BG, but revocation of Connectivity itself.</p> <p>We hence request for a clear letter from the Ministry (and subsequently by CTU) to assure the developers, for the extension in this timeline too.</p>	Sandeep Kashyap

2.	<p>Indefinite delays in taking approvals for procurement of power, PSA, Trading margin by State Discoms (End Procurers) from their State Commissions.</p> <p><u>Proposed solution:</u></p> <p>a. Immediate interim measure – Grant appropriate extension to SPDs to achieve PPA milestones (FC as well as SCD) – till the time, the said Approvals are in place. This is required to allay developer, investor and lender concerns for under construction projects, for which PPAs, PSAs have been signed (in some cases more than 2 years ago).</p> <p>b. Medium-term next steps – Direct the concerned RE Implementing Agency (SECI/ NTPC/ NHPC) to –</p> <ol style="list-style-type: none"> i. File for approvals at the respective SERCs, where the Discom (End Procurer) has not filed for the same, till more than 3 months after PSA signing. The Discom can be made a Respondent/ Co-Petitioner/ Second Party. ii. Expedite the issuance of the said approvals, in cases where petitions have already been filed by the Discoms. <p>c. Long-term solution –</p> <ol style="list-style-type: none"> i. The above (immediate as well as medium term solution recommended) should be incorporated in the Std. Bidding Guidelines, so as to ensure timely filing (by Intermediary/ End Procurer) and timely issuance of the said Approvals by the SERCs. ii. In case neither Intermediary/ End Procurer takes the Approvals timely, the Generator (SPD) should be permitted to file for the said Approvals at the respective SERC directly. The above may need an amendment to the Act or be incorporated in another relevant regulation. 	Ranjit Gupta
3.	<p>Revision of quantity of tracker for solar projects:</p> <p>Quantity of tracker for solar projects needs to be revised upwards as current norm of 43 MT/MW AC side is not enough and it should be 43 MT/MW on DC side.</p>	Manish Karna
4.	<p>Request update on EA amendment and Electricity Rules</p>	Kishor Nair
5.	<p>Request to MNRE for publishing schedule of future bids</p>	Sunil Jain
6.	<p>Land procurement requirement to be extended till SCOD considering Covid-19 related issues.</p>	Vivek Kodesia

7.	Delay in providing BIS Approval for new module models.	Sunil Jain
8.	<p>Evacuation issue causing connectivity delay from Fatehgarh-3 substation:</p> <p>Projects in Rajasthan, which has been bid out over last 9 months, are delayed further on account of evacuation by 6 months and if nothing is done on immediate basis, there will be even further delay.</p> <p>Around 7.6 GW of connectivity is granted at Fatehgarh-3 substation. This substation is of 7.9 GW and is coming in two phases – 1.9 GW and 6 GW.</p> <p>a. Phase 1 of 1.9 GW: The tender of this substation under the TBCB scheme was issued on May 20. So far, 12 amendments have been issued. The approval of this scheme by the National Committee of Transmission was also done 10 months before May 20. Need to conclude this tender since the last two postponements have been on account of minor reasons related to EMD.</p> <p>b. Phase 2 of 6 GW: This phase is at the approval stage and further, it is yet to be receive the approval from the Northern Region Standing Committee. After this approval, it needs approval from National Committee of Transmission and then post Ministry of Power listing in Gazette; the tendering process will take its own time.</p>	Parag Sharma
9.	Delay in signing of Lease Agreement of SPDs with Gujarat Power Corporation Limited (Solar Park Developers)	Neerav Nanavaty
10.	Generators facing registration issues on e-gen website.	Vivek Kodesia
11.	Proactive steps to ensure setting up of committee in CEA to investigate RE curtailment across the country.	Ashish Tiwari

Past Issues: Status requested from MNRE

S.No.	Issue	Description
1.	Delay in PSA signing for auctioned projects	<p>Auctioned projects of around 18 GW capacity currently do not have signed PPA due to delay in PSA signing.</p> <p>a. SPDA requests MNRE to discuss this with state Discoms to expedite signing of PSAs</p>
2.	State DISCOMS still not opened LC	<p>a. In August 2019, MNRE notified that power dispatch will not happen if LC is not opened. Some State like Telangana, Tamil Nadu, Karnataka not yet opened LC.</p> <p>b. <i>SPDA has requested MNRE's intervention through a compiled list of representation letters, seeking resolution and expediting pending matters in the State of Rajasthan, Punjab, Gujarat, Karnataka, Andhra Pradesh & Telangana.</i></p>
3.	MNRE to postpone the Implementation of ALMM	<p>a. <i>Letter has been sent to MNRE to include module capacity and efficiency as a benchmarking criterion for module manufacturing.</i></p> <p>b. <i>Also, it was requested to MNRE, that an undertaking to be taken from manufacturers.</i></p>
4.	NGT order on CTU substations in Fatehgarh area, Rajasthan will impact readiness of evacuation system and commissioning schedule	<p>a. A petition was filed in the NGT Delhi, alleging that Fatehgarh-II ISRS substation and the transmission lines by PGCIL are being setup on a deemed forest land.</p> <p>b. In this regard, a representation letter was sent to MNRE for their intervention w.r.t the NGT order which is expected to impact a total of 5GW of proposed Solar projects.</p> <p>c. MNRE expected to intervene by issuing necessary advice to PGCIL and concerned authorities that any development in the NGT case may not jeopardize the planned solar capacity.</p>
5.	Payment of SGD to custom authority without interest	<p>a. Customs Authority should accept SGD paid by SPDs without interest, as CERC not yet approved carrying cost and matter still sub-judice.</p> <p>b. <i>A letter has been sent to CBIC members, both Mr Shri Bhatnagar – Member Customs & Investigation and Shri Ajit Kumar, Chairman of CBIC.</i></p>

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6.	Delay in proceedings of SGD/GST matters	<p>a. The matters are pending before regulators for close to 2 year in few cases from the time of filing.</p> <p>b. Request you to push States/ERCs to prioritize hearings for SGD and GST matters</p>
7.	Minimum Land requirement to be reduced for New Technology	<p>a. As per RfS the land requirement is 1.5 Hectare per MW but with advancement in technologies especially with Mono PERC the land requirement has come down significantly. Therefore, MNRE to advise SECI for lowering down land as a compliance condition at the time of financial closure.</p> <p>b. <i>Representation letter has been sent to Sec MNRE and is currently being examined.</i></p>
8.	Expedite member (law) appointment in CERC	Appointment of member law on urgent basis as all matters are stuck with CERC no functioning.
9.	Andhra Pradesh: Deduction in payments and other issues	<p>a. AP is deducting money from monthly bills w.r.t. DC overloading capacity. Request MNRE to resolve the issue and expedite payment from AP Discoms.</p> <p>b. <i>A State representation list was compiled & taken up with MNRE seeking Centre's intervention and resolution on the pending matter.</i></p>
10.	Outstanding dues and long pending monthly bills by Telangana & Karnataka DISCOMs	<p>a. Due to delay in release of outstanding payments by State Discoms, developers are grappling with severe financial crisis and facing hardships in debt servicing, O&M and even the payment of salaries.</p> <p>b. State Discoms to be advised to issue GOI announced special economic financial package of INR 90,000 crores specifically meant for addressing the issue of delayed payments.</p> <p>c. <i>A State representation list was compiled & taken up with MNRE seeking Centre's intervention and resolution on the pending matter.</i></p>
11.	Transfer of connectivity in transmission regulation	51% shareholding to be allowed in transmission regulation in line with RFS/PPA and transfer of connectivity to SPV from holding company immediately after signing of PPA.
12.	Amendment in the BOM approval procedure	Approval of BOM by MNRE for CCDC requires possession of 100% land. As SBG guideline have been relaxed for land documentation, BOM approval procedure should be changed.

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13.	Grandfathering of Safeguard Duty and proposed BCD	<ul style="list-style-type: none"> a. SPDA has suggested a formula for refund of SGD/ BCD under 'Change in law'. b. Also, SPDA has suggested these changes to be incorporated in the draft framework of Unified Standard Bidding Guideline which will be taken up in the committee meeting scheduled on 4th Dec.
14.	Lack of clarity/visibility reg. available of connectivity and proposed locations of new sub stations.	<ul style="list-style-type: none"> a. There is a need to have firm commissioning schedule of transmission system to meet the bidding plan. b. While there has been significant improvement in the SECI-PGCIL coordination and information dissemination, yet some issues remain causing lag in connectivity. c. Standing Committee meeting to be held on monthly basis.
15.	Amendment in BOM Procedure to enable C&I projects for RPO obligated entities to access ISTS connectivity	<ul style="list-style-type: none"> a. Connectivity Procedure allows only LOAs issued by SECI/NTPC/REIAs. PPAs signed with RPO obligated entities C&I developers should be allowed. b. Request for reduction in LTA relinquishment charges.
16.	Tariff Discount on energy billing by Punjab DISCOM.	<ul style="list-style-type: none"> a. 5% Tariff deduction in the energy invoices for April-May 2020 and PSPCL has not recorded meter readings for the 1st week of April 2020. b. <i>Representation letter was sent to MNRE seeking intervention in resolution of the above matter.</i>