

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**NEW DELHI**

**Record of Proceedings**

**Petition No. 150/TT/2011**

- Subject** : Petition for determination of transmission tariff for Combined elements of Baripada - Chandaka (Mendhasal) (Gridco) 400 kV D/C Line and 400 kV D/C Jamshedpur - Baripada Line associated bays under ERSS-I in Eastern Region from Notional ant. DOCO (1.8.11) to 31.3.2014
- Date of Hearing** : 24.7.2012
- Coram** : Dr. Pramod Deo, Chairperson  
Shri S. Jayaraman, Member  
Shri V.S. Verma, Member  
Shri M. Deena Dayalan, Member
- Petitioner** : PGCIL
- Respondents** : BSEB & 5 Others
- Parties Present** : Shri S.S. Raju, PGCIL  
Shri Avinash M. Pavgi, PGCIL  
Smt. Anjali Banga, PGCIL  
Shri U.K. Tyagi, PGCIL  
Shri M.M. Mondal, PGCIL  
Shri B.K. Sahu, PGCIL  
Shri P.K. Jena, PGCIL  
Shri R.B. Sharma, Advocate, BSEB

The learned counsel for the petitioner, PGCIL, submitted as under:-

- (a) The Investment Approval for Combined elements of Baripada - Chandaka (Mendhasal) (GRIDCO) 400 kV D/C Line and 400 kV D/C Jamshedpur - Baripada Line associated bays under ERSS-I in Eastern Region was granted in October, 2006 and the assets were to be commissioned within 36 months from the date of Investment Approval. The anticipated date of commercial operation was 1.8.2011;
- (b) The line was not commissioned as anticipated due to severe RoW problems at the Jamshedpur end. Even as on date, there are severe RoW problems in 12 locations;

- (c) The delay in commissioning of the line due to RoW problems was taken up both with the Ministry of Power and the Eastern Region Power Committee (ERPC). In the ERPC meeting held in December, 2011, it was decided that as an interim arrangement 108 km of the 148 km line would be commissioned on the request of DVC. The Jamshedpur-Baripada line was LILoed at the DVC sub-station;
- (d) As per the discussions in the ERPC, an agreement was signed with DVC. As per the agreement DVC shall pay for the interim arrangement from the date of commissioning till the completion of the line upto Jamshedpur;
- (e) As per the interim arrangement, the line upto the DVC sub-station was commissioned on 1.6.2011 and accordingly revised cost details and the Management Certificate has been submitted;
- (f) This interim arrangement would reduce the burden of IDC and IEDC on the beneficiaries and it is beneficial to DVC as well; and
- (g) The schedule commission of the assets was October 2009, but a part of the line was commissioned on 1.6.2011 and accordingly there was a delay of 33 months due to severe RoW problems. Requested to condone the delay of 33 months which is beyond the control of the petitioner and approve the transmission tariff.

2. The learned counsel for BSEB submitted that the line at Jamshedpur end is yet to be completed and hence this petition for the purpose of tariff is not complete. The petitioner may be advised to file another petition having LILo arrangement with DVC and the tariff shall be paid by DVC. He submitted that the petitioner has come up with the issue of RoW problem for the first time. He also submitted that there is a huge time over-run of 33 months, even though the petitioner was granted 8 months extra, in the timeline of 36 months, to take care of the RoW problems. The petitioner should have taken appropriate action anticipating the RoW problems, as this is not their first project.

3. The representative of the petitioner submitted that there was acute RoW problem, initially in respect of around 60 locations and sought permission to submit all the correspondence made from 2007 onwards in connection with the RoW problems. He submitted that the matter was repeatedly taken up with local authorities and was brought to the notice of Ministry of Power as well as ERPC constituents. The present interim arrangement has been made on the request of DVC after its approval during 20th ERPC meeting on 17th December, 2011 and the same was approved by the ERPC. Accordingly, the 400kV D/C Baripada-Jamshedpur (DVC transmission line part of Baripada-Jamshedpur transmission line) including 400kV Bays at Baripada was put under commercial operation on 1.6.2012. He also submitted that the Commission has approved such an arrangement in case of another line by its order dated 24.2.2012 in Petition No.30/TT/2012.

4. The petitioner requested the Commission to condone the delay in commissioning of the interim arrangement as the reasons for the delay are entirely beyond the control of petitioner and grant transmission tariff.
5. The Commission directed the petitioner to file a detailed submission regarding the RoW problem supported by relevant documents on affidavit, with a copy to the respondents.
6. Subject to the above, the order in the petition was reserved.

By the order of the Commission,

Sd/-  
(T. Rout)  
Joint Chief (Law)