

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 83/TT/2012

Subject: Determination of transmission tariff for 400 kV D/C Nabinagar-Sasaram transmission line and associated 400 kV line bays at Sasaram S/S (anticipated date of commercial operation: 1.4.2012) associated with transmission system for immediate evacuation system for Nabinagar TPS in Eastern Region from anticipated date of commercial operation (1.4.2012) to 31.3.2014.

Date of hearing: 22.11.2012

Coram: Dr. Pramod Deo, Chairperson
Shri S. Jayaraman, Member
Shri V.S. Verma, Member
Shri M. Deena Dayalan, Member

Petitioner: PGCIL

Respondents: Bhartiya Rail Bijlee Company Ltd. (BRBCL)
Eastern Central Railway
Bihar State Electricity Board (BSEB)

Parties Present: Shri S.S. Raju, PGCIL
Shri M.M. Mondal, PGCIL
Shri Prashant Sharma, PGCIL
Shri D.G. Salpekar, NTPC/ BRBCL
Shri B.S. Rajput, NTPC/ BRBCL
Shri Dadan Singh, BRBCL
Shri Naresh Anand, NTPC
Shri Ajay Dua, NTPC
Shri Sandeep Naik, NTPC
Shri Ajay Mehta, NTPC
Shri Mohit Kr. Shah, Advocate for BSEB

Record of Proceedings

The representative of the petitioner PGCIL has submitted as under:-

- (i) BRBCL vide letters dated 8.6.2011, 12.11.2011 and 7.1.2012 requested PGCIL for early commissioning of Nabinagar-Sasaram 400 kV D/C line along with associated sub-station in June 2012 to facilitate drawal of start-

up power. These letters have been enclosed along with the affidavit dated 5.11.2012, filed by PGCIL;

- (ii) PGCIL completed the entire scope of the project as per scheduled date of completion, i.e., on 1.7.2012, whereas the portion of BRBCL was not complete. The assets were put under commercial operation on 1.7.2012 as per the written request of BRBCL;
- (iii) As per the second proviso to Regulation 3(12)(c) of the 2009 Tariff Regulations, in case an element of the transmission system is ready for regular service but is prevented from providing such service for reasons not attributable to the petitioner, the Commission may approve the date of commercial operation prior to the element coming into regular service. The Commission directed PGCIL to amend the petition to include a prayer to this effect in the petition, with a copy to the respondents. Accordingly, the prayer in the petition has been amended vide PGCIL affidavit dated 5.11.2012;
- (iv) In a similar case of Tirunelveli- Kudankulam line the Commission vide order dated 24.9.2010 in Petition No. 81/2010 has approved the date of commercial operation prior to the element coming into regular service.

2. The representative of respondent Bhartiya Rail Bijlee Company Ltd. has submitted as under:-

- (i) The petitioner has not fulfilled the conditions for declaration of date of commercial operation including prior approval of the Commission as prescribed in Regulation 3 (12) (c) of the 2009 Tariff Regulations. Hence the petitioner cannot seek approval of the Commission ex- post facto;
- (ii) The BRBCL letter dated 9.7.2012, referred to by PGCIL in its affidavit dated 5.11.2012, clearly mentions that during the visit of BRBCL team on 7.7.2012 it was found that stringing near Son River crossing and bays near Sasaram was yet to be completed;
- (iii) The petitioner, vide letter dated 16.8.2012, has acknowledged that some work is balance and defect rectification work was going on. In such circumstances, the petitioner cannot claim that the line was test charged.

3. The representative of the petitioner submitted that CEA clearance was obtained on 29.6.2012 and the same was submitted to the Commission.

4. The learned counsel for respondent BSEB has submitted that the amended petition has not been served on them.

5. The Commission directed the petitioner to serve a copy of the amended petition on BSEB in the course of the day. BSEB may file reply, if any, by 29.11.2012 with a copy to the petitioner who may file rejoinder, if any, by 6.12.2012.
6. Order in the petition was reserved.

Sd/-

(T. Rout)
Joint Chief (Law)
3.12.2012