

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**I.A. No. 24/2014 in Petition No. 127/2012
and 128/2012**

- Subject : Application under Sections 14 and 63 of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission licence and other related matters) Regulations, 2009 with respect to transmission license to Powergrid Vemagiri Transmission Limited and Adoption of Transmission charges respectively.
- Date of hearing : 28.8.2014
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M.Deena Dayalan, Member
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
- Petitioner : Power Grid Vemagiri Transmission Limited
- Respondents : Samalkot Power Limited and others
- Parties present : Shri B.Vamsi, PVTSL
Shri Sumod T. Thomas, PVTSL
Shri Ankit Kumarh, Advocate, RECTPCL
Shri Chander Prakesh, CEA

Record of Proceedings

The representative of the petitioner submitted that the present Interlocutory Application has been filed for seeking directions for refund/recovery of acquisition price and the audited cost of the company incurred from the date of Share Purchase Agreement till the date of winding up of the company. He further submitted that the Commission vide orders dated 9.5.2013 and 27.9.2013 had observed that the Vemagiri Transmission System cannot be executed in its present form and directed CTU to refund the bank guarantee to the LTTCs . The Commission further directed the LTTCs to refund the Contract Performance Guarantee given by CTU. The representative of the petitioner submitted since the project is unlikely to be implemented, the acquisition price and audited cost of the company from the date of Share Purchase Agreement till its winding up be refunded to the petitioner.

2. Learned counsel of REC Transmission Projects Company Limited (RECTPCL) submitted that though RECTPCL has been impleaded as the proforma respondent to the petition, no specific mention as to its role has been mentioned.
3. The Commission observed that vide order dated 9.7.2014, Central Electricity Authority was directed to submit its report with regard to necessity and utility of execution of the Vemagiri project. However, CEA has not submitted its report. A final decision regarding the execution of the Vemagiri Transmission System will be taken after receipt of the recommendation of CEA.
4. The representative of CEA submitted that report regarding execution of Vemagiri Transmission Project is at final stage and would be submitted shortly.
5. After hearing the representatives of the petitioner, CEA and learned counsel for RECPTL, the Commission directed CEA to submit its report latest by 18.9.2014.
6. The Commission directed to list the IA after a decision on the project is taken in the light of report of CEA.

By order of the Commission

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