

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 15/RP/2014

Subject : Review of the order dated 22.2.2014 passed by the Hon'ble Commission in Petition No. 184/TT/2011 approving the transmission tariff of ATS of Pallatana Gas Based Power Project and the Bongaigaon Thermal Power Station in North Eastern Region for the tariff period from 1.4.2009 to 31.3.2014.

Date of Hearing : 29.5.2014

Coram : Shri Gireesh B.Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member

Petitioner : NTPC

Respondents : Power Grid Corporation of India Ltd. and 8 others

Parties present : Shri M. G. Ramachndran, Advocate, NTPC
Ms. Anushree Pardhan, Advocate, NTPC
Shri A. S. Pandey, NTPC
Ms. Shilpa Agarwal, NTPC

Record of Proceedings

The learned counsel for the review petitioner submitted that the instant review petition has been filed seeking review of the Commission's order dated 22.2.2014 in Petition No. 184/TT/2011. He submitted that the Commission has disposed the impugned order on the assumption that that the zero date of the Indemnification Agreement has not been signed by the review petitioner and the PGCIL. He submitted that the review petitioner and PGCIL have agreed to zero date of the Indemnification Agreement on 1.7.2012 in the Working Level Coordination Meeting held on 12.10.2011. Accordingly, the Commission's assumption that the zero date has not been agreed upon by the review petitioner and PGCIL is an error apparent on the face of record and it needs to be rectified.

2. The learned counsel for the review petitioner further submitted that Model Transmission Service Agreement is applicable only when there is no Indemnification Agreement is in force between the review petitioner and the PGCIL. The Commission extended the Model Transmission Service Agreement on the assumption that zero date of the Indemnification Agreement does not exist and held that the review petitioner is



liable to pay the transmission charges after 1.1.2013. He submitted that the Model Transmission Service Agreement is not applicable in the instant case as there is an Indemnification Agreement between the review petitioner and the PGCIL and the impugned order, accordingly, requires to be reviewed.

3. The counsel for the review petitioner requested to admit the review petition and issue notice to the respondents.

4. The Commission directed to issue notice to the respondent on admission and directed the review petitioner to serve a copy of the review petition on the respondents, if not served. The respondents were directed to file their reply by 20.6.2014 and the petitioner to file rejoinder, if any, by 30.6.2014.

5. The Commission further directed to list the matter on 8.7.2014.

By order of the Commission

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(T. Rout)
Chief Legal

