

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 317/MP/2013

Subject : Petition for the relinquishment of the long term open access under the Bulk Power Transmission Agreement dated 7.6.2010 and return of bank guarantee.

Date of hearing : 27.2.2014

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

Petitioner : Navbharat Power Private Limited

Respondent : Power Grid Corporation of India Ltd, New Delhi
Central Electricity Authority, New Delhi

Parties present : Shri Sanjay Sen, Senior Advocate, NPPL
Shri Matru Gupta, Advocate, NPPL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed for the relinquishment of the Long Term Open Access (LTOA) and seeking direction to Respondent, PGCIL to return bank guarantee accordingly. Leaned senior counsel submitted that on 14.5.2009, PGCIL granted LTOA to the petitioner for evacuation of power from its project and on 7.6.2010 BPTA was signed with PGCIL for availing LTOA of 720 MW with allocation of 255 MW for WR and 465 MW for NR. Learned senior counsel for the petitioner submitted that the generation project has got delayed due to non-resolution of land issue and allocation of coal blocks which is beyond the petitioner's control and accordingly, the petitioner vide its letter dated 25.6.2013 requested PGCIL to relinquish the LTOA. In response, on 12.8.2013, PGCIL convened a meeting to discuss connectivity and LTA issues pertaining to generation projects in Eastern Region and advised the petitioner to approach CERC in this regard.

2. In response to Commission's query as to whether the petitioner had exhausted remedy in this regard, learned senior counsel submitted that the Commission's relevant regulations makes provisions for relinquishment of LTOA. He further submitted that the relinquishment of LTOA shall not lead to stranding of the transmission capacity. Withdrawal of 720 MW from the total transmission capacity of PGCIL shall in no way leave the transmission capacity stranded.

3. After hearing learned senior counsel for the petitioner, the Commission directed to issue notice to PGCIL.

4. The petitioner was directed to serve copy of the petition on PGCIL immediately. PGCIL was directed to file its response on or before 7.3.2014 with an advance copy to the petitioner who may file its rejoinder, if any, by 14.3.2014.

5. The petition shall be listed for hearing on 27.3.2014 on the admissibility of the petition.

By order of the Commission

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