

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 136/MP/2014

Subject : Petition under Section 79 (1) (c) and (f) of the Electricity Act, 2003 and CERC (Grant of Connectivity, Long term Open Access in inter-State Transmission and related matters) Regulations, 2009.

Date of hearing : 18.9.2014

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

Petitioner : Power Grid Corporation of India Limited

Respondents : Corporate Power Limited
National Load Despatch Centre

Parties present : Ms. Seema Gupta, PGCIL
Ms. Manju Gupta, PGCIL
Shri M.M.Mondal, PGCIL
Shri A.M.Pagvi, PGCIL

Record of Proceedings

The representative of the petitioner submitted that the present petition has been filed for seeking direction to the respondent, Corporate Power Limited (CPL) to pay ₹ 18.89 crore towards transmission charges and surcharge thereon for grant of MTOA for the period from 16.6.2013 to 31.1.2014 and on receipt of the said payment from CPL, permit the petitioner to give credit of the same to the other DICs.

2. The representative of the petitioner further submitted that CTU had granted MTOA to CPL for the period from 16.6.2013 to 15.6.2016 for sale of power to AP Discoms. Due to 10 months delay in commissioning of CPL's generating station, CPL requested PGCIL for transfer of the corridor of 150 MW (RTC) from 16.6.2013 to 15.6.2014 to KSK Mahanadi Power Company Ltd and later Sterlite. The request was not allowed by CTU. Subsequently, CPL filed petition before this Commission for change of injection point. The Commission vide order dated 11.10.2013 dismissed the petition. Aggrieved by the Commission's order dated 11.10.2013 in Petition No. 96/MP/2013, CPL filed appeal before Appellate Tribunal for Electricity (APTEL) to maintain status quo w.r.t termination/cancellation of MTOA. APTEL vide its order dated

18.12.2013 directed that if Bank Guarantee and LC are not furnished by CPL, PGCIL may take action as per the contract. However, CPL neither furnished Bank Guarantee nor it opened LC. Accordingly, on 31.1.2014 CTU cancelled the MTOA. Subsequently, APTEL vide order dated 11.4.2014 dismissed the appeal filed by CPL.

3. After hearing the representative of the petitioner, the Commission directed to issue notice to the respondents on admission.

4. The Commission directed the petitioner to serve copy of the petition on the respondents by 26.9.2014. The respondents were directed to file their replies by 15.10.2014 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 27.10.2014.

5. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with.

6. The petition shall be listed for hearing on 30.10.2014 on admission.

By order of the Commission

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