

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 393/MP/2014

- Subject : Petition under Section 79 (1) (f) and (k) of the Electricity Act, 2003, seeking appropriate direction or order declaring allocation of LTA on LILLO of existing lines by the Respondent No. 1 vide letter dated 22.9.2014 as illegal, arbitrary, malafide and discriminatory and contrary to the provisions of Electricity Act, 2003 and Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term and medium term open access in inter-State transmission and related matters) Regulations, 2009.
- Date of hearing : 20.11.2014
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
Shri A.S.Bakshi, Member
- Petitioner : D.B. Power Limited
- Respondents : Powergrid Corporation of India Limited and others
- Parties present : Shri Deepak Khurana, Advocate, D.B. Power
Shri Akhil Sharma, DB Power
Shri Vikas Mishra, D.B. Power
Shri Prashant Panda, D.B. Power
Shri H. Sharma, D.B. Power
Shri Vikas Adhia, D.B. Power
Shri Y.K. Sehgal, PGCIL
Shri Aryaman Saxena, PGCIL
Shri S.Barpanda, NLDC
Ms. Jayantika Singh, NLDC
Shri V.K.Jain, TANGEDCO
Shri K. Seshadri, TANGEDCO
Shri S.Vallinayagam, Advocate, TANGEDCO
Shri S.Thrunkvukkar, TANGEDCO
Shri Anand K. Ganeshan, Advocate, KSKMPL

Shri C.Narasimha, KSK
Shri Prashanto Sen, Advocate, BALCO
Ms. Anushruti, Advocate, BALCO

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking declaration of the allocation of LTOA to KSK Mahanadi and BALCO for 179 MW and 36 MW respectively on LILO of existing lines vide letter dated 22.9.2014 issued by PGCIL, as null and void and quash the latter dated 22.9.2014 granting LTOA.

2. Learned counsel for the petitioner argued at length and referred to the Statement of Reasons of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term and Medium term open access in inter-State transmission and related matters) Regulations, 2009 (Connectivity Regulations), reply to NLDC and WRLDC, CEA's letter dated 25.2.2014 and minutes of the meeting of the Standing Committee on Power System Planning held on 2.1.2013.

3. The representative of PGCIL submitted that it had not taken any discriminatory approach. The approach had been on the basis of efficient and economic utilization of ISTS at any given point of time. He further submitted that based on the consideration and detailed power system studies, LTA was granted in case of interim arrangement through LILO.

4. Learned counsel for KSK Mahandi referred to Regulation 8 (3) of the Connectivity Regulations, minutes of meetings dated 28.3.2014 and 21.5.2014 and submitted that KSK is extending the existing dedicated transmission line from the location of the original Champa pooling station to the new sub-station at TAGA which is likely to be completed before the sub-station of PGCIL is ready.

5. After hearing the parties, the Commission directed CTU to submit the following information on or before 10.12.2014:

- (a) Whether any system study was done to allow LTA on LILO to KSK Mahanadi and BALCO and whether any system constraint is there; and
- (b) Detailed list of capacity available and allocations in a chronological order.

6. The Commission directed that due date of filing the information should be strictly complied with. The information filed after due date shall not be considered.

7. Subject to above, the Commission reserved order in the petition.

By order of the Commission

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