

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 5/MP/2014**

Subject : Petition under Section 79 (1) (c) and (k) of the Electricity Act, 2003 read with Regulation 21 of the Central Electricity Regulatory Commission (Sharing of inter-State transmission charges and losses) Regulations, 2010 and Regulations 110, 111, 112, 113 and 115 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

Date of hearing : 11.7.2014

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

Petitioner : Electricity Department, Govt. of Goa

Respondents : M/s Power Grid Corporation of India Limited and others

Parties present : Shri Amit Kapoor, Advocate for petitioner  
Ms. Poonam Verma, Advocate for petitioner  
Shri Gaurav Dudeja, Advocate for petitioner  
Shri Anand K. Ganesan, Advocate, KPTCL  
Ms. Swapna Seshadri, Advocate, KPTCL  
Shri A.M. Pavgi, PGCIL

**Record of Proceedings**

The representative of CTU submitted that since the issue involved in the present petition is bilateral, no response is required to be filed by CTU.

2. Learned counsel for KPTCL submitted that as per the minutes of the meeting dated 13.2.2007, the parties agreed to the payment of transmission charges of 2.5 paise per unit subject to revision by SRPC. Therefore, SRPC in its 21<sup>st</sup> meeting dated 2.2.2013 decided to increase the transmission charges. The decision to increase the charges was taken in view of the high PoC charges being paid by KPTCL because of truncation of basic network at 400 KV D/C transmission line. She submitted that since the petitioner is not a member of SRPC, the petitioner was not invited to the meeting. Learned counsel for KPTCL admitted that the petitioner should have been invited to participate in the meeting before increasing the transmission charges. She submitted that KPTCL will now discuss the matter with the petitioner and will involve the petitioner in the process before taking any such decisions in future. She informed the Commission

that on 12.2.2013, KPTCL filed a petition before the Commission for determination of tariff of the inter-State transmission line owned by it which is pending determination. Therefore, the increased charge of 7.5 paise per unit is a temporary arrangement and is subject to adjustment as and when the tariff is determined by the Commission

3. Learned counsel for the petitioner submitted that as per the Commission`s order dated 14. 3.2012 in Petition No.15/Suo-Motu/2012, the owner/developer of the inter-State transmission line was to get the tariff determined from the Commission. Therefore, additional transmission charge of 5 paise per unit charged by KPTCL, in absence of any transmission tariff determined by the Commission, is in violation of said order dated 14.3.2012 and cannot be allowed to be charged, more particularly when the petitioner was not invited to the meeting of SPRC before increasing the transmission charge of 2.5 per unit to 7.5 paise per unit. This is in violation of principle of natural justice. Learned counsel for the petitioner sought a direction from Commission to KPTCL to only charge transmission charge of 2.5 paise per unit, till the tariff of transmission line is determined by the Commission.

4. After hearing the learned counsels for the petitioner and KPTCL and representative of CTU, the Commission directed the petitioner and KPTCL to convene a meeting to resolve the matter within two weeks. The Commission directed the petitioner and KPTCL to file outcome of the meeting by 8.8.2014.

5. The Commission directed that the time given to convene a meeting and filing the outcome of the meeting should be strictly complied with.

6. The Commission directed the staff to process the tariff petition filed by KPTCL and list the same for hearing at the earliest.

7. The petition shall be listed for hearing on 28.8.2014.

By order of the Commission

SD/-  
(T. Rout)  
Chief (Law)