

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 312/TT/2014

Coram:

**Shri Gireesh B. Pradhan, Chairperson
Shri A. K. Singhal, Member
Shri A.S. Bakshi, Member**

**Date of Hearing: 24.11.2014
Date of Order : 23.12.2014**

In the matter of

Approval of transmission tariff for 400 kV D/C Koldam-Ludhiana transmission line under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 from DOCO to 31.3.2019.

And in the matter of

PKTCL,
B-9, Qutab Institutional Area
Katwaria Sarai
New Delhi -110016.

.....Petitioner

Vs

1. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171 004.
2. Punjab State Electricity Board,
The Mall, Patiala-147 001.
3. UP Power Corporation Ltd.,
Shakti Bhawan, 14, Ashok Marg,
Lucknow-226 001.
4. Chandigarh Administration,
Sector-9, Chandigarh.
5. Rajasthan Power Procurement Centre,
Vidyut Bhawan, Vidyut Marg,



Jaipur - 302005.

6. Jodhpur Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor), Ajmer Road,
Heerapura, Jaipur.
7. North Central Railway,
Allahabad.
8. BSES Rajdhani Power Ltd.,
BSES Bhawan, Nehru Place,
New Delhi.
9. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi- 110 002.
10. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula (Haryana)-134 109.
11. Power Development Department,
Govt. of Jammu and Kashmir,
Mini Secretariat, Jammu.
12. Delhi Transco Ltd.,
Shakti Sadan, Kotla Road,
New Delhi-110 002.
13. Uttarakhand Power Corporation Ltd.,
Urja Bhawan, Kanwali Road,
Dehradun.
14. Ajmer Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor), Ajmer Road,
Heerapura, Jaipur.
15. Jaipur Vidyut Vitran Nigam Ltd.,(RPCC)
400 kV GSS Building (Ground Floor), Ajmer Road,
Heerapura, Jaipur.
16. Jaipur Vidyut Vitran Nigam Ltd.,(Power Purchase)
400 kV GSS Building (Ground Floor), Ajmer Road,
Heerapura, Jaipur.



17. Tata Power Delhi Distribution Limited,
Power Trading and Load Dispatch Group,
Cennet Building, Adjacent to 66/11 kV Pitampura-3,
Grid Building, Near PP Jewellers,
Pitampura, New Delhi-110 034.

18. Northern Region Electricity Board,
18-A Shaheed Jeet Singh Marg,
Katwaria Sarai, New Delhi.

19. PowerGrid Corporation of India Limited,
Saudamni, Plot No-2 Sector-29,
Gurgaon-122001(Hararyana).

20. NTPC Limited,
Scope Complex, Institutional Area,
Lodhi Road, Pragati Vihar,
New Delhi-110016.

.....Respondents

For petitioner : Shri Amit Kapur, Advocate, PKTCL
Shri Anil Raawal, PKTCL
Shri Lokendra Singh, PKTCL
Shri Aman Trivedi, PKTCL

For respondents : Shri M.G. Ramachandran, Advocate, NTPC
Ms. Anushree Bardhan, Advocate, NTPC
Ms. Poorva Saigal, Advocate, NTPC
Shri Ajay Dua, NTPC
Shri V.K. Jain, NTPC
Ms. Supriya Singh, NRLDC
Shri Subham Arya, NTPC

ORDER

In the instant petition, the petitioner, Parbati-Koldam Transmission Company Ltd (PKTCL) has sought approval of transmission tariff for two assets of 400 kV D/C Koldam-Ludhiana Transmission Line, (hereinafter referred to as "transmission assets").



The petitioner has also prayed for allowing 90% of the Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. The details of the assets covered in the instant petition are as follow:-

Srl. No.	Asset	Name of the Asset	Scheduled DOCO	DOCO
1	Asset-I	400 kV DC Koldam-Ludhiana Line (CKT- I)	7.9.2008	7.8.2014
2	Asset-II	400 kV DC Koldam-Ludhiana Line (CKT- II)	7.9.2008	14.8.2014

2. The petitioner has submitted that it requested the CTU vide letter dated 25.9.2014 for charging the Parbati-Koldam transmission line. CEA vide letter dated 1.10.2014 has accorded approval for energization of Parbati-Koldam transmission line. Simultaneously, CTU informed NTPC that PKTCL is planning to charge the Banala-Koldam 400 kV line at its rated voltage. In reply, NTPC confirmed that Koldam switchyard is not ready to be charged at its rated voltage i.e. 400 kV. However, in Petition No. 312/TT/14, NTPC in its affidavit dated 20.11.14, has mentioned that the Bay and Switchyard were ready for charging the line in the year 2008.

3. The petition was heard on 24.11.2014. Learned counsel for the petitioner submitted that CEA inspected the transmission line on 25.7.2014 and granted approval for charging the line on 1.8.2014. Accordingly, Ckt-I and Ckt-II were idle charged on 7.8.2014 and 14.8.2014 respectively. The Koldam switchyard of NTPC is yet to be commissioned. He submitted that the Commission may approve the date of commercial operation of a transmission system or an element thereof under Regulation 4(3)(ii) of the 2014 Tariff Regulations, in case such a transmission system or element thereof is prevented from regular service for reasons not attributable to the transmission licensee.

The instant assets have been commissioned without the commissioning of the Koldam switchyard and the date of the commercial operation of the instant assets may be approved in terms of Regulation 4(3)(ii) of the 2014 Tariff Regulations. The instant assets are part of ISTS network and requested to grant 90% of the AFC claimed in terms of Proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. The learned counsel for NTPC submitted that liability of tariff should be on the entity for whom the line is built. The Koldam-Ludhiana D/C lines are not part of the ATS of Koldam HEP. The commissioning NTPC Koldam HEP has no linkage with commissioning of these lines as these lines were part of ATS of Parbati-II Project of NHPC.

4. We have considered the submissions of the petitioner and NTPC. We notice that NTPC has taken divergent stands in the matter with regard to the readiness of the Bays and Switchyard for charging of the transmission line. From the submissions, it appears that the transmission line has not been charged as NTPC has not made available switchyard at Koldam HEP at rated voltage level. NTPC is directed to facilitate the petitioner in the immediate charging of 400 kV S/C Banala-Koldam Transmission Line at its rated voltage level. As regards the petitioner's request to approve the date of commercial operation of the asset under Regulation 4(3)(ii) of the 2014 Tariff Regulations, it is clarified that the dates of commercial operation of the assets (7.8.2014 for Asset I and 14.8.2014 for Asset II) have been provisionally accepted for the purpose of granting tariff under proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations and the issue shall be decided at the time of determination of final tariff.



5. Uttar Pradesh Power Corporation Limited (UPPCL), Respondent No.3, has filed its reply vide affidavit dated 3.11.2014. UPPCL has raised the issue of time and cost over-run. NTPC Limited, Respondent No. 20, has filed its reply vide affidavit dated 20.11.2014. NTPC Limited has raised issues related to commissioning of the instant transmission assets. The petitioner has filed separate rejoinders to the replies filed by both UPPCL and NTPC vide affidavits dated 24.11.2014. The issues raised by the respondents and the clarifications given by the petitioner shall be considered at the time of issuing the final tariff.

6. As per proviso (i) to Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the annual fixed charge of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter State Transmission charges and losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7 (4) provides that such an application shall be filed as per Annexure-I of these regulations.

7. We have considered the submissions of the petitioner. After carrying out a preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time over-run in case of the instant transmission assets, which shall be looked into in detail at the time of issue of final tariff, the Commission has decided to

allow tariff @ of 80% of the AFC claimed in the petition for the years 2014-15 and 2015-16 in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as per para 8 of this order.

8. Annual transmission charges claimed by the petitioner:-

(₹ in lakh)

Assets	2014-15	2015--16	2016-17	2017-18	2018-19
Asset-I	2928.54	4668.75	4568.70	4407.16	4245.69
Asset-II	2845.37	4679.19	4578.88	4417.06	4255.35

9. Annual transmission charges allowed is as follows:-

(₹ in lakh)

Assets	2014-15	2015-16
Asset-I	2342.83	3735.00
Asset-II	2276.30	3743.35

10. The tariff allowed in this order shall be applicable from the date of commercial operation of the transmission system and the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as amended from time to time. Further, the transmission charges allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

sd/-

(A.S. Bakshi)
Member

sd/-

(A. K. Singhal)
Member

sd/-

(Gireesh B. Pradhan)
Chairperson

