

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 122/MP/2015

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework for tariff-based competitive bidding for transmission service.

Date of hearing : 18.6.2015

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

Petitioner : Bhopal Dhule Transmission Company Limited (BDTCL)

Respondents : Power System Operation Corporation Limited and others

Parties present : Shri M.G.Ramachandran, Advocate, BDTCL
Shri Pulkit Sharma, BDTCL
Shri T.A.N.Reddy, BDTCL
Shri Alok Shankar, Advocate, GMR
Shri S.S.Barpanda, POSOCO
Ms. Amisha Baruah, POSOCO
Ms. Abiha Zaidi, NLDC
Shri V.Srinivas, POSOCO
Shri B.K.Arya, CEA

Record of Proceedings

Learned council of the petitioner submitted as under:

(a) The petitioner is an inter-State transmission licensee and is executing the transmission system for system strengthening of Western Region comprising six transmission lines and two sub-stations;

(b) The petitioner has already commissioned five of the six transmission lines and two sub-stations. All the five transmission lines have been energized and are part of the national grid and were getting tariff.

(c) The delay in the last element is due to delay in grant of forest clearance by MOEF and other force majeure events.

(d) As per schedule 3 of the TSA, there is inter-dependency of the elements and because of the peculiar problems of each element, it is difficult to adhere to the schedule of commercial operation.

(e) CEA in the Minutes of the Meeting dated 24.9.2013 advised the petitioner to work on all the elements independently as each element is crucial for evacuation of power.

(f) The petitioner has been declaring deemed commercial operation of each element independently as and when it got the certification of Electrical Inspector.

(g) The petitioner has prayed for allowing the transmission charges of the elements from the date of approval for energisation by Electrical Inspector.

2. Learned counsel for GMR Kamalanga Energy Limited requested for time to file reply to the petition.

3. The representative of CEA submitted that the petitioner has started the transmission work as per the schedule and has completed most of the works in non-forest areas as per the schedule and the petitioner could not complete the work in forest area due to non grant of forest clearance.

4. The representative of POSOCO submitted that YTC data is provided by the transmission licensees to the Implementing Agency (IA) and the same are considered by the IA for computation of PoC charges. In order to avoid any future disputes related to the data, it is proposed that an affidavit may be submitted by all the transmission licensees while furnishing the data, broadly stating that:

- Tariff being claimed is in accordance with the order of the Commission or in accordance with the provisions of the TSA/ any other agreement signed with the beneficiaries.
- IA/CTU shall be kept indemnified at all times from any and all damages, losses, claims arising out of or resulting from the data furnished by the transmission licensee.

Alternatively, the transmission licensees may provide the data to the CTU who shall further send it to the IA after vetting the data.

5. In response to the Commission's query, the representative of POSOCO submitted that transmission system of the petitioner comprises of two parts, i.e. Bhopal hub and Dhule hub.

- In Bhopal hub, 400 kV Bhopal (MP)-Bhopal(BDTCL) D/C, 2x1500 MVA ICTs at Bhopal and 765 kV Bhopal-Indore S/C lines had been commissioned earlier and power flow was taking place. The last element i.e. 765 kV Jabalpur-Bhopal was commissioned on 10.6.2015.
- In Dhule hub, 765 kV Dhule-Aurangabad, 765/400 kV ICTs at Dhule and 400 kV Dhule (BDTCL)-Dhule (MSETCL) had been charged. However there was no power flow as bays at Dhule(MSETCL) were reportedly not ready. The last element i.e. 765 kV Dhule-Vadodara has been commissioned on 14.6.2015 and now power flow is taking place through 765 kV Aurangabad-Dhule-Vadodara line.

6. After hearing learned counsels and the representative for the petitioner and the respondents, the Commission directed CEA and POSOCO to submit, on affidavit, by 30.6.2015 as to whether each transmission element of BDTCL could be put in regular service after successful trial operation independently without commissioning of the pre-requisite transmission elements as defined in the Schedule 3 of the Transmission Service Agreement.

7. The Commission directed GMR Kamalanga Energy Limited to file its reply by 26.6.2015 with an advance copy to the petitioner, who may file its rejoinder, if any, by 3.7.2015.

8. The Commission directed that due date of filing the information, reply and rejoinder should be strictly complied with. The information, reply and rejoinder filed after due date shall not be considered.

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

By order of the Commission

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