

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 24/RP/2015

Subject : Review of the Commission's order dated 7.10.2015 in Petition No. 112/TT/2013 in the matter of approval of transmission tariff for 9 nos. of assets under transmission system for Phase-I generation projects in Orissa-part-A in Eastern Region for tariff block 2009-14.

Date of Hearing : 10.12.2015.

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

Petitioner : Power Grid Corporation of India Limited (PGCIL)

Respondents : GMR Kamalanga Energy Limited and 12 others

Parties present : Shri Vaibhav Choudhary, Advocate, PGCIL
Mrs. Swapna Seshadri, Advocate, PGCIL
Mrs. Manju Gupta, PGCIL
Shri R. Prasad, PGCIL
Shri P. Ashok, PGCIL

Record of Proceedings

Learned counsel for the petitioner has submitted that:-

- a) Transmission tariff for 9 nos. of assets under transmission system for Phase-I generation projects in Orissa-part-A in Eastern Region for tariff block 2009-14 was determined in the order dated 7.10.2015 in Petition No.112/TT/2013;
- b) The review has been filed by PGCIL seeking review of the directions issued in para 66 of the order dated 7.10.2015, wherein it was held that tariff for the assets shall be excluded from PoC pool;



- c) The subject transmission system was implemented by the petitioner as per regulatory approval granted by the Commission vide order dated 31.10.2010 in Petition No. 233/2009 wherein the Commission had satisfied itself regarding the need of implementation of these corridors, based on the progress of the generation projects and the utilization of these corridors;
- d) The Commission vide order dated 31.10.2010 directed the PGCIL to ensure that the transmission system are executed within the timeframes matching with the commissioning schedule of the IPPs. Further, it was stated that the transmission charges and its sharing by the constituents will be determined by the Commission in accordance with the applicable regulations;
- e) The assets in the subject transmission system were commissioned from 1.4.2013 onwards. By this time four units of Sterlite and one unit of GMR Kamalanga were already commissioned. Since some of the generators had achieved commercial operation, the Regulation 8(6) is not applicable in the instant case; and
- f) Linking the recovery of the transmission charges and postponing the recovery till the operationalization of LTA is not envisaged either in the order dated 31.5.2010 or in the 2010 Sharing Regulations and cannot be made at this stage when the subject transmission system is already ready and commissioned.

2. The Commission admitted the review petition and directed to issue notice to the respondents. The Commission directed the respondents to file their reply by 31.12.2015 and the petitioner to file its rejoinder, if any, by 10.1.2016.

3. All parties are directed to comply within the time limit and under no circumstances, extension of time for filing of reply/rejoinder would be granted.

4. The Commission directed to list the review petition on 12.1.2016.

By order of the Commission

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

