

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 223/MP/2013

Coram:

Shri Gireesh B.Pradhan, Chairperson

Shri A.K.Singhal, Member

Shri A.S.Bakshi, Member

Date of order: 9.12.2015

In the matter of

Petition under Sections 12,14 and 15 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 for clarification on the Transmission Licence No. 9/Transmission/CERC, dated 16.6.2009 for 400 k V D/C Twin-Moose Palatana-Bongaigaon Transmission line granted to North East Transmission Company Ltd issued by the Commission vide CERC letter reference No. 16/2009, dated 16.7.2009.

And

In the matter of

North East Transmission Company Ltd.
1st Floor, Corporate Tower,
Ambiance Mall, Ambiance Island, NH-8,
Gurgaon-122 001, Haryana

...Petitioner

ORDER

By order dated 16.6.2009 in Petition No. 16/2009, North East Transmission Company Ltd was granted inter-State transmission licence to construct, maintain and operate the following transmission line, in accordance with the provisions of the Central Electricity Regulatory Commission (Procedure,

Terms and Conditions of Transmission licence and other related matters)
Regulations, 2009:

S.No.	Transmission assets	Approximate line length
1.	400 kV D/C Palatana-Silchar transmission line (twin moose)	250
2.	400 kV D/C Silchar-Bongaigaon transmission line (twin moose)	400

2. The petitioner has submitted that subsequently the Asset-II has split and the configuration of the transmission lines is as under:

S.No.	Name of transmission asset	Approximate line length (kms)
1.	400 kV D/C Palatana-Silchar Twin Moose Conductor Transmission	247
2.	400 kV D/C Silchar-Byrnihat Twin Moose Conductor line Bongaigaon	210
3.	400 kV D/C Byrnihat-Bongaigaon Twin Moose Conductor line	204

3. The petitioner has prayed for a clarification that the schedule of the Transmission Licence No.9/Transmission/CERC dated 16.6.2009 granted to NETCL would comprise of the transmission lines as noted in para 2 above.

4. In Petition No. 224/TT/2012, the Commission has considered the revised configuration of the transmission lines for which licence was granted to NETCL. The relevant paras of the order dated 1.4.2015 in the said petition are extracted as under:

“16. The petitioner was granted licence for execution of 400 kV Palatana-Silchar transmission line and 400 kV D/C Silchar-Bongaigaon transmission line with total

line length of 650 km. The 400 kV Palatana-Silchar transmission line has been commissioned. However, only sections of 400 kV D/C Silchar-Bongaigaon transmission line have been commissioned. NETCL has prayed for splitting the 400 kV D/C Silchar-Bongaigaon transmission line into three assets and POSOCO has also recommended the splitting of the said asset into four sections. However, the recommendations of POSOCO for splitting the asset is different from the prayer made by NETCL and the details are given below:-

Assets as per licence	NETCL's prayer	POSOCO's recommendations	Date of commercial operation
Asset I: 400 kV D/C Palatana-Silchar transmission line	Asset I: 400 kV D/C Palatana-Silchar transmission line	Asset I: 400 kV D/C Palatana-Silchar transmission line	1.9.2012
Asset II: 400 kV D/C Silchar-Bongaigaon transmission line	400 kV D/C Silchar-Byrnihat transmission line	Asset II: 400 kV S/C Silchar-Byrnihat transmission line	1.3.2013
	400 kV D/C Byrnihat-Azara transmission line	Asset III: 400 kV S/C Silchar-Azara transmission line	27.7.2014
	400 kV D/C Azara-Bongaigaon transmission line	Asset IV: 400 kV S/C Byrnihat-Bongaigaon transmission line	Yet to be commissioned
		Asset V: 400 kV S/C Azara-Bongaigaon transmission line	Yet to be commissioned

POSOCO has submitted that after splitting of the 400 kV D/C Silchar-Bongaigaon transmission line into four assets, these assets should be considered as segregated assets for the purpose of computation of PoC charges after they are commissioned.

17. The basic contention of AEGCL is that the petitioner's prayer for splitting of 400 kV D/C Silchar-Bongaigaon transmission line into three assets would amount to change of the terms and conditions of licence granted vide order dated 16.6.2009 in Petition No.16/2009. Therefore, the petitioner is required to file a separate petition to amend the licence in accordance with Section 18 of the Act. It is noticed that the petitioner is entrusted with the responsibility of implementing the transmission line from Palatana to Bongaigaon and the petitioner has completed its portion of the line to a large extent. Certain portions of the line have not been completed due to delay in forest clearance and delay in completion of 400 kV Byrnihat Sub-station and 400 kV Azara Sub-station by MeSEB (now MeECL) and AEGCL respectively. The splitting of the 400 kV D/C Silchar-Bongaigaon transmission line by the petitioner was necessitated due to the delay in obtaining forest clearance and non-completion of the sub-stations within the scope of MeSEB (now MeECL) and AEGCL in time. We are in agreement with the POSOCO's recommendation for splitting the 400 kV D/C Silchar-Bongaigaon transmission line into four lines, namely Silchar-Byrnihat S/C line, Byrnihat-Bongaigaon S/C line, Silchar-Azara S/C line and Azara-Bongaigaon S/C line. As

per the petitioner's submission, the line length has increased from 650 km to 661 km. Thus, there is a marginal increase of 11 km. There is only splitting of Asset II into four lines without any change of the routes. Moreover, these splitting have been carried out after due deliberation in the NERPC forum. In our view, there is no change in the scope of work which would necessitate amendment of the transmission licence by following the provisions of section 18 of the Act as suggested by AEGCL. We direct the petitioner to provide the detailed configurations of the split assets alongwith the line length of each for making necessary entries in the transmission licence issued to the petitioner."

5. As per the above order, there is no change in the scope of work. However, since the original asset-II has been split into three assets, necessary entries have to be made in the transmission licence issued to the petitioner. Though, the petitioner was directed to provide the detailed configuration of the split assets along the line length of each line vide order dated 1.5.2015, the said information has not been submitted so far. We direct the petitioner to submit the required information within 15 days from issue of the order.

6. The petition is disposed of with the above.

Sd/-
(A.S.Bakshi)
Member

sd/-
(A.K.Singhal)
Member

sd/-
(Gireesh B.Pradhan)
Chairperson