

**2CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 249/MP/2015

- Subject : Petition under Section 79(1)(c) and 79(l)(f) of the Electricity Act, 2003 and Regulation 32 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and Medium-Term open access in Inter-State transmission and related matters) Regulations, 2009, seeking intervention of Hon'ble Commission 'in the matter of non-grant of LTA from the start date sought for in the LTA applications made in December 2014 with firm PPAs executed under DBFOO bidding framework between Generators and KSEB Ltd., despite availability of ATC during the time frame sought for in the LTA application, by reserving ATC in favour of very old target region LTA customers who failed to submit firm PPAs to the intended regions within a reasonable period, causing irreparable financial loss to KSEB Ltd. and other related matters.
- Date of hearing : 26.4.2016
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.S. Bakshi, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
- Petitioner : Kerala State Electricity Board Limited
- Respondents : Power Grid Corporation of India Limited and others
- Parties present : Ms. Suparna Srivastava, Advocate, KSEBL
Shri Venugopal. N, KSEBL
Shri S.R. Anand, KSEBL
Shri Sitesh Mukherjee, Advocate, PGCIL
Ms. Akansha Tyagi, Advocate, PGCIL
Shri Gautam Chawla Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL
Shri Tushar Nagar, Advocate, JITPL, BALCO and Sterlite
Ms. Divya Chaturvedi, Jindal Power Limited
Ms. Roopam Basal, Jhabua Power
Shri Kamal Budhirja, Advocate, RKM Powergen Ltd.
Shri Aman Gupta, Advocate, RKM Powergen Ltd.

Record of Proceedings

Learned counsel for CTU submitted as under:

(a) CTU has filed affidavit dated 12.4.2016 regarding the utilization of corridors vacated due to relinquishment of LTA by various generators.

(b) For LTA sought in the LTA Application corresponding to 427.5 MW capacity, it can be accommodated in the capacity made available with CTU due to relinquishment sought by certain generators from the date sought in the LTA application i.e. 1.10.2017.

(c) For LTA corresponding to 299.25 MW capacity, the petitioner shall have to wait for system strengthening as CTU has already allocated corridors to MTOA applicants which would be free only after completion of MTOA period. The Connectivity Regulations and the Detailed Procedure made thereunder provide that once the LTA granted to LTA customers, for which LTA has been reserved on target region basis, is operationalize then only CTU can curtail or downsize MTOA. CTU cannot curtail MTOA for subsequent applicants like the petitioner in the present case.

2. Learned counsel for Jindal Power Limited submitted that CTU has not served copy of the affidavit dated 12.4.2016 on JPL. She further submitted that there are certain averment at para 7 and 8 in the affidavit with respect to application of Jindal Power Limited (JPL). Learned counsel requested for time to file its reply.

3. Learned counsel for the petitioner submitted that the assessment of CTU regarding increase in ATC by about 500 MW from August, 2016 is based on the SRPC meeting during 14.3.2016 to 17.3.2016 with participation from CEA, CTU, POSOCO, SRPC and SR constituents. However, minutes of meeting are awaited. Learned counsel submitted that the minutes of meeting are important in the present case and requested the Commission to direct CTU to submit minutes of the meeting as and when it is issued.

4. After hearing the parties, the Commission directed CTU to file affidavit dated 12.4.2016 and minutes of meeting, latest by 11.5.2016.

5. The Commission directed JPL to file its reply by 6.5.2016 with an advance copy to the petitioner and CTU who may file their rejoinders, if any 12.5.2016. The Commission directed that due date of filing the affidavit, reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

6. The Commission directed to list the petition on 19.5.2016.

By order of the Commission

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