

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 55/RP/2016

Subject : Review of Commission's order dated 15.6.2016 in Petition Nos. 173/TT/2013 and 111/TT/2015.

Date of Hearing : 25.10.2016

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M. K. Iyer, Member

Petitioner : NTPC Ltd.

Respondents : Essar Power Transmission Company Limited and 6others

Parties present : Ms. Suparna Srivastava, Advocate, NTPC
Ms. Suchitra Maggon, NTPC
Shri Nishant Gupta, NTPC
Shri Parimal Piyush, NTPC
Shri Sitesh Mukherjee, Advocate, EPTCL
Shri Vishal Binod, Advocate, EPTCL
Ms. Shruti Verma, EPTCL

Record of Proceedings

Learned counsel for NTPC submitted that the instant review petition has been filed against order dated 15.6.2016 in Petition Nos. 173/TT/2013 and 111/TT/2015 in which the transmission tariff of Combined assets of LILO of 400 kV S/C Vindhyachal-Korba Transmission line and 400 kV D/C Gandhar-Hazira Transmission line and 400/220 kV GIS sub-station at Hazira and associated bays and 400 kV D/C Quad Moose Transmission Line from Mahan Thermal Power Plant-Sipat Pooling Sub-station and associated bays was allowed and trued-up for the 2009-14 period. Learned counsel submitted that NTPC was not a party to the proceedings in Petition Nos. 173/TT/2013 and 111/TT/2015. In these petitions, Essar Power Transmission Company Limited (EPTCL) claimed transmission charges for two 400 kV bays which were built by NTPC



and is the property of NTPC. Since, NTPC was not a party in the said tariff petitions, this aspect could not be brought to the attention of the Commission. The Commission in its order dated 15.6.2016 directed EPTCL and NTPC to jointly approach for approval of tariff of two 400 kV line bays at Gandhar (NTPC) switchyard and that after approval of the tariff, EPTCL is to recover the same through PoC and reimburse it to the NTPC. Subsequent to the passing of aforesaid order, EPTCL asked NTPC to take steps to file petition for approval of tariff for the bays at the earliest failing which it would not be in a position to reimburse any amount to NTPC. Learned counsel for NTPC requested EPTCL to continue payment of the monthly charges for the usage of the assets as per the terms of the BPTA till the matter is decided.

2. Learned counsel for NTPC submitted that EPTCL is not paying the transmission charges since the passing of the order dated 15.6.2016 and it may be directed to continue paying the charges till the disposal of the instant review petition. There are apparent errors on the face of the record in the impugned order and requested to admit the review petition.

3. Learned counsel for EPTCL submitted that EPTCL is willing to pay the charges as determined by the Commission and NTPC cannot determine the charges on its own.

4. The Commission directed to list the review petition on 6.12.2016 for further directions.

By order of the Commission

(T. Rout)
Chief (Law)

