

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 239/MP/2015

- Subject : Petition under Regulation 21 "Power to Remove Difficulties" of the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010 in the matter of exorbitant hike of Point of Connection (POC) Charges of Assam following implementation of the recent amendment vide the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) (Third Amendment) Regulations, 2015.
- Date of hearing : 18.2.2016
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
- Petitioners : Assam Power Distribution Company Limited (APDCL)
Assam Electricity Grid Corporation Limited (AEGCL)
- Respondent : Power Grid Corporation of India Limited
- Parties present : Shri M.K. Adhikary, APDCL
Shri J.K. Baishya, APDCL
Ms. Swapna Seshadri, Advocate, PGCIL
Shri Rajendra Kumar Gujar, PGCIL
Ms. Abilia Zaidi, POSOCO

Record of Proceedings

The representative of the petitioner submitted that the present petition has been filed seeking examination and review of the factors of abnormal hike in PoC bills of Assam pursuant to implementation of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) (Third Amendment) Regulations, 2015. The representative of the petitioner further submitted as under:

- (a) As per the Commission`s direction dated 19.11.2015, a meeting was convened by the staff of the Commission on 11.12.2015 with the representatives of the APDCL, NERPC and NLDC to discuss the reasons for increase in transmission charges payable by APDCL and AEGCL as a result of implementation of the Central Electricity Regulatory Commission (Sharing of Inter

State Transmission Charges and Losses) (Third Amendment) Regulations, 2015. In the said meeting, the rationale of the said Regulations was explained in detail.

(b) Subsequently, the matter was also taken up before the RPC forum on 29/30.1.2016 wherein deficiency in the present calculation was figured out.

(c) The monthly hike in POC bill at around ₹ 10 crore/ month on average basis, the yearly hike in POC bill would come around ₹ 120 crore. The quantum of energy handled by Assam is around 6000 MU which results increase of retail tariff by around ₹ 0.20 paise which is very high.

(d) The representative of the petitioner requested the Commission to review the sharing mechanism in the Sharing Regulations taking in consideration of practical usage of ISTS line in extreme scenarios of utilization.

2. Learned counsel for Power Grid Corporation of India Ltd. (PGCIL) submitted as under:

(a) PGCIL is billing strictly as per the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) (Third Amendment) Regulations, 2015, based upon the data collected from Regional Power Committees prepared on the basis of POC rates.

(b) At present, ₹ 112 crore is outstanding against the petitioner. The petitioner ought to make payment of the bills and not treat the filing of the present petition as an automatic stay on the bills so raised by PGCIL.

(c) Learned counsel for the petitioner requested the Commission to direct the petitioner to pay an amount of ₹ 54 crore which is beyond 60 days from the due date.

2. In response to the Commission`s query as to whether the petitioner has approached AERC to consider the increased PoC charges, the representative of the petitioner submitted that it has filed petition before AERC which is pending for disposal.

3. The Commission directed PGCIL to file its response by 18.3.2016, on the 'record note of discussion of 16th meeting and 16th NERPC meeting' submitted by the petitioner during the hearing, with an advance copy to the petitioner. The Commission directed that due date of filing the response should be strictly complied with failing which the petition will be disposed on the basis of the documents already on record.

4. The Commission further directed the petitioner to pay at least 50% of the outstanding amount payable to PGCIL.

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

By order of the Commission

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