

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 226/MP/2015**

Subject : Petition under section 79 (1) (c) and 79 (1) (k) of the Electricity Act, 2003 seeking appropriate directions for operationalisation of the LTA dated 14.9.2010 read with letter dated 27.12.2013.

Date of hearing : 19.1.2016

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Petitioner : TRN Energy Private Limited

Respondent : Power Grid Corporation of India Limited

Parties present : Shri Matrugupta Mishra, Advocate, TRN Energy Pvt. Ltd.  
Shri Tushar Nagar, Advocate, TRN Energy Pvt. Ltd.  
Shri Satish Sharma, TRN Energy Pvt. Ltd.  
Shri Atul Jain, TRN Energy Pvt. Ltd.  
Ms. Suparna Srivastava, Advocate, PGCIL  
Ms. Jyoti Prasad, PGCIL  
Shri Swapnil Verma, PGCIL  
Shri H.M. Jain, PGCIL

**Record of Proceedings**

The representative of PGCIL submitted that reply to the petition will be filed shortly. He further submitted that the arguing counsel in the matter is not available due to personal difficulty and requested to adjourn the matter.

2. Learned counsel for the petitioner submitted as under:

(a) In the 18th meeting of WR constituents regarding Connectivity and Open Access held on 29.8.2013, the petitioner was permitted to change of beneficiary as 390 MW to NR and Nil MW to WR. Accordingly, CTU vide its letter dated 27.12.2013 informed the petitioner that in pursuance of the said meeting dated 29.8.2013, the request of the petitioner to revise/modify the LTA dated 14.9.2010 is allowed. Therefore, the LTA dated 14.9.2010 read with the modification of LTA dated 27.12.2013 granted to the petitioner remains valid and subsisting till date.

(b) In the 19th meeting of WR constituents regarding Connectivity and Open Access held on 5.9.2014 CTU linked grant of 240 MW additional LTOA to NR with the commissioning of 240 MW Jabalpur Pooling station-ORAI transmission line which is scheduled for commissioning in 2017-18. In the said meeting, CTU arbitrarily informed that the modifications in the LTA would be subject to the payment of relinquishment charges as per the Commission's Regulations to change the region from the Western Region to Northern Region. CTU further informed that till 29.10.2016, LTA as granted earlier (WR 343MW and NR150 MW) shall be applicable.

(c) The generating station of the petitioner is expected to be commissioned in the month of February 2016 and in default of grant of LTA of 350 MW in NR, the distribution companies of UP may invoke the bank guarantee of Rs. 156 crore. Unless the LTA is granted to the petitioner in terms of the letter dated 27.12.2013, the petitioner shall be gravely prejudiced. The petitioner is already paying interest to the tune of Rs. 1.5 crore on a daily basis.

(d) Learned counsel for the petitioner requested to direct CTU to operationalize the LTA dated 14.9.2010 from 30.10.2016 as per the PPA dated 25.7.2013.

3. After hearing the learned counsel for the petitioner and the representative of PGCIL, the Commission directed PGCIL to file its reply, as a last chance, by 25.1.2016 with an advance copy to the petitioner who may file its rejoinder, if any, by 29.1.2016. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 4.2.2016.

**By order of the Commission**

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