

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

PETITION NO. 29/TT/2014

Coram:

**Shri A.S. Bakshi, Member
Dr. M. K. Iyer, Member**

**Date of Hearing : 14.03.2016
Date of Order : 18.03.2016**

In the matter of:

Approval of transmission tariff from DOCO to 31.3.2014 for “400 kV Dharmapuri (Salem New)-Somanahalli 400 kV D/C Quad Line along with Bay Extensions at Dharmapuri (Salem New) and Somanahalli Sub-stations” under transmission system associated with “System Strengthening in Southern Region-XIV” in Southern Region under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009.

And in the Matter of:

Power Grid Corporation of India Ltd,
SAUDAMINI, Plot No.-2, Sector-29,
Gurgaon-122001 (Haryana)

.....Petitioner

Versus

1. Karnataka Power Transmission Corporation Limited,
(KPTCL), Kaveri Bhawan,
Bangalore – 560009

2. Transmission Corporation of Andhra Pradesh Limited,
(APTRANSCO), Vidyut Soudha,
Hyderabad- 500082



3. Kerala State Electricity Board (KSEB),
Vaidyuthi Bhavanam,
Pattom, Thiruvananthapuram - 695 004
4. Tamil Nadu Generation and Distribution Corporation Limited,
NPKRR Maaligai, 800, Anna Salai,
Chennai - 600 002
5. Electricity Department,
Govt. of Pondicherry,
Pondicherry - 605001
6. Eastern Power Distribution Company of Andhra Pradesh Limited,
(APEPDCL) P&T Colony, Seethmmadhara,
Vishakhapatnam, Andhra Pradesh
7. Southern Power Distribution Company of Andhra Pradesh Limited,
(APSPDCL), Srinivasasa Kalyana Mandapam Backside,
Tiruchanoor Road, Kesavayana Gunta,
Tirupati-517 501, Chittoor District, Andhra Pradesh
8. Central Power Distribution Company of Andhra Pradesh Limited,
(APCPDCL), Corporate Office, Mint Compound,
Hyderabad - 500 063, Andhra Pradesh
9. Northern Power Distribution Company of Andhra Pradesh Limited,
(APNPDCL), Opp. NIT Petrol Pump,
Chaitanyapuri, Kazipet, Warangal - 506 004, Andhra Pradesh
10. Bangalore Electricity Supply Company Ltd. (BESCOM),
Corporate Office, KR.Circle
Bangalore - 560001, Karnataka
11. Gulbarga Electricity Supply Company Ltd (GESCOM)
Station Main Road, Gulbarga, Karnataka
12. Hubli Electricity Supply Company Ltd, (HESCOM)
Navanagar, PB Road, Hubli, Karnataka
13. MESCOM Corporate Office,



Paradigm Plaza, AB Shetty Circle,
Mangalore – 575001, Karnataka

14. Chamundeswari Electricity Supply Corporation Ltd.,
(CESC), # 927, L J Avenue, Ground Floor,
New Kantharaj Urs Road, Saraswatipuram,
MYSORE - 570 009, Karnataka

...Respondent(s)

The following were present:

For Petitioner: Shri Piyush Awasthi, PGCIL
Shri Pankaj Shah, PGCIL
Shri Jasbir Singh, PGCIL
Shri Rakesh Prasad, PGCIL
Shri S.S. Raju, PGCIL
Shri M.M. Mondal, PGCIL

For Respondents: None

ORDER

The petition has been filed by Power Grid Corporation of India Limited (hereinafter referred to as “the petitioner”) for determination of tariff for “400 kV Dharmapuri (Salem New)-Somanahalli 400 kV D/C Quad Line along with Bay Extensions at Dharmapuri (Salem New) and Somanahalli Sub-stations” under transmission system associated with “System Strengthening in Southern Region-XIV” in Southern Region under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as “the 2009 Tariff Regulations”) for the period starting from COD to 31.3.2014.

2. The Investment Approval (IA) for the instant project was accorded by the Board of Directors of the petitioner vide Memorandum Ref: C/CP/SRSS-XIV dated 27.12.2011 at



an estimated cost of ₹29733 lakh including IDC of ₹1647 lakh at the price level of third quarter of 2011. As per the IA the instant asset was scheduled to be commissioned within 32 months from the date of IA. Accordingly, the instant asset was scheduled to be commissioned on 26.8.2014.

3. The instant petition was filed on 9.2.2014 and the asset was anticipated to be commissioned on 1.3.2014. However, during the hearing on 7.3.2014, the petitioner submitted that the instant asset was anticipated to be commissioned during the 2014-19 period and prayed for grant of Annual Fixed Cost (AFC) under Regulation 7(7) for inclusion in the PoC charges. Accordingly, AFC was allowed for instant asset under the said provision vide order dated 23.6.2014.

4. During the hearing on 14.3.2016 the representative of the petitioner in response to our query submitted that the asset covered in the instant petition has not yet been commissioned due to severe ROW issues and the commissioning of the asset is not certain. The representative of the petitioner sought permission of the commission to withdraw the instant petition and file a fresh petition after commissioning of the asset. He further requested that the filing fee paid in case of the instant petition be adjusted. He further prayed that the expenditure incurred towards publishing the notice in the instant case be reimbursed and the requirement of publication of notice at the time of filing fresh petition be waived.

5. In the instant case, the AFC was allowed vide order dated 23.6.2014 and the assets have not been commissioned even after period of 19 months of granting AFC. No use full purpose will be serve to award final tariff to the petitioner in respect of an



asset where commercial operation in near future is uncertain. Accordingly, after taking into consideration the scheme of the representative of the petitioner deprive of the petitioner as has withdrawal. The AFC allowed vide order dated 23.6.2014 shall be withdrawn from the computation of POC charges, if not already withdrawn. We direct that the filing fees paid by the petitioner shall be adjusted against the filing fee payable for the instant asset when the petitioner approaches by way of a fresh petition. As regards petitioner's request to waive of the requirement of publication of notice in the newspapers, we are of the view that publication of notice is a mandatory requirement and it cannot be waived off. The publication expenses incurred for filing the instant petition shall be borne by the petitioner.

6. Petition No. 29/TT/2014 is disposed in terms of above.

Sd/-
(Dr. M.K. Iyer)
Member

Sd/-
(A.S. Bakshi)
Member

