

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 184/TT/2016**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson**

**Shri A.K. Singhal, Member**

**Shri A.S. Bakshi, Member**

**Dr. M. K. Iyer, Member**

**Date of Order : 27.12.2016**

**In the matter of:**

Determination of transmission tariff for asset  $\pm$  800kV Biswanath Chariali-Agra HVDC Pole-II (1500MW HVDC Terminal at Biswanath Chariali and Agra) along with Earth Electrode line and Earth Electrode Station for both Biswanath Chariali and Agra from anticipated CoD 1.9.2016 to 31.3.2019 under the transmission system associated with "North East-Northern/Western Interconnector - I Project under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

**And in the matter of:**

Power Grid Corporation of India Limited  
"Saudamini", Plot No.2,  
Sector-29, Gurgaon -122 001

**.....Petitioner**

**Vs**

1. Assam Electricity Grid Corporation Limited,  
Bijulee Bhawan, Paltan Bazar, Guwahati-781001
2. Meghalaya Energy Corporation Limited,  
Lumjingshai, Short Round Road. Shilong-1



3. Government of Arunachal Pradesh,  
Department of Power, Itanagar-791111
4. Power & Electricity Department,  
Government of Mizorm,  
Aizwal-796001
5. Manipur State Electricity Distribution Company Limited,  
Keishampat, Imphal-795001
6. Department of Power, Government of Nagaland,  
Kohima-797001
7. Tripura State Electricity Corporation Limited,  
Bidyut Bhawan, North Banamaliupr,  
Agartala-799001
8. Himachal Pradesh State Electricity Board  
Vidyut Bhawan, Kumar House Complex Building II  
Shimla-171 004
9. Punjab state power Corporation Limited  
Thermal Shed T-1A, Patiala
10. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6  
Panchkula (Haryana)-134 109
11. Power Development Department,  
Jainpura Grid Station, Jammu (Tawi) 180 007
12. Power Purchase Agreement Directorate  
Uttar Pradesh Power Corporation Ltd.,  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow-226 001.
13. Delhi Transco Ltd.,  
Shakti Sadan, Kotla Road,  
New Delhi-110 002.



14. Chandigarh Administration,  
Sector-9, Chandigarh.
15. Uttarakhand Power Corporation Ltd.,  
Urja Bhawan, Kanwali Road,  
Dehradun.
16. Rajasthan Power Procurement Centre,  
Vidyut Bhawan, Janpath,  
Jaipur- 302 005.
17. Ajmer Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
18. Jodhpur Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
19. Jaipur Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
20. North Central Railway,  
Allahabad.
21. BSES Yamuna Power Ltd.,  
Shakti Kiran Building, Karkardooma,  
Delhi-110 092.
22. BSES Rajdhani Power Ltd.,  
BSES Bhawan, Nehru Place,  
New Delhi.
23. Tata power Delhi Distribution Limited  
33 kV Sub-station, Building  
Hudson lane, Kingsway camp  
North Delhi-110009



24. New Delhi Municipal Council,  
Palika Kendra, Sansad Marg,  
New Delhi-110 002.
25. Madhya Pradesh Power Management Company Ltd.,  
Shakti Bhawan, Rampur  
Jabalpur-482 008.
26. Maharashtra State Electricity Distribution Company Limited,  
Prakashgad, 4th floor  
Andehri (East), Mumbai-400 052.
27. Gujarat Urja Vikas Nigam Ltd.,  
Sardar Patel Vidyut Bhawan,  
Race Course Road, Vadodara-390 007.
28. Electricity Department, Government of Goa,  
Vidyut Bhawan, Panaji,  
Near Mandvi Hotel, Goa-403 001.
29. Electricity Department,  
Administration of Daman and Diu,  
Daman-396210.
30. Electricity Department,  
Administration of Dadra Nagar Haveli,  
U.T. Silvassa-396 230.
31. Chhattisgarh State Electricity Board,  
P.O. Sunder Nagar, Dangania, Raipur  
Chhattisgarh-492 013.
32. Madhya Pradesh Audyogik Kendra Vikas Nigam (Indore) Ltd.,  
3/54, Press Complex, Agra-Bombay Road, Indore-452 008.
33. Karnataka Power Transmission Corporation Ltd. (KPTCL),  
Kaveri Bhawan, Bangalore-560 009.
34. Transmission Corporation of Andhra Pradesh Ltd. (APTRANSCO),  
Vidyut Soudha,  
Hyderabad-500 082.



35. Kerala State Electricity Board (KSEB),  
Vaidyuthi Bhavanam,  
Pattom, Thiruvananthapuram-695 004.
36. Tamilnadu Electricity Board (TNEB)  
NPKRR Maaligai, 800, Anna Salai,  
Chennai-600 002.
37. Electricity Department,  
Government of Pondicherry,  
Pondicherry-605 001.
38. Eastern Power Distribution Company of Andhra Pradesh Ltd. (APEPDCL),  
APEPDCL, P&T Colony,  
Seethmmadhara, Vishakhapatnam,  
Andhra Pradesh.
39. Southern Power Distribution Company of Andhra Pradesh Ltd. (APSPDCL),  
Srinivasasa Kalyana Mandapam Backside,  
Tiruchanoor Road, Kesavayana Gunta,  
Tirupati-517 501.
40. Central Power Distribution Company of Andhra Pradesh Ltd. (APCPDCL),  
Corporate Office, Mint Compound,  
Hyderabad-500 063.
41. Northern Power Distribution Company of Andhra Pradesh Ltd. (APNPDCL),  
Opp. NIT Petrol Pump,  
Chaitanyapuri, Kazipet,  
Warangal-506 004.
42. Bangalore Electricity Supply Company Ltd. (BESCOM),  
Corporate Office, K. R. Circle,  
Bangalore-560 001.
43. Gulbarga Electricity Supply Company Ltd. (GESCOM),  
Station Main Road, Gulbarga.  
Karnataka.



44. Hubli Electricity Supply Company Ltd. (HESCOM),  
Navanagar, PB Road,  
Hubli, Karnataka.
45. MESCOM Corporate Office,  
Paradigm Plaza, AB Shetty Circle,  
Mangalore-575 001.
46. Chamundeswari Electricity Supply Corporation Ltd. (CESC),  
# 927, L J Avenue, Ground Floor,  
New Kantharaj Urs Road,  
Saraswaturam,  
Mysore-570 009.
47. Teleanagana State PC Co-ordination committee  
TSPCC, TSTRANSCO. R No. 547/A block, Vidyut Soudha  
Somajiguda, Khairthabad Somjiguda,  
Hyderabad-500 082
48. Andhra Pradesh Power Co-ordination Committee  
Room No.547,5th Floor, Block A  
Vidyut Soudha, Somajiguda, Khairthabad  
Hyderabad-500 082
49. Bihar State Power (Holding) Company Limited  
(Formerly Bihar State Electricity Board),  
Bidyut Bhawan, Bailey road,  
Patna-800 001, Bihar
50. West Bengal State Electricity Distribution Company Ltd.  
Bidyut Bhawan, Bidhan Nagar Block DJ  
Sector-II, Salt Lake City  
Calcutta-700 091.
51. Grid Corporation of Orissa Ltd.  
Shahid Nagar, Bhubaneswar-751 007.
52. Damodar Valley Corporation  
DVC Tower, Maniktala Civic Centre,  
VIP Road Calcutta-700 054.



53. Power Department, Government of Sikkim,  
Gangtok- 737 101
54. Jharkhand State Electricity Board  
In Front of Main Secretariat Doranda,  
Ranchi-834 002.
55. North Bihar Power Distribution Company Limited,  
2nd Floor, Vidyut Bhawan, Bailey road,  
Patna-800 001, Bihar
56. South Bihar Power Distribution Company Limited,  
2nd Floor, Vidyut Bhawan,  
Bailey road, Patna-800 001, Bihar.
57. Tata Steel Limited  
Generation office (W-175) Jamshedpur Jharkhand
58. Maithan Power Limited  
MA-5, Gogna Colony, Maithan Dam Post Office  
Distt: Dhanbad-828 207
59. Ind-Barath Energy(Utkal) Limited  
Plot No: 30-A, road no. 1, Film Nagar  
Jubilee Hills, Hyderabad, 50033
60. AD Hydro power limited  
Bhilwara Towers,A-12, Sector-1  
Noida-201 301
61. Lanco Budhil Power Pvt. Limited  
D-7, Sector-I, lane-I, 2nd Floor  
New Shimla, Shimla-171 0096
62. Himanchal Sorang Power Private Limited  
D-7, Sector-I, lane-1, 2nd Floor  
New Shimla, Shimla-171009
63. MB Power (Madhya Pradesh) Limited  
MBPMPL, 239, Okhla industrial area  
Phase-III, New Delhi – 110020



64. Himachal Baspa Power Company Limited  
Karcham Wangtoo HEP, Sholtu Colony  
PO Tapri, Distt: Kinnaur 172 104
65. Jindal Power Limited  
6th Floor, MTNL Building  
8, Bikaji Cama place, new Delhi-110 066
66. KSK Mahanadi Power Company Limited  
8-2-293/82/A/431/A  
Road No. 22, Jubilee Hills  
Hyderabad-500 033
67. PTC India Ltd., 2nd Floor, NBCC Tower,  
15, Bhikaji Cama Place,  
New Delhi-110 066
68. IL&FS Tamil Nadu Power Company Ltd.  
C. Pudhupettai Post, Paragipettai(VIA)  
Chidambaram(TK), Cuddalore-608 502
69. Adani power Limited  
10 B, Sambhav Press Building  
Judges Bungalow Road, Badakdev  
Ahmedabad-380 015
70. Torrent Power Limited  
Naranpura Zonal Office  
Sola Road, Ahmedabad-380 013
71. Heavy Water Board,  
Vikram Sarabhai Bhavan  
5th Floor, Anushaktinagar, Mumbai-400 094
72. ACB india Limited  
7th floor, Corporate Tower  
Corporate Tower  
Ambience mall, NH8, Gurgaon-122 001





73. EMCO Energy Limited  
Plot No.-F-5, Road no.-28  
Wagle Industrial Area, thane  
Mumbai-400 604
74. Spectrum Coal and Power Limited  
7th Floor, Corporate Tower  
Ambience mall, NH8, Gurgaon-122 001
75. Baba Atomic Research Centre  
TRP, Post-Ghivali, Dist- Palghar  
BARC Plant Site  
Dist-Palghar-401 505
76. BALCO, Raipur  
Bharat Aluminum Company Limited,  
Captive Power Plant-II, Balconagar  
Korba-495 684
77. Dhariwal Infrastructure Limited  
C-6 Tadali growth Centre, M.I.D.C.T  
District Chandrapur  
Maharashtra-442 406
78. DB power Limited  
Opp Dena Bank, C-31,G- Block  
3rd Floor, Naman Corporate Link  
Bandar-Kurla complex, Bandra (East)  
Mumbai-400 051
79. NEEPCO,15, NBCC Tower  
Bhikaji Cama Place, New Delhi
80. NHPC Ltd  
NHPC Office Complex, Sector-33  
Faridabad
81. NTPC,  
Core-7, Scope Complex,  
New Delhi-110003

.....Respondents



**For petitioner** : Shri V.P. Rastogi, PGCIL  
Shri S.K. Venkatesan, PGCIL  
Shri K.K. Jain, PGCIL  
Shri Rakesh Prasad, PGCIL  
Shri M.M. Mondal, PGCIL  
Shri S.S. Raju, PGCIL

**For respondents** : Shri R.B. Sharma, Advocate, BRPL  
Shri Manish Garg, BYPL

### **ORDER**

The petitioner, Power Grid Corporation of India Limited (PGCIL) has filed the instant petition for determination of transmission tariff for asset  $\pm$  800kV Biswanath Chariali-Agra HVDC Pole-II (1500 MW HVDC Terminal at Biswanath Chariali and Agra) along with Earth Electrode line and Earth Electrode Station for both Biswanath Chariali and Agra under the transmission system associated with "North East-Northern/Western Interconnector-I Project in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations"). The petitioner has also prayed for allowing 90% of the Annual Fixed Charges claimed, in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for inclusion in Poc mechanism. The details of the elements covered in the instant petition as per affidavit dated 15.11.2016 are as follows:-



<b>Name</b>	<b>Scheduled COD</b>	<b>Actual COD</b>	<b>Delay</b>
±800kV BNC-Agra HVDC POLE-II (1500MW HVDC Terminal at BNC and Agra) along with Earth Electrode line and Earth Electrode Station for both BNC and Agra	1.8.2013	2.9.2016	37 months

2. During the hearing on 6.12.2016, the representative of the petitioner prayed for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations in respect of the instant asset.

3. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7(4) of the 2014 Tariff Regulations provides that such an application shall be filed as per Annexure-I of these regulations.

4. We have considered the submissions of the petitioner. The instant petition covers the ±800kV Biswanath Chariyali-Agra HVDC Pole-II (1500 MW HVDC Terminal at BNC



and Agra) along with Earth Electrode line and Earth Electrode Station for both BNC and Agra. The AFC under Regulation 7(7) of the 2014 Tariff Regulations was already allowed for  $\pm 800$ kV Biswanath Chariyali-Agra HVDC Pole-I vide order dated 8.1.2016 and it was later revised by order dated 3.3.2016. While allowing tariff, the Commission observed that  $\pm 800$ kV Biswanath Chariyali-Agra HVDC Pole-I is considered as a national asset and the transmission charges of the said asset should be borne by all the DICs of all the five regions in accordance with the 2010 Sharing Regulations. The petitioner was further directed to approach the Monitoring Committee of the PSDF to avail financial assistance in the form of grant so as to reduce the burden of transmission charges on the DICs. The relevant portions of the Commission's orders dated 8.1.2016 and 3.3.2016 are given below. The Commission in its order dated 8.1.2016 has observed as under:-

“30. Since, these assets are proposed to be considered as assets of national importance and all the regions are proposed to bear the transmission charges, we consider it necessary to hear the DICs of all the regions. Accordingly, we direct the petitioner to file a revised memo of parties and serve copy of the petition on the DICs (other than those on whom petition has already been served) by 18.1.2016. The hearing of the petition will take place on 28.1.2016 and all DICs are directed to participate in the hearing and share their views.

31. Recovery of the transmission charges determined through this order shall be made as per the principle/methodology to be decided by the Commission after hearing all DICs.”

Further, while revising the tariff allowed vide order dated 8.1.2016, the Commission in order dated 3.3.2016 has observed as under:-

“The learned counsel for the petitioner submitted that the petitioner is facing cash



flow problem in view of the non-inclusion of the charges in the PoC and requested that subject to final decision of the Commission with regard to sharing of the Transmission Charges, the tariff approved under Regulation 7(7) of the 2014 Tariff Regulation be included in the PoC charges for the quarter January to March, 2016. We have considered the prayer of the petitioner. The Commission will pass the final order in the matter after hearing the DICs on completion of the pleadings. Since the process will take some time, the petitioner should not be allowed to suffer on account of non-recovery of transmission charges. Accordingly, we direct that the transmission charges allowed in para 6 of this order shall be provisionally recovered from DICs of all regions in accordance with the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time, subject to the final decision of the Commission in the present petition. It is further directed that any grant/assistance received from Government of India/PSDF Fund shall be applied to reduce the cost of the assets and consequently, the transmission charges of these assets. We direct PGCIL to pursue the matter in the right earnest for early release of grant/assistance.”

5. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of 2004 Regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

6. Reply has been filed by Uttar Pradesh Power Corporation Limited (UPPCL), Respondent No. 12, vide affidavit dated 17.10.2016, BSES Rajdhani Power Limited (BRPL), Respondent No. 22, vide affidavit dated 3.11.2016 and Kerala State Electricity Board (KSEB), Respondent No. 35, vide affidavit dated 22.11.2016. Issues raised by respondents will be considered at the time of grant of final tariff. After carrying out preliminary prudence check of the AFC claimed by the petitioner, we are inclined to grant AFC for  $\pm 800$ kV Biswanath Chariyali-Agra HVDC Pole-II covered in the instant petition in



terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in para 7 of this order for the years 2016-17 and 2017-18.

7. The details of the tariff claimed by the petitioner and tariff allowed by the Commission are as under:-

A. Annual transmission charges claimed by the petitioner are given overleaf:-

(₹ in lakh)	
2016-17	2017-18
16115.37	28572.70

B. Annual transmission charges allowed are given below:-

(₹ in lakh)	
2016-17	2017-18
10474.99	18572.26

8. We direct that the transmission charges allowed in para 7 of this order shall be provisionally recovered from DICs of all regions in accordance with the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time, subject to the final decision of the Commission in the present petition.

9. The petitioner is further directed to file the additional information sought vide RoP dated 17.11.2016 with a copy to respondents by 30.12.2016. The parties are directed to complete the pleadings by 10.2.2017.



10. The matter shall be listed on 21.2.2017 for final hearing.

sd/-

**(Dr. M.K. Iyer)**  
**Member**

sd/-

**(A.S. Bakshi)**  
**Member**

sd/-

**(A.K. Singhal)**  
**Member**

sd/-

**(Gireesh B. Pradhan)**  
**Chairperson**

