

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 38/RP/2016 alongwith
I.A. No.37/IA/2016 in
Petition No.33/TT/2013**

Coram:

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

Date of Order : 18.10.2016

In the matter of:

Review petition under Regulation 103 (1) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for review of the order dated 15.12.2015 in Petition No. 33/TT/2013 alongwith IA No. 37/IA/2016 in the matter of determination of transmission tariff for six assets under Sasan UMPP TS (Group 1) in Northern Region.

And in the matter of:

Power Grid Corporation of India Ltd.
'SAUDAMINI', Plot No-2,
Sector-29, Gurgaon -122 001 (Haryana).

.....**Petitioner**

Versus

1. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171 004
2. Punjab State Power Corporation Limited,
Thermal Shed Tia, Near 22 Phatak,
Patiala-147 001
3. Haryana Power Purchase Centre,
IInd Floor, Shakti Bhawan, Sector-6,
Panchkula-134 109



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4. Power Development Department,
Janipura Grid Station,
Jammu (Tawi)-180 007
5. Uttar Pradesh Power Corporation Limited,
10th Floor, Shakti Bhawan Extension,
14, Ashok Marg, Lucknow-226 001
6. Delhi Transco Limited,
Shakti Sadan, Kotla Road (Near ITO),
New Delhi-110002
7. Chandigarh Administration,
Sector-9, Chandigarh-160017
8. Uttarakhand Power Corporation Limited,
Urja Bhawan, Kanwali Road, Dehradun-248001
9. Rajasthan Power Procurement Centre,
Vidyut Bhawan, Janpath,
Jaipur- 302 021
10. Ajmer Vidyut Vitran Nigam Limited,
400 kV GSS Building,
Ajmer Road, Heerapura, Jaipur-302026
11. Jodhpur Vidyut Vitran Nigam Limited,
400 kV GSS Building, Ajmer Road,
Heerapura, Jaipur-302026
12. Jaipur Vidyut Vitran Nigam Limited,
400 kV GSS Building,
Ajmer Road, Heerapura, Jaipur-302026
13. North Central Railway,
Allahabad-211011
14. BSES Yamuna Power Limited,
Shakti Kiran Building, Karkardooma,



Delhi-110092

15. BSES Rajdhani Power Limited,
2nd Floor, "B" Block, Nehru Place,
New Delhi-110 019

16. Tata Power Delhi Distribution Limited,
33 kV Sub-station Building,
Hudson Lane, Kingsway Camp,
New Delhi-110009

17. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110 002

....Respondents

For petitioner : Shri Sitesh Mukherjee, Advocate for PGCIL
Ms. Akansha Tyagi, Advocate for PGCIL
Shri Rakesh Prasad, PGCIL
Shri S.S. Raju, PGCIL
Shri S. K. Venkatesan, PGCIL
Shri M.M. Mondal, PGCIL
Shri R.P. Padhe, PGCIL

For respondents : None

Interim Order

The instant review petition has been filed by Power Grid Corporation of India Limited (PGCIL) under Regulation 103(1) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking review of the order dated 15.12.2015 in Petition No.33/TT/2013 wherein transmission tariff for Asset I: 765 kV S/C Sasaram Fatehpur Line-II; Asset II; 765 kV S/C Fatehpur Agra Line-II; Asset III: One no. 765 kV Line bay for 765 kV S/C Sasaram Fatehpur at Fatehpur; Asset IV: One no. 765 kV Line bay for 765 kV Fatehpur-Agra Line-II at Agra; Asset V: One no. 765 kV Line bay for 765 kV S/C



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Fatehpur-Agra Line-II at Fatehpur; and Asset VI: 240 MVAR Bus Reactor at Agra (hereinafter referred to as “transmission assets”) under Sasan UMPP TS (Group 1) in Northern Region (hereinafter referred to as the “transmission scheme”) was allowed for tariff block 2014-19.

2. PGCIL has submitted that Assets I to VI, covered in Petition No.33/TT/2013 were scheduled to be commissioned on 1.1.2013. Assets III, IV and V are line bays and reactors. These three assets were commissioned on 1.11.2012, 1.2.2013 and 1.11.2012 respectively ahead of the associated transmission lines in order to control the voltage profile in Fatehpur and Agra Sub-stations. However, the Commission did not approve the CODs of Assets III, IV and V as claimed by the review petitioner for the reasons, namely, the review petitioner had not submitted reasons for commissioning the line reactors as bus reactors and the line bay could not achieve COD without commissioning of the associated transmission line. The review petitioner has averred that even though the reasons were submitted in the main petition, the Commission inadvertently omitted to consider the same while passing the impugned order. According, to the review petitioner, consideration of the reasons given in the main petition would have led to a different finding and non-consideration of the same constitutes an error apparent on the face of record and is valid ground for review of the impugned order.

3. The learned counsel for the review petitioner, during the hearing, submitted that in para 3 of the main petition, reasons for commissioning the Assets III, IV and V before commissioning the associated lines in order to take care of the voltage profile were



submitted, which escaped the attention of the Commission while issuing the impugned order. Learned counsel for the review petitioner further submitted that the line reactors are used as bus reactors to avoid over voltages and maintain the grid stability and security as advised by POSOCO vide letter dated 20.11.2012. Learned counsel submitted that the CODs of the assets be approved from the dates as prayed by the petitioner in the main petition.

4. PGCIL has also filed an Interlocutory Application No.37/IA/2016 seeking condonation of delay of 163 days in filing the review petition. PGCIL has submitted that there is delay of 163 days in filing the review petition and that the delay in filing the review petition is unintentional. PGCIL has submitted that internal meetings to discuss the possibility of filing a review petition, approval of the management, engagement of advocates and procurement of documents from plant site took time. The process led to delay in filing the review petition. The review petitioner requested to condone the delay in filing of the review petition. We have considered the submissions of the review petitioner. In our view, internal consultation to file the review petition cannot take as long as more than 5 months. The review petitioner should streamline its procedure for internal processing of the files so that the review petitions are filed within the time line prescribed in the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999. As a special case, we condone the delay in filing of the review petition in this case. IA is accordingly disposed of.



5. PGCIL is directed to serve a copy of the petition on the beneficiaries by 20.10.2016 and the parties are directed complete the pleadings by 7.11.2016.

6. The review petition shall be listed on 8.11.2016 for final hearing.

sd/-

(M.K. Iyer)
Member

sd/-

(A.S. Bakshi)
Member

sd/-

(A.K. Singhal)
Member

sd/-

(Gireesh B. Pradhan)
Chairperson

