

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 63/RP/2016 alongwith I.A. No. 59/IA/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 : 14.12.2016

In the matter of:

Review of the Commission's order dated 12.4.2016 in Petition No. 104/TT/2013 under Regulation 103(1) of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

And in the matter of:

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

.....**Petitioner**

Vs

1. Bihar State Power (Holding) Company Limited
(Formerly Bihar State Electricity Board),
Bidyut Bhawan, Bailey road,
Patna-800 001, Bihar
2. West Bengal State Electricity Distribution Company Ltd.
Bidyut Bhawan, Bidhan Nagar Block DJ
Sector-II, Salt Lake City
Calcutta-700 091.
3. Grid Corporation of Orissa Ltd.
Shahid Nagar, Bhubaneswar-751 007.



4. Damodar Valley Corporation
DVC Tower, Maniktala Civic Centre,
VIP Road Calcutta-700 054.
5. Power Department, Government of Sikkim,
Gangtok- 737 101
6. Jharkhand State Electricity Board
In Front of Main Secretariat Doranda,
Ranchi-834 002.

.....Respondents

For petitioner : Shri Deepak Jain, Advocate, PGCIL
S.K. Venkatesan, PGCIL
Shri Rakesh Prasad, PGCIL
Shri M.M. Mondal, PGCIL
Shri K.K. jain, PGCIL
Shri Jasbir Singh, PGCIL
Shri S.S. Raju, PGCIL
Shri Amit yadav, PGCIL

For respondents : None

Interim Order

The instant review petition has been filed by the petitioner, Power Grid Corporation of India limited (PGCIL), for review of order dated 12.4.2016 in Petition No 104/TT/2013, whereby the Commission had determined the transmission tariff for "Asset I: Re conducting Ckt-I of 400 kV D/C Siliguri-Purnea (HTLS cond.) transmission line, Asset: 2 Re conducting Ckt-II of 400 kV D/C Siliguri-Purnea (HTLS cond.) transmission line under ERSS-I in Eastern Region for 2004-09 tariff period for Eastern Region for 2009-14 tariff period under Central Electricity Regulatory Commission



(Terms and Conditions of Tariff) Regulations, 2009 (referred as "2009 Tariff Regulations").

2. There was time over-run of 43 months in commissioning of the instant asset, 28.5 months of time over-run was condoned and the remaining 14.5 months was not condoned in the impugned order. Aggrieved by the said order, PGCIL has filed the instant review petition praying for condonation of the total time over-run of 43 months.

3. Learned counsel for PGCIL submitted that the High Tension Low Sag (HTLS) conductor was being used for the first time in India and funded by World Bank. The contract was awarded in September, 2010, after all necessary compliance with the World Bank, which was scheduled to be awarded around mid 2007, as per approved FR plan. After signing of the loan agreement with the World Bank, it took around 24 months to award the contract which again required the compliance and NOC from the World Bank. The petitioner had to modify the qualifying requirements as per requirement of the funding agency. There was delay of two years in finalization of contracts after draft bidding documents were forwarded to World Bank for their approval. Further, HTLS conductor was to be sourced through international competitive bidding route which was not available in India. Learned counsel requested to condone the complete delay in commissioning of the asset covered under Petition No. 104/TT/2013 and allow the IDC and IEDC claimed for the corresponding period.



4. Learned counsel further submitted that there is delay of 133 days in filing the instant review petition and that the delay is due to the time taken for getting from various departments and approval from the Management for filing the review petition. We are of the view that 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.

5. I.A. No.59/IA/2016 is disposed. The review petition is admitted. Issue notice to the respondents. PGCIL is directed to serve a copy of the petition on the beneficiaries by 16.12.2016 and the parties are directed complete the pleadings by 10.1.2017.

6. The review petition shall be listed for hearing on 19.1.2017.

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

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

