

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

I.A. No 3/2016

in

Petition No. 214/TT/2013

Coram:

Shri GireeshB. Pradhan, Chairperson

Shri A.K. Singhal, Member

ShriA.S. Bakshi, Member

Dr. M.K. Iyer, Member

Date of Hearing : 09.02.2016

Date of Order : 25.02.2016

In the matter of

I.A. No 3/2016

Application under regulation 61 of under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 to recall order dated 17.9.2015 in Petition No. 214/TT/2013.

And

In the matter of

Determination of transmission tariff for transmission lines connecting between Andhra Pradesh and other neighboring states pertaining to transmission Corporation Andhra Pradesh Limited, namely) 220 kV line from Chittoor to Thiruvallur, b) 220 kV line from Gooty to Bellary, and c) 220 kV line from Sullurpet to Gummidipundi d) 220 kV line from Tandur to Sedum for tariff period 2012-14 under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2009.

And in the matter of

Transmission Corporation of Andhra Pradesh Limited
Vidyut Soudha, Khairatabad
Hyderabad- 50082

....Petitioner

Vs

1. Karnataka Power Transmission Corporation Limited (KPTCL)
Kaveri Bhavan, Kempegowda Road
Bangalore -560 009

2. APPC
R.No. 451/A, A-Block
Vidyut Soudha, Khairatabad, Hyderabad-500 082.

3. Tamil Nadu Transmission Corporation Limited
144, Anna Salai, Chennai-600002

.....Respondents



For Petitioner : Shri S. Vallinayagam, Advocate, APTRANSCO
Shri N. Shiva Prasad, APTRANSCO

For Respondents : None

ORDER

Transmission Corporation of Andhra Pradesh Limited (APTRANSCO) has filed the Interlocutory Application No. 3/2016 seeking recall of the order dated 17.9.2015 in Petition No.214/TT/2013.

2. Earlier, APTRANSCO filed the Petition No. 214/TT/2013 seeking tariff for transmission lines connecting Andhra Pradesh and other neighbouring states and owned by APTRANSCO, namely) 220 kV line from Chittoor to Thiruvalam, b) 220 kV line from Gooty to Bellary, and c) 220 kV line from Sulurpet to Gummidipundid) 220 kV line from Tandur to Sedam for tariff block 2009-14 period, in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter "the 2009 Tariff Regulations").

3. Petition No. 214/TT/2013 was disposed vide order dated 17.9.2015 as the applicant had failed to submit the required information sought vide RoP dated 4.6.2015. The relevant extract of order is hereunder:-

"5. Petition was heard on 4.6.2015. The Commission directed the petitioner to submit the certain information on affidavit, with advance copy to the respondents, by 6.7.2015. The petitioner has not submitted required information as desired by the Commission vide record of Proceedings for hearing held on 4.6.2015, even after lapse of more than two months. The petition is incomplete and as such the instant petition is disposed of, with direction to the petitioners to file fresh petition with all the relevant information for determination of tariff of the inter-state transmission lines connecting two states, approval from concerned RPC."

4. APTRANSCO has submitted that the information sought vide letter dated 17.6.2014 was submitted through affidavit dated 31.7.2014. No further information or any clarification was sought from APTRANSCO. APTRANSCO has further that it



was not required to file any further information as no counter/reply was filed by the respondents.

5. The matter was heard on 9.2.2016. The learned counsel appearing on behalf of the applicant requested to recall the order dated 17.9.2015 in Petition No. 214/TT/2013 as all the information sought was submitted and determine the tariff in respect of transmission elements. The learned counsel for the applicant further requested to exempt the applicant from payment of fee for the I.A.

6. We have considered the submissions made by APTRANSCO. The petitioner's prayer for exemption of fee for the instant I.A. is allowed. As regards the ground for recall of the order, we find that the information filed by the petitioner was not in conformity with the details sought by the staff of the Commission vide letter dated 17.6.2014. In the absence of the said information particularly the details of the ARR approved by the state Commission and the line length of all the assets included in the ARR, it was not possible to grant the tariff and accordingly the petition was disposed of. We are not convinced with the argument of the learned counsel for the petitioner that tariff could have been granted on the basis of the information submitted vide affidavit dated 31.7.2014.

7. During the hearing learned counsel for the petitioner sought liberty to file the fresh petition containing all the relevant details and prayed that the fess already paid be adjusted.

8. Accordingly, APTRANSCO is directed to file a fresh petition seeking tariff for the instant assets alongwith all the relevant information sought vide letter dated 17.6.2014 within a period of one month. The filing fees deposited by the petitioner in Petition No. 214/TT/2013 shall be adjusted against the petition to be filed.



9. IA No. 3/2016 in Petition No.214/TT/2013 is disposed of in terms of the above.

sd/-

sd/-

sd/-

sd/-

(Dr. M.K. Iyer)
Member

(A.S. Bakshi)
Member

(A.K. Singhal)
Member

(Gireesh B. Pradhan)
Chairperson

