

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 124/M/P/2017
alongwith I.A. No. 33 of 2017**

- Subject : Petition under Section 79 (1)(f) read with Section 79(1)(c) & (d), Section 38, Section 39, Section 40 and Section 60 of the Electricity Act, 2003 concerning the unjust, arbitrary and illegal terms imposed by Himachal Pradesh Power Transmission Corporation Limited and Allain Duhangan Hydro Power Limited for transmission of power by the petitioner on inter-state transmission lines operated by them.
- Date of hearing : 10.8.2017
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
- Petitioner : Kanchanjunga Power Company Pvt. Limited (KPCPL).
- Respondents : H.P. Power Transmission Corporation Ltd. and Others
- Parties present : Shri Sanjay Sen, Senior Advocate, KPCPL
Shri Jafar Alam, Advocate, KPCPL
Shri Vishal Binod, KPCPL
Shri Vijay Sharma, KPCPL
Shri Uday Pratap, KPCPL
Shri Anand K. Ganesan, Advocate, HPPCL
Shri I.P. Singh, HPPCL
Ms. Seema Jain, Advocate, ADHPL
Shri Sumit Garg, ADHPL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed inter-alia seeking declaration that the terms of the Interim Power Transmission Agreement dated 28.4.2016 entered into between the petitioner and Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) and Allain Duhangan Hydro Power Limited (ADHPL) as well as the invoices issued thereunder are void and non est in so far as they are inconsistent with the applicable inter-State transmission Regulations including the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, Central Electricity Regulatory Commission (Sharing

of inter-State Transmission Charges and Losses) Regulations, 2010 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

2. Learned counsel for the petitioner requested the Commission to tag the present petition along with Petition No.259/2010 filed by Everest Power Private Limited in terms of para 2 of the RoP dated 27.7.2017 in Petition No. 259/2010. Learned counsel for the respondents had no objection in this regard. Request was allowed by the Commission.

3. The petition shall be listed for hearing on maintainability as well as on merits on 14.9.2017 alongwith Petition No. 259/2010.

By order of the Commission
Sd/-
(T. Rout)
Chief (Legal)