

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 142/MP/2017**

Subject : Petition under Section 79(1) (c) and Section 79(1) (k) of the Electricity Act, 2003 read with Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term Access and Medium Term Open Access in inter-state Transmission and related matters) Regulations, 2009 and Regulation 111 – 113 (Inherent Powers) and Regulation 115 (Power To Remove Difficulties) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 with respect to applicability of Reliability Support Charges on the Petitioner in terms of the Order dated 16.5.2016 passed by this Hon'ble Commission in Petition No. 9/MP/2016.

Date of hearing : 22.8.2017

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

Petitioner : National High Power Test Laboratory Pvt. Ltd. (NHPTL)

Respondents : CTU and Others

Parties present : Ms. Swapna Seshadri, Advocate, NHPTL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present petition has been filed for setting aside the Reliability Support charges (RSC) bills raised by Central Transmission Utility (CTU) on the Petitioner. Learned counsel for the Petitioner further submitted as under:

(a) The Petitioner had filed Petition No.9/MP/2016 *inter-alia* for seeking connectivity for NHPTL's laboratory. The Commission vide order dated 16.5.2016 specifically held that the RSC shall be applied for the entire month when the reliability from the grid is taken by the Petitioner i.e. "*connected to the grid for its commercial business*".

(b) In terms of the order dated 16.5.2016, both the parties entered into the Connection Agreement on 25.5.2016. However, on 10.8.2016, CTU raised the PoC bill-1 amounting of Rs. 13,03,100/- for the month of July 2016. In response, the Petitioner vide its letter dated 20.8.2016 informed the CTU to levy bill only from the date of 1<sup>st</sup> commercial test as referred by the Commission in the said Order dated 16.5.2016. POSOCO vide its letter dated 3.2.2017 informed the Petitioner that the

RSC is payable corresponding to 50 MW capacity for the entire month and not linked with the commercial tests of the Petitioner.

(c) Despite several persuasions and attempts on the part of the Petitioner to resolve the issues, CTU and POSOCO have wrongfully levied the RSC from July 2016 onwards even though the Petitioner has not commenced its commercial operation. The Petitioner does not take any support from the grid and is not conducting any commercial tests, but still the RSC is being charged on the Petitioner.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

3. The Commission directed the Petitioner to serve the copy of the Petition on the Respondents immediately, if not served already. The Commission directed the Respondents to file their replies, by 13.9.2017, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 27.9.2017. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petition shall be listed for hearing on 12.10.2017.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**