

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 169/MP/2017
Along with I.A. No. 43/2017**

Subject : Petition seeking surrender / relinquishment of 170 MW (170 MW in WR) out of the total quantum of 683 MW granted under the Bulk Power Transmission Agreement dated 24.2.2010.

Date of hearing : 14.9.2017

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

Petitioner : SKS Power Generation Limited (SKSPGL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Matrugupta Mishra, Advocate, SKSPGL
Shri Nishant Kumar, Advocate, SKSPGL
Shri Saurav Srivastava, SKSPGL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking relinquishment of 170 MW LTA in Western Region (WR) out of the total quantum of 683 MW LTA granted under the Bulk Power Transmission Agreement (BPTA) dated 24.2.2010. Learned counsel for the Petitioner further submitted as under:

- (a) The Petitioner is setting up a 1200 (4x300MW) power plant at Raigarh in the State of Chhattisgarh.
- (b) On 24.2.2014, the Petitioner entered into a BPTA with PGCIL for 683 MW (319 MW - WR and 364 MW -NR). On 6.8.2012, the Petitioner signed the TSA with PGCIL.
- (c) The Petitioner vide its letter dated 31.5.2017 relinquished 170 MW LTA out of 319 MW LTA in WR due to *force majeure* events. PGCIL vide its letter dated 30.6.2017 requested the Petitioner to open a Letter of Credit (LC) to the extent of Rs. 37.5 crore towards the payment security mechanism for PoC charges, despite the fact that the transmission system as committed in the BPTA has not been commissioned. The said letter was issued by PGCIL in complete ignorance of the fact that the Petitioner vide its letter dated 31.5.2017 has already relinquished the 170 MW LTA.

(d) Learned counsel for the Petitioner requested the Commission to admit the Petition and issue notice to the Respondent.

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

3. The Commission directed the Petitioner to serve the copy of the Petition on the Respondent immediately, if not served already. The Commission directed the Respondent to file its reply, by 29.9.2017, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 17.10.2017. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petition and the I.A. shall be listed for hearing on 26.10.2017.

By order of the Commission

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