

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 245/MP/2016

Subject :Petition seeking fixation of and adjudication on the transmission charges for the proposed use of PGCIL's inter-State transmission facility of 400 kV Bhadravati sub-station for conveyance of 200 MW power from GMR Warora Energy Limited in terms of the PPA dated 17.3.2010.

Date of hearing : 17.1.2017

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Respondents : Powergrid Corporation of India Limited and Others

Parties present :Ms. Deepa Chavan, Advocate, MSEDCL
Shri Kiran Gandhi, Advocate, MSEDCL
Shri Ashok Chavan, Advocate, MSEDCL
Ms. Anubhuti, Advocate, GRM
Shri Swapnil Verma, PGCIL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking fixation of transmission charges on the long term intervening transmission facilities on 400 kV Bhadravati Chandrapur transmission line owned and operated by PGCIL for evacuation of 200 MW power from the 2x300 MW generating station of the GMR Warora Energy Limited (GWEL). Learned counsel for the petitioner further submitted as under:

(a) The petitioner made an application to MSETCL on 7.7.2010 for allotment of transmission capacity through Long Term Open Access (LTOA) under Maharashtra State Electricity Regulatory Commission (Transmission Open Access) Regulations, 2005 for evacuation of 200 MW power from GWEL's generating station. On 15.9.2016, MSETCL granted LTOA to the petitioner.

(b) On 19.10.2012, the petitioner made an application to MSETCL for grant of 200 MW connectivity from Warora Project through STU. MSEDCL informed MSETCL that it is the responsibility of MSETCL to evacuate power from bus bar of EMCO's generating station.

(c) In the 27th Standing Committee meeting held on 30.7.2007, EMCO had obtained connectivity for its 520 MW generating station on 400 kV Bhadravati sub-station. On 17.1.2009, EMCO entered into BPTA with PGCIL for 520 LTA. However, at the time of submitting RfP, EMCO did not disclose about

the connectivity granted by CTU as well as connectivity granted by STU for 2X135 MW.

(d) On 6.3.2013, the petitioner filed petition No. 34 of 2013 before the MERC seeking direction to MSETCL to grant connectivity from GWEL's generating station directly through the intra-State transmission system. However, MSETCL vide its letter dated 25.3.2013 confirmed that the petitioner has already been granted 200 MW LTA on intra-State transmission network and directed the petitioner to ask GWEL to apply for grid connectivity to the STU network. Based on the above letter, MERC vide its order dated 28.8.2013 held that the GWEL is responsible for establishing connectivity and access the State transmission network and GWEL will have to establish connectivity with the State transmission network and execute necessary connectivity agreement with the transmission licensee.

(e) Aggrieved by the decision of the MERC, the petitioner filed appeal before the Appellate Tribunal. Appellate Tribunal vide its judgment dated 8.5.2015 in Appeal No. 304 of 2013 set aside the order of the MERC dated 28.8.2013 and directed that (i) till the evacuation arrangement for off take of power from bus bar of EMCO's generating station is provided by MSEDCL, EMCO will supply power to MSEDCL through its dedicated transmission line through the inter-State transmission system, and (ii) during the period of power supplied to MSEDCL through inter-State transmission system, MSEDCL shall bear the transmission charges and losses for use of inter transmission line.

(f) As per the judgment of Appellate Tribunal, MSEDCL has to arrange the evacuation of power from the bus bar of EMCO's generating station. Therefore, MSEDCL seeks long term intervening transmission facility on the PGCIL 400 kV ISTS line from Bhadrawati to Chandrapur upto MSETCL's sub-station.

(g) Learned counsel submitted that in line with direction of the Appellate Tribunal and as a cost effective option, the petitioner is seeking permission for the use of intervening transmission facility for contract path on PGCIL's transmission line from Bhadrawati to Chandrapur for the conveyance of 200MW power from EMCO's generating station.

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 copy of the petition on the respondents immediately if already not served. The respondents were directed to file their replies by 17.2.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 28.2.2017. 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 shall be listed for hearing on 9.3.2017.

By order of the Commission

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