

**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 : 18.7.2017
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
- Petitioner : Maharashtra State Electricity Distribution Co. Limited (MSEDCL).
- Respondents : Power Grid Corporation of India Limited & Others.
- Parties present : Ms. Deepa Dhawan, Advocate, MSEDCL
Shri Kiran Gandhi, Advocate, MSEDCL
Shri A.S. Chavan, MSEDCL
Shri M.G. Ramachandran, Advocate, PGCIL
Ms. Anushree Bardhan, Advocate, PGCIL
Shri Vishrov Mukherjee, Advocate, GMRWEL
Ms. Raveena Dhamija, Advocate, GMRWEL
Shri Ajaya Kumar Nathini, GMRWEL

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).

2. Learned counsel for the petitioner submitted that the petitioner vide its letters dated 5.4.2017 and 29.4.2017 requested PGCIL to provide details relating to the transmission line which are germane to the issue of surplus capacity and for substantiating the claims made in the present petition. However, PGCIL has not provided the information sought. Learned counsel requested the Commission to direct

PGCIL to place on record, the information sought by the petitioner vide letter dated 5.4.2017.

3. Learned counsel for PGCIL objected to the information sought under Point 4 of the petitioner's letter dated 5.4.2017 and undertook to submit the following information mentioned in Points 1,2, 3 and 5 of the said letter to the petitioner:

i. Copy of the investment approval for 400 kV D/C Bhadravati-Chandrapur Transmission Line.

ii. Approval of the Standing Committee of the Central Electricity Authority in respect of 400 kV D/C Bhadravati-Chandrapur Transmission Line;

iii. Whether the activities for commissioning the 400 kV D/C Bhadravati-Chandrapur Transmission Line were advanced by Power Grid.

iv. System Studies conducted by Power Grid in respect of 400 kV D/C Bhadravati-Chandrapur Transmission Line.

4. Learned counsel for PGCIL submitted that the petitioner is seeking to invoke the provisions of the Electricity Act, 2003 (the Act) for PGCIL's transmission system namely, the 400 kV Bhadravati to Chandrapur on long term basis whereas for such long and continued use, the petitioner is required to follow the process of applying for and obtaining LTA under the applicable Open Access Regulations and cannot seek the intervening transmission facility under the Act.

5. Learned counsel for PGCIL further submitted that the petitioner is not entitled to claim the use of the 400kV Bhadravati to Chandrapur ISTS as Intervening Transmission Facility and the scope of Sections 35 and 36 of the Electricity Act, 2003 dealing with Intervening Transmission Facilities is limited and the intervening transmission system cannot be allowed to be used by way of an alternate to those permitted under the Open Access Regulations.

6. After hearing the learned counsel for the parties, the Commission directed PGCIL to provide by 8.8.2017, the above information sought by the petitioner. The Commission directed the petitioner to file its response, by 18.8.2017 with an advance copy to PGCIL who may file its comments, if any, by 31.8.2017. The Commission directed that due date of filing the response and comments should be strictly complied with. No extension shall be granted on that account.

7. The petition shall be listed for hearing on 6.9.2017.

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