

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.32/MP/2017

Subject :Petition under Section 79 (1) (c) and (f) of the Electricity Act, 2003 read with the provisions 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 Central Electricity Regulatory Commission(Sharing of Interstate Transmission Charges and Losses) Regulations, 2010.

AND

Non-payment of transmission charges by Himachal Sorang Power Private Ltd (HSPPL) pertaining to their LTA of 100 MW power to Northern Region.

Date of hearing : 25.4.2017

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

Petitioner : Power Grid Corporation of India Limited (PGCIL)

Respondents : Himachal Sarong Power Private Limited (HSPPL)and Others

Parties present : Ms. Swapna Seshadri, Advocate, PGCIL
Ms. Saloni Sacheti, Advocate, PGCIL
Shri Ajay Upadhyay, PGCIL
Shri A.M. Pavgi, PGCIL
Shri Y.K. Sehgal, PGCIL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking direction to Himachal Sarong Power Private Limited (HSPPL) to pay the past and current dues alongwith surcharge and establish the LC as payment security mechanism towards the transmission charges.

2. Learned counsel for the petitioner further submitted that HSPPL was granted 100 MW LTA on 17.7.2009 for a period of 25 years. On 21.10.2009, PGCIL entered into a BPTA with HSPPL for transmission of power from the project from May 2011 or actual date of commercial operation of first unit of the project, whichever was earlier. The LTA for 100 MW granted to HSPPL was operationalized w.e.f. 1.4.2012 i.e. from the date of commissioning of Karcham-Wangtoo transmission line made by Jaypee Powergrid Ltd. Learned counsel for the petitioner further submitted that HSPPL started making monthly payments regularly and also started clearing the outstanding dues till March, 2016.

Thereafter HSPPL suddenly stopped making payment of transmission charges and did not extend the Letter of Credit beyond May, 2016. Learned counsel for the petitioner submitted that as on 31.1.2017, Rs.29.28 crore is outstanding against HSPPL. Learned counsel for the petitioner submitted the HSPPL is not generating power at present.

2. Learned counsel for the petitioner requested the Commission to direct HSPPL to settle the transmission charges dues alongwith surcharge prior to allowing scheduling of its power.
3. After hearing the learned counsel for the petitioner,the Commission admitted the petition and directed to issue notice to the respondents.
4. 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 18.5.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 31.5.2017.
5. The Commission directed the petitioner to confirm on affidavit, by 18.5.2017, whether HSPPL is generating and supplying power under any form of access.
6. The Commission directed that due date of filing the replies, rejoinder and information should be strictly complied with.No extension shall be granted on that account.
7. The petition shall be listed for hearing on 6.7.2017.

By order of the Commission

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