

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

I.A. No. 23/IA/2017 in Review Petition No. 19/RP/2017

Subject : I.A. No. /IA/2017 in Review Petition No.19/RP/2017 in Petition No. 94/TT/2011 under Section 94(2) of the Electricity Act, 2003

Date of Hearing : 11.5.2017

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

Applicant : Greenko Budhil Hydro Power Pvt. Ltd.

Respondents : Power Grid Corporation of India Limited and 17 others

Parties present : Shri Matrugupta, Mishra, Advocate, GBHPPL
Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Jyoti, PGCIL
Shri A. M. Pavgi, PGCIL

Record of Proceedings

The learned counsel for Greenko Budhil Hydro Power Pvt. Ltd. (GBHPPL) submitted that despite a stay granted by the Commission on the payment of transmission charges, CTU by its letter dated 9.5.2017 has threatened to debar GBHPPL to avail Short-Term Open Access. Learned counsel requested to list the Review Petitions at the earliest and further submitted that PGCIL be restrained from taking any coercive action against GBHPPL pursuant to the letter dated 9.5.2017 pending disposal of the proceedings in the Review Petitions.

2. Learned counsel for PGCIL submitted that the stay was upto 3.11.2016 and GBHPPL has not obtained any further stay in the matter. Learned counsel for PGCIL submitted that apart from the transmission charges for the disputed period i.e. 1.11.2011 to 24.5.2012, GBHPPL has not been paying LTA since March, 2016 onwards. The learned counsel requested the Commission to direct GBHPPL to make payment of charges subject to adjustment on the outcome of the review petitions pending before the Commission.

3. The Commission observed that the IAs filed by GBHPPL seeking recall of the tariff order of the Commission have been converted into Review Petitions. The Review Petition shall be heard on 31.5.2017. The Commission observed that two of the Review Petitions were heard by the Commission consisting of two Members.



The Commission enquired from the learned counsels for GBHPPL and PGCIL as to whether they have any objection if all the Review Petitions are posted before the full Commission. The learned counsel for GBHPPL and PGCIL expressed no objection to the suggestion of the Commission to post all Review Petitions before the full Commission.

4. The Commission further directed GBHPPL to make atleast 50% of the outstanding LTA charges for the disputed period and if the matter is decided in favour of GBHPPL, the same shall be adjusted against the future transmission charges. Subject to compliance with this direction, the Commission directed PGCIL not to take any coercive measures to realise the balance transmission charges till further orders.

By order of the Commission

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T. Rout
Chief (Law)

