

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 153/MP/2017**

Subject : Petition under Section 79 (1)(d) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Open Access in Inter-state Transmission) Regulations, 2008 and its amendments for approval of Open Access charges for transmission and wheeling of power using Transmission and Distribution network of Damodar Valley Corporation.

Date of hearing : 25.7.2018

Coram : Shri P.K. Pujari, Chairperson  
Shri A.K. Singhal, Member  
Dr. M.K. Iyer, Member

Petitioner : Damodar Valley Corporation (DVC)

Respondents : Tata Steel Ltd. and Others

Parties present : Shri M.G. Ramachandran, Advocate, DVC  
Ms. Anushree Bardhan, Advocate, DVC  
Shri Shubham Arya, Advocate, DVC  
Shri Manoranjan Sahoo, DVC  
Shri Hasan Murtaza, Advocate, IPCL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present petition has been filed for determination of transmission/ wheeling charge for open access customers in West Bengal and Jharkhand region under the DVC command area for the financial years 2017-18 and 2018-19 pursuant to the Appellate Tribunal for Electricity judgment dated 23.11.2007 in Appeal Nos. 271, 272, 273, 275 of 2006 and 8 of 2007 wherein it was held that all transmission systems of DVC be considered as a unified inter-State transmission system.

2. Learned counsel appearing on behalf of India Power Corporation Ltd. (IPCL) submitted that the present petition is liable to be dismissed. Learned counsel further submitted that DVC vide its letter dated 13.6.2017 allowed the short-term open access for wheeling of 10 MW power by IPCL to its Luchipur Grid utilizing DVC's T&D network with a condition that IPCL would pay transmission charge @ 26.41 paise/Kwh on scheduled energy at DVC periphery. However, no transmission charge has been fixed by the Commission till date.

3. After hearing the learned counsels for the Petitioner and IPCL, the Commission directed the Petitioner to file the following information on an affidavit by 30.8.2018:

(a) Total contracted capacities in MW by all long-term and medium-term users of DVC T&D system in financial years 2017-18 and 2018-19;

(b) Category-wise contracted demand in MW in financial years 2017-18 and 2018-19; and

(c) Own and tied-up generation capacity by DVC in MW in financial years 2017-18 and 2018-19.

4. The Commission directed that due date of filing the information should be strictly complied with failing which the order shall be passed on the basis of the documents available on record.

5. Subject to the above, the Commission reserved order in the Petition.

**By order of the Commission**

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