

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 15/RP/2017 in Petition No. 156/TT/2015

Subject : Review Petition No. 15/RP/2017 seeking review of order dated 29.12.2016 in Petition No. 156/TT/2015.

Date of Hearing : 3.7.2018

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

Petitioner : NHPC Limited

Respondents : Parbati Koldam Transmission Company Limited and 3 others

Parties present : Shri Rajiv Shankar Dvivedi, Advocate, NHPC
Ms Arti Dvivedi , Advocate, NHPC
Shri Piyush Kumar, NHPC
Shri Amit Kapoor, Advocate, Advocate, PKTCL
Ms Aparajita Upadhyay, Advocate, PKTCL

Record of Proceedings

Learned counsel for NHPC submitted as under:-

- (a) The present dispute involves payment of IDC and IEDC charges for the period from 30.6.2015 to 2.11.2015 which was imposed on NHPC in the impugned order for the delay in commissioning of 400 kV bays in Parbati II Switchyard by NHPC.
- (b) The Parbati-II Switchyard was not necessarily required for commissioning of transmission assets of PKTCL as the line was required for alternate evacuation system of Parbati-III Power station, which is under commercial operation w.e.f 24.3.2014. The impugned order suffers from the defect of omission of this crucial and material fact, which was highlighted by review petitioner in its reply dated 30.1.2016.
- (c) The transmission asset was also to be used for evacuation of power from Sainj Hydro Project which was scheduled for commissioning in December 2014 as per minutes of connectivity / Long Term Access meeting dated 31.8.2013. The impugned order is silent on imposition of any penalty on Sainj HEP, which stands on the same footing as the review petitioner.
- (d) The transmission line constructed by PKTCL (ckt 2) was required for evacuation of power from Parbati-III (NHPC), Sainj (HPPCL), Parbati-II (NHPC). Due to non-commissioning of the transmission line, the 2nd evacuation bay of Parbati-II could



not be tested. Therefore, PKTCL cannot blame the review petitioner for delay in their transmission line.

- (e) The Commission in the impugned order has ignored the fact that 2nd ckt was meant for evacuation of power generated from Sainj HEP (HPPCL).
- (f) The non-availability of Parbati-II bay is used as an excuse for the delay in commissioning of transmission line by PKTCL.

2. Learned counsel for Parbati Koldam Transmission Company Limited (PKTCL) submitted that the present review petition is not maintainable as it fails to satisfy the requirement of Section 94 (1) (f) of the Electricity Act, 2003 read with Order 47 Rule 1 of CPC. It was further submitted that NHPC was well aware of the commissioning schedule of PKTCL's transmission asset. However, despite knowing the commissioning schedule of the transmission asset, NHPC failed to make available bays at its switchyard for commissioning of the transmission asset.

3. After hearing the parties, the Commission reserved the order in the petition.

By order of the Commission

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

