

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 194/MP/2017
Along with IA. No.24/2018 and IA. No. 25/2018**

Subject : Petition under Sections 61, 63, 79 (1) (c) and 79 (1) (f) of the Electricity Act, 2003 read with Article 16 of TSA and the tariff-based competitive bidding guidelines for transmission service, for claiming relief under TSA dated 14.3.2016 relating to implementation of the transmission Project Elements

Date of Hearing : 12.12.2018

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

Petitioner : North Karanpura Transco Limited

Respondents : Jharkhand Bijli Vitran Nigam Limited and Others

Parties present : Shri Sanjay Sen, Senior Advocate, NKTL
Shri Hemant Singh, Advocate, NKTL
Shri Jagdeep Dhankahar, Senior Advocate, MoC and CCL
Shri Anshuman, Advocate, MoC and CCL
Capt. KS Bhati, Advocate, CMPDI
Shri Kartikaya Vajpai, Advocate, CCL
Shri Bhavesh Kundalia, NKTL
Shri Shankar Saran, NTPC
Shri Shailendra Singh, NTPC
Shri Nishant Gupta, NTPC

Record of Proceeding

At the outset, learned senior counsel for the Ministry of Coal (MoC) and Central Coalfields Ltd. (CCL) informed that CCL has submitted its inputs on the survey report submitted by the Petitioner to MoC which is under consideration. However, MoC needs further time to evaluate the report.

2. Learned senior counsel for the Petitioner submitted as under:

(a) The Petitioner has continued to take steps towards securing NOC for implementing the project and has also complied with the various directions issued by the Commission from time to time.

(b) After taking all appropriate measures, it appears that route from NKTSTPP to Chandwa and Gaya Route can be finalized by MoC/CCL by grant of NOC. However, on the Gaya route, another coal block belonging to a private group, i.e. M/s Usha Martin, exists. The Petitioner has already taken up the matter with M/s Usha Martin for NoC for this route and is hopeful of reaching an amicable solution. In the alternate scenario of not being able to get a NoC from M/s Usha

Martin, the Petitioner can construct Multi Circuit Towers on the NKTSTPP-Chandwa route for evacuation of power towards Chandwa and Gaya.

(c) There is likelihood of change of scope of work for the Petitioner, for which the Petitioner shall approach the Commission for grant of revised scope.

(d) At present, the Petitioner having already taken several steps to complete the project in the most efficient and compressed time schedule, matching the requirement of NTPC's generating station.

(e) Learned counsel submitted that the Petitioner has filed an affidavit dated 10.12.2018 conveying its willingness to construct the project in a compressed time line and stated that it has withdrawn the notice of termination dated 13.4.2018 and sought liberty to withdraw the application for amendment to the petition (filed on 21.4.2018). Further, the Petitioner has issued letters to LTTCs on 10.12.2018 indicating withdrawal of its earlier Notice of Termination dated 13.4.2018.

3. The representative of NTPC informed that a meeting was convened by Ministry of Power on 28.11.2018 to discuss issues related to the said project. Referring to the minutes of the meeting, the representative of NTPC further informed that it was decided during the meeting that PGCIL shall take up construction of one D/C North Karanpura-Chandwa line on priority basis to match with the commissioning timelines considering it as dedicated line of North Karanpura-Chandwa project. The Commission observed that PGCIL does not have NoC in this regard. In response, learned senior counsel for the Petitioner submitted that the Petitioner would be willing to implement the project in a compressed timeline through better mobilisation and faster execution once NoC is available.

4. Learned senior counsel sought permission to withdraw the IA No. 24/2018. Considering the submissions of the learned senior counsel, the Commission allowed the Petitioner to withdraw the notice of termination and amendment to the petition. Accordingly, the Commission disposed of the IA No. 24/2018.

5. The Commission directed the Ministry of Coal to submit its recommendation on the survey report at the earliest.

6. The Commission directed the LTTCs not to take any coercive measure till the next date of hearing and accordingly, disposed of IA No.25/2018 seeking continuation of the interim protection granted by the Commission.

7. The Petition shall be listed for hearing on 8.1.2019.

By order of the Commission

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