

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.238/MP/2017

Subject :Petition seeking extension in Project scheduled commercial operation date and increase in transmission charges due to unforeseen and uncontrollable events post award of ERSS-VI Transmission Scheme implemented by Darbhanga-Motihari Transmission Co. Ltd. under Tariff Based Competitive Bidding guidelines(Force Majeure events).

Date of hearing : 3.5.2018

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

Petitioner : Darbhanga-Motihari Transmission Company Limited

Respondents : Bihar State Power Transmission Company Limited and others

Parties present :Shri Prashanto Sen, Senior Advocate, DMTCL
Shri Shivanshu, Advocate, DMTCL
Shri Amal Nair, Advocate, DMTCL
Shri Neeraj Verma, DMTCL
Shri Neeraj Kumar, DMTCL
Shri Amit Kumar, DMTCL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that none of the respondents have filed their replies despite notice. Learned senior counsel for the Petitioner further submitted that as per the RfP and the Survey Report issued by PFC Consulting Limited (PFCCL), there were no forest areas in the route of transmission lines. However, while executing the project, the Petitioner encountered forest areas throughout the route of transmission lines. Learned senior counsel requested the Commission to implead PFCCL as party to the petition. Request was allowed by the Commission.

2. The Commission directed the Petitioner to file revised memo of parties on an affidavit, on or before 25.5.2018.

3. The Commission directed the Petitioner to serve copy of the petition on PFCCL immediately. The Commission further directed the respondents including PFCCL to file their replies, by 31.5.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.6.2018. The Commission directed that due date of filing the replies

and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petition shall be listed for hearing on 24.7.2018.

By order of the Commission

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