

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 253/MP/2017

Subject : Petition seeking surrender/relinquishment of LTA of 513 MW (149 MW in WR and 364 MW in NR) out of the total LTA quantum of 683 MW granted under the Bulk Power Transmission Agreement dated 24.2.2010.

Date of hearing : 9.1.2018

Petitioner : SKS Power Generation (Chhattisgarh) Limited

Respondent : Power Grid Corporation of India Limited

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

Parties present : Shri Ramji Srinivasan, Senior Advocate, SKS Power
Shri Matrugupta Mishra, Advocate, SKS Power
Shri Nishant Kumar, Advocate, SKS Power
Shri Sahil Yadav, Advocate, SKS Power
Ms. Shikha Ohri, Advocate, SKS Power
Shri Saurab Srivastav, SKS Power
Shri Sitesh Mukherjee, Advocate, PGCIL
Shri Deep Rao, Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL
Shri Swapnil Verma, PGCIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that despite the Commission's directions, PGCIL has not filed its reply to the Petition.

2. Learned counsel for PGCIL requested for three weeks time to file the reply. Request was allowed by the Commission.

3. Learned counsel for PGCIL submitted that the Petitioner through its various letters has communicated that it has relinquished the LTA capacity without liability to pay the relinquishment charges on account of force majeure event. Learned counsel submitted that subject to the decision in the present case with regard to force majeure event, the Petitioner's request for relinquishment can be accepted if the Petitioner accepts the liability to pay the transmission charges in the light of decision in Petition No.92/MP/2015. Learned counsel submitted that the Petitioner agreed that the relinquishment of LTA capacity shall be subject to the decision of the Commission in Petition No. 92/MP/2015.

4. Learned senior counsel for the Petitioner requested that the interim protection granted by the Commission vide RoP dated 21.12.2017 be continued till the next date of hearing. The request was allowed by the Commission.

5. The Commission directed PGCIL to file its reply, by 31.1.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 15.2.2018. The Commission directed that due date of filing the reply and rejoinders should be strictly complied with. No extension shall be granted on that account.

6. Learned counsel for PGCIL submitted that the issues involved in the present Petition are similar to Petition No.169/MP/2017 and requested to list both the petitions for hearing together.

7. The Commission directed to list the present Petition for hearing on 27.2.2018 alongwith the Petition No. 169/MP/2017.

By order of the Commission

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