

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Review Petition No. 8/RP/2017 in Petition No. 312/TT/2014**

Subject : Review of order dated 19.12.2016 in Petition No. 312/TT/2014 under Section 94 of the Electricity Act, 2003 read with Order 47 Rule 1 of the Code of Civil Procedure, 1908 and Regulation 103, 111 and 114 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999

Applicant : NTPC Limited

Respondents : Parbati Koldam Transmission Company Limited (PKTCL) &18 others

**And in the matter of:**

**Review Petition No. 9/RP/2017 in Petition No. 312/TT/2014**

Subject : Review of the Order dated 19.12.2016 passed by the Commission in Petition No. 312/TT/2014.

Date of Hearing : 9.1.2018

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

Applicant : Parbati Koldam Transmission Company Limited (PKTCL)

Respondents : Himachal Pradesh State Electricity Board & 19 others

Parties present : Shri M.G. Ramachandran, Advocate, NTPC  
Shri Poorva Saigal, Advocate, NTPC  
Shri M.K. Malviya, NTPC  
Shri Amit Kapoor, Advocate, PKTCL  
Ms. Nishtha Kumar, Advocate, PKTCL  
Ms. Aparajita Upadhyay, Advocate, PKTCL  
Shri Azad Akber, PKTCL  
Shri S.S. Raju, PGCIL

**Record of Proceedings**

Learned counsel for NTPC submitted that in the impugned order dated 19.12.2016, NTPC was held liable for payment of IDC and IEDC from 7.8.2014 and 14.8.2014 for Ckt-I and Ckt-II of Koldam-Ludhiana line respectively, till the date of usage of the Koldam-Ludhiana line i.e. 31.3.2015. The learned counsel submitted



that the switchyard at Koldam HEP was ready since July 2008 and was charged at 11 kV level. There was no cause or requirement for charging the switchyard at 400 kV level before 30.7.2014 until PKTCL informed NTPC regarding charging of Koldam-Ludhiana line. Subsequently, in the 34<sup>th</sup> Standing Committee Meeting of the Northern Region held on 8.8.2014, it was decided to utilize the Koldam-Ludhiana circuit and Koldam-Nalagarh corridor from Nalagarh by charging the Koldam switchyard as a pooling sub-station, providing additional corridor and enhancing reliability. Immediately after the decision in the Standing Committee Meeting on 8.8.2014, NTPC had taken up with CEA for clearance for charging of the switchyard at 400 kV level. Hence, the period between 8.8.2014 till 6.2.2015 was on account of necessary formalities to be completed for charging of the line at 400 kV. The time taken for getting the approval of the CEA till 17.10.2014 and by PGCIL for signing and thereafter executing the Connection Agreement as provided in the applicable Regulations till 6.2.2015 cannot be attributed as delay on the part of NTPC. As such NTPC is not liable to pay the IDC and IEDC for the period 7.8.2014 and 14.8.2014 for Ckt-I and Ckt-II respectively of Koldam-Ludhiana line to 31.3.2015.

2. The Commission directed that the matter shall be listed for hearing on 13.2.2018 for arguments by learned counsel for PKTCL.

By order of the Commission

Sd/-  
T. Rout  
Chief (Law)

