

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 198/TT/2017

Coram:

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

Date of Order : 13.06.2018

In the matter of

Determination of transmission tariff for **Asset-I:** ± 800 kV 3000 MW HVDC Pole-III and LILO of Bishwanath Chariali - Agra HVDC line for parallel operation of the HVDC station at Alipurduar, **Asset-II:** ± 800 kV 3000 MW HVDC Pole-IV along with Earth electrode station and Earth Electrode line at Alipurduar and Agra end, **Asset-III:** LILO of Bongaigaon-Siliguri 400 kV D/C line (quad) along with associated bays at Alipurduar, **Asset-IV:** LILO of Birpara-Salakati 220 kV D/C line along with associated bays at new pooling station in Alipurduar, **Asset-V:** 1x315 MVA 400/220 kV, ICT-I at Alipurduar, **Asset-VI:** 1x315 MVA 400/220 kV ICT-II at Alipurduar, **Asset-VII:** 1x125 MVA 400 kV bus reactor-I at Alipurduar and **Asset-VIII:** 1x125 MVA 400 kV bus reactor-II at Alipurduar from COD to 31.3.2019 under the transmission system associated with "Transmission System for development of pooling station in Northern part of West Bengal and transfer of power from Bhutan to NR/WR".

And in the matter of

Power Grid Corporation of India Limited,
"Saudamini", Plot No.2,
Sector-29, Gurgaon -122 001

.....**Petitioner**

Vs

1. Assam Electricity Grid Corporation Limited,
(Formerly Assam State Electricity Board),
Bijulee Bhawan, Paltan bazaar,
Guwahati-781 001, Assam
2. Meghalaya Energy Corporation Limited,
(Formerly Meghalaya State Electricity Board),



Short Round Road, "Lumjingshai",
Shillong-793 001, Meghalaya

3. Government of Arunachal Pradesh,
Vidyut Bhawan, Itanagar- 791111,
Arunachal Pradesh
4. Power and Electricity Department,
Government of Mizoram,
Aizawl, Mizoram
5. Manipur State Electricity Distribution Company Limited,
(Formerly Electricity Department, Government of Manipur),
Electricity Complex, Patta No. 1293 under 87 (2)
Khwai Bazar, Keishampat, Imphal, Manipur- 795001
6. Department of Power,
Government of Nagaland,
Kohima, Nagaland
7. Tripura State Electricity Corporation Limited,
Vidyut Bhawan, North Banamalipur,
Agartala, Tripura (W)-799 001, Tripura
8. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Shimla (HP)-171 004
9. Punjab State Power Corporation Limited,
Thermal Shed T-1A, Patiala
10. Haryana Power Purchase Centre,
IInd Floor, Shakti Bhawan, Sector-6,
Panchkula (Haryana)-134 109
11. Power Development Department,
Janipura Grid Station,
Jammu (Tawi)-180 007
12. Uttar Pradesh Power Corporation Limited,
10th Floor, Shakti Bhawan Extn., 14,
Ashok Marg, Lucknow-226 001
13. Delhi Transco Limited,
Shakti Sadan, Kotla Road (Near ITO), New Delhi



14. Chandigarh Administration,
Sector-9, Chandigarh
15. Uttarakhand Power Corporation Limited,
Urja Bhawan, Kanwali Road, Dehradun
16. Rajasthan Power Procurement Centre,
Vidyut Bhawan, Janpath, Jaipur
17. Ajmer Vidyut Vitran Nigam
Ltd. 400 KV GSS Building,
Ajmer Road, Heerapura, Jaipur
18. Jodhpur Vidyut Vitran Nigam
Ltd., 400 KV GSS Building,
Ajmer Road, Heerapura, Jaipur
19. Jaipur Vidyut Vitran Nigam
Ltd., 400 KV GSS Building,
Ajmer Road, Heerapura, Jaipur
20. North Central Railway, Allahabad
21. BSES Yamuna Power Limited,
Shakti Kiran Building,
Karkardooma, Delhi-110 092
22. BSES Rajdhani Power Limited,
BSES Bhawan, Nehru Place,
New Delhi
23. Tata Power Delhi Distribution Limited,
33 KV Substation Building, Hudson Lane, Kingsway Camp,
North Delhi-110 009
24. New Delhi Municipal Council,
Palika Kendra, Sansad Marg, New Delhi-110 002
25. Madhya Pradesh Power Management Company Limited,
Shakti Bhawan, Rampur,
Jabalpur-482 008
26. Maharashtra State Electricity Distribution Company Limited,
Prakashgad, 4th floor,
Andheri (East), Mumbai-400 052



27. Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhawan,
Race Course Road, Vadodara-390 007
28. Electricity Department, Government of Goa,
Vidyut Bhawan, Panaji, Near Mandvi Hotel,
Goa-403 001
29. Electricity Department,
Administration of Daman and Diu,
Daman-396 210
30. Electricity Department,
Administration of Dadra Nagar Haveli,
U.T., Silvassa-396 230
31. Chhattisgarh State Electricity Board,
P.O. Sunder Nagar, Dangania,
Raipur Chhattisgarh-492 013
32. Madhya Pradesh Audyogik Kendra Vikas Nigam (Indore) Limited,
3/54, Press Complex, Agra-Bombay Road,
Indore-452 008
33. Karnataka Power Transmission Corporation Limited, (KPTCL),
Kaveri Bhavan, Bangalore-560 009
34. Transmission Corporation of Andhra Pradesh
Limited, (APTRANSCO), Vidyut Soudha,
Hyderabad-500 082
35. Kerala State Electricity Board (KSEB),
Vaidyuthi Bhavanam, Pattom,
Thiruvananthapuram-695 004
36. Tamil Nadu Electricity Board (TNEB),
NPKRR Maaligai, 800, Anna Salai,
Chennai-600 002
37. Electricity Department,
Government of Pondicherry,
Pondicherry-605 001



38. Eastern Power Distribution Company of Andhra Pradesh Limited,
(APEPDCL) APEPDCL, P&T Colony, Seethmmadhara,
Vishakhapatam, Andhra Pradesh
39. Southern Power Distribution Company of Andhra Pradesh Limited, (APSPDCL),
Srinivasasa Kalyana Mandapam Backside, Tiruchanoor Road, Kesavayana Gunta,
Tirupati-517 501, Chittoor District, Andhra Pradesh
40. Central Power Distribution Company of Andhra Pradesh Limited, (APCPDCL),
Corporate Office, Mint Compound,
Hyderabad-500 063, Andhra Pradesh
41. Northern Power Distribution Company of Andhra Pradesh Limited, (APNPDCL),
Opposite NIT Petrol Pump, Chaitanyapuri, Kazipet,
Warangal-506 004, Andhra Pradesh
42. Bangalore Electricity Supply Company Limited (BESCOM),
Corporate Office, K.R.Circle,
Bangalore-506 001, Karnataka
43. Gulbarga Electricity Supply Company Limited (GESCOM),
Station Main Road, Gulbarga, Karnataka
44. Hubli Electricity Supply Company Limited (HESCOM),
Navanagar, PB Road, Hubli, Karnataka
45. Mescom Corporate Office,
Paradigm Plaza, AB Shetty
Circle, Mangalore-575 001,
Karnataka
46. Chamundeswari Electricity Supply Corporation Limited (CESC),
927, L J Avenue, Ground Floor,
New Kantharaj Urs Road, Saraswatipuram,
Mysore-570 009, Karanataka
47. Telangana State PC Committee Co-ordination Committee, (TSPCC)
TS Transco, R. No. 547/A Block, Somajiguda, Khairathabad,
Hyderabad-500 082, Andhra Pradesh
48. Andhra Pradesh Power Co-ordination Committee
Room No. 547, 5th Floor, Block-A,
Vidyut Soudha, Somajiguda, Khairathabad,
Hyderabad-500 082, Andhra Pradesh



49. Bihar State Electricity Board,
Vidyut Bhawan, Bailey Road,
Patna-800 001
50. West Bengal State Electricity Distribution Company Limited,
Bidyut Bhawan, Bidhan Nagar,
Block DJ, Sector-II, Salt Lake City, Kolkata-700 091
51. Grid Corporation of Orissa Limited,
Shahid Nagar, Bhubaneswar-751 007
52. Damodar Valley Corporation,
DVC Tower, Maniktala Civil Centre,
VIP Road, Kolkata-700054
53. Power Department,
Government of Sikkim, Gangtok-737 101
54. Jharkhand State Electricity Board,
In front of Main Secretariat,
Doranda, Ranchi-834 002
55. North Bihar Power Distribution Company Limited,
Vidyut Bhawan, Bailey Road,
Patna, Bihar-800 001
56. South Bihar Power Distribution Company Limited,
Vidyut Bhawan, Bailey Road,
Patna, Bihar-800 001
57. Tata Steel Limited,
Generation Office (W-175), Jamshedpur
Jharkhand
58. Maithan Power Limited,
MA-5, Gogna Colony, Maithan Dam Post Office,
District Dhanbad-828 207, Jharkhand
59. IND Barath Energy (Utkal) Limited,
Plot No. 30-A, Road No. 1,
Film Nagar, Jubilee Hills,
Hyderabad-500 033, Andhra Pradesh



60. AD Hydro Power Limited, Bhilwara
Towers, A-12, Sector-1,
Noida-201 301, Uttar Pradesh
61. Lanco Budhil Power Private Limited,
Plot No. 397, Udyog Vihar, Phase-III,
Gurgaon, Haryana
62. Himachal Sorang Power Private Limited,
D-7, Sector-1, Lane-1, 2nd Floor,
New Shimla, Shimla-171 009, Himachal Pradesh
63. MB Power (Madhya Pradesh) Limited (MBPMPL),
239, Okhla Industrial area, Phase-III,
New Delhi-110 020
64. Himachal Baspa Power Company Limited (HBPCL),
Karcham Wangtoo HEP, Sholtu Colony,
PO: Tapri, District Kinnaur-172 104, Himachal Pradesh
65. Jindal Power Limited,
6th Floor, MTNL Building,
8, Bhikaji Cama Place, New Delhi-110 066
66. KSK Mahanadi Power Company Limited,
8-2-293/82/A/431/A, Road No. 22, Jubilee Hills,
Hyderabad, Andhra Pradesh-500 033
67. PTC India Limited,
2nd Floor, NBCC Tower,
15, Bhikaji Cama Place, New Delhi-110 066
68. IL&FS Tamil Nadu Power Company Limited,
C. Pudhupettai Post, Parangipettai (Via),
Chidambaram (TK), Cuddalore-608 502, Tamil Nadu
69. Adani Power Limited,
10B, Sambhav Press Building, Judges Bungalow Road,
Badakdev, Ahmedabad-380 015
70. Torrent Power Limited,
Naranpura Zonal Office,
Sola Road, Ahmedabad-380 013



71. Heavy Water Board,
Vikram Sarabhai Bhavan,
5th Floor, Anushaktinagar,
Mumbai-400 094
72. ACB India Limited,
7th Floor, Corporate Tower, Ambience Mall, NH-8,
Gurgaon-122 001, Haryana
73. Emco Energy Limited,
Plot No.-F-5, Road No.-28,
Wagle Industrial Area,
Thane, Mumbai-400 604
74. Spectrum Coal and Power Limited,
7th Floor, Corporate Tower,
Ambience Mall, NH-8, Gurgaon-122 001, Haryana
75. BARC,
TRP, Post-Ghivali, District-Palghar,
Barc Plant Site,
District-Palghar-401 505, Maharashtra
76. Bharat Aluminium Company Limited, Captive
Power Plant, Balconagar, Korba-495 684
77. Dhariwal Infrastructure Limited,
C-6, Tadali Growth Centre, M.I.D.C.T,
District Chandrapur, Maharashtra-442 406
78. DB Power Limited,
Opposite Dena Bank, C-31, G-Block, 3rd Floor, Naman Corporate Link,
Bandra-Kurla Complex, Bandra (East),
Mumbai-400 051, Maharashtra
79. NEEPCO,
15, NBCC Tower, Bhikaji Cama Place, New Delhi
80. NHPC Limited,
NHPC Office Complex, Sector-33,
81. NTPC Limited
Core-7, Scope Complex,
New Delhi

.....Respondents



For the petitioner: Ms. Manju Gupta, PGCIL
Shri R.P. Jain, PGCIL
Ms. Supriya Singh, PGCIL
Shri Sudhir Agarwal, PGCIL
Shri Ashok Pal, PGCIL
Shri Vivek Kumar Singh, PGCIL
Shri Aryaman Saxena, PGCIL
Shri Rakesh Prasad, PGCIL
Shri B. Dash, PGCIL

For the Respondents: Shri Raj Kumar Mehta, Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Shri Jitendra Kumar Jha, NHPC Ltd.
Shri R.B. Sharma, Advocate, BRPL

ORDER

The petitioner, Power Grid Corporation of India Limited (PGCIL) has filed this petition for approval of the transmission tariff for transmission assets under the transmission system associated with “transmission system for development of pooling station in Northern part of West Bengal and transfer of power from Bhutan to NR/WR” in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations"). The petitioner has also prayed for allowing 90% of the Annual Fixed Charges claimed, in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations.

2. The details of the elements covered in the petition are as follows:-

Asset	Name of the Asset	Scheduled COD	Actual COD	Time over-run
Asset-A (Asset I&II)	+/-800 kV 3000 MW HVDC POLE-III and LILO of Bishwanath Chariali - Agra HVDC line for parallel operation of the HVDC station at Alipurduar and Earth electrode station and Earth Electrode line at Alipurduar and Agra end and +/-800	15.1.2015	21.9.2017	32 months and 6 days



	kV 3000 MW HVDC POLE-IV at Alipurduar and Agra.			
Asset-B (Asset-III to VIII)	LILO of Bongaigaon-Siliguri 400 kV D/C line (quad), LILO of Birpara-Salakati 220 kV D/C line, 315 MVA 400/220 kV, ICT-I&II and 1x125 MVAr 400 kV Bus Reactor-I&II alongwith associated bays at Alipurduar HVDC station.			

3. During the hearing on 27.2.2018, the representative of the petitioner submitted that the instant assets were put into commercial operation on 21.9.2017 and requested for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for the instant assets. Learned counsel for GRIDCO sought two weeks to file reply to the petition. Learned counsel for BRPL submitted that reply in the matter was filed on 22.2.2018 and submitted that it is not clear whether the communication system is fully established and the same needs to be confirmed by ERLDC and NRLDC. In response, the representative of the petitioner submitted that the instant assets are complete in all respects and accordingly COD letter, CMD certificate, CEA certificate and RLDC/NLDC certificate has been submitted vide affidavit dated 21.9.2017.

4. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter State Transmission charges and losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff,



publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7(4) of the 2014 Tariff Regulations provides that such an application shall be filed as per Annexure-I of the 2014 Tariff Regulations.

5. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of 2004 Regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

6. We have considered the submissions of the petitioner. The instant petition covers ± 800 kV Biswanath Chariyali-Agra HVDC Pole-III and Pole IV along with associated bays at Alipurduar HVDC Station, LILO of Bongaigaon-Siliguri 400 kV D/C line, LILO of Birpara-Salakati 220 kV D/C line, 400/220 kV ICTs and 400 kV Bus Reactors at Alipurduar. The AFC under Regulation 7(7) of the 2014 Tariff Regulations was allowed for ± 800 kV Biswanath Chariyali-Agra HVDC Pole-I vide order dated 8.1.2016 and 3.3.2016 and Pole-II vide order dated 27.12.2016. The Commission in order dated 8.1.2016 observed that ± 800 kV Biswanath Chariyali-Agra HVDC Pole-I is a national asset and the transmission charges of the said asset should be borne by all the DICs of all the five regions in accordance with the 2010 Sharing Regulations. The petitioner was further directed to approach the Monitoring Committee of the PSDF to avail financial assistance in the form of grant so as to reduce the burden of transmission charges on the DICs. The relevant portions of the Commission's orders dated 8.1.2016 and 3.3.2016 are given below:-



“30. Since, these assets are proposed to be considered as assets of national importance and all the regions are proposed to bear the transmission charges, we consider it necessary to hear the DICs of all the regions. Accordingly, we direct the petitioner to file a revised memo of parties and serve copy of the petition on the DICs (other than those on whom petition has already been served) by 18.1.2016. The hearing of the petition will take place on 28.1.2016 and all DICs are directed to participate in the hearing and share their views.

31. Recovery of the transmission charges determined through this order shall be made as per the principle/methodology to be decided by the Commission after hearing all DICs.”

Further, while revising the tariff allowed vide order dated 8.1.2016, the Commission in order dated 3.3.2016 has observed as under:-

“The learned counsel for the petitioner submitted that the petitioner is facing cash flow problem in view of the non-inclusion of the charges in the PoC and requested that subject to final decision of the Commission with regard to sharing of the Transmission Charges, the tariff approved under Regulation 7(7) of the 2014 Tariff Regulation be included in the PoC charges for the quarter January to March, 2016. We have considered the prayer of the petitioner. The Commission will pass the final order in the matter after hearing the DICs on completion of the pleadings. Since the process will take some time, the petitioner should not be allowed to suffer on account of non-recovery of transmission charges. Accordingly, we direct that the transmission charges allowed in para 6 of this order shall be provisionally recovered from DICs of all regions in accordance with the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time, subject to the final decision of the Commission in the present petition. It is further directed that any grant/assistance received from Government of India/PSDF Fund shall be applied to reduce the cost of the assets and consequently, the transmission charges of these assets. We direct PGCIL to pursue the matter in the right earnest for early release of grant/assistance.”

The petitioner vide affidavit dated 21.9.2017 has submitted that the Ministry of Power, Government of India has sanctioned the grant from PSDF towards transmission system associated with “North East-Northern/Western interconnector-I project” and “Transmission system for development of pooling station in Northern part of West Bengal and transfer of power from Bhutan to NR/WR” vide order no. 10/1/2014-OM dated 10.3.2017. Further, the petitioner has submitted that the process for disbursement of PSDF grant as indicated in the sanction letter/guidelines of PSDF has been initiated by the petitioner and the disbursement of grant is expected in financial year 2017-18.



7. Reply has been filed by M.P. Power Management Company Limited (MPPMCL), Respondent No.25, vide affidavit dated 22.9.2017, Uttar Pradesh Power Corporation Limited (UPPCL), Respondent No.12, vide affidavit dated 16.11.2017, BSES Rajdhani Power Limited (BRPL), Respondent No. 22, vide affidavit dated 22.2.2018. The petitioner has filed rejoinder to the reply of UPPCL and MPPMCL vide affidavit dated 23.2.2018. Issues raised by respondents and the clarifications given by the petitioner will be considered at the time of grant of final tariff. In compliance of the direction of the Commission in Record of Proceedings dated 26.9.2017, CEA and POSOCO vide their letters dated 5.2.2018 and 4.12.2017 respectively have submitted their comments on the usefulness of the assets. After carrying out preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time over-run, we are inclined to grant AFC for the assets covered in the instant petition in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in para 8 of this order for the years 2017-18 and 2018-19.

8. The details of the tariff claimed by the petitioner and tariff allowed are as under:-

A. Annual transmission charges claimed by the petitioner vide affidavit dated 23.2.2018 are as follows:-

Particulars	(₹ in lakh)	
	2017-18	2018-19
Asset-A (Asset I & II)	27855.83	55974.71
Asset-B (Asset III to VIII)	3126.11	6498.32



B. Annual transmission allowed are as follows:-

Particulars	(₹ in lakh)	
	2017-18	2018-19
Asset-A (Asset I & II)	22284.66	44779.76
Asset-B (Asset III to VIII)	2500.88	5198.65

9. The AFC allowed in this order shall be applicable from the date of commercial operation of the transmission system and the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as amended from time to time. Further, the transmission charges allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

10. The respondents are directed to file their reply by 6.7.2018 with an advance copy to the petitioner who shall file its rejoinder, if any by 23.7.2018. The parties shall comply with the above directions within the due dates mentioned above and no extension of time shall be granted.

11. The petition shall be listed for final hearing on 16.8.2018.

sd/-
(Dr. M.K. Iyer)
Member

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(P.K. Pujari)
Chairperson

