

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 183/TT/2016

Subject : Petition for approval of transmission tariff for three Assets under Sikkim Generation Projects Part-B in Eastern Region.

Date of Hearing : 12.9.2019

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

Petitioner : Power Grid Corporation of India Ltd.

Respondents : Gati Infrastructure Chuzachen Ltd. (GICL) and 12 others

Parties present : Shri M.G Ramachandran, Sr. Advocate, DEPL
Ms. Swapna Sheshdari, Advocate, DEPL
Shri Amal Nair, Advocate, DEPL
Shri Vijay Kumar, Advocate, DEPL
Shri Ravi Kishore, Advocate, PTC
Ms. Rajshree Chaudhary, Advocate, PTC
Shri Ankur Gupta, Advocate, TPTL
Ms. Suparna Srivastav, Advocate, PGCIL
Shri Tushar Mehta, Advocate, PGCIL
Shri R.B Sharma, Advocate, BSP(H)CL,
Shri Mohit Mudgal, Advocate, BSP(H)CL,
Shri A.K Verma, PGCIL
Shri S. S. Raju, PGCIL
Shri Amit Yadav, PGCIL
Shri Dwarpayan Sen, PGCIL

Record of Proceedings

Learned counsel for PGCIL submitted that the tariff was granted for Asset-I: 220 kV D/C Rangpo-New Melli line and associated bays at Rangpo and New Melli alongwith one no. 220 kV bus coupler bay each at Rangpo and New Melli, Asset-II: one no. 31.5 MVAR bus reactor (1st) at New Melli and associated bay, and Asset-III: one no. 31.5 MVAR bus reactor (2nd) at New Melli and associated bay under Sikkim Generation Projects-Part-B under the 2014 Tariff Regulations vide order dated 14.11.2017, wherein it was held that the transmission charges of the said assets would be borne by JAL Power and DANS Energy Private Limited (DEPL). Against the said order, DEPL filed Review Petition No. 28/RP/2018 on the ground that sharing of transmission charges has been unfairly loaded on it and it should be spread amongst all the LTA grantees of the system. The said Review Petition was



allowed by the Commission with a direction to re-open Petition No. 183/TT/2016 on the issue of sharing of transmission charges.

2. Learned counsel for PGCIL submitted that Rangpo-New Melli line is in active use and DEPL has been evacuating its power through the same line under STOA. She further submitted that 220 kV D/C New Melli-Rangpo line was envisaged for utilization by multiple generators and was being utilized for evacuation of power under STOA. She submitted that the assets covered in the present petition are being used for undertaking STOA transactions by number of generators and the transmission system has not been included in the POC pool. She also submitted that these STOA charges are not included in the YTC computation and as such it is necessary that these assets should be included in the POC pool.

3. Learned senior counsel for DEPL submitted that its 96 MW generating station at Jorethang was put into commercial operation on 30.9.2015. DEPL entered into Bulk Power Transmission Agreement (BPTA) with the petitioner on 24.2.2010 for sharing the transmission charges of the common transmission system to evacuate the power and that in terms of the said BPTA, the LTA charges for the system are to be shared by DANS, PTC, Lanco, JAL Power, TT Energy, Shiga, M.B. Power, Gati Infrastructure and Gati Infrastructure Bhasmay Power. Hence, the transmission charges for the instant line should be shared by all the LTA grantees and cannot be loaded only DEPL. He submitted that DEPL has put into commercial operation its generating station and dedicated transmission line on 30.9.2015 and is evacuating the power through STOA on payment of charges for the same. He submitted that the petitioner has not operationalised the LTA and DEPL has been asked to pay the transmission charges besides the STOA charges paid by it. Learned senior counsel further submitted that the transmission charges of the instant transmission assets should be included in the PoC mechanism as suggested by PGCIL.

4. Learned counsel for Shiga submitted that it has a generating station of 97 MW at Tashiding District in Sikkim. She submitted that Shiga requested CEA and the petitioner to complete the Legship Sub-station and the transmission line from Legship to New Melli but due to delay caused by the petitioner, Shiga completed execution of both units as well as dedicated transmission line in December, 2016. She submitted that the petitioner did not operationalize its LTA because it had not executed the full transmission system and on execution of the same its LTA was operationalized on 23.2.2019. She further submitted they do not have any objection if the transmission charges of New Melli-Rangpo transmission line are included in the POC pool as suggested by PGCIL.

5. Learned counsel for TPTL submitted that COD of New Melli-Rangpo line or generation projects evacuating power through New Melli-Rangpo line have no link with the completion of transmission system of TPTL.

6. Learned counsel for BSPHCL submitted that whenever the generators decline to pay the transmission charges of the assets, the petitioner contends that the assets should be included in the PoC mechanism. He submitted that the transmission charges of this line should not be included in the POC charges and the same are required to be shared by the generators using the transmission line.



7. The Commission observed that DEPL and SEPL in their reply dated 14.5.2019 and 17.5.2019 respectively submitted that the transmission of the instant assets should not be included in the PoC pool and have to be paid by the defaulting party. However, now DEPL and SEPL are suggesting that the transmission charges should be included in the PoC mechanism and the Commission directed DEPL and SEPL to file their Written Submissions regarding inclusion of the transmission charges in POC pool with a copy of the same to the petitioner by 7.10.2019.

8. Subject to above, the Commission reserved the order in the matter.

By order of the Commission

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(V. Sreenivas)
Dy. Chief (Law)

