

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 203/TT/2016

- Subject** : Petition for determination of transmission tariff from COD to 31.3.2019 for 400 kV D/C Meja-Allahabad transmission line along with associated bays at Allahabad under Transmission System Associated with Meja TPS in Northern Region.
- Date of Hearing** : 28.2.2019
- Coram** : Shri P.K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member
- Petitioner** : Power Grid Corporation of India Ltd. (PGCIL)
- Respondents** : Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (RRVPL) and 19 others
- Parties present** : Shri Pallav Mongia, Advocate, PGCIL
Shri Mridul Chakravarty, Advocate, PGCIL
Shri R. B. Sharma, Advocate, BRPL
Shri Mohit Mudgal, Advocate, BRPL
Ms. Swapna Seshadri, Advocate, MUNPL
Shri S. K. Niranjana, PGCIL
Shri S.S. Raju, PGCIL
Shri Vivek Kumar Singh, PGCIL
Shri S. K. Venkatesan, PGCIL
Shri Amit Yadav, PGCIL
Shri Zafrul Hasan, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri Manoj Kumar Sharma, MUNPL

Record of Proceedings

The instant petition is listed as per the directions of the Hon'ble Appellate Tribunal for Electricity (APTEL) in judgement dated 28.9.2018 in Appeal No. 6 of 2018 for reconsideration of the Commission's order dated 5.10.2017 in Petition No.203/TT/2016 pertaining to the sharing of the transmission charges allowed in the said order.



2. The learned counsel for Meja Urja Nigam Private Limited (MUNPL) submitted that the Commission in order dated 5.10.2017 in Petition No. 203/TT/2016 held that MUNPL is liable to bear the entire transmission charges for the instant assets from their COD till the commissioning of the generating station by MUNPL. She submitted that the instant line is also being used by UPPTCL and hence the entire liability of this line cannot be imposed on MUNPL. She further submitted that in the 29th meeting of Standing Committee on Transmission System Planning of Northern Region and Long Term Access meeting held on 29.12.2010, it was informed that CEA and UPPCL evolved a composite transmission scheme for evacuation for power from Karchana, Bara and Meja TPS. She submitted that later NTPC requested to evolve associated transmission system for transfer of power from Meja TPS to the Northern Region beneficiaries other than Uttar Pradesh. Learned counsel submitted that in the 19th (Special) meeting of Northern Regional Power Committee dated 19.1.2011 it was decided that for evacuation of power from generation projects like Meja, Bara, Karchanna, etc., UPPTCL was developing an integrated transmission network. Thus, the instant assets are meant to be used by UPPTCL and hence UPPTCL should also share the transmission charges of the instant asset.

3. Referring to the Indemnification Agreement entered into between MUNPL and PGCIL dated 17.4.2013, learned counsel submitted that MUNPL's liability for payment is in terms of Articles 2 and 4 of the Agreement and it is restricted to IDC.

4. Learned counsel for PGCIL submitted that in the meeting of CE (SP &PA)-I CEA regarding evacuation of 2nd 660 MW unit of Bara 3 x 660 MW TS (Allahabad) UP, it was informed by CTU that Meja-Allahabad 400 kV D/C ISTS line is complete and charged from Allahabad PG 400 kV side. He submitted that the line is not commissioned due to delay in Meja generation project. In the said meeting it was proposed that if the line is utilized by UPPTCL, then UPPTCL would have to pay the fixed charges of this line till the commissioning of 1st unit of Meja generation. He submitted that no confirmation of the same was given by UPPTCL to PGCIL. As such the instant asset is treated as dedicated transmission line and MUNPL has to bear the transmission charges. Regarding Implementation Agreement, he submitted that Regulation will prevail over the Agreement.

5. After hearing the parties, the Commission reserved the order.

By order of the Commission

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

