

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 214/MP/2019**

Subject : Petition under Sections 79(1) (c) and 79 (1)(f) of the Electricity Act, 2003 read with Regulation 32 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 impugning the wrongful rejection of open access.

Petitioner : Tata Power Trading Company Limited (TPTCL)

Respondent : Power Grid Corporation of India Ltd.

Date of hearing : 15.10.2019

Coram : Shri P.K. Pujari, Chairperson  
Dr. M.K. Iyer, Member  
Shri I.S. Jha, Member

Parties present : Shri Vishrou Mukerjee, Advocate, TPTCL  
Ms. Aarushi, Advocate, TPTCL  
Shri Sarika Jerath, TPTCL  
Shri Laxmi Kant, PGCIL  
Dr. V. N, PGCIL  
Shri Siddharth Sharma, PGCIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed inter-alia for seeking declaration that procurement of power by TPTCL from Dagachhu Hydro Power Corporation (DHPC) is covered under Para 1.2 of the Ministry of Power Guidelines dated 18.12.2018 on Import/ Export of electricity and Regulation 3(3) of the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019 (CBTE Regulations) and no further/ additional permission is required under CBTE Regulations for onward sale of power in terms of Power Purchase Agreement entered into between TPTCL and DHPC . Learned counsel requested to issue notice to the Respondent.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondent.

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondent immediately. The Respondent was directed to file its reply, by 11.11.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 28.11.2019. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with.

4. Learned counsel for the Petitioner requested that till further order present arrangement of supply of power by TPTCL to WBSEDCL may be continued. Considering the submissions of the learned counsel for the Petitioner, the Commission directed PGCIL/POSOCO not to take any coercive measures against the Petitioner till further order.

5. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

**By order of the Commission**  
**Sd/-**  
**(T. D. Pant)**  
**Deputy Chief (Law**