

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 252/MP/2019

- Subject : Petition under Section 79 (1)(c) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking directions for implementing order dated 8.3.2019 by the Commission in Petition No. 92/MP/2015.
- Petitioner : Central Transmission Utility-Power Grid Corporation of India Ltd. (PGCIL)
- Respondents : Jindal India Thermal Power Limited and Ors.
- Date of Hearing : 16.10.2019
- Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member
- Parties Present : Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Sajna, Advocate, PGCIL
Dr V.N. Paranjape, PGCIL
Shri Ranjeet Singh, PGCIL
Shri K.K. Jain, PGCIL
Shri Hemant Singh, Advocate, JITPL, Adani Power, Corporate Power, Coastal Energy Pvt. Limited, SKS Power Generation, Simhapuri, Himachal Sorang Power Ltd., IL& FS.
Shri Molshree Bhatnagar, Advocate, MB Power
Shri Shreshth Sharma, Advocate, MB Power
Shri Abhishek Gupta, MB Power
Shri Naveen Kumar, MB Power
Ms. Shruti Verma, ESSAR

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking direction for implementation of the Commission's order dated 8.3.2019 in Petition No. 92/MP/2015. Learned counsel submitted that in the said order, the Commission has specified the methodology to calculate the stranded capacity (para 121) and the relinquishment charges payable by each relinquishing long-term customer (Para 132). Learned counsel submitted that as per the Commission's direction, on 20.5.2019, the Petitioner has published the calculation in accordance with the above methodology pertaining to stranded capacity and the relinquishment charges payable by the each relinquishing long-term customer on its website. However, Long-term Transmission Customers (LTTCs) have started raising the grievances regarding the calculations posted on the website and have sought various details/information relating to primary source data for computation of stranded capacity and resultant relinquishment charges. Learned counsel submitted



that some of the LTTCs have approached the APTEL against the said order dated 8.3.2019 and appeals are pending for adjudication. Learned counsel submitted that the Petitioner has not shared such details with the LTTCs as it was not required in terms of the order dated 8.3.2019.

2. Learned counsel appearing on behalf of the Respondents 1, 7, 20, 26, 27, 30, 39 and 43 referred to the orders of APTEL dated 4.7.2019 and 2.9.2019 in Appeals (Appeal No. 171/2019 and Appeal No. 250 of 2019) challenging the order dated 8.3.2019 in Petition No. 92/MP/2015 and submitted that merely on the basis of publishing the chart on its website, the Petitioner cannot insist upon the payment and the Petitioner is liable to provide details/data as sought by the Respondents for calculation purpose. Learned counsel submitted that since the issue on the subject is pending before APTEL, the Petitioner cannot seek direction for implementation of the order.

3. After hearing the learned counsels for the Petitioner and the Respondents, the Commission directed the Petitioner to provide all such details/data as available to it to the relinquishing LTTCs/generators.

4. Subject to the above, the Commission reserved order in the Petition.

By order of the Commission

**sd/-
(T.D. Pant)
Deputy Chief (Law)**

