

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 42/MP/2019**

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Regulations 8(5) and 8(6) of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, read with Clause 4 of the Bulk Power Transmission Agreement dated 8.1.2010; read with Clause 12 of the BPTA entered into between PGCIL and various Electricity Boards for the Western Region dated 31.03.1999; Clause 14 of the BPTA entered into between PGCIL and various State Electricity Boards for the Eastern Region dated 16.9.2004; and Clause 13 of the BPTA entered into between PGCIL and Haryana Vidyut Prasaran Nigam Limited for the Northern Region dated 16.10.2003 challenging the levy of Transmission Charges on East Central Railway by PGCIL.

Petitioner : East Central Railway

Respondents : Power Grid Corporation of India Limited and Others

Date of Hearing : 6.3.2019

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

Parties present : Ms. Prerna Priyadarshini, Advocate, ECR  
Ms. Priyashree Sharma, Advocate, ECR  
Ms. Suparna Srivastava, Advocate, PGCIL  
Ms. Anita A. Srivastava, PGCIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present petition has been filed for challenging the levy of transmission charges on the Petitioner by PGCIL for quantum of 819 MW Long Term Open Access and to set aside the invoices raised by PGCIL on the Petitioner from August, 2017 onwards.

2. Learned counsel for PGCIL accepted the notice and requested for time to file the reply.
3. After hearing the learned counsels for the parties, the Commission observed that Indian Railways is a deemed licensee under third proviso to Section 14 of the Electricity Act, 2003 and directed the learned counsel to clarify in which capacity the Petitioner, East Central Railways has filed the present petition.
4. Learned counsel for the Petitioner sought permission to amend memo of parties, which was allowed by the Commission.
5. The Commission admitted the Petition and directed to issue notice to the Respondents. The Commission directed the Petitioner to file revised memo of parties by

13.3.2019.

6. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. The Respondents were directed to file their replies by 25.3.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 12.4.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

7. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

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