

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 85/MP/2014

Subject : Petitions read with appropriate provisions of the CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and related matters) Regulations, 2009 and CERC (Sharing of Interstate Transmission Charges and Losses) Regulations, 2010. And in the matter of Non- payment of transmission charges pertaining to LTA of 119.19 MW power from Mejia Unit#8 (DVC) by Damodar Valley Corporation (DVC), Kolkata (Received by way of Remand from APTEL)

Petitioner : Power Grid Corporation of India Limited

Respondents : Damodar Valley Corporation and Others

Date of Hearing : 14.2.2019

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

Parties present : Shri Sitesh Mukherjee, Advocate, PGCIL
Shri Deep Rao, Advocate, PGCIL
Shri Divyanshu Bhatt, Advocate, PGCIL
Ms. Anita A. Srivastava, PGCIL
Shri Ashok Pal, PGCIL
Shri V. Srinivas, PGCIL
Shri Buddy Ranganadhan, Advocate, BYPL
Shri Sameer Singh, BYPL
Shri Abhishek Srivastava, BYPL
Shri Venkatesh, Advocate, DVC
Shri Samarth Kashyap, Advocate, DVC
Shri Somesh Srivastava, Advocate, DVC
Shri Vikas Maini, Advocate, DVC
Shri Sandeep Rajpurohit, Advocate, DVC
Shri Manas Das, POSOCO
Shri Subhendu Mukherjee, POSOCO
Shri Ashok Rajan, POSOCO
Shri G. Chakraborty, POSOCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the Hon'ble APTEL vide its order dated 10.1.2019 remanded the matter back to the Commission for a fresh hearing. Learned counsel further submitted as under:

(a) APTEL vide its order dated 10.1.2019 set aside the Commission's order dated 18.12.2017. However, APTEL did not analyze the matter on merits and left all contentions of all the parties open.

(b) The Petitioner has filed Interlocutory Application (IA) for seeking interim directions permitting the Petitioner to treat the LTA capacity of 119.19 MW as relinquished subject to payment of relinquishment charges in accordance with decision in Petition No.92/MP/2015.

2. Learned counsel for BYPL objected to the prayer of IA filed by the Petitioner and submitted that since, BYPL had never applied for LTA, there is no question of relinquishment of LTA. Learned counsel requested for time to file reply to the IA.

3. Learned counsel for DVC and representative of POSOCO requested for time to file their replies.

4. After hearing the learned counsels for the Petitioner, BYPL, DVC and the representative of POSOCO, the Commission directed the Respondents to file their replies by 8.3.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 20.3.2019. 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.

5. The Petition and IA 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)**