

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 106/MP/2019**

- Subject : Petition under Section 79 (1) (c) and 79 (1) (f) of the Electricity Act, 2003 read with the regulatory framework under the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term and Medium Term Open Access to the Inter-State Transmission and related matters), Regulations, 2009, as amended from time to time, seeking issuance of appropriate directions to the generators to execute the revised Implementation Agreements with fresh timelines for the expedient and efficient execution of the generation plants and the associated transmission system, which is being implemented by the Petitioner under the Uttarakhand Integrated Transmission Project (UITP) as deemed inter-State Transmission System (ISTS), that is required for providing Long Term Open Access (LTA) for evacuation of power from the said generation plants and to also enter into tripartite Long Term Access Agreements (LTA Agreements) with the Petitioner and the Central Transmission Utility.
- Petitioner : Power Transmission Corporation of Uttarakhand Limited (PTCUL)
- Respondents : Power Grid Corporation of India Limited (PGCIL) & Others
- Date of Hearing : 16.6.2020
- Coram : Shri P. K. Pujari, Chairperson  
Shri. I. S. Jha, Member  
Shri Arun Goyal, Member
- Parties present : Shri Sitesh Mukherjee, Advocate, PTCUL  
Shri Aryaman Saxena, Advocate, PTCUL  
Shri Vikas Sharma, PTCUL  
Mr. S.P. Arya, PTCUL  
Shri Himanshu Baliyan, PTCUL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Ms. Nehul Sharma, Advocate, PGCIL  
Ms. Jyoti Prasad, PGCIL  
Shri Mukesh Khanna, PGCIL  
Shri Rajesh Verma, PGCIL  
Ms. Swapna Seshadri, Advocate, NTPC  
Ms. Ritu Apurva, Advocate, NTPC  
Ms. Malvikay, NTPC  
Shri G. Umopathy, Advocate, LTUHL  
Shri Parteek Gupta, Advocate, LTUHL

## Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed seeking direction to the generators to execute the revised Implementation Agreements with fresh timelines for expedient and efficient execution of the generating stations and the associated transmission system, which is being implemented by the Petitioner under Uttarakhand Integrated Transmission Project (UITP) as deemed inter-State Transmission System and to direct the generators and CTU to enter into Tripartite Long-Term Access Agreements (LTAAAs) with revised timelines. Learned counsel further submitted as under:

(a) On 18.12.2019, a meeting regarding UITP was convened under the Chairmanship of Shri I. S. Jha, Member, CERC with the representatives of the Petitioner and the Respondents to discuss the issues involved in the Petition. In the said meeting, it was decided that the generators who have not applied for LTA to CTU should apply for LTA within 10 days and CTU shall grant LTA to these generators within 60 days as per provisions of Connectivity Regulations and Detailed Procedure made thereunder. Further, these generators or their beneficiaries shall sign Tripartite LTAAAs with CTU and the Petitioner and an Implementation Agreement with the Petitioner.

(b) Despite deliberations in the above said meeting, some generators/beneficiaries are yet to sign either the LTAAAs or the Implementation Agreement.

(c) As regards NTPC, while the Petitioner has signed the LTA Agreement, the only requirement is about intimation of the revised system for grant of connectivity and LTA. However, two beneficiaries, namely, Discom of Himachal Pradesh and Haryana Power Purchase Center are yet to sign the LTAAAs with CTU.

3. Learned counsel for the Respondent, CTU submitted as under:

(a) As per the Minutes of Meeting held on 18.12.2019, the generators, who had not applied for the LTA, were directed to make an application to CTU for grant of LTA. However, THDC Ltd. (Vishnugad-Pipalkoti HEP) and SJVN Ltd. (Devsari HEP) have not applied for LTA till date. Further, Lanco Mandakini Hydro Energy Private Limited is undergoing insolvency proceedings before the National Company Law Tribunal (NCLT).

(b) Out of the remaining three Projects, SJVN Ltd. has signed the Tripartite LTA Agreement with respect to Naitwar Mori HEP. As regards NTPC's Tapovan Vishnugad Project, draft format for LTA Agreement has been agreed to between the parties and signing of the same is being coordinated by NTPC with the beneficiaries. As regards L&T Uttaranchal Hydro Power Limited-Singoli Bhatwari HEP, the tripartite LTA Agreement has been signed by the CTU and the same has been sent to the Petitioner on 12.6.2020 for signing. Therefore, coordination for signing of the LTA Agreements at the end of CTU has been completed and now the Petitioner is required to further follow up with the concerned.

(c) Despite signing of the Tripartite LTA Agreement by SJVN Ltd. with respect to Naitwar Mori HEP, the contract for construction of transmission line from Naitwar Mori HEP to Dehradun has not been awarded as yet. Since the Project is expected to be commissioned by September, 2021, *prima-facie* it appears that there is a time gap of 18 months and the power may get bottled up. Accordingly, alternate arrangement has been sought by SJVN Ltd.

4. Learned counsel for the Respondent, NTPC submitted that pursuant to the meeting dated 18.12.2019, NTPC, vide its letter dated 18.2.2020, has already communicated to the Petitioner that its HEP is expected to achieve commercial operation between September to December, 2021 and the Petitioner vide its letter dated 28.5.2020 has forwarded the revised LTA Agreement. She further submitted that NTPC has sent the Agreements to the respective beneficiaries and they will sign the same accordingly.

5. Learned counsel for the Respondent, L&T Uttaranchal Hydro Power Limited (LTUHL) submitted that its Project was to be commissioned by 31.3.2020. However, due to nation-wide lockdown on account of Covid-19 pandemic, LTUHL could not commission its Project and it is likely to achieve commercial operation within two months.

6. After hearing the learned counsel for the parties, the Commission reserved order in matter.

**By the Order of the Commission**

Sd/-  
**(T.D.Pant)**  
**Deputy Chief (law)**