

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 182/MP/2020**

Subject : Petition under Section 79(1)(c), 79(1)(d), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 read with Articles 11 and 12 of the Transmission Service Agreement dated 20.11.2015, seeking monetary compensation on account of occurrence of force majeure and change in law events.

Petitioner : Odisha Generation Phase II Transmission Limited (OGPIITL)

Respondents : West Bengal State Electricity Distribution Company Limited and Ors.

Date of Hearing : 23.6.2020

Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Parties present : Shri Hemant Singh, Advocate OGPIITL  
Shri Anirban Mondal, Advocate, OGPIITL  
Shri TAN Reddy, OGPIITL  
Ms. Anisha

**Record of Proceedings**

The matter was listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed, *inter-alia*, seeking condonation of delay in achieving commercial operation date of 'OPGC-Jharsuguda 400 kV D/C Transmission Line' due to force majeure events and reimbursement of additional expenditure incurred in construction of 'Jharsuguda-Raipur 765 KV D/C Transmission Line' owing to Change in Law events including change in scope of work. Learned counsel for the Petitioner requested to issue notice to the Respondents.

3. Learned counsel for the Petitioner further submitted that the Jharsuguda-Raipur 765kv line achieved the commercial operation on 6.4.2019 i.e. around 4 months prior to its Scheduled Commercial Operation Date of 8.8.2019 and the same is recorded in the Minutes of Meeting of the Validation Committee. In response to a specific query of the Commission regarding approval of Jharsuguda- Raipur 765 KV line before SCOD, learned counsel for the Petitioner mentioned that it was approved by CEA and sought liberty to place on record a copy of CEA's approval and Minutes of Meeting of the Validation Committee.

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



5. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not already served. The Respondents were directed to file their reply by 16.7.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 31.7.2020. The due date of filing of reply and rejoinder should be strictly complied with.

6. The Commission further directed the Petitioner to submit the copy of approval of CEA regarding early commissioning of 765 kV D/C Jharsuguda-Raipur transmission line.

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.D. Pant)  
Deputy Chief (Law)**

