

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 266/TT/2019

- Subject** : Petition for identification of 132 kV Neapanagar (from 220 kV Neapanagar Sub-station, Madhya Pradesh to Dharni (132/33 kV Dharni Sub-station, MSETCL Amaravati Zone, Maharashtra) line as Inter-State Transmission System and determination of Inter-State Transmission Tariff for the 2019-24 Tariff Period, for inclusion in the POC Transmission Charges.
- Date of Hearing** : 13.7.2020
- Coram** : Shri. I.S. Jha, Member
Shri Arun Goyal, Member
- Petitioner** : Maharashtra State Electricity Transmission Company Ltd. (MSETCL)
- Respondents** : Power Grid Corporation of India Ltd. & Ors.
- Parties Present** : Shri M.G Ramachandran, Sr. Advocate, MPPTCL
Ms. Poorvi Saigal, Advocate, MPPTCL
Shri Shrikant Bapurao Petkar, MSETCL
Shri Swapnil Kolwadkar, MSETCL
Shri Sairam Sharma, MPPTCL

Record of Proceedings

The matter was heard through video conference.

2. The representative of the Petitioner submitted that the instant petition has been filed for approving the 132 kV Neapanagar to Dharni Transmission Line of Maharashtra State Electricity Transmission Company Limited (MSETCL) as an Inter-State Transmission System (ISTS) and for determination of tariff for the 2019-24 tariff period. He submitted that the instant line is connecting two states i.e. Maharashtra and Madhya Pradesh and hence it is a natural ISTS line.

3. The representative of the Petitioner submitted that the issue of declaring the instant asset as an ISTS line was raised in the 34th WRPC meeting and the 42nd SCM meeting held on 11.9.2017 and 17.11.2017 respectively, and it was recommended that MSETCL should approach the Commission. Similarly in the 36th WRPC meeting held on 22.6.2018, as no consensus was reached between MP and Maharashtra, WRPC asked Maharashtra to take up the issue before the Commission. Referring to



the Commission's order dated 14.3.2012 in Petition No. 15/Suo-Motu/2012, he submitted that the instant line is an ISTS as per Section 2(36) of the Electricity Act, 2003 and submitted that the instant petition is filed accordingly.

4. Learned senior counsel for Madhya Pradesh Power Transmission Company Ltd. (MPPTCL) submitted that the 132 kV Neapanagar-Dharni Transmission Line is a radial line and is not connected to any other transmission line. MSETCL has laid this line solely for the use of MSETCL. Therefore, since the line is a bilateral arrangement between MSETCL and Madhya Pradesh, the transmission charges should be adjusted bilaterally between them. He further submitted that in the 33rd WRPC Meeting held on 31.1.2017, it was agreed by MSETCL that the instant line will not be treated as ISTS or deemed ISTS line and now MSETCL appears to have changed its stand and is seeking transmission charges on the basis that the instant asset is an ISTS line. Learned senior counsel for MPPTCL submitted that if the subject line is declared as inter-State transmission line by the Commission, MPPMCL being a beneficiary of the ISTS network, would be liable to pay the ISTS charges, and MPPMCL should be made a party to the instant proceedings

5. In response to a query of the Commission, the representative of the Petitioner submitted that the instant line was put into commercial operation on 10.2.2017.

6. The Commission directed the Petitioner to implead MPPMCL, file revised Memo of Parties, serve a copy of the petition on MPPMCL and file proof of service by 4.8.2020 and also to submit the following information on affidavit with advance copy to the Respondents, by 18.8.2020:

- a. Whether the instant transmission line was included in the computation of ARR for the 2014-19 period and if it was not included, the reasons for not including the instant line. If the instant line was included in the ARR, why tariff is claimed for the instant line as an ISTS.
- b. Auditor's Certificate indicating Hard Cost, IDC and IDEC as well as element wise (i.e land, building, transmission line, sub-station, communication system) capital cost as on COD and additional capital expenditure.
- c. Complete set of Tariff Forms in line with Auditor's Certificate.
- d. Year wise discharge statement of IDC and IEDC, if any.
- e. Actual Debt-Equity ratio for the funding.
- f. Calculation of effective tax rate alongwith documentary evidence.

7. The Commission directed the Respondents to file their reply by 24.8.2020 and the petitioner to file rejoinder, if any, by 2.9.2020. The Commission also directed the parties to comply with the directions within the specified timelines and further observed that no extension of time shall be granted.



8. The petition shall be listed further in due course of time for which a separate notice will be issued.

By order of the Commission

sd/-
(V. Sreenivas)
Dy. Chief (Law)

