

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 16/MP/2023

- Subject** : Petition under Section 79 (1) (c), (d) and (f) of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 and Regulation 111 and 114 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for redetermination of Slab Rates for the period January 2020 to March 2020 i.e., Quarter 4 of 2019-20 determined vide Central Electricity Regulatory Commission Order No. L1/44/2010-CERC dated 4.2.2020.
- Date of Hearing** : 9.11.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : GRIDCO Limited
- Respondent** : Central Transmission Utility of India Limited (CTUIL) and 4 Ors.
- Parties present** : Shri Raj Kumar Mehta, Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Shri S. K. Maharana, GRIDCO
Shri C. K. Dash, GRIDCO & CTUIL
Shri Siddharth Sharma, CTUIL
Shri Gajendra Singh, NLDC & ERLDC
Shri Alok Mishra, NLDC & ERLDC
Ms. Debajyoti Majumdar, NLDC & ERLDC

Record of Proceedings

Learned counsel for the Petitioner submitted the instant petition has been filed for redetermination of slab rates for the period from January, 2020 to March, 2020 i.e. Quarter 4 of 2019-20.

2. Learned counsel for the Petitioner submitted that the Commission vide order No. L1/44/2010 dated 4.2.2020 considered the LTA quantum of Odisha of 1233.69 MW for computation of PoC slab rate of 449682 Rs./MW/month for the period from January to



March 2020. However, after the commissioning of the Petitioner's Darlipali CGS on 1.3.2020, the LTA of Odisha increased to 1675.80 MW due to the addition of 441.15 MW of LTA on account of Darlipali CGS. As a result, the PoC charges of Odisha increased from Rs. 55.52 crore to Rs. 75.36 crore. He further submitted that as per Grid Controller of India's website, the LTA of Odisha is 1223.69 MW and the Total cost Share is about Rs.57.80 crore for the period January, 2020 to March, 2020. Therefore, PoC Charge of Odisha should be Rs.57.80 crore prior to Slab Fixation. However, Odisha has been asked to pay PoC charges of Rs.75.36 crore.

3. Learned counsel for the Petitioner submitted that the Commission has amended its 2010 Sharing Regulations, on the premise that the difference between actual and forecasted scenarios for DICs gets evened out over a period of time, and the same may also be applied in the instant case.

4. The representative of ERLDC and NLDC made an oral submission that the slab rates are computed in the case of Odisha as per the standard practice, and Odisha is aware of this practice and that there is no error in the computation of Odisha's LTA and the slab rates. In response, the learned counsel for the Petitioner submitted that this aspect was not submitted by NLDC in its reply, and they should be directed to make these submissions on an affidavit so that he can confirm the same from his client and file a suitable response.

5. The Commission directed the representative of ERLDC and NLDC to submit its submission on an affidavit by 30.11.2023 with an advance copy to the Petitioner and the Petitioner to file its rejoinder, if any, by 18.12.2023. The Commission further observed that no request for an extension of time will be entertained and directed the parties to strictly comply with the above directions within the specified timeline.

6. The matter will be listed for final hearing on 24.1.2024.

By order of the Commission

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

