

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.187/MP/2023

- Subject : Petition under Sections 79(1)(c), (e) and (k) read with 17(3) and 18 of the Electricity Act, 2003 seeking amendment and transfer of Petitioner's Inter-State Transmission Licence.
- Date of Hearing : **18.8.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Essar Power Transmission Co. Ltd. (EPTCL)
- Respondents : Central Transmission Utility of India Ltd. (CTUIL) and 3 Ors.
- Parties Present : Shri Sanjay Sen, Sr. Advocate, EPTCL
Shri Amal Nair, Advocate, EPTCL
Ms. Shivani Verma, Advocate, EPTCL
Shri Hemant Singh, Advocate, ATL
Shri Lakshyajit Singh Bagdwal, Advocate, ATL
Shri Siddharth Sharma, CTUIL
Ms. Kavya Bhardwaj, CTUIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking, *inter alia*, an amendment to the inter-State transmission licence bearing No.4/Transmission/CERC dated 8.4.2008 as granted to the Petitioner by the Commission vide its order dated 10.4.2008 in Petition No. 157 of 2007. Learned senior counsel submitted that the Petitioner seeks to transfer its Stage-II Assets to Respondent No.3, Essar Transco Limited (ETL) through a scheme of demerger to be approved by the National Company Law Tribunal, Indore along with the corresponding licence. Learned senior counsel submitted that subsequent to the above, the Petitioner will transfer its entire equity shareholding in ETL to Respondent No.2, Adani Transmission Limited, or its subsidiary. However, the said transaction is not the subject matter of the present Petition. Learned senior counsel submitted that insofar the Stage-I Assets are concerned, they will continue to be owned and controlled by the Petitioner as per the existing transmission licence.

2. The representative of CTUIL submitted that since the present Petition has been filed under Section 18 of the Electricity Act, 2003, the Commission may also consider whether it meets the requirements specified thereof.

3. After hearing the learned senior counsel for the Petitioner and the representative of CTUIL, the Commission ordered as under:

- (a) Admit. Issue notice to the Respondents.



(b) The Respondents to file their replies to the Petition, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder, within three weeks thereafter.

(c) The Petitioner to comply with the procedures laid down under Section 18 (2) (a) of the Electricity Act, 2003 read with Regulations 19 and 7 of the Transmission Licence Regulations, and to file an affidavit with necessary information in compliance thereof.

(d) The Petitioner to clarify whether the demerger of EPTCL and vesting of Stage-II assets in ETL has been approved by NCLT. If yes, submit documentary proof of the same.

(e) CTUIL to submit its recommendation for an amendment to the transmission licence of the Petitioner.

4. The Petition shall be listed for hearing on **11.10.2023**

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**