

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 374/MP/2022

- Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 111, 112 and 119 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement / execution of the tariff order dated 21.11.2019 passed by the Commission in Petition No 158/TT/2018 directing bilateral billing and payment of Transmission Charges by the Respondent to the Petitioner on account of delay in commissioning of its downstream transmission network.
- Date of Hearing** : 15.5.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondents** : Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) and Anr.
- Parties Present** : Shri Shubham Arya, Advocate, PGCIL
Ms. Reeha Singh, Advocate, PGCIL
Ms. Sikha Sood, Advocate, PGCIL
Shri Md. Mohsin, PGCIL
Shri Arjun Malhotra, PGCIL
Shri Swapnil Verma, CTUIL
Shri Ranjeet S. Rajput, CTUIL

Record of Proceedings

The learned counsel for the Petitioner submitted that Commission in order dated 21.11.2019 in Petition No. 158/TT/2018 held HPPTCL liable to pay the transmission charges for 220 kV, 2 nos. line bays at Hamirpur Sub-station (Asset-2 in the said petition), from 31.3.2019 till the COD of the associated downstream transmission system under the scope of HPPTCL.

2. In response to a Commission's query, learned counsel for the Petitioner submitted that the Commission has powers of the civil courts and can execute and enforce its own orders and undertake all such steps as may be considered appropriate to ensure implementation of its tariff order. In this regard, he placed reliance upon the Hon'ble Supreme Court's judgment dated 8.10.2021 in Civil Appeal No. 1843 of 2021 in the matter of "*Maharashtra State Electricity Distribution Company Ltd vs. Maharashtra State Electricity*



Regulatory Commission” and requested to allow to place the said judgment and other similar judgements on record. He also submitted that the Commission can also initiate suo-motu action under Section 142 of the Electricity Act, 2003 to enforce its orders.

3. After hearing the learned counsel for the Petitioner, the Commission directed as follows:

- (a) Admit the petition.
- (b) Issue notice to the Respondents.
- (c) Serve a copy of the petition on the Respondents by 30.5.2023.
- (d) Respondents to file their reply by 23.6.2023 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 13.7.2023.

5. The instant petition will be listed for hearing on 16.8.2023.

By order of the Commission

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

