

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 638/MP/2020**

Subject : Petition under Section 79(1)(c)(d) and (f) of the Electricity Act, 2003 seeking adjudication of Reliability Support Charges (RSC) by Respondent No. 1&2, Central Transmission Utility and Power System Operation Corporation Limited in terms of the Para 33 of the Order dated 16.5.2016 in 9/MP/2016 and Para 24 of the Order dated 4.4.2018 in Petition No. 142/MP/2017.

Date of Hearing : 23.3.2023

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

Petitioner : National High Power Test Laboratory Private Limited (NHPTL)

Respondents : Central Transmission Utility (CTU) and 4 Ors.

Parties Present : Shri Anand Ganesan, Advocate, NHPTL  
Ms. Swapna Seshadri, Advocate, NHPTL  
Ms. Ritu Apurva, Advocate, NHPTL  
Ms. Archita Kashyap, Advocate, NHPTL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Shri Tushar Mathur, Advocate, CTUIL  
Ms. Ashta Jain, Advocate, CTUIL  
Ms. Divya Sharma, CTUIL  
Shri Debajyoti Majumdar, NLDC  
Shri Alok Mishra, NLDC

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, for revision of formula for applicability of Reliability Support Charges ('RSC') on the Petitioner. Learned counsel submitted that the Commission vide order dated 16.5.2016 in Petition No.9/MP/2016 had, *inter-alia*, held that since the Petitioner, an On-line High-Power Test Laboratory providing full range of short-circuit testing for transformers, would be levied RSC corresponding to 10,000 MVA multiplied by power factor of 0.005 as discussed in a meeting held on 11.3.2016 in this regard. Thereafter, in Petition No. 142/MP/2017 filed by the Petitioner, *inter-alia*, challenging the wrongful action of levying RSC prior to commercial operations/testing, the Commission in its order dated 4.4.2018, on the aspect of reduction/revision of RSC levied on the Petitioner, observed that in absence of the necessary information, the Commission was unable to take a view. Learned counsel submitted that the Petitioner has been functioning commercially from 1.7.2017 onwards, at no stage it has even reached close to 10,000 MVA (~ 50 MW) and thus, has been required to pay excessive RSC. Learned counsel submitted that the Petitioner has given the details of short-circuit power required for testing purpose

since July, 2017 and has, accordingly, prayed for refund of the excessive RSC paid by the Petitioner.

2. Learned counsel for the Respondent, CTUIL submitted that during the pendency of the Petition No.9/MP/2016 filed by the Petitioner earlier, the Commission had considered it appropriate to convene a meeting of the Respondents /concerned stakeholders and submit a report on the various aspects raised by the Petitioner therein. Consequently, a meeting in this regard was held on 11.3.2016 wherein the peculiarities of the Petitioner's operations, its inter-play with ISTS operation and the nature of charges that may be levied keeping in view the nature of its operation, etc. had been discussed and submitted before the Commission and the Commission, while passing the order dated 16.5.2016, had taken into the account the deliberations made in the said meeting. Learned counsel further submitted that during the proceedings in Petition No. 142/MP/2017 also, WRLDC had submitted the various operational data for assistance of the Commission in the said case and accordingly, in the present case also, similar consultative process as had been undertaken at the time of adjudicating Petition No. 9/MP/2016 and similar pattern studies as conducted by WRLDC during pendency of Petition No. 142/MP/2017 may be recommended to be undertaken so as to effectively and efficiently examine and adjudicate upon the Petitioner's pleas as made in the present case. Learned counsel also pointed out that under the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020, there is no longer a provision for levy of RSC under the PoC billing.

3. After hearing the learned counsel for the parties, the Commission directed the CTUIL to convene a meeting and to carry out necessary consultative process and pattern studies with the involvement of all the stakeholders, Petitioner and respondents, as had been undertaken during the previous Petitions filed by the Petitioner within a month and to file minutes/outcome thereof within two weeks thereafter. The Petitioner may also file its comments thereon, if any, within two weeks thereafter.

4. Subject to the above, the Commission reserved the matter for order.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**