

# CENTRAL ELECTRICITY REGULATORY COMMISSION

## Record of Proceedings

### PETITION No. 296/2010 (Suo-motu)

**Sub:** Request for extension of the Required Commercial Operation Date (RCOD) for execution of Western Region System Strengthening Scheme-II (Projects B & C).

Date of hearing : 7.12.2010

Coram : Dr. Pramod Deo, Chairperson  
Shri S.Jayaraman, Member  
Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member

Petitioner : Western Region Transmission (Gujarat) Pvt. Ltd.,  
Mumbai  
Western Region Transmission (Maharashtra) Pvt. Ltd.,  
Mumbai

Respondents : Power Grid Corporation of India Ltd. & Others

Parties present : Shri J.J.Bhatt, Senior Advocate for the petitioners  
Miss Anjali Chandurkar, Advocate for the petitioners  
Shri Sanjay Balakrishnan , Advocate for the petitioners  
Shri Hasan Murtarza, WRTP  
Shri Sudhir Mittal, PGCIL  
Shri Ajay Holani, PGCIL  
Miss Manju Gupta, PGCIL  
Shri Manoj Dubey, Advocate, MPPTCL  
Shri P.J.Jani, GUVVNL

The Commission in its orders dated 30.12.2008 in Petition No. 27/2008 and Petition No. 28/2008 had granted the transmission licence to Western Region Transmission (Maharashtra) Private Limited, Mumbai and Western Region Transmission (Gujarat) Private Limited, Mumbai for construction, commissioning, operation and maintenance of the transmission lines falling under Western Region System Strengthening Scheme-II (Project-B) and Western Region System

Strengthening Scheme-II (Project-C) respectively. The Commission had granted time till 31.12.2010 for achieving commercial operation of the project.

2. Learned Senior Counsel appearing for the petitioners submitted that construction period has got reduced by 10 months on account of delay in signing of the Power Transmission Agreement and receipt the approvals under Sections 68 and 164 of the Electricity Act, 2003 which are beyond the control of the petitioners. He submitted that the commissioning of the project 'B' and project 'C' be extended till September 2011 and June 2011 respectively. He further submitted that there would be no change in the transmission charges on account of the extension of Required Commercial Operation Date (RCOD) and the interest of the beneficiaries would not be adversely affected.

3. Learned Counsel for the MPPTCL submitted that the additional transmission charges on account of extension of RCOD should not be passed on to the beneficiaries.

4. The representative of the Gujarat Urja Vikas Nigam Limited (GUVNL) submitted that in regard to Project 'C', GUVNL had signed Transmission Service Agreement on 16.1.2009 i.e. within sixteen days from the date of issue of the order dated 31.12.2008 in Petition No. 28/2010. Therefore, it would not be fair and equitable to extend the RCOD on the same ground to the petitioner.

5. The representative of the GUVNL sought three week`s time to file its reply. The Commission directed GUVNL to submit its reply on affidavit latest by 20.12.2010, with an advance copy to the petitioner. The petitioner may file rejoinder, if any, latest by 27.12.2010.

6. Subject to above, order in the petition was reserved.

sd/-  
(T. Rout)  
Joint Chief (Law)