

# CENTRAL ELECTRICITY REGULATORY COMMISSION

## Record of Proceedings

### PETITION NO. 233/2009 with I..A.No. 56/2009

Sub: Grant of regulatory approval and other relief for execution of evacuation system required in connection with grant of long-term open access to group of developers

Date of hearing : 12.1.2010

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

Petitioner : Power Grid Corporation of India Ltd., Gurgaon

Respondents : Bihar State Electricity Board, Patna & Others

Parties present : Shri Subir Sen, PGCIL  
Shri Dilip Rozekar, PGCIL  
Shri Pankaj Kumar, PGCIL  
Shri U.K.Tyagi, PGCIL  
Shri M.M.Mondal, PGCIL  
Shri Prashant Kaul, PGCIL  
Shri Sanjay Sen, Advocate  
Shri R.B.Sharma, Advocate, BSEB  
Shri E.R.Kumar, Advocate, TNEB  
Shri V.B.K. Jain, MPCL  
Shri S.Smediratta, DB Power  
Shri Debasisa Rath, Lanco  
Shri Garg, Nav Bharat  
Shri Sanjeev K. Bhardwaj, A.Coal

Through this petition, the petitioner, Power Grid Corporation of India Limited has sought regulatory approval and other relief for execution of evacuation system required in connection with grant of long-term open access to group of developers.

2. The representative of the petitioner made in brief presentation about the proposed transmission corridor submitted that initially, more than 220 IPPs located in various clusters had sought open access for their projects. After filtering the applications of IPPs and in the light of subsequent discussion in the CEA's Standing Committee on transmission system planning and watching the

progress of project implementation, 90 projects were identified and accordingly, open access was granted. Out of the 90 projects, 48 projects required system strengthening. It was further submitted by the representative of the petitioner that only 30 BPTA's were initiated and one State had submitted a bank guarantee. He added that based on evacuation of power from these projects to the target regions, nine transmission corridors were identified. However, due to slow pace of bidding by the States for procurement of power, the buyers were not tied up yet. Accordingly, matter was taken up with FOR Secretariat to get the process expedited by the States. The representative of the petitioner submitted that the projects were expected to be commissioned in the period 2011-13, and due to shortage of time, request had been made for regulatory approval.

3. In response to Commission query in respect of progress of the generation project for which the transmission corridors were being planned, the representative of petitioner submitted that projects were in different stages of development and some IPPs had also requested for postponement of commissioning of their projects.

4. In reply to a query by the Commissions with regard to the approval of the transmission system and its utilization, the representative of the petitioner submitted that the transmission system was planned with the approval of the CEA to be completed in a phased manner. Moreover, the petitioner submitted that keeping in view the lesser utilization of the system is the initial stage, it has planned to charge 765 kV system at 400 kV initially.

5. The Commission directed the petitioner to seek the information regarding progress of the power projects from developers, verify it on the basis of different approvals by the competent authorities and the order placed for plants and equipments and hence seek for regulatory approval of those corridors which critically required and if, required in a phased way.

6. The Commission also directed the petitioner to prioritize the transmission system out of the proposed corridors depending upon the expected commissioning of the related generation projects and likelihood of the utilization of the transmission system on the commissioning. It was clarified that the petitioner may seek approval separately for different corridors/transmission systems depending upon their priority of completion.

7. On the issue raised by the respondents in regard to taking bank Guarantee, the Commission clarified that the petitioner should take Bank Guarantee in accordance with the provisions of Central Electricity Regulatory

Commission (Grant of Connectivity, Long-term Access and Medium-term open access in inter-State Transmission and related matters) Regulations, 2009 (the Regulations) under the BPTA even for the cases of open access prior to the Regulations.

8. Shri R. B. Sharma, Advocate appearing on behalf of BSEB submitted that copy of the affidavit filed by the petitioner had not received so far. The representative of the petitioner handed over the copy of the affidavit to the learned counsel. Learned counsel for the BSEB was allowed to file reply by 27.1.2010 with an advance copy to the petitioner, who may file its rejoinder, if any, by 10.2.2010.

9. The petition shall be re-notified on 25.2.1010.

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