

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Record of Proceedings**

**Petition No. 11/2010**

Subject: Miscellaneous petition seeking intervention of the Commission under Regulation 12 "Power to remove difficulties" and Regulation 13 "Power to Relax " of the CERC (Terms and Conditions of Tariff) Regulations, 2004 on the issue of payment of O & M charges to by Power Grid for the 400 kV bays erected by the Power grid at Board's Almathi sub-station and maintained by Tamil Nadu Electricity Board at Alamathi sub-station from the date of the commercial operation.

Date of hearing: 15.7.2010

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

Petitioner: Tamil Nadu Electricity Board, Chennai

Respondents: Power Grid Corporation of India Ltd.

Parties present: Shri S.Balaguru, TNEB  
Ms. Geetha, TNEB

The petitioner, TNEB has filed this petition seeking intervention of the Commission under Regulation 12 "Power to remove difficulties" and Regulation 13 "Power to Relax " of the CERC (Terms and Conditions of Tariff) Regulations, 2004 on the issue of payment of O & M charges by Power Grid for the 400 kV bays erected by the Power grid at Board's Almathi sub-station and maintained by Tamil Nadu Electricity Board at Alamathi sub-station from the date of the commercial operation.

2. The representative of the petitioner submitted as under:

(a) TNEB has undertaken the maintenance work of the 400 kV bays on behalf of the respondent, PGCIL.

(b) In terms of Sections 79 (1) (f) read with Section 79 (1)(c) of the Electricity Act, 2003 ('the Act'), the Commission has the power to adjudicate the disputes involving generating companies or transmission licensee in regard to matters connected with the regulation of inter-State transmission of electricity.

(c) In terms of Regulations 111 and 113 of the CERC (Conduct of Business) Regulations, 1999, the Commission, in the interest of justice, could consider the prayer of the petitioner.

(d) The tariff of the respondent PGCIL was determined as per norms specified by the Commission and O&M charges form part of the tariff component. Since TNEB had undertaken the said maintenance work, on behalf of the respondent, PGCIL it was entitled for O&M expenses, as per norms specified by the Commission.

3. On a query by the Commission as to whether the rate for maintenance of the bays at the sub-station was decided in the SRPC meeting and whether any contract agreement was entered into with the respondent PGCIL, the representative of the petitioner replied in the negative.

4. The Commission directed issuance of notice to the respondent, returnable by two weeks. The petitioner is directed to serve copy of the petition on the respondent, if not already served.

5. Matter to be listed for hearing on 12.8.2010

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