

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Record of Proceedings

Petition No. 105/TT/2012

- Subject** : Approval under Regulation 86 of CERC (Conduct of Business) Regulations, 1999 and CERC (Terms and Conditions of Tariff) Regulations, 2009 for determination of Transmission Tariff from DOCO to 31.3.2014 for (a) Kalpakkam PFBR – Sirucheri, D/C 230 kV line anticipated DOCO 1.11.2011 (b) Kalpakkam PFBR-Arani, D/C 230 kV line anticipated DOCO 1.3.2012 (c) Kalpakkam PFBR-Kanchipuram D/C 230kV lines anticipated DOCO 1.3.2012 under Transmission System associated with Kalpakkam PFBR (500 MW) in Southern Region.
- Date of Hearing** : 26.11.2013
- Coram** : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A. K. Singhal, Member
- Petitioner** : Power Grid Corporation of India Limited
- Respondent:** Tamil Nadu Electricity Board (TNEB) and 15 others
- Parties Present** : Shri M. M. Mondal, PGCIL
Shri Prashant Sharma, PGCIL
Shri B. K. Sahoo, PGCIL
Shri S. S. Raju, PGCIL
Ms. Sangeeta Edwards, PGCIL
Shri A. M. Pavgi, PGCIL
Shri V. Viswanathan, Respondent No. 16
Shri K. A. David, Respondent No. 16

The representative of the petitioner submitted as under:-

- a) The instant petition has been filed seeking transmission tariff for three transmission lines associated with Kalpakkam PFBR;
- b) As per the Investment Approval dated 17.3.2010, the instant assets were to be commissioned within 24 months from the date of IA, i.e. by 1.4.2012. Asset I and



II were commissioned on 1.4.2012 and Asset III was commissioned on 1.9.2012, after a delay of 5 months. The time over-run in case Asset-III is due to RoW problems and hence the time over-run may be condoned;

- c) The overall of the transmission system is within the FR cost; and
- d) Approve the transmission tariff as claimed in the petition.

2. The representative of Respondent No.16, Bharatiya Nabhikiya Vidyut Nigam Limited (BHAVINI) submitted an application seeking review of the Commission's order dated 29.3.2012 and the subsequent corrigendum dated 11.7.2012, wherein it was said that BHAVINI would bear the transmission charges from the date of commercial operation to the scheduled date of completion in accordance with the Indemnification Agreement (I.A.) entered into by BHAVINI and PGCIL. The Commission observed that the said application would be treated as a reply of BHAVINI.

3. The representative of BHAVINI submitted that as per the I.A., they have to pay the transmission charges for the transmission line between Kalpakkam PFBR – Sirucher, D/C 230 kV line only if it was commissioned before May, 2011. PGCIL could not commission the instant transmission line as agreed and hence alternate arrangement was made to source power from Madras Atomic Power Station (MAPS) to meet its urgent need of start-up power for commissioning of Kalpakkam PFBR. As the instant line was commissioned on 1.12.2011, they are not required to pay any transmission charges. However, the transmission charges for the period starting from 1.12.2011 to 31.3.2012 was paid as per the orders of the Commission under protest. The order allowing provisional transmission tariff may be partially reviewed and PGCIL may be directed to refund the transmission charges paid along with interest.

4. In response, the representative of the petitioner clarified that the instant transmission line was commissioned in advance as per the request and IA entered into with BHAVINI and hence BHAVINI has to pay the transmission charges.

5. The Commission directed both the petitioner and BHAVINI to submit copy of all the correspondence exchanged between them in this regard.

6. The Commission observed that there is cost over-run in case of Asset-III and directed the petitioner to file the reasons for cost over-run on affidavit before 16.11.2013, with a copy to the respondents.

7. Subject to the above, the Commission reserved the order in the petition.

By the order of the Commission,

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

