

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. MP/114/2014

- Subject** : Petition under section 79 (1) (c) of the Electricity Act, 2003 read with Regulation 54 “Power to Relax” and Regulation 55 “Power to Remove Difficulty” of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 and Regulation 24 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Section 67 (4) of the Electricity Act, 2003 to adjudicate the difference or dispute arisen with regard to the compensation, as detailed in the petition and seeking direction from this Commission relating to construction of 400/220 kV Yelahanka sub-station and LIL0 of Neelamangla-Hoody 400 kV S/C (Quad) line at 400/220 kV Yelahanka sub-station under System Strengthening in Southern Region- XIII and construction of Madhugiri- Yelahanka 400 kV D/C(Quad) line under System Strengthening in Southern Region- XIII.
- Date of hearing** : 24.7.2014
- Coram** : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
- Petitioner** : Power Grid Corporation of India Limited
- Respondents** : Bangalore Electricity Supply Company Limited and others
- Parties present** : Shri Sanjay Sen, Senior Advocate, PGCIL
Shri Ruth Elwen, Advocate, PGCIL
Ms. Seema Gupta, PGCIL
Shri Upendra Pande, PGCIL
Shri R.P. Padhi, PGCIL
Shri Amit Bhangere, PGCIL
Shri Rajsekher, PGCIL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed for seeking provisional tariff on the expenditure incurred by PGCIL on construction of System Strengthening in Southern Region-XII and 400 kV D/C Madhugiri-Yelahanka (Quad) transmission line till 31.3.2014 and adjudication of dispute between the petitioner and Govt. of Karnataka with regard to the compensation determined by the latter in terms of Section 67 (4) of the Electricity Act, 2003.

2. Learned senior counsel for the petitioner further submitted as under:

(a) Under the System Strengthening Scheme in Southern Region- XII and XIII, the petitioner has incurred expenditure of ₹ 220 crore and ₹ 86.66 crore respectively after getting investment approval on 25.2.2010 with a completion schedule of 32 months for the project i.e. June, 2014.

(b) The petitioner approached Deputy Commissioner and the Chief Secretary of the Govt. of Karnataka to resolve ROW issue and to render necessary support for the completion of the project.

(c) The petitioner also approached the High Court of Karnataka on 17.3.2013. The Hon'ble High Court vide its order dated 31.7.2013 directed the petitioner to deposit ₹ 6 crore which was deposited. Hon'ble High Court also directed the State Govt. to provide necessary protection/security in the execution of the project. However, the State Govt. has failed to provide necessary right of way to complete the transmission line.

(d) The project is getting delayed due to sever ROW problem. 4 km of stringing still remains to be completed otherwise the petitioner has completed construction of 25 towers.

(e) Under the circumstances, the petitioner finds no way to complete the projects and seeks recovery of expenditure already incurred in a suitable manner.

3. The Commission was constrained to observe that since the transmission line would benefit the State of Karnataka, the petitioner is expected to discuss with the Govt. of Karnataka and to resolve the issue.

4. The Commission directed to admit the petition and issue notice to the respondents.

5. The Commission directed the petitioner to serve copy of the petition on the respondents by 8.8.2014. The respondents were directed to file their replies by 28.8.2014 with an advance copy to the petitioner, who may file its rejoinder, if any, on or

before 11.9.2014.

6. The petition shall be listed for hearing on 18.9.2014.

By order of the Commission
Sd/-
(T. Rout)
Chief (Law)