

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 419/MP/2014
with IA. No. 58/2014**

Subject : Petition on behalf of Raichur Sholapur Transmission Company Limited under Transmission Service Agreement dated 4.8.2010 read with Section 79 (1) (f) of the Electricity Act, 2003.

Date of hearing : 31.10.2014

Coram : Shri Gireesh B.Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member

Petitioner : Raichur Sholapur Transmission Company Limited (RSTCL).

Respondents : Power Grid Corporation of India Ltd and others

Parties present : Shri G. Sai Kumar, Advocate, RSTCL
Shri Birender K.Singh, RSTCL
Shri A.M.Pavgi, PGCIL
Shri P.J.Jani, GUVNL

Record of Proceedings

Learned counsel for the petitioner submitted that performance bank guarantee is being extended today and the petitioner has sent email to ICIC bank Mumbai in this regard. Learned counsel for the petitioner submitted that proof of the extending the bank guarantee will be submitted before the Commission today.

2. The representative of the Gujarat Urja Vikas Nigam Limited (GUVNL) submitted that GUVNL vide its letter dated 25.9.2014 requested the lead procurer, Maharashtra State Electricity Distribution Co. Ltd. to intimate the total amount of liquidated damages to be recovered from the petitioner and also call upon the petitioner to deposit the same in terms of Article 6.4.3 of the TSA. In case the petitioner does not make the payment within 10 days, GUVNL requested to MSEDCL to convey the amount recoverable by GUVNL towards liquidated damages in terms of Article 6.4.1 so as to enable GUVNL to recover the same by en-cashing the existing bank guarantee which is expiring on 31.10.2014. The representative of GUVNL requested the Commission to direct the petitioner to send the copy of the letter extending bank guarantee to GUVNL. He further submitted that GUVNL has not received copy of the petition.

3. After hearing the learned counsel for the petitioner and representative of GUVNL, the Commission directed the petitioner to submit the letter extending bank guarantee by 15.00 hrs with copy to the respondents failing which the respondents will be at liberty to encash the bank guarantee. If the bank guarantee is extended, the respondents are directed not to take any coercive measure with regard to encashment of bank guarantee till further order.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately, if already not served. The Commission directed the respondents to file their replies 5.11.2014 with an advance copy to the petitioner who may file its rejoinder, if any, by 10.11.2014.

5. The Commission directed to list the petition for hearing on 11.11.2014.

By order of the Commission

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