

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 43/MP/2016**

Subject : Petition under Sections 79 (1) (f) read with Section 79 (1) (c ) of the Electricity Act, 2003.

Date of hearing : 31.3.2016

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

Petitioner : RAPP Transmission Company Limited

Respondents : Power Grid Corporation of India Limited and others.

Parties present : Shri Sitiesh Mukherjee Advocate, RAPP  
Shri T N Reddy, RAPP

**Record of Proceedings**

Learned counsel for the petitioner submitted that the present petition has been filed seeking direction to CTU to disburse payment of transmission charges to the petitioner pursuant to the "Policy for Incentivizing Early Commissioning of Transmission Projects" issued by Government of India, Ministry of Power on 15.7.2015. Learned counsel for the petitioner further submitted as under:

(a) Based on the tariff based competitive bidding carried out by PFC Consulting Limited under Section 63 of the Electricity Act, 2003, Sterlite Grid Limited was selected as the successful bidder and was awarded to execute on build, own, operate and maintain basis the RAPP-Shaujalpur 400 kV D/C Twin Moose ACSR transmission line.

(b) The Commission vide order 23.7.2014 adopted the tariff and vide order dated 31.7.2014 granted transmission licence to the petitioner. As per the TSA, scheduled COD of the project was February, 2016.

(c) The petitioner vide its letters dated 20.7.2015 informed PGCIL and NPCIL that the project would be ready for charging by 15.11.2015 and requested to make the inter-connecting elements ready in all respects for charging and making the project operations.

(d) The petitioner vide its letter dated 30.7.2015 informed all the LTTCs including lead LTTC that as per the MOP Policy dated 15.7.2015, it is intended to commission the transmission assets before SCOD to avail the benefits. However, LTTCs did not object the petitioner's said proposal to advance the date of SCOD of the project to before February, 2016.

(e) PGCIL vide its letters dated 18.8.2015 and 4.11.2015 acknowledged that the petitioner was going to commission the project ahead of schedule and informed the petitioner that PGCIL is making all efforts to make the 440 kV bays at Shujalpur ready for commissioning by December, 2015 to match the completion of the project.

(f) CEA vide its letter dated 18.12.2015 accorded the approval under Regulation 43 of the CEA (Measures relating to Safety and Electric Supply) Regulations, 2010 for energization of the project. Thereafter, on 18.12.2015, the petitioner informed all the LTTCs that it had declared deemed COD as of 26.12.2015 and would be entitled to the incentive with effect from that date as per the Govt. Policy dated 15.7.2015.

(g) The petitioner vide its letters dated 25.9.2015 and 13.11.2015 submitted the details of YTC for the period from October, 2015 to December 2015 and January 2016 to March 2016 respectively to POSOCO.

(h) The petitioner is entitled to receive transmission charges with effect from 26.12.2015. However, it has not received any transmission charges as on date.

2. After hearing the learned counsel for the petitioner, the Commission admitted the petition and directed to issue notice to the respondents. The Commission directed the petitioner to serve copy of the petition on the respondents immediately.

3. The Commission directed the respondents to file their replies, on affidavit, by 13.4.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 20.4.2016. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 26.4.2016.

**By order of the Commission**

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