

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 153/MP/2016 alongwith I.A. 39/2016

Subject : Petition for seeking declaration that no relinquishment charges are payable for surrendering the MTOA dated 22.7.2015 granted to the petitioner by PGCIL.

Petitioner : GMR Warora Energy Limited

Respondents : Power Grid Corporation of India Ltd. & Others

Date of hearing : 27.9.2016

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

Parties present : Shri Sanjay Sen, Senior Advocate, GMRWEL
Shri Hemant Singh, Advocate, GMRWEL
Shri Ruth Elwin, GMRWEL
Ms. Jyoti Prasad, PGCIL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed seeking declaration that no relinquishment charges are payable for surrendering the MTOA granted to the petitioner by CTU. Learned senior counsel for the petitioner further submitted as under:

- (a) The petitioner has set up a coal based thermal power plant of 600 MW (2X300 MW) (generating station) at Warora, District Chandrapur, Maharashtra.
- (b) The petitioner applied to CTU for grant of MTOA for 150 MW. On 22.7.2015 CTU granted MTOA to the petitioner.
- (c) The petitioner vide its letter dated 22.7.2015 applied for grant of LTA in order to secure the corridor. In response, CTU directed the petitioner to surrender the already granted MTOA. Accordingly, the petitioner vide its letter dated 30.10.2015 surrendered MTOA, granted to it. Based on the said surrendered MTOA, CTU granted LTA of 150 MW to the petitioner for supply of power to TANGEDCO.
- (d) Subsequently CTU vide its demand/ invoice letter dated 9.6.2016 raised bill amounting to Rs. 2,14,71,750/- by interpreting the conversion from MTOA to LTA as relinquishment of MTOA as per

Regulation 24 of the CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 (Connectivity Regulations). However, no relinquishment charges can be imposed on the petitioner, as there is no 'relinquishment' of MTOA.

3. The Commission admitted the petition and directed to issue notices to the respondents on the petition and I.A.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies, on affidavit, by 14.10.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before, 28.10.2016.

5. The petition shall be listed for hearing on 3.11.2016.

By order of the Commission

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