

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 126/MP/2017

Subject : Petition under Section 79(1) (c) and (d) of the Electricity Act, 2003 read with Regulations 20 and 21 of the Central Electricity Regulatory Commission (Sharing of inter State transmission charges and losses) Regulations, 2010 for declaration and direction with regard to the status of the 400kV D/C Transmission Line from Indira Gandhi Super Thermal Power Station (Aravali Power Station) to Daulatabad owned, operated and maintained by Haryana Vidyut Prasaran Nigam Limited (HVPNL).

Date of hearing : 22.8.2017

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

Petitioners : Uttar Haryana Bijli Vitran Nigam Limited and Others

Respondents : POSOCO and Others

Parties present : Shri M.G. Ramachandran, Advocate, Haryana Discoms,
Ms. Poorva Saigal, Advocate, Haryana Discoms
Shri Ravi Juneja, HPPC
Shri U.K. Agarwal, UHBVNL
Shri Munish Satija, HVPNL
Ms. Pragya Singh, POSOCO

Record of Proceedings

Learned counsel for the Petitioners submitted that the present petition has been filed *inter-alia* for seeking declaration that the 400kV D/C transmission line from Indira Gandhi Super Thermal Power Station (IGSPTS) to Daulatabad is outside the scope of the jurisdiction of the Power System Operation Corporation Limited (POSOCO) and Central Transmission Utility (CTU) as well as the Central Electricity Regulatory Commission (Sharing of inter-State transmission charges and losses) Regulations, 2010 (Sharing Regulations). Learned counsel for the Petitioners further submitted as under:

(a) The 400 kV transmission line from IGSTPS to Daulatabad emanates from the bus bar of the Jhajjar power Station in the State of Haryana and is connected to the 400 kV Daulatabad Substation which is also in the State of Haryana. Therefore, the 400 kV transmission line from IGSTPS to Daulatabad is an intra-State Transmission System within the scope of Section 2(37) of the Electricity Act, 2003 and its Regulatory jurisdiction falls under Section 86(1) i.e. within the Haryana

Electricity Regulatory Commission (HERC) and not under Section 79(1)(c) or 79(1)(d) of the Electricity Act, 2003.

(b) Haryana Vidyut Prasaran Nigam Limited (HVPNL) has been filing tariff Petitions before HERC for its revenue requirements and for determination of tariff in respect of the 400 kV transmission line from IGSTPS to Daulatabad.

(c) Since July, 2011, the Petitioners have been receiving bills from CTU including the 400 kV transmission line from IGSTPS to Daulatabad under the Sharing Regulations. However, POSOCO and CTU have no power or authority to deal with the tariff of intra-State Transmission System, particularly when HVPNL has not opted for the said line to be treated as Deemed ISTS line.

2. Learned counsel for the Petitioners requested the Commission to restrain POSOCO and CTU from recovering charges from the Petitioners. The Commission declined to issue any direction in this regard without hearing the parties.

3. After hearing the learned counsel for the Petitioners, the Commission admitted the Petition and directed to issue notice to the Respondents.

4. The Commission directed the Petitioners to serve the copy of the Petition on the Respondents immediately, if not served already. The Commission directed the Respondents to file their replies, by 8.9.2017, with an advance copy to the Petitioners, who may file their rejoinder, if any, by 22.9.2017. 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.

5. The Petition shall be listed for hearing on 28.9.2017.

By order of the Commission

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