

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.240/MP/2016**

Subject : Petition for seeking declaration that no relinquishment charges are payable for termination of the Medium-term Open Access, dated 6.10.2015, granted to the petitioner by Power Grid Corporation of India Limited.

Date of hearing : 17.1.2017

Coram : Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Petitioner : Thermal Powertech Corporation India Limited (TPTCIL)

Respondent :Power Grid Corporation of India Limited (PGCIL)

Parties present :Shri Sitiesh Mukherjee, Advocate, TPTCIL  
Shri Gautam Chawla, Advocate, TPTCIL  
Ms. Akansha Tyagi, Advocate, TPTCIL

**Record of Proceedings**

Learned counsel for the petitioner submitted that the present petition has been filed seeking declaration that no relinquishment charges are payable for termination of the Medium term Open Access (MTOA) granted to the petitioner on 6.10.2015. Learned counsel for the petitioner further submitted as under:

(a) The petitioner has set up a 1320 MW (2X660 MW) supercritical coal-fired plant in Krishnapatnam, Nellore district. On 24.10.2010, the petitioner entered into a BPTA with PGCIL for facilitating the LTA.

(b) On 30.7.2015, the petitioner made an application to CTU for grant of 230.55 MW MTOA. PGCIL vide its letter dated 10.9.2015 communicated the grant of 230.55 MW MTOA to the petitioner.

(c) On 21.6.2016, PGCIL operationalized the LTA during the currency of MTOA. Pursuant to operationalization of LTA, the petitioner vide its letter dated 9.8.2016 requested PGCIL to terminate its MTOA. In response, PGCIL vide letter dated 6.9.2016 informed the petitioner that its request for relinquishment has been accepted subject to payment of relinquishment charges.

(d) Subsequently, on 22.9.2016, PGCIL raised PoC bill for the month of August, 2016 towards transmission charges under the Sharing Regulations. The petitioner has not relinquished its MTOA under the Connectivity

Regulations but it has terminated its MTOA under the MTOA Agreement.

(e) The petitioner has already paid LTA charges for the month of August, 2016 and requested to restrain the respondent to raise any further demands towards relinquishment charges.

2. Learned counsel for the petitioner requested the Commission to direct the respondent not to take any coercive steps in respect to the PoC bill dated 22.9.2016 till final adjudication of the petition. The Commission declined to issue any direction in this regard without hearing the respondent.

3. After hearing the learned counsel for the petitioner, the Commission admitted the petition and directed to issue notice to the respondent.

4. The Commission directed the petitioner to serve copy of the petition on the respondent immediately if already not served. The respondent was directed to file its reply by 18.1.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 20.1.2017. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The petition shall be listed for hearing on 24.1.2017.

**By order of the Commission**

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