

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 246/MP/2017

Subject : Petition under Section 17(3) and 17(4) of the Electricity Act, 2003 for the approval of the creation of security interest over all the movable and immovable assets of the Petitioner in favour of Debenture Trustee/Lenders.

Date of hearing : 21.12.2017

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

Petitioner : Kudgi Transmission Limited and Others

Respondents : Bangalore Electricity Supply Company Limited and Others

Parties present : Shri Mohit Jain, KTL

Record of Proceedings

The representative of the petitioner submitted that Kudgi Transmission Limited (KTL) and IDBI Trusteeship Services Private Limited (ITSPL) have jointly filed the present petition seeking approval for creation of the security interest in favour of ITSPL i.e. Debenture Trustee acting for the benefit of the Debentures Holders of KTL over the TSA, the project documents, its assets including in relation to the project and on its transmission license and such other assets as mentioned in the Debenture Trust Deed as security for the Debentures holders for prepayment of the existing loan to the existing lenders.

2. After hearing the learned counsels for the petitioners, the Commission directed the petitioner No. 1 to submit on affidavit, by 2.1.2018, the following information:

- a) Whether the present petition is for refinancing the existing loan? If yes, provide the status of existing loans including outstanding amount, revised project cost and debt.
- b) Reasons for not taking prior approval under Section 17 (3) and 17 (4) of the Electricity Act for the loan availed under common loan agreement dated 24.2.2014.

- c) Reconciliation of existing loan balance as per common loan agreement and amount of debentures issued.
3. The Commission directed the respondents to file their replies on affidavit by 29.12.2017 with an advance copy to the petitioners, who may file their rejoinder, if any, by 5.1.2018. The Commission directed that due date of filing replies, rejoinder and information should be strictly complied with failing which the order shall be passed on the basis of the documents available on record.
4. Subject to the above, the Commission reserved the order in the petition.

By order of the Commission

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