

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 55 /RP/2016

Subject: Review of the Commission's order dated 15.6.2016 in Petition No. 173/TT/2013 under Regulation 103(1) of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

Date of Hearing : 24.1.2017

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

Petitioner : NTPC Limited

Respondents : Essar Power Transmission Company Limited (EPTCL) and 7 others

For petitioner : Ms. Suparna Srivastava, Advocate, NTPC
Ms. Suchitra Maggon, NTPC
Shri Parimal Piyush, NTPC

For respondent : Shri Sitesh Mukherjee, Advocate, EPTCL
Shri Vishal Vinod, Advocate, EPTCL
Ms. Shruti Verma, EPTCL

Record of Proceedings

Learned counsel for NTPC, the review petitioner, submitted that the instant review petition has been filed for review of the order dated 15.6.2016 in Petition Nos. 173/TT/2013 and 111/TT/2015. The Commission in its order dated 15.6.2016 directed EPTCL and NTPC to jointly approach for approval of tariff of two 400 kV line bays at Gandhar (NTPC) switchyard and that after approval of the tariff, EPTCL is to recover the same through PoC and reimburse it to the NTPC. Subsequent to the passing of



aforesaid order, EPTCL asked NTPC to take steps to file petition for approval of tariff for the bays at the earliest failing which it would not be in a position to reimburse any amount to NTPC.

2. Learned counsel for NTPC further submitted that EPTCL is not paying the transmission charges since the passing of the order dated 15.6.2016. EPTCL was requested to continue payment of the monthly charges for the usage of the assets as per the terms of the BPTA till the matter is decided. Learned counsel sought directions to EPTCL to pay the transmission charges.

3. Learned counsel for EPTCL submitted that after the bays were taken off the PoC mechanism, EPTCL has no means to pay the transmission charges to NTPC.

4. The Commission observed that since the tariff petition has not been filed as yet and NTPC has filed the present review petition, there is a requirement of giving interim relief with regard to the transmission tariff of the bays to enable EPTCL to make payment for the bays to NTPC. The Commission directed that till the disposal of the review petition, EPTCL shall be reimbursed transmission charges provisionally as allowed in Order dated 12.9.2013, from June 2016 onwards, pro-rated to the capital cost of the bays. The Commission further directed EPTCL to make payment of transmission charges for the bays to NTPC.

5. The Commission further directed the respondents to file their reply by 6.3.2017 and the petitioner to file rejoinder, if any, by 17.3.2017. The Commission further directed to list the matter for final arguments on 21.3.2017.

By order of the Commission

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

