

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 26/TT/2017

Coram:

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

Date of Order : 18.10.2017

In the matter of:

Transmission tariff in respect of RVPN owned transmission lines/system connecting with other States and Intervening transmission lines incidental to inter-State transmission of electricity as per Hon'ble Central Electricity Regulatory Commission's order dated 14.3.2012 against Petition No. 15/Suo-Motu/2012, for inclusion in the POC transmission charges in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009.

And in the matter of:

Rajasthan Rajya Vidyut Prasaran Nigam Limited
Vidyut Bhawan, Jyoti Nagar,
Jaipur - 302005

.....Petitioner

Vs

1. Power Grid Corporation of India Ltd.
Saudamini, Plot No. 2, Sector-29,
Near IFFCO Chowk,
Gurgaon-122 001.
2. Haryana Vidyut Prasaran Nigam
Shakti Bhawan, Sector-6,
Panchkula-134109.
3. Haryana Power Purchase Centre
2nd Floor, Shakti Bhawan, Sector-6
Panchkula (Haryana) 134 109
4. M. P. Power Transmission Company Ltd.
Block No. 2, Shakti Bhawan, Rampur,



Jabalpur-482008.

5. M. P. Power Management Co. Ltd. (MPPMCL)
Block No. 11, 1st Floor, Shakti Bhawan,
Rampur, Jabalpur-482008.

.....Respondents

For Petitioner : Shri Manoj Kr. Sharma, Advocate, RRVPNL
Shri Pradeep Misra, Advocate, RRVPNL
Shri Rajeev Jain, RRVPN
Shri Hari Mohan Gupta, RRVPN

For Respondents : Shri Aditya Singh, Advocate, MPPTCL
Shri G. Umapathy, Advocate, MPPTCL
Shri Dilip Singh, MPPMCL
Shri Abhinav Anand, MPPTCL

ORDER

Rajasthan Rajya Vidyut Prasaran Nigam Limited (“RRVPNL”) has filed this petition for approval of the transmission tariff of transmission lines/system connecting with other States and intervening transmission lines incidental to inter-State transmission of electricity owned by it for the period 2011-12 to 2013-14 in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as "the 2009 Tariff Regulations"). RRVPNL has submitted that the instant petition has been filed as per the Commission’s order dated 14.3.2012 in Petition No. 15/Suo-Motu/2012.

2. RRVPNL has sought tariff for the following inter-State transmission lines for the period 2011-14 (1.7.2011 to 31.3.2014) under the 2009 Tariff Regulations for inclusion in the computation of PoC charges:-



| S. No. | Name of Line | Voltage Level | Length of Line in CKT KM | COD |
|--------|--|---------------|--------------------------|------------|
| 1 | 220 kV S/C Chirawa-Hissar line (Rajasthan-Haryana) | 220 kV | 118 | 27.11.2010 |
| 2 | 132 kV S/C Sadulpur (Rajgarh) - Hissar line | 132 kV | 78 | 3.10.1959 |
| 3 | 132 kV S/C Amrapura Thedi - Sirsa line | 132 kV | 80 | 19.12.1970 |
| 4 | 132 kV S/C Khandar- Sheopur line | 132 kV | 35.24 | 5.7.2008 |
| 5 | 220 kV S/C Anta-Kota Line | 220 kV | 67 | 1.3.1969 |
| 6 | 220 kV SC RAPP (B)-Kota Line | 220 kV | 42 | 1.9.1977 |
| 7 | 220 kV S/C RAPP (B) – RAPP (A) Line | 220 kV | 2 | |

3. RRVPNL has submitted that these lines are very old lines for which it does not have audited capital cost, actual repayment schedule and interest rates of loans etc. RRVPNL has submitted that it has incurred considerable capital expenditure on R&M of these lines and as such these lines are performing similar to the new lines. RRVPNL has submitted that for the purpose of tariff calculation, the indicative cost of lines of various configurations owned and operated by the PGCIL given in order dated 18.3.2015 in Petition No. 213/TT/2013 has been considered. RRVPNL has also submitted the ARR approved by the State Commission for the period 2011-14 and its network details.

4. Madhya Pradesh Power Management Company Limited (MPPMCL) has submitted that the cost and benefit of 132 kV Sawaimadhopur-Sheopur line has to accrue to MPPMCL and RRVPNL cannot claim tariff for the said line. MPPMCL has submitted that as per agreement between Madhya Pradesh and Rajasthan, the cost and benefit of Gandhisagar to Kota has to be shared equally between the two states. MPPMCL has submitted that 132 kV S/C Khandar-Sheopur Line, for which YTC has been claimed in the instant petition, is part of the joint venture project between Rajasthan and Madhya



Pradesh under Chambal-Satpura complex and as per inter-State agreements executed between both the States, cost and benefit of the said transmission line were to be shared as per allocation of share in the project, however, this fact has not been brought out by RRVPNL in the instant petition.

5. RRVPNL claimed tariff for twenty transmission lines in Petition No. 213/TT/2013 for the period 2011-14. However, transmission tariff was granted only for six transmission lines for the period 2011-14 vide order dated 18.3.2015 and tariff was not granted to the remaining 14 lines as they were not certified by the NRPC as required under the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010. The relevant portion of the Commission's order dated 18.3.2015 in Petition No. 213/TT/2013 is as follows:-

"13. The petition has been filed in response to the Commission's directions for determination of tariff of transmission lines owned or controlled by the STU which carry power inter-State. Section 2(36) of the Act defines the ISTS as under:-

"2(36) inter-State transmission system includes-

- (i) Any system for the conveyance of electricity by means of main transmission line from the territory of one State to another state;
- (ii) The conveyance of electricity across the territory of any intervening State as well as conveyance within the State which is incidental to such inter-State transmission of electricity;
- (iii) The transmission of electricity within the territory of a State on a system built, owned, operated, maintained or controlled by a Central Transmission Utility"

The petitioner has submitted that besides the 6 transmission lines identified by the Commission, there are 14 other transmission lines owned by the petitioner which satisfy the conditions of ISTS. Out of these 20 lines, 7 lines are covered under the definition of ISTS under Section 2(36) (i) and remaining 13 lines are covered under Section 2(36)(ii) of the Act. It may be noted that STU lines used for carrying inter-State power can be considered for inclusion in the PoC charges only if it is certified by RPC in terms of Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 which is extracted as under:-

"(g) Overall charges to be allocated among nodes shall be computed by adopting the YTC of transmission assets of the ISTS licensees, deemed ISTS licensees and



owners of the non-ISTS lines which have been certified by the respective Regional Power Committees (RPC) for carrying inter-State power. The Yearly Transmission Charge, computed for assets at each voltage level and conductor configuration in accordance with the provisions of these regulations shall be calculated for each ISTS transmission licensee based on indicative cost level provided by the Central Transmission Utility for different voltage levels and conductor configuration. The YTC for the RPC certified non-ISTS lines which carry inter-State power shall be approved by the Appropriate Commission."

14. The certificate of NRPC is available in terms of the above Regulation in respect of six transmission lines which were included in the Commission's order dated 14.3.2012. Since the certification is not available for the 14 transmission lines, we direct the petitioner to approach NRPC for the required certification of these lines for inclusion in the PoC Charges. Accordingly, only the six transmission lines are being considered in this petition for grant of annual transmission charges... Further, since the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 came into force with effect from 1st July, 2011. Yearly Transmission Charges (YTC) for these six transmission lines have been calculated for the year 2011-12(1.7.2011 to 31.3.2012), 2012-13 and 2013-14."

6. We have considered the submissions made by RRVPNL. RRVPNL has claimed transmission tariff for seven inter-State transmission lines retrospectively for the 2009-14 tariff period. The instant transmission lines are part of the State network and are shared by STU. The State Commission has already granted ARR for the State network for the 2009-14 period which is inclusive of the tariff for the transmission lines covered in the instant petition. As such, RRVPNL has already recovered tariff for these lines. Further, PoC charges for the 2011-14 period have already been processed and recovered. Granting of tariff for these transmission lines afresh by this Commission and inclusion in the PoC charges would lead to revision of the PoC charges retrospectively. Further, it would require revision/adjustment of the ARR already granted by the State Commission for the 2011-14 period. Hence, we are not inclined to allow tariff for these lines retrospectively for the period 2011-14. RRVPNL has already filed the petition claiming tariff for the inter-State transmission lines under its State network for the 2014-



19 tariff period under the 2014 Tariff Regulations and will be granted tariff accordingly as per the relevant regulations.

7. In view of the above discussion, tariff is not allowed for the instant assets for the 2011-14 period. As no tariff is allowed in the instant case, we are of the view that there is no need to discuss the issues raised by MPPMCL. The filing fee deposited by RRVPNL in the instant case shall be adjusted in future.

8. Accordingly, Petition No. 26/TT/2017 is disposed of.

sd/-
(Dr. M.K. Iyer)
Member

sd/-
(A. S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

