

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 15/RP/2017

**in
Petition No. 156/TT/2015**

Coram:

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

Date of Order: 26.05.2017

In the matter of:

Review petition under Section 94(1)(f) of the Electricity Act, 2003 and Regulation 103 of Central Electricity Regulatory Commission (Conduct of business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014, seeking review of the order dated 29.12.2016 in Petition No. 156/TT/2015

And in the matter of:

National Hydro Power Corporation Limited,
NHPC Office Complex,
Sector-33, Faridabad,
Haryana 121003.

.....**Petitioner**

Vs

1. Parbati Koldam transmission Company Ltd.,
5th Floor, JMD Galleria, Sector-48,
Sohna Road, Gurgaon-122018, Haryana
2. Power Grid Corporation of India Limited "Saudamini",
Plot No.2, Sector-29, Gurgaon -122 001.
3. NTPC Ltd.,
NTPC Bhawan, Scope Complex,
Institutional Area,
Lodi Road New Delhi 110003.



4. Himachal Pradesh Power Corporation Limited,
Sainj (HEP), Himfed Bhawan,
Below Old MLA Quarters Bypass Road,
Tutikandi, Shimla- 171005

.....Respondents

For Petitioner: Shri Jitendra Kumar Jha, NHPC

For Respondents: Shri Amit Kapur, PKTCL
Shri Lokendra Singh, PKTCL

ORDER

The instant review petition has been filed by National Hydro power Corporation Limited (NHPC), under Section 94(1)(f) of the Electricity Act, 2003 (the Act) read with Regulation 103 (1) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014, seeking review of the order dated 29.12.2016 in Petition No. 156/TT/2015, wherein the tariff for 2014-19 period was allowed for Asset-1: 400 kV (Quad) 2xS/C Parbati Koldam Transmission Line portion starting from Parbati-II HEP to LILO point of Parbati (Banala) Pooling Station to Koldam HEP (Ckt.-I) and Asset-2: Portion starting from Parbati-II HEP LILO point of Parbati-III HEP (Ckt.-II) in Northern Region.

2. NHPC has submitted that there are apparent errors on the face of record and sufficient grounds for review of order dated 29.12.2016. The grounds raised by the Review Petitioner are as follows:-

- a. Time over-run in commissioning of Ckt. II of Parbati III-Koldam Transmission Line was attributed to delay in commissioning of 400 kV bays in Parbati II



Switchyard by NHPC and the liability of IDC and IEDC w.r.t. Ckt. II of Parbati III-Koldam Transmission Line from 3.11.2015 to 30.6.2015 was imposed on NHPC. However, Parbati-II Switchyard was not necessarily required for commissioning of transmission assets of PKTCL as the line was required for alternate evacuation system of Parbati-III Power station, which is under commercial operation w.e.f 24.3.2014. The impugned order suffers from the defect of omission of this crucial and material fact, which was highlighted by review petitioner in its reply dated 30.1.2016.

b. The transmission asset was also to be used for evacuation of power from Sainj Hydro Project which was scheduled for commissioning in December 2014 as per minutes of connectivity / Long Term Access meeting dated 31.8.2013. The impugned order is absolutely silent on imposition of any penalty on Sainj HEP, which stands on the same footing as the petitioner.

3. The Review Petitioner has also submitted that there is delay of 10 days in filing the review petition due to procedural requirements of the Review Petitioner and has requested to condone the delay. The delay in filing the review petitioner is condoned as a special case. However, the Review Petitioner is directed to file the review petitions in future within the mandatory period of 45 days.

4. We direct issue of notice on the admissibility of the Review Petition.

5. The Review Petitioner is directed to serve a copy of the petition on the respondents by 29.5.2017 and respondents to file their reply by 16.6.2017 on



admissibility as well as on merit and the petitioner to file rejoinder, if any, by 5.7.2017.

No further extension of time shall be granted.

6. The review petition shall be listed on 11.7.2017 for final hearing.

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

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

