

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 129/MP/2017  
Along with I.A. No. 18/2018**

Subject : Petition seeking surrender of 146 MW (135 MW in WR and 11 MW in SR) out of the total LTA quantum of 546 MW granted under the Bulk Power Transmission Agreement dated 24.02.2010 read with Annexure-I as modified vide amendments dated 02.01.2012 and 17.10.2012 and Interlocutory application for restraining PGCIL from raising any future LTA bills

Date of Hearing : 10.4.2018

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

Petitioners : Simhapuri Energy Limited (SEL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Hemant Singh, Advocate, SEL  
Ms. Ankita Bafna, Advocate, SEL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Shri Swapnil Verma, PGCIL  
Ms. Jyoti Prasad, PGCIL

**Record of Proceedings**

Learned counsel for the petitioner submitted that arguing counsel in the matter is not available and requested for adjournment.

2. Learned counsel for PGCIL had not objected to the adjournment and submitted that as on date around Rs. 155 crore is outstanding against the petitioner towards the transmission charges and the petitioner has also not opened the LC yet. Learned counsel further submitted that in the light of the Commission's order dated 8.3.2018 in Petition No. 229/RC/2015, CTU is entitled to resort regulation of supply, if payment security mechanism is not established by the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner has relinquished 146 MW out of 546 MW LTA granted and in the light of the Commission's order dated

1.3.2018 in the case of Coastal Energen Private Limited Vs Power Grid Corporation of India, there is no requirement to open the LC and pay transmission charges for the relinquished capacity. Learned counsel further submitted that the petitioner has also filed an appeal before the Appellate Tribunal, which is pending and the petitioner shall be liable to pay the transmission charges subject to the outcome of the appeal.

4. The Commission directed the petitioner to open the LC for the capacity connected under LTA less the LTA for which relinquishment has been sought. On the request of learned counsel for the petitioner, the Commission directed that interim order issued through the RoP shall be subject to the outcome of the appeal. The Commission further directed that PGCIL would be at liberty to regulate the power under MTOA/STOA if the outstanding transmission charges are not paid or LC is not opened.

5. The petition shall be listed for hearing on 17.5.2018.

**By order of the Commission**

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