

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.194/MP/2017

Subject : Petition under Sections 61, 63, 79(1)(c) and 79(1)(f) of the Electricity Act, 2003 read with Articles 16 of TSA and the tariff-based competitive bidding guidelines for transmission service, for claiming relief under TSA dated 14.3.2016 relating to implementation of the transmission project elements.

Date of Hearing : 16.1.2018

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

Petitioner : North Karanpura Transco Limited (NKTL).

Respondents : Jharkhand Bijli Vitran Nigam Limited and Others.

Parties present : Shri Sanjay Sen, Senior Advocate, NKTL
Shri Hemant Singh, Advocate, NKTL
Ms. Ankita Bafna, Advocate, NKTL
Shri Nishant Kumar, Advocate, NKTL
Shri Matrugupta Mishra, Advocate, NKTL
Shri Bhavesh Kundalia, NKTL
Shri Vivek Singla, Adani
Shri Jagdeep Dhankhar, Senior Advocate, CCL
Shri Anshuman, Advocate, CCL
Shri Vivek Aggarwal, RECTPCL
Shri S Chaterjee, CMPDI
Shri Amit Verma, CMPDI
Capt. KS Bhati, CMPDI
Ms. Molshree, Advocate, REC
Shri shivam Sinha, Advocate, REC

Record of Proceedings

Learned senior counsel for the petitioner submitted that the grant of NOCs to the petitioner by the Ministry of Coal/Central Coalfields Limited (CCL) relating to route alignment of both the transmission lines i.e. North Karanpura Chandhwa (NK-C) 400kV D/C and North Karanpura to Gaya 400 kV D/C line is still pending despite the

petitioner's requests to expedite the grant of such NOCs and therefore, the implementation of these lines could not be taken up yet.

2. Learned senior counsel further submitted that CEA by its letter dated 2.1.2018 informed the petitioner that CCL had called a Board Meeting on 27.12.2017 to discuss the issue of said NOC and the CCL Board ought to process approval for NOC for transmission lines on the Bid Process Coordinator recommended routes with slight modifications subject to an undertaking submitted to CCL by the petitioner. Accordingly, the petitioner provided its undertaking dated 3.1.2018 to CEA which has been forwarded to CCL by CEA vide its letter dated 3.1.2018. Learned senior counsel submitted that the petitioner would immediately commence work to lay lines pursuant to grant of NOC and requested the Commission to direct the LTTCs to restrain from taking any coercive action on account of time over-runs in meeting the SCOD as per the TSA in terms of the Commission's directions dated 27.9.2017 in I.A. No. 62/2017 and to keep the matter in abeyance till the grant of NoC.

3. Learned senior counsel for CCL submitted that CCL conducted a Board meeting on 27.12.2017 to discuss the issue of NOC to North Karanpura Chandhwa (NK-C) 400kV D/C and North Karanpura to Gaya 400 kV D/C transmission lines and further stated that certain undertakings as sought by CCL have been furnished by the petitioner on 3.1.2018 which have been forwarded to the Ministry of Coal (MoC) for processing NOC.

4. After hearing the learned senior counsels for the parties, the Commission decided to wait for the outcome of the decision of MoC. As regards the encashment of performance bank guarantee, the Commission directed to issue notices to the LTTCs to submit their views by 15.2.2018. The Commission directed that no coercive measures shall be taken by the LTTCs with regard to the Contract Performance Guarantee till the next date of hearing.

5. The petition shall be listed for further hearing on 22.3.2018.

By order of the Commission

Sd/-

(T. Rout)

Chief (Legal)