

**CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**Review Petition No. 2/RP/2018**

**in**

**Petition No. 87/TT/2017**

**Coram:**

**Shri P.K. Pujari, Chairperson**

**Shri A.K. Singhal, Member**

**Shri A.S. Bakshi, Member**

**Dr. M.K. Iyer, Member**

**Date of Order : 12.06.2018**

**In the matter of:**

Petition for review and modification of the order dated 3.11.2017 in Petition No.87/TT/2017.

**And in the matter of:**

Madhya Pradesh Power Transmission Company Ltd.,  
Block No. 2, Shakti Bhawan, Rampur,  
Jabalpur-482 008.

**.... Review Petitioner**

**Vs**

1. Power Grid Corporation of India Limited  
"Soudamini", Plot No. 2, Sector 29,  
Gurgaon -122001.
2. Chhattisgarh State Power Transmission Company Ltd.,  
SLDC Building, CSEB, Dangania, Raipur  
Chhattisgarh-492 013.
3. Gujarat Energy Transmission Corporation Limited  
Sardar Patel "Vidyut Bhawan",  
Race Course, Vadodara,  
Gujarat- 390007
4. Maharashtra State Electricity Transmission Company Ltd.,  
4th Floor, A wing Prakashganga E-Block,  
Plot No. C-19 BKC Bandra (East), Mumbai  
Maharashtra- 400051



5. Rajasthan Rajya Vidhyut Prasaran Nigam Limited  
Room. No. 223, Vidhyut Bhawan, Jan Path, Jaipur  
Rajasthan- 302005.

.....Respondents

For Review Petitioner: Shri M.G. Ramachandran, Advocate, MPPTCL  
Shri Pulkit Aggarwal, Advocate, MPPTCL  
Shri Vincent D' Souza, MPPTCL  
Shri S.R. Sharma, MPPTCL

For Respondents: None

### **INTERIM ORDER**

This is a review petition by Madhya Pradesh Power Transmission Company Limited ("MPPTCL") seeking review of the order dated 3.11.2017 in Petition No. 87/TT/2017.

#### **Background**

2. MPPTCL sought transmission tariff for the two ISTS lines i.e. (i) 400 kV Seoni (MP)-Sarni (MP) line and (ii) 400 kV Seoni (MP)-Bhilai (Chhattisgarh) line alongwith 9 other ISTS lines for 2011-14 period in Petition No.217/TT/2013. The Commission did not approve the tariff for the said two lines as they were not certified by RPC as ISTS lines. Later, after the end of the 2014 tariff period, MPPTCL filed Petition No.87/TT/2017 alongwith the certificate from RPC claiming tariff for the two ISTS lines for the 2011-14 period. However, tariff was not approved by the Commission in the impugned order dated 3.11.2017 as MPERC has already granted ARR for the State network for the 2011-14 period which is inclusive of the YTC of the two transmission lines and POC charges for the 2011-14 period have already been recovered. Further, granting of tariff for the



instant lines afresh and inclusion in the POC charges would have led to revision of the POC charges retrospectively.

3. The Review Petitioner has sought modification of the order dated 3.11.2017 by approving the tariff for the two lines and inclusion in the POC charges. The Review Petitioner has submitted that the Commission's decision that the transmission charges should not be revised after the expiry of the control period is erroneous as the tariff setting is a continuous and on-going process. The Review Petitioner has submitted that tariff applicable for any period is bound to be revised from time to time on account of various aspects including fresh determination of tariff or decision by the Appellate Authority after the control period is over. The Review Petitioner has submitted that the Commission has ignored the fact that the revenue recovered in terms of the tariff order issued by the MPERC treating the said lines as intra-State transmission lines would be adjusted in future under the Sharing Regulations and the Review Petitioner will not be recovering any extra amount. The Review Petitioner has further submitted that consumers of the State will suffer financial prejudice and loss if the transmission charges are not determined for the two lines for the control period 2011-14 and allowed to be recovered by the Review Petitioner.

4. We have considered the submissions of the Review Petitioner. We admit the review petition and direct to issue notice to the Respondents.

5. The Review Petitioner is directed to serve a copy of the petition on the respondents by 11.6.2018 and the respondents to file their reply by 22.6.2018 and the



petitioner to file rejoinder, if any, by 29.6.2018. The parties are directed to comply with the directions within the specified timeline and no extension of time shall be granted.

6. The review petition shall be listed on 3.7.2018 for final hearing.

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

sd/-  
**(A.S. Bakshi)**  
**Member**

sd/-  
**(A.K. Singhal)**  
**Member**

sd/-  
**(P.K. Pujari)**  
**Chairperson**

