

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 14/RP/2019

in

Petition No. 318/MP/2018

Subject : Petition under Section 94 of the Electricity Act, 2003 read with Regulation 103(1) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 read with Order 47 Rule 1 of the Code of Civil Procedure, 1908 for review of order dated 9.4.2019 passed by the Commission in Petition No.318/MP/2018.

Petitioner : Central Transmission Utility (PGCIL)

Respondent : SEI Sunshine Power Private Limited

Date of Hearing : 16.9.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member

Parties Present : Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Sanjna Dua, Advocate, PGCIL
Shri K. K. Jain, PGCIL
Shri H. H. Sharan, PGCIL
Shri A. A. Srivastav, PGCIL
Shri V. Srinivas, PGCIL
Ms. Swati Verma, PGCIL
Shri Siddharth Sharma, PGCIL
Ms. Jyoti Prasad, PGCIL
Shri Hemant Singh, Advocate, SEI Sunshine
Shri Nishant, Advocate, SEI Sunshine

Record of Proceedings

Learned counsel for the Review Petitioner submitted that the present Review Petition has been filed seeking the review of the order dated 9.4.2019 in Petition No. 318/MP/2018, mainly on the following ground:

(a) Finding of the Commission that the transmission system as envisaged in LTA agreement was not developed and the capacity was created due to relinquishment of other LTA customers oversights Minutes of Meetings dated 1.6.2016 and 30.5.2016, which record that the inter-regional links, namely, Jabalpur-Orai 765 kV corridor and Champa-Kurukshetra HVDC Phase II were required to be implemented for accommodating the LTA to be granted.



(b) Finding of the Commission that the Review Petitioner could not operationalize without the entire transmission system as per the LTA agreement being complete is contrary to the 2nd proviso to Regulation 8 (5) of the Central Electricity Regulatory Commission (Sharing of Transmission Charges and Losses) Regulations, 2010, which provides for operationalization of LTA corresponding to the transmission system commissioned provided that the LTA grantee/generator has achieved COD as well as various orders of the Commission.

2. Learned counsel for the Respondent opposed admissibility of the Review Petition and submitted that the Review Petition has been filed with a delay of 20 days beyond the prescribed limit of 45 days and there is no application for condonation of delay.

3. In response, learned counsel for the Review Petitioner submitted that the Review Petitioner will verify as to whether there is delay in filing of Review Petition and accordingly, the Review Petitioner will file an application for condonation of delay.

4. The Commission directed the Review Petitioner to file an application seeking condonation of delay in filing of the Review Petition, if any, in accordance with law, by 24.9.2019. The Commission directed that due date of filing the application, should be strictly complied with. No extension shall be granted on that account.

5. The Review Petition shall be listed for hearing on admission in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D.Pant)
Deputy Chief (Law)**

