

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 340/AT/2019**

Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for the Scheme for setting up of 1000 MW inter-State Transmission System connected Wind Power selected through competitive bidding process as per the Guidelines issued by Ministry of New Renewable Energy on 14.6.2016 and 22.10.2016.

Petitioner : PTC India Limited

Respondents : Solar Energy Corporation of India Limited and Ors.

Date of Hearing : 17.10.2019

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

Parties Present : Shri Basava P Patil, Sr. Advocate, PTC  
Shri Ravi Kishore, Advocate, PTC  
Ms. Prerna Singh, Advocate, PTC  
Shri Sunil, PTC  
Shri M. G. Ramachandran, Sr. Advocate, SECI  
Shri Shubham Arya, Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Shri Sitesh Mukherjee, Advocate, UPPCL  
Shri Rakesh Rathore, Green Infra Renewable Energy  
Shri Dharmendra Gupta, Mytrah Energy

**Record of Proceedings**

Learned senior counsel for the Petitioner submitted that the present Petition has been filed for adoption of tariff for setting up of a 1000 MW inter-State Transmission System connected Wind Power Projects selected through competitive bidding process as per the Guidelines issued by Ministry of New Renewable Energy on 14.6.2016 and 22.10.2016 under Section 63 of the Electricity Act, 2003.

2. In response to the Commission`s query as to whether the Petitioner and SECI have challenged the jurisdiction of this Commission before the Hon`ble High Court and APTEL, learned senior counsel for the Respondent 1, Solar Energy Corporation of India Limited (SECI) submitted that SECI has filed the Appeal No. 402 of 2017 (Solar Energy Corporation of India Limited Vs. Welspun Energy Private Limited and Another) before the APTEL and SECI shall not pursue the said Appeal in any manner in regard to any challenge to the jurisdiction of this Commission under Section 79 of the Electricity Act, 2003. Learned counsel submitted that SECI shall proceed to file an appropriate affidavit before the APTEL to place on record the



above aspects of the case. Learned senior counsel submitted that SECI's stand on the jurisdiction of the Commission has been set out more in IA. No. 768 of 2019 in Appeal No. 210 of 2019 filed by Southern Power Distribution Company of Andhra Pradesh Ltd. v. CERC and Ors which pending before the APTEL.

3. Learned senior counsel for the Petitioner submitted that the Petitioner has filed an affidavit to the effect that this Commission has jurisdiction to deal with the matter and satisfy the requirement of composite scheme in terms of the Hon`ble Supreme Court Judgment in Energy Watchdog case.

4. Learned counsel for the Respondent, Uttar Pradesh Power Corporation Limited, accepted the notice and requested for time to file reply.

5. After hearing the learned senior counsels for the Petitioner and Respondent, SECI and learned counsel for UPPCL, the Commission admitted the Petition and directed to issue notice to the Respondents.

6. The Commission directed the Petitioner to serve copy of the Petition on the Respondents, if not served already. The Respondents were directed to file their replies by 25.10.2019 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 29.10.2019. The Commission directed that due date of filing the reply and/or rejoinder should be strictly complied with.

7. The Petition shall be listed for hearing on 31.10.2019.

**By order of the Commission**

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

