

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 142/MP/2019 along with I.A. No. 47 of 2019

Coram:

**Shri P.K. Pujari, Chairperson
Dr. M. K. Iyer, Member**

Date of order: 29.05.2019

In the matter of:

Petition under Section 94(1) (f) of the Electricity Act, 2003 for review and modification of the order dated 6.2.2019 in Petition No.L-1/44/2010-CERC.

And in the matter of:

KSK Mahanadi Power Limited,
8-2-293/82/A/431/A,
Road No. 22, Jubilee Hills,
Hyderabad-500 033.

..... Review Petitioner

1. Power Grid Corporation of India Limited (CTU),
"Saudamini", Plot No.-2,
Sector-29, Gurgaon-122001 (Haryana)
2. National Load Despatch Centre,
Power System Operation Corporation Limited,
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi-110016.

....Respondents

For Petitioner : Ms. Swapana Seshadri, Advocate, KSKMPL
Shri Ashwin Ramanathan, Advocate, KSKMPL
Shri Amal Nair, Advocate, KSKMPL

For Respondents : Shri V. Srinivas, PGCIL



ORDER

The present petition is filed by KSK Mahanadi Power Limited (KSKMPL) seeking review of the Commission's order dated 6.2.2019 in Petition No. L-1/44/2010-CERC. The Commission in its order dated 6.2.2019 in Petition No. L-1/44/2010-CERC determined the Point of Connection (PoC) charges and transmission losses for the period from January to March, 2019 in terms of Regulation 17(2) of Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010. The petition should have been registered as a "Review Petition". However, the petition is registered as a "Miscellaneous Petition". The Registry is directed to register the petition as a "Review Petition" and also to adjust the fee paid.

2. The Review Petitioner has submitted that the instant review petition is limited to the computation of Slabs for POC Rates for Western Region for the period from January, 2019 to March, 2019. The tariff for Pole-I and other transmission elements was determined in order dated 22.2.2018 in Petition No.13/TT/2017 and the tariff for only Pole-II was determined in order dated 6.11.2018 in Petition No.205/TT/2017. The Review Petitioner has submitted that Champa-Kurukshetra HVDC transmission line is one corridor and capable of transmission of 3000 MW and PGCIL should consider the tariff of Pole-I and Pole-II as a whole and should not bifurcate between Pole-I and Pole-II. However, PGCIL has proportionated the tariff allowed under order dated 22.2.2018 on 1500 MW, which has resulted in a liability of ₹408508475/- per month on the Review Petitioner. The Review Petitioner has submitted that the monthly transmission charges for the year 2018-19 for Pole-I is ₹535622 /MW/Month and for Pole-II is ₹77814.95



/MW/Month. There is huge difference in monthly transmission charges of Pole-I and Pole-II despite the fact that there was only six months gap in the COD of Pole-I and Pole-II. The Review Petitioner has submitted that it is the result of incorrect methodology adopted by PGCIL, which is an apparent error. The cost and tariff of Pole-I and Pole-II allowed vide orders dated 22.2.2018 and 6.11.2018 should be added up and proportionately charged for 3000 MW.

3. The Review Petitioner has also filed I.A. No. 47 of 2019 for condonation of 17 days delay in filing the present review petition. The Review Petitioner has submitted that the delay in filing the present review petition was due to the time consumed in assessing the impact of the tariff order and necessary clarification from PGCIL. The petitioner has prayed for condonation of delay in filing the petition.

4. Considering the facts mentioned in I.A. No. 47 of 2019, we condone delay of 17 days in filing the petition. I.A. No. 47 of 2019 is accordingly allowed and disposed of. We admit the petition and direct to issue notice to the respondents.

5. The petitioner is directed to serve a copy of the petition on the respondents by 30.5.2019 and the respondents to file their reply by 14.6.2019 and the petitioner to file rejoinder, if any, by 24.6.2019. The parties are directed to comply with the directions within the specified timeline and no extension of time shall be granted.



6. The petition shall be listed for hearing in due course for which separate notice will be issued.

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

sd/-
(P.K. Pujari)
Chairperson

