

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 20/RP/2018 along
with I.A. Nos. 46/IA/2019, 48/IA/2019 and 49/IA/2019 and
Review Petition No.3/RP/2019**

Coram:

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

Date of order: 28.05.2019

In the matter of:

Petition of review and modification of the order dated 22.2.2018 passed in Petition No. 13/TT/2017 under section 94(1)(f) of the Electricity Act, 2003.

And in the matter of:

Power Grid Corporation of India Limited,
'SAUDAMINI', Plot No-2,
Sector-29, Gurgaon – 122001 (Haryana).

..Review Petitioner

1. Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Vidyut Marg,
Jaipur - 302 005.
2. Ajmer Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur.
3. Jaipur Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur.
4. Jodhpur Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur.



5. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171 004.
6. Punjab State Electricity Board,
Thermal Shed Tia,
Near 22 Phatak,
Patiala-147001.
7. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula (Haryana) 134109.
8. Power Development Department,
Government of Jammu & Kashmir,
Mini Secretariat, Jammu,
9. Uttar Pradesh Power Corporation Ltd.,
(Formerly Uttar Pradesh State Electricity Board),
Shakti Bhawan, 14, Ashok Marg,
Lucknow - 226001.
10. Delhi Transco Ltd.,
Shakti Sadan, Kotla Road,
New Delhi-110 002.
11. BSES Yamuna Power Ltd.,
BSES Bhawan, Nehru Place,
New Delhi.
12. BSES Rajdhani Power Ltd,
BSES Bhawan, Nehru Place,
New Delhi.
13. North Delhi Power Ltd.,
Power Trading & Load Dispatch Group,
Cennet Building, Adjacent to 66/11 kV Pitampura-3,
Grid Building, Near PP Jewellers,
Pitampura, New Delhi – 110034.



14. Chandigarh Administration,
Sector -9D, Chandigarh.
15. Uttarakhand Power Corporation Ltd.,
Urja Bhawan,
Kanwali Road, Dehradun.
16. North Central Railway,
Allahabad.
17. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110002.
18. Madhya Pradesh Power Management Company Ltd.,
Shakti Bhawan, Rampur,
Jabalpur - 482 008.
19. Maharashtra State Electricity Distribution Co. Ltd.,
Prakashgad, 4thFloor,
Andheri (East), Mumbai - 400 052.
20. Gujarat Urja Vikas Nigam Ltd.,
Sardar Patel Vidyut Bhawan,
Race Course Road, Vadodara-390007.
21. Electricity Department,
Government of Goa,
Vidyut Bhawan, Panaji,
Near Mandvi Hotel, Goa-403001.
22. Electricity Department,
Administration of Daman & Diu,
Daman - 396 210,
23. Electricity Department,
Administration of Dadra Nagar Haveli,
U.T, Silvassa - 396230.



24. Chhattisgarh State Electricity Board,
P.O. Sunder Nagar, Dangania, Raipur,
Chhatisgaarh-492013.
25. Madhya Pradesh Audyogik Kendra,
Vikas Nigam (Indore) Ltd.,
3/54, Press Complex, Agra-Bombay Road,
Indore-452008.
26. Korba STPS, NTPC,
NTPC Ltd, Western Region Head,
Quarter-I, 2nd Floor,
Samruddhi Venture Park, Marol, Andheri East,
Mumbai, 400093, Maharashtra.
27. RKM Powergen Pvt. Ltd.,
No. 14, Dr. Giriappa Road,
T. Nagar, Chennai-600017.
28. Jindal Power Ltd.,
2nd Floor, DCM Building, Plot No. 94,
Sector-32, Gurgaon.
29. Athena Chattisgarh Power Ltd.,
#7-1-24/1/Rt, G-1, B Block
1st Floor, "Rexona Towers" , Greenlands,
Begumpet, Hyderabad-500016.
30. SKS Power Generation Ltd.,
2nd Floor, DCM Building, Plot No. 94,
Sector-32, Gurgaon.
31. Korba West Power Co. Ltd.,
6th & 7th Floor, Vatika City Point,
M.G. Road Gurgaon-122002.
32. KSK Mahanadi Power Co. Ltd.,
8-2/293/82/A/431/A, Road No.22,
Jubilee Hills, Hyderabad-500033.
33. D.B. Power Ltd.,



Opp Dena Bank, C-31, G-Block,
3rd Floor, Naman Corporate Link,
Bandar – Kurla Complex, Bandra (East)
Mumbai-400051, Maharashtra.

34. Lanco Amarkantak Power Pvt. Ltd.,
Plot No. 397, UdyogVihar, Pahse-III,
Gurgaon-122016.
35. Vandana Vidyut Ltd.,
Vandana Bhawan, M. G. Road,
Raipur–Chattisgarh.
36. Haryana Vidyut Prasaran Nigam Limited (HVPNL)
Shakti Bhawan, Sector-6, Panchkula-134109
37. Dhariwal Infrastructure Limited,
C-6, Tadali Growth Centre, M.I.D.C.T.,
District Chandrapur, Maharashtra,
Chandrapur-442406, Maharashtra
38. Maruti Clean Coal & Power Limited,
7th Floor, Ambience Office Block,
Ambience Mall, NH-8, Gurgaon-122001.
39. TRN Energy Private Limited,
7th Floor, Ambience Office Block,
Ambience Mall, NH-8,
Gurgaon-122002, Haryana.
40. MB Power (Madhya Pradesh) Limited,
MBPMPL, 239, Okhla Industrial Area,
Phase-III, New Delhi-110020.
41. GMR Chhattisgarh Energy Limited,
Airport Building 302, 1st Floor,
New Shakti Bhawan, New Udaan Bhawan Complex,
Near Terminal 3, IGI Airport,
New Delhi-110037.

..Respondents



Review Petition No. 3/RP/2019 in Petition No. 205/TT/2017

In the matter of:

Petition for review and modification of the order dated 6.11.2018 in Petition No. 205/TT/2017.

And in the matter of:

Powergrid Corporation of India Limited,
Saudamani, Plot No 2. Sector 29,
Gurgoan 122001,
Haryana.

.... Review Petitioner

Vs

1. Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Vidyut Marg,
Jaipur – 302005 (Rajasthan)
2. Ajmer Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur (Rajasthan)
3. Jaipur Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur (Rajasthan)
4. Jodhpur Vidyut Vitran Nigam Ltd.,
400 kV GSS Building (Ground Floor),
Ajmer Road, Heerapura, Jaipur (Rajasthan)
5. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171004 (Himachal Pradesh)
6. Punjab State Electricity Board,
Thermal Shed Tia,
Near 22 Phatak,
Patiala-147001 (Punjab)
7. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula- 134109 (Haryana)



8. Power Development Department,
Government of Jammu & Kashmir,
Mini Secretariat, Jammu
9. Uttar Pradesh Power Corporation Ltd.,
(Formerly Uttar Pradesh State Electricity Board),
Shakti Bhawan, 14, Ashok Marg,
Lucknow - 226001 (Uttar Pradesh)
10. Delhi Transco Ltd.,
Shakti Sadan, Kotla Road,
New Delhi-110002.
11. BSES Yamuna Power Ltd.,
B-Block, Shakti Kiran, Bldg. (Near Karkadooma Courte),
Karkadooma 2nd Floor,
New Delhi-110092
12. BSES Rajdhani Power Ltd,
BSES Bhawan, Nehru Place,
New Delhi-110019
13. Tata Power Delhi Distribution Limited (TPDDL),
NDPL house, Hudson Lines Kingsway Camp
Delhi – 110009
14. Chandigarh Administration,
Sector -9, Chandigarh
15. Uttarakhand Power Corporation Ltd.,
Urja Bhawan,
Kanwali Road, Dehradun (Uttarakhand)
16. North Central Railway,
Allahabad (Uttar Pradesh)
17. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110002
18. Madhya Pradesh Power Management Company Ltd.,
Shakti Bhawan, Rampur,
Jabalpur - 482008 (Madhya Pradesh)



19. Maharashtra State Electricity Distribution Co. Ltd.,
Prakashgad, 4th Floor,
Andheri (East), Mumbai – 400052 (Maharashtra)
20. Gujarat Urja Vikas Nigam Ltd.,
Sardar Patel Vidyut Bhawan,
Race Course Road, Vadodara – 390007 (Gujarat)
21. Electricity Department,
Government of Goa,
Vidyut Bhawan, Panaji,
Near Mandvi Hotel, Goa - 403 001.
22. Electricity Department,
Administration of Daman & Diu,
Daman – 396210.
23. Electricity Department,
Administration of Dadra Nagar Haveli,
U.T., Silvassa – 396230.
24. Chhattisgarh State Electricity Board,
P.O. Sunder Nagar, Dangania, Raipur,
Chhatisgaarh-492013.
25. Madhyapradesh Audyogik Kendra,
Vikas Nigam (Indore) Ltd.,
3/54, Press Complex, Agra-Bombay Road,
Indore-452 008 (Madhya Pradesh).
26. Korba STPS, NTPC,
NTPC Ltd, Western Region Head,
Quarter-I, 2nd Floor,
Samruddhi Venture Park, Marol, Andheri East,
Mumbai-400093 (Maharashtra)
27. RKM Powergen Pvt. Ltd.,
No. 14, Dr. Giriappa Road,
T. Nagar, Chennai-600017 (Tamil Nadu).
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2nd Floor, DCM Building, Plot No. 94,
Sector-32, Gurgaon (Haryana),122001.



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#7-1-24/1/Rt, G-1, B Block
1st Floor, "Rexona Towers" , Greenlands,
Begumpet, Hyderabad-500016 (Andhra Pradesh).
30. SKS Power Generation Ltd.,
Binjkot Rd,Jhinti Pali,
Chhattisgarh -49661.
31. Korba West Power Co. Ltd.,
6th & 7th Floor, Vatika City Point,
M.G. Road Gurgaon-122002 (Haryana)
32. KSK Mahanadi Power Co. Ltd.,
8-2/293/82/A/431/A, Road No.22,
Jubilee Hills, Hyderabad-500033 (Andhra Pradesh)
33. D.B. Power Ltd.,
Opp Dena Bank, C-31, G-Block,
3rd Floor, Naman Corporate Link,
Bandar – Kurla Complex, Bandra (East),
Mumbai-400051 (Maharashtra)
34. Lanco Amarkantak Power Pvt. Ltd.,
Plot No. 397, Udyog Vihar , Pahse-III,
Gurgaon-122016 (Haryana)
35. Vandana Vidyut Ltd.,
Vandana Bhawan , M. G. Road,
Raipur (Chhattisgarh)-492001.
36. TRN Energy Private Ltd
7th Floor, Ambience office Block, Ambience Mall, NH-8,
Gurgaon-122002. Haryana.
37. MB Power (Madhya Pradesh) Ltd.
MBPMPL, 239, Okhla Industrial Area,
Phase-III, New Delhi-110020.
38. GMR Chhattisgarh Energy Limited,
Airport Building 302, 1st Floor,New Shakti Bhawan,
New Udaan Bhawan Complex, Near Terminal 3, IGI Airport,
New Delhi-110037.

... Respondents



For Review Petitioner : Ms. Suparna Srivastava, Advocate, PGCIL
Shri V. Srinivas, PGCIL
Shri Jyoti Prasad, PGCIL

For Respondents : Shri Shreshth Sharma, Advocate, M.B. Power
Ms. Molshree, Advocate, M.B. Power
Shri Buddy Ranganadhan, Advocate, TPDDL
Shri Rahul Kinra, Advocate, TPDDL
Shri Aditya Gupta, Advocate, TPDDL
Ms. Shefali Sobti, TPDDL
Shri Sandeep Kumar, TPDDL
Shri S. Sanyal, Advocate, DIL
Shri Ashwin Ramathan, Advocate, KSKMPL
Ms. Swapna Seshadri, Advocate, KSKMPL
Shri Anmol Nair, Advocate, KSKMPL
Shri Harsh Anand, Advocate, TRN
Shri Gaurav Majumdar, Advocate, TRN
Shri M.G. Ramachandran, Sr. Advocate,
RRV PNL and NPCL
Shri Shubham Arya, Advocate, RRV PNL and NPCL
Ms. Tanya, Advocate, RRV PNL and NPCL
Shri R.B. Sharma, Advocate, BRPL and BYPL
Shri Mohit Mudgil, Advocate, BRPL and BYPL
Shri Sekhar Saklani, BYPL
Shri Matrugupta Mishra, Advocate, MCCPL
Shri Shourya Malhotra, Advocate, MCCPL

ORDER

Learned counsel for the Review Petitioner submitted that Review Petition Nos. 20/RP/2018 and 3/RP/2019 emanate out of the order dated 22.2.2018 in Petition No.13/TT/2017 and order dated 6.11.2018 in Petition No.205/TT/2017 wherein the Commission determined the tariff of Champa-Kurukshetra HVDC Pole-I and Pole-II respectively. She further submitted that Petition No. 142/MP/2019 has been filed by KSK Mahanadi Power Limited wherein the methodology followed by the Review



Petitioner for billing of Pole-I and Pole-II of Champa-Kurukshetra corridor has been sought to be modified.

2. Learned counsel for the Review Petitioner submitted that in compliance of Commission's direction, they have served copies on all the respondents who were parties in Review Petition No. 20/RP/2018.

3. Learned counsel further submitted that though the Commission vide its order dated 9.5.2019 has admitted Review Petition No. 3/RP/2019 and directed to issue notice to the respondents but the respondents are yet to be served. She further submitted that any order passed by the Commission in Review Petition No. 20/RP/2019 will apply to Review Petition No. 3/RP/2019 as well. She submitted that receivables of the Review Petitioner in the case of Champa-Kurukshetra HVDC Pole-I and Pole-II are mounting as the respondents are being billed provisionally which in turn is resulting in under-recovery and requested for early hearing of Review Petition Nos. 20/RP/2018 and 3/RP/2019.

4. Learned counsel appearing for TRN requested for adjournment due to unavailability of their main arguing counsels due to personal difficulties.

5. Learned counsel appearing for M.B. Power (Madhya Pradesh) Limited submitted that IA No. 48 of 2019 was filed on 2.5.2019 for impleadment of M.B. Power (Madhya Pradesh) Limited but the Commission in its order dated 13.5.2019 has inadvertently recorded that no such application was filed. She urged that M.B. Power (Madhya Pradesh) Limited may be impleaded in Review Petition No. 20/RP/2018 and the



Commission's order dated 13.5.2019 in Review Petition No. 20/RP/2018 regarding billing may also be made applicable in its case.

6. We have considered the submissions of MB Power (MP) Ltd. It is observed that MB Power (MP) Ltd. has filed an application for impleadment, besides other prayers, on 2.5.2019 and the same was mentioned during the hearing on 2.5.2019. The said application was under scrutiny and it was not registered. Hence, in order dated 13.5.2019, it was inadvertently observed that MB Power (MP) Ltd. did not file the application for impleadment. The Interlocutory Application No.48/IA/2019 filed by MB Power (MP) Ltd. for impleadment is allowed. Further, the relief granted to TRN Energy Ltd. in order dated 13.5.2019 is also extended to MB Power (MP) Ltd.

7. Learned counsel for Maruti Clean Coal and Power Limited (MCCPL) has submitted that Interlocutory Application No. 49 of 2019 has been filed for its impleadment in Review Petition No. 20/RP/2018. He submitted that the Review Petitioner be directed to revise the POC bills issued by it from April, 2018 linking it with operationalization of LTOA for MCCPL with the date of commercial operation of 765 kV D/C Jabalpur-Orai transmission line from which the LTOA was originally sanctioned and BPTA was signed. We have considered the submissions of MCCPL. MCCPL is impleaded as respondent.

8. The Commission's order dated 13.5.2019 regarding billing shall be applicable to all the generators, IPPs and beneficiaries. This billing and payment mechanism will continue till the outcome of the present Review Petitions.



9. We direct the Review Petitioner to serve all the respondents in Review Petition No. 3/RP/2019 as expeditiously as possible and the parties are directed to complete the pleadings by 29.5.2019.

10. The e-filing window of the Commission in Review Petition Nos. 20/RP/2018 and 3/RP/2019 shall remain open till 6.00 p.m. on 29.5.2019. The timeline indicated by the Commission vide its order dated 9.5.2019 in Review Petition No.3/RP/2019 for completion of pleadings stand modified accordingly. The parties are directed to comply with the directions within the specified timeline and no extension of time shall be granted.

11. Petition Nos. 20/RP/2018 and 3/RP/2019 be listed for hearing on 30.5.2019 at 3.00 p.m.

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

sd/-
(P.K. Pujari)
Chairperson

