

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 30/RP/2018
in Petition No. 133/TT/2017**

Coram:

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

Date of Order : 02.01.2019

In the matter of:

Petition for review and modification of order dated 29.6.2018 in Petition No. 133/TT/2017 under Section 94(1)(f) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

And in the matter of:

Power Grid Corporation of India Limited,
“Saudamini”, Plot No. 2, Sector 29,
Gurgaon-122001
(Haryana)

...Petitioner

Vs

1. Karnataka Power Transmission Corporation Ltd., (KPTCL),
Kaveri Bhavan, Bangalore – 560 009
2. Transmission Corporation of Andhra Pradesh Ltd.,
(APTRANSCO), Vidyut Soudha,
Hyderabad– 500082
3. Kerala State Electricity Board (KSEB)
Vaidyuthi Bhavanam
Pattom, Thiruvananthapuram –695 004
4. Tamil Nadu Electricity Board (TNEB)
NPKRR Maaligai, 800, Anna Salai
Chennai – 600 002



5. Electricity Department
Government of Goa
Vidyuti Bhawan, Panaji,
Goa-403001
6. Electricity Department,
Govt. of Pondicherry,
Pondicherry – 605001.
7. Eastern Power Distribution Company of Andhra Pradesh Limited (APEPDCL),
APEPDCL, P&T Colony, Seethmmadhara,
Vishakhapatnam, Andhra Pradesh.
8. Eastern Power Distribution Company of Andhra Pradesh Limited (APEPDCL),
APEPDCL, P&T Colony, Seethmmadhara,
Vishakhapatnam, Andhra Pradesh.
9. Southern Power Distribution Company of Andhra Pradesh Limited (APSPDCL)
Srinivasasa Kalyana Mandapam Backside,
Tiruchanoor Road, Kesavayana Gunta,
TIRUPATI-517 501,
Chittoor District, Andhra Pradesh
10. Central Power Distribution Company of Andhra Pradesh Limited (APCPDCL)
Corporate Office, Mint Compound,
Hyderabad – 500 063, Andhra Pradesh
11. Northern Power Distribution Company of Andhra Pradesh Limited (APNPDCL)
Opp. NIT Petrol Pump Chaitanyapuri,
Kazipet, WARANGAL – 506 004
Andhra Pradesh
12. Bangalore Electricity Supply Company Ltd., (BESCOM),
Corporate Office, K. R. Circle
Bangalore– 560001 Karanataka
13. Gulbarga Electricity Supply Company Ltd., (GESCOM)
Station Main Road, Gulbarga
Karnataka
14. Hubli Electricity Supply Company Ltd., (HESCOM)
Navanagar, PB Road



Hubli, Karnataka

15. MESCOM Corporate Office, Paradigm Plaza, AB Shetty Circle, MANGALORE – 575 001 Karnataka
16. Chamundeswari Electricity Supply Corporation Ltd., (CESC) # 927, L. J. Avenue, Ground Floor, New Kantharaj Urs Road, Saraswathipuram, Mysore– 570 009
17. Transmission Corporation of Telangana Limited, Vidhyut Sudha, Khairatabad, Hyderabad- 500082.
18. Andhra Pradesh Solar Power Corporation Private Limited, 6-3-856/A3, Neeraj Public School Lane, Opp. to Green Park Hotel, Ameerpet, Hyderabad-500 016.

.....Respondents

For petitioner : Shri Sitesh Mukherjee, Advocate, PGCIL
Shri Deep Rao, Advocate, PGCIL
Shri Divyanshu Bhatt, Advocate, PGCIL
Shri S.S.Raju, PGCIL
Shri Zafrul Hasan, PGCIL
Shri S.K. Venkatesan, PGCIL

For respondents : None

ORDER

The instant review petition has been filed by Power Grid Corporation of India Ltd. (“Review Petitioner”) seeking review of the order dated 29.6.2018 in Petition No. 133/TT/2017. In the original petition, the Commission determined the transmission tariff for ±100 MVAR STATCOM at NP Kunta Pooling Station approved as a part of Transmission System to be implemented for Part A (Phase-I) of the Ultra Mega Solar



Park proposed in Anantpur District of Andhra Pradesh for 2014-19 tariff period under 2014 Tariff Regulations.

2. The Commission in the impugned order disallowed the Review Petitioner's claim for additional RoE of 0.50% observing that no separate time line is specified for STATCOM in 2014 Tariff Regulations. The Commission further observed that STATCOM was installed in NP Kunta Sub-station which is an existing sub-station and as such it is not eligible for additional RoE of 0.5%.

3. The Review Petitioner has contended that the Commission in the impugned order has failed to take into consideration certain facts while dealing with claim for additional RoE of 0.50%. The complete transmission project was bifurcated into three phases having separate Investment Approvals (IA), but the scheme, as a whole, was discussed and agreed in the 38th Standing Committee Meeting of Southern Region (SCM-SR) held on 7.3.2015 and was placed before the Southern Regional Power Committee (SRPC) in its 27th meeting held on 12.5.2015. As per the Investment Approval dated 3.6.2015, the ± 100 MVAR STATCOM was covered under Phase-I. The scope of the IA dated 3.6.2015 was bifurcated which stipulated that all the elements were to be put into commercial operation within 12 months from the date of the IA and STATCOM was to be put into commercial operation alongwith the COD of the scope of the project covered under Phase-II. This arrangement of shifting the commissioning of STATCOM from Phase-I to Phase-II was agreed during the Technical Validation of 38th SRPC. Though a different timeline for COD of the STATCOM was fixed from the remaining scope of the work as envisaged under



Phase-I, the overall completion timeline of 30 months as contemplated for the COD of the 400 kV Sub-station under 2014 Tariff Regulation was adhered to by the Review Petitioner with the COD of the last element (i.e. STATCOM) covered under the scope of work to be executed in Phase-I.

4. After the approval of SRPC, the instant assets were put into commercial operation on 4.6.2017 under Phase-I to cater to the requirements of grid. Learned counsel further contended that Review Petitioner filed two petitions i.e. Petition No. 26/TT/2016 in respect of 400/200 kV NP Kunta Sub-station and Petition No. 113/TT/2017 claiming tariff for ± 100 MVAR STATCOM at NP Kunta Pooling Station. It was further submitted that when the Review Petitioner preferred review in Petition No. 26/TT/2016, the Commission observed that the entire project was not complete and directed the Review Petitioner to approach the Commission at the time of true up.

5. Learned counsel submitted that for the aforesaid reasons, the Commission has erred in concluding that the instant asset is an isolated asset and does not form part of the scope of work approved by the MoP vis-à-vis SCM-SR. Learned counsel submitted that the COD of 400/200 kV NP Kunta Sub-station and ± 100 MVAR STATCOM at NP Kunta Pooling Station was within the timeline specified in the 2014 Tariff Regulations as such the Review Petitioner is entitled to additional ROE of 0.50%.

6. We have considered the submissions of the Review Petitioner and have also perused the record. We admit the Review Petition and direct to issue notice to the respondents.



7. The respondents are directed to file reply by 21.1.2019 and the Review Petitioner to file rejoinder, if any, by 1.2.2019. The parties are directed to comply with above directions within the specified timeline. No extension of time shall be granted.

8. The date of final hearing will be intimated to the parties in due course of time.

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

sd/-
(P.K. Pujari)
Chairperson

