

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**I.A. No. 52/IA/2019 in
Petition No. 209/MP/2017**

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

Date of Order: 17th of June, 2019

In the matter of

Application for taking on record the latest developments pertaining to the dedicated transmission line of the Petitioner and for directions to HPSEBL and HPPTCL.

**And
In the matter of**

AD Hydro Power Limited
Prini, Tehsil Manali
Distt Kull (HP)

....Petitioner

Vs

- 1) Everest Power Private Limited
1st House, Bhumian Estate
Nav bahar, Bhumian Road
Chhota, Shimla
Shimla-170002
- 2) Central Electricity Authority
Sewa Bhavan, Sector-1
R K Puram
New Delhi-110066
- 3) Ministry of Power
Government of India
Shram Shakti Bhavan
Rafi Marg
New Delhi-110001
- 4) Power Grid Corporation of India Limited
Sector-29, Gurgaon
Haryana-122001



- 5) Northern Regional Load Despatch Centre
Katwaria Saria
New Delhi-110016
- 6) Ministry of Power
Government of Himachal Pradesh
Shimla- 171002
- 7) Himachal Pradesh State Electricity Board
Khalini, Shimla-171002
- 8) Himachal Pradesh Power Transmission Corp. Limited
Khalini, Shimla-171002
- 9) Department of Forests
Government of Himachal Pradesh
Shimla-171002

....Respondents

Parties present:

- 1) Dr. Seema Jain, Advocate, ADHPL
- 2) Shri Sanjay Sen, Senior Advocate, KPCPL
- 3) Shri Ashwin Ramanathan, Advocate, HPPTCL & PSPCL
- 4) Shri Utkarsh Singh, Advocate, HPPTCL & PSPCL
- 5) Shri Hemant Singh, Advocate, KPCPL
- 6) Shri Nishant Kumar, Advocate, KPCPL
- 7) Shri Ambuj Dixit, Advocate, KPCPL
- 8) Shri Alok Mishra, NRLDC
- 9) Shri Gajendra Singh, NRLDC
- 10) Ms. Kavita Parihar, NRLDC
- 11) Ms. Jyoti Prasad, PGCIL

ORDER

The Applicant, Allan Duhangan Hydro Power Ltd., has filed this Interlocutory Application (IA) along with the following prayers:

(a) This Commission may allow the urgent hearing on the IA;

(b) This Commission may allow the documents submitted by the Petitioner to be taken on record;

(c) This Commission may direct Respondent No. 1 to make the payment of the balance amount for use of the line as per the order;



(d) This Commission may direct the Respondent No. 8 to install the SPS/a Protection system at both the sub-stations to take care of the line constraints, till they remain connected to the dedicated transmission line;

(e) The Commission may determine the modalities for use of the Petitioners' dedicated transmission line beyond the contracted capacity; and

(f) This Commission may determine the method of calculation of transmission losses on account of excess use of the Petitioner's dedicated transmission line.”

2. The brief background of the case is that the Applicant has filed the Petition No. 209/MP/2017 for determination of transmission tariff for its dedicated transmission line pursuant to the judgment of the Hon`ble Supreme Court dated 26.4.2017 in Civil Appeal No. 1795/2013. The matter was heard on 10.1.2019 and after hearing the learned counsels for the parties, order in the Petition was reserved.

3. During the course of hearing on 12.6.2019, learned counsel for the Applicant submitted that the prayers sought in the IA are not related to determination of tariff of the dedicated transmission line. Learned counsel further submitted that the Respondent No. 8, HPPTCL vide its letter dated 3.5.2019 has advised a shut down for disconnection of the Respondent No. 1, Everest Power Private Limited on 19.6.2019. Therefore, the Commission is required to decide the modalities of disconnection and issue direction to avoid substantial loss to the hydro generation not only to the Petitioner but also to the generator who are connected to the dedicated transmission line. Learned counsel submitted that Respondent No. 1 is presently paying 60% of the transmission charges as per the Commission`s direction.

4. In response to the Commission`s specific query as to whether the reliefs sought in the IA are pertaining to the tariff Petition in which the order is reserved, learned counsel



for the Applicant submitted that the prayers sought in the IA does not have any bearing on the tariff to be decided by the Commission.

5. Based on the submission made by the learned counsel for the Applicant, we are of the considered view that the present IA is beyond the scope of the main Petition in which the Commission has already reserved the order and the same has also been admitted by the learned counsel for the Applicant. Accordingly, the IA is disposed of as dismissed. However, the Applicant is granted liberty to file separate Petition in this regard, if required, in accordance with law.

6. IA No. 52/2019 is disposed of in terms of the above.

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

sd/-
(P. K. Pujari)
Chairperson

