

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 343/MP/2020

Subject : Petition under Section 79(1) (c), (d) and (f) of the Electricity Act, 2003 seeking adjudication of transmission charges by Respondent No.1, Central Railways.

Date of Hearing : 25.8.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Petitioner : Ratnagiri Gas & Power Private Limited (RGPPL)

Respondents : Central Railways and Anr.

Parties present : Ms. Swapna Seshadri, Advocate, RGPPL
Shri Anand Ganesan, Advocate, RGPPL
Shri Ashwin Ramanathan, Advocate, RGPPL
Shri Aditya Dubey, Advocate, RGPPL
Shri Arvind Jhalani, RGPPL

Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking directions to the Respondent No.1, Central Railways to correct the deductions being made by it from the monthly bill of the Petitioner towards the transmission charges and the reimbursement of the excess transmission charges deducted by the Respondent No.1. Learned counsel further submitted as under:

(a) Ministry of Power, Government of India, vide its letter dated 17.3.2017, has allocated 540 MW power from the Petitioner's generating station to Indian Railways.

(b) The Petitioner has entered into a Power Purchase Agreement dated 29.3.2017 with Respondent No.1 for their allocation of 230 MW (subsequently revised to 210 MW) power to be scheduled in the State of Maharashtra.

(c) As per the PPA, the bills raised by CTU/STU towards transmission charges are to be initially paid by the Respondent No.1 and thereafter, such charges are to be deducted from the next bill payment to the Petitioner.



(d) Though, initially the allocated capacity to the Central Railways was to the tune of 250 MW, the said allocation was subsequently revised by the Ministry of Power to 230 MW and later to 210 MW.

(e) However, the Respondent No.1 has been deducting the transmission charges for 250 MW instead of 230/210 MW. Such deductions are neither in line with the Ministry of Power's allocations nor in line with the provisions of the PPA as the utilisation of transmission system cannot be more than the quantum of power being allocated from the Petitioner to the Respondent No.1.

3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. The Respondents were directed to file their reply by 18.9.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 9.10.2020. The Commission further directed that the due date of filing of reply and rejoinder should be strictly complied with.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

Sd/-

(T.D. Pant)

Deputy Chief (Law)

