

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 428/MP/2019

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 and Regulation 32 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and Medium-Term Open Access in Inter-State Transmission and related matters) Regulations, 2009 praying to quash the demand for relinquishment charges by Central Transmission Utility against the conditional grant of Medium Term Open Access on 14.4.2015 and 19.8.2015 to avail power under Long-Term Power Purchase Agreements entered into with Maithon Power Limited on 30.12.2013 and 29.6.2015.

Petitioner : Kerala State Electricity Board Limited (KSEBL)

Respondents : Power Grid Corporation of India Limited (PGCIL) and Anr.

Date of Hearing : 23.6.2020

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

Parties present : Shri Prabhas Bajaj, Advocate, KSEBL
Ms. Latha Sv, KSEBL

Record of Proceedings

The matter was listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed, *inter-alia*, seeking to quash the demand of relinquishment charges by the Respondent No.1, Central Transmission Utility, against the conditional grant of Medium-Term Open Access (MTOA) on 14.4.2015 and 19.8.2015 to avail power under Long-Term Power Purchase Agreements entered into with the Respondent No.2, Maithon Power Limited, on 30.12.2013 and 20.6.2015. Learned counsel requested to issue notice to the Respondents.

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, if not already served. The Respondents were directed to file their reply by 20.7.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 5.8.2020. The due date of filing of reply and rejoinder should be strictly complied with.



5. Learned counsel for the Petitioner further prayed to direct CTU not to take any coercive measure against the Petitioner during the pendency of the instant Petition as CTU, vide its letter dated 31.7.2019, has informed the Petitioner that it will take regulatory measures in case the Petitioner fails to pay the relinquishment charges. Considering the request of the learned counsel for the Petitioner, the Commission directed CTU not to take any coercive action against the Petitioner till the next date of hearing.
6. Learned counsel for the Petitioner further sought liberty to file an additional affidavit to place on record CTU's aforesaid letter dated 31.7.2019 and the details regarding operationalization of Salem-Somanahally 400 kV D/C transmission line. The request was allowed by the Commission. The Commission directed the Petitioner to file the above information on affidavit, by 17.7.2020.
7. The Commission further directed that the due date of filing of reply, rejoinder and information should be strictly complied with.
8. 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)**

