

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 451/MP/2019 along with IA 93 of 2019

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 in compliance of directions issued by the Commission vide order dated 10.5.2019 in Petition No. 65/RP/2016, Petition No. 66/RP/2016, Petition No.18/RP/2017 and Petition No.19/RP/2017 for payment of Transmission Charges for the period from 1.11.2011 to 24.5.2012 for power evacuation from the Budhil Hydro Electric Project in Himachal Pradesh.

Petitioner : Power Grid Corporation of India Limited (PGCIL)

Respondents : NHPC Limited and Ors.

Date of Hearing : 14.1.2020

Coram : Shri P.K. Pujari, Chairperson
Shri M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Ms. Suparna Srivastava, Advocate, PGCIL
Shri K.K Jain, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted that pursuant to the Commission's direction dated 10.5.2019 in Petition No. 18/RP/2019 and others, the Petitioner has filed the present Petition seeking direction to the Respondent No.2 to make payment towards transmission charges for the period from 1.11.2011 to 24.5.2012. Learned counsel further submitted that NHPC Limited and Greenko Budhil Hydro Power Private Limited have been also impleaded as party to Petition. Learned counsel for the Petitioner requested to issue notice to the Respondents.

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

3. The Commission directed the Respondents to file their replies, by 5.2.2020, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.2.2020. The Commission directed that due date of filing replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. Learned counsel for the Petitioner submitted that the Petitioner has filed IA No.93 of 2019 seeking condonation of delay of 149 days in filing the present Petition. Learned counsel submitted that as per the Commission's order dated 10.5.2019, the Petitioner was required to file fresh Petition within 30 days from the said order. The Petitioner has stated that since the agreements/contracts entered into with the Respondent, NHPC were back-to-back in the year 2004-05, the collection, verification and compilation of old records and communications took considerable time. After discussing the matter with the counsel and taking approval of the management, the Petitioner has filed the present Petition on 7.11.2019 i.e. with delay of 149 days. Considering the submission of learned

counsel for the Petitioner, the Commission condoned the delay of 149 days in filing the present Petition. Accordingly, IA No. 93 of 2019 was disposed of.

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

By order of the Commission
Sd/-
(T.D. Pant)
Deputy Chief (Law)