

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 1/TT/2020

- Subject** : Petition for revision of transmission tariff of the 2001-04, 2004-09 and 2009-14 tariff periods, truing up of transmission tariff of the 2014-19 tariff periods and determination of transmission tariff of the 2019-24 tariff period for 400 kV D/C Vijayawada-Nellore Transmission Line, 400 kV D/C Nellore-Sriperumbudur Transmission Line, New 400 kV Switching station at Nellore, extension of Vijayawada and Sriperumbudur Sub-station with associated bays under System Strengthening in the Southern Region
- Date of Hearing** : 18.5.2021
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Pravas Kumar Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd.
- Respondents** : Karnataka Power Transmission Corporation Ltd.
and 16 Others
- Parties Present** : Shri B. Vinodh Kanna, Advocate, TANGEDCO
Shri S. S. Raju, PGCIL
Shri B. Dash, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri A. K. Verma, PGCIL
Shri R. Srinivasan, TANGEDCO
Ms. R. Ramalakshmi, TANGEDCO

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:
 - a. The instant petition is filed for revision of transmission tariff of the 2001-04, 2004-09 and 2009-14 tariff periods, truing up of tariff of the 2014-19 tariff period and determination of tariff of the 2019-24 tariff period of 400 kV D/C Vijayawada-Nellore Transmission Line, 400 kV D/C Nellore-Sriperumbudur Transmission Line, New 400 kV Switching station at Nellore, extension of Vijayawada and Sriperumbudur Sub-station with associated bays under System Strengthening in the Southern Region;



- b. The transmission asset was put into commercial operation on 1.3.2003;
 - c. Revised transmission tariff for 2001-04 and 2004-09 tariff periods is claimed on account of change in Interest on Loan (IoL) and Interest on Working Capital to the extent of revision in IoL and maintenance spares owing to the judgments dated 22.1.2007 and 13.6.2007 in Appeal Nos. 81 of 2005 and 139 of 2006 respectively of APTEL read with the Commission's order dated 18.1.2019 in Petition No.121 of 2007;
 - d. The true up of tariff of the 2014-19 tariff period and tariff of the 2019-24 tariff period is claimed based on the capital cost admitted vide order dated 4.12.2015 in Petition No. 167/TT/2014;
 - e. No Additional Capital Expenditure is claimed during the 2014-19 and 2019-24 tariff periods; and
 - f. The information sought through Technical Validation letter was filed vide affidavit dated 31.7.2020.
3. The learned counsel for TANGEDCO submitted that reply has been filed vide affidavit dated 12.5.2021 and made the following oral submissions:
- a. The retrospective revision of transmission tariff may not be permitted as the same is time barred;
 - b. Referring to the Gujarat High Court's judgment dated 19.12.2018 in Torrent Power Ltd. (Special Civil Appeal No. 5343 of 2018) submitted that GST is not applicable to transmission of electricity. Further, the Petitioner may be directed to refrain from including GST paragraph in the petitions;
 - c. The billing and recovery of transmission charges of the transmission asset will be governed by the 2010 Sharing Regulations till October 2020 and the same will be governed by 2020 Sharing Regulations from the notification of the 2020 Sharing Regulations; and
 - d. Detailed submissions in the reply uploaded by TANGEDCO may be considered in the instant petition.
4. The Commission permitted the Petitioner to file the un-notarized rejoinder, because of the prevailing pandemic situation, to TANGEDCO's reply by 25.5.2021 and to file the notarized rejoinder as soon as the situation improves.
5. Subject to the above, the Commission reserved the order in the matter.

By order of the Commission

sd/-
(V. Sreenivas)
Dy. Chief (Law)

