

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 145/TT/2018

Subject : Approval of transmission tariff from COD to 31.3.2019 of 400 kV D/C Mahan-Sipat line alongwith associated bays at Mahan and Sipat and 2x50 MVAR line reactors at Sipat Pooling Sub-station, 2x50 MVAR line reactors at Mahan Pooling Sub-station and 1x80 MVAR, 420 kV switchable bus reactor at Mahan TPS along with its associated 400 kV bay for 2014-19 period.

Date of Hearing : 27.4.2021

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

Petitioner : Essar Power Transmission Co. Ltd.

Respondents : Essar Power M. P. Ltd. and 6 Others

Parties present : Shri Amit Kapur, Adocate, EPTCL
Shri Abhishek Munot, Advocate, EPTCL
Shri Malcolm Desai, Advocate, EPTC
Shri Alok Shankar, Advocate, EPTCL
Shri Anindya Kumar Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that he has been recently engaged in the matter. He submitted that on examination of the pleadings for determination of tariff in the present case, it is noticed some important documents and submissions have been left out. He submitted that following submissions are required to be brought on record.

- (a) Essar Power MP Ltd. (EPMPL) contemplated setting up of Mahan TPP in two phases : Phase-1 consisting of 2x 600 MW and Phase-2 of 1x600 MW considering availability of coal. Since inception, EPMPL had envisaged that a Dedicated Transmission System would be constructed for evacuation of power from Mahan TPP. Accordingly, load flow studies were carried out by PGCIL and the proposed transmission systems for



transfer of power to Gujarat and M.P was approved and long term open access was accorded by the Western Region Coordination Committee.

- (b) EPTCL filed Petition No. 157 of 2007 for grant of transmission license for implementing the Associated Dedicated Transmission System of Mahan Thermal Power Plant constructed by Essar Power MP Ltd. However, the Commission vide order dated 10.4.2008 granted EPTCL ISTS licence observing that the following elements of the Associated Transmission System of Mahan TPP are embedded elements of the Western Region Transmission System, categorically observing that the assets cannot be considered as “dedicated” Transmission System:

A. Transmission Lines:

- (a) 400 kV (quad moose conductor) D/C transmission line from Mahan to Sipat Pooling Sub-station (presently PGCIL Bharari S/S near Bilaspur).
- (b) LILO of existing 400 kV S/C Vindhyachal-Korba Transmission Line of POWERGRID at Mahan.
- (c) 400 kV (twin conductor) D/C transmission line from Gandhar (NTPC) Switch-yard to Hazira.

B. Sub-stations/Bays:

- (a) 3X500 MVA, 400/220 kV Sub-station at Hazira.
- (b) 2X50 MVAR line reactors at Sipat pooling Sub-station.
- (c) 2X50 MVAR line reactors at Mahan.
- (d) 1X80 MVAR, 420 kV switchable bus reactor at Mahan TPS along with its associated 400 kV bay.
- (e) 2 Nos. 400 kV line bays at Sipat Pooling station.
- (f) 2 Nos. 400 kV line bays at Gandhar (NTPC) switchyard.
- (g) 4 Nos. 400 kV line bays at Mahan TPS.
- (c) On 15.9.2009, the Transmission Licence dated 10.4.2008 was amended by this Commission modifying the configuration of 400 kV D/C Mahan-Sipat transmission line from ‘Triple Conductor’ to ‘Quad Moose Conductor’.
- (d) As the grant of Transmission Licence and commercial operation, the 400 kV D/C Mahan-Sipat Line (quad moose conductor) is an embedded part of the Western Region Transmission System which has been utilized for evacuation of power from NTPC Vindhyachal. Legal status of the above elements is that of a licensed Associated Transmission System of Mahan TPP i.e. part of the inter-State Transmission System whose usage is



regulated by the Commission and is subject to compensation of the utilization of any elements of the licensed Mahan ATS.

- (e) Compensation for utilization of any elements of licensed Mahan ATS is required to be regulated by 2014 Tariff Regulations, 2010 Sharing Regulations and Section 70 of the Indian Contract Act, 1872.

3. Therefore, learned counsel for the Petitioner sought three weeks' time to place on record additional documents and pleadings which were left out in the previous filing and hearing.

4. The representative of MPPMCL sought time as their counsel is suffering from Covid.

5. After hearing the submissions, the Commission allowed the Petitioner to file submissions and documents on affidavit by 14.5.2021 with advance copy to Respondents, who may file their reply by 28.5.2021 and the Petitioner to file rejoinder, if any, by 10.6.2021. The Commission further directed the parties to complete the pleadings and observed that no further extension of time shall be granted.

6. The matter shall be listed for further hearing in due course for which separate notice will be issued.

By order of the Commission

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

