

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 171/TT/2019

- Subject** : Petition for determination of transmission tariff from COD to 31.3.2019 for four no. of assets covered under “Transmission System for Ultra Mega Solar Park in Anantpur District, Andhra Pradesh-Part B (Phase-II)”.
- Date of Hearing** : 25.11.2021
- Coram** : Shri P.K. Pujari, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd.
- Respondents** : Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) & 18 Ors.
- Parties present** : Shri S. Vallinayagam, Advocate, TANGEDCO
Shri S.S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri A.K. Verma, PGCIL
Dr. R. Kathiravan, TANGEDCO
Shri R. Ramalakshmi, TANGEDCO
Shri R. Srinivasan, 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 determination of transmission tariff from COD to 31.3.2019 in respect of the following assets under “Transmission System for Ultra Mega Solar Park in Anantpur District, Andhra Pradesh-Part B (Phase-II)”:
- Asset-1:** Loop In Portion of LILO of Kadapa-Hindupur 400 kV D/C line (both circuits) at NP Kunta Sub-station along with associated bays;
- Asset-2:** Loop out Portion of LILO of Kadapa-Hindupur 400 kV D/C line (both circuits) at NP Kunta Sub-station along with associated bays;



Asset-3: 2 Numbers of 220 kV Line bays (Bay No. 217 & 218) at NP Kunta Sub-station; and

Asset-4: 4 Numbers of 220 kV line bays (Bay No. 213, 214, 219 & 220) at NP Kunta Sub-station.

b. Asset-1 was declared under commercial operation on 4.8.2018. As regards Asset-2, Asset-3 and Asset-4, the Petitioner has invoked proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations for declaration of their commercial operation dates as 12.10.2018, 26.4.2017 and 3.8.2018 respectively due to delay in commissioning of associated renewable generation of NP Kunta Phase-III.

c. Reply to RoPs dated 13.2.2020 and 29.6.2020 has been filed by the Petitioner vide affidavits dated 20.3.2020 and 22.7.2020 respectively.

d. Scheduled date of commercial operation as per Investment Approval (IA) for Asset-1 and Asset-3 was 14.5.2017 and that for Asset-2 and Asset-4, it was 14.7.2018. There is no time over-run in case of Asset-3. There is time over-run of 14 months and 19 days in case of Asset-1, of 3 months in case of Asset-2 and of 19 days in case of Asset-4.

e. The Petitioner vide affidavit dated 11.10.2021 has furnished the details of time over-run, proposed COD, status of downstream assets, actual details of commissioning of generating stations at NP Kunta Phase-II Solar Park, details of grant received and its adjustment.

f. Reasons for time over-run in the instant petition are the same as were submitted in Petition No. 257/TT/2018 for SRSS-XXIV project. The Commission vide order dated 29.7.2019 in Petition No. 257/TT/2018 had condoned the time over-run and as such time over-run in case of the instant transmission assets may also be condoned.

g. In terms of the Commission's direction vide RoP dated 29.6.2020, the Petitioner has submitted revised memo of parties and impleaded APTRANSCO as Respondent.

h. Rejoinder to the reply of TANGEDCO has been filed.

3. Learned counsel for TANGEDCO made the following submissions:

a. Documents substantiating the delay in commissioning of the assets have been provided by the Petitioner. However, the details of bilateral billing from the date of commercial operation of the asset and COD of the generating plants individually have not been provided.

b. In terms of Regulation 7 (as amended by 5th amendment) of the 2010 Sharing Regulations, the Petitioner has not shared the details of the generators eligible for waiver of transmission charges. If generators are eligible for waiver of transmission charges and if there is delay in commissioning by the generators, the transmission charges, from the date of commissioning of the transmission assets



till the date of commissioning of the generating station, should be billed on the defaulting generators. The Petitioner has also not placed on record the details of competitive bidding/ tendering process of eligible bidders etc.

4. In response, the representative of the Petitioner submitted that details of bilateral billing have been given vide affidavit dated 11.10.2021 (page no. 462 of the petition). Generation and LTA details have also been given in the said affidavit. Bills were raised to APSPCL against Phase-I generation and against Phase-III generation due to delay in COD of their generation with respect to LTA operationalization. Generation commissioning details have been submitted and are available at Page Nos. 483, 486, 489 of the petition.
5. No bills have been raised for Phase-II generation as there is no order of the Commission for the same. Bill for Phase-II generation shall be raised on receipt of order from the Commission. Tendering process was done by the APSPCL.
6. In response to a query of the Commission, the representative of the Petitioner submitted that the bilateral bills have been raised to APSPCL who is LTA holder and not to the generators.
7. The Commission directed APSPCL to file its reply on affidavit by 17.12.2021 and the Petitioner to file rejoinder, if any, by 31.12.2021.
8. Subject to the above, the Commission reserved order in the matter.

By order of the Commission

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

