

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 177/MP/2021

Subject : Approval under Section 17(3) and 17(4) of the Electricity Act, 2003 read with clause 11.6 of the Security Trustee Agreement dated 28.12.2020 along with Article 15 of the Transmission Service Agreement dated 22.9.2015 for grant of approval in relation to change of the constitution of the consortium of existing lenders already approved by the Commission vide order dated 10.4.2018 in Petition No. 86/MP/2018.

Date of Hearing : 12.10.2021

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

Petitioner : Alipurduar Transmission Limited (ATL)

Respondents : South Bihar Power Distribution Company Limited and 10 Ors.

Parties Present : Shri Hemant Singh, Advocate, ATL
Shri Harshit Singh, Advocate, ATL
Ms. Supriya Rastogi Agarwal, Advocate, ATL
Shri Jagat Bhushan, Nidhi, BSPHCL

Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the present Petition has been filed seeking approval of the Commission under Sub-sections (3) and (4) of Section 17 of the Electricity Act, 2003, *inter-alia*, for approval of consortium of existing lender, for assignment of transmission licence and utility of the Petitioner by way of security in favour of the Security Trustee, acting for the benefit and on behalf of the lenders; and for appointment of Catalyst Trusteeship Limited as Security Trustee, acting on behalf of and for the benefit of the new lenders as well as the Petitioner company. It was submitted by the learned counsel for the Petitioner that requisite details have been furnished as per the format prescribed by the Commission. Appraising the status of the Project, it was submitted by the learned counsel for the Petitioner that the Project has already achieved the commercial operation.

2. The representative of BSPHCL submitted that BSPHCL has no objection to prayers of the Petitioner.

3. After hearing the learned counsel for the Petitioner and the representative of BSPHCL, the Commission reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Legal)

