

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 199/MP/2020

Subject : Petition for determination of fees and charges payable to the Petitioner which has been designated as the Settlement Nodal Agency by the Ministry of Power, Government of India under the Guidelines for Import/Export (Cross Border) of Electricity, 2018 to undertake various activities for settlement of grid operation related charges as enumerated in the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019.

Date of Hearing : 23.11.2021

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

Petitioner : NTPC Vidyut Vyapar Nigam Limited (NVVNL)

Respondent : PTC India Limited (PTC) & Anr.

Parties present : Ms. Anushree Bardhan, Advocate, NVVNL
Ms. Srishti Khindaria, Advocate, NVVNL
Shri Ravi Nair, Advocate, NVVNL
Ms. Shikha Sood, Advocate, NVVNL
Ms. Renu Sarin, NVVNL
Shri Anurag Gupta, NVVNL
Shri.Sukesh Mohan, NVVNL
Shri Ravi Kishore, Advocate, PTC India Ltd
Ms Prerna Singh, PTC India Ltd
Shri Alok Kumar Mishra, NLDC
Shri Subhendu Mukherjee, NLDC

Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner argued at length and mainly submitted that the instant Petition has been filed seeking determination of fees/ charges payable to the Petitioner to undertake various activities for settlement of grid operations as enumerated in the 'Guidelines for Import/Export (Cross Border) of Electricity, 2018' (in short 'Cross

Border Guidelines') and Regulations 25, 26, 30, 32 and 33 of the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019 (in short, 'the Cross Border Regulations'). The learned counsel further submitted that in terms of Clause 8.8 of the Cross Border Guidelines, the Petitioner has been nominated as Settlement Nodal Agency (SNA) by the Ministry of Power for settlement of grid operation related charges for the neighbouring countries, namely, Bangladesh, Bhutan, Nepal and Myanmar. As SNA, the Petitioner, inter-alia, is responsible for settlement of grid operation related charges like operating charges, deviation charges, reactive energy charges, and is also coordinating the scheduling of cross border transactions involving these countries. However, no specific fees/ charges for SNA to carry out the above activities, have been specified in the Cross Border Regulations. Accordingly, the Petitioner, under Regulation 37 of the Cross Border Regulations (Power to issue directions), has prayed for determination of fees/ charges payable to the Petitioner to carry out the above activities as SNA.

3. The learned counsel for PTC submitted that PTC has been appointed the Nodal Agency by Ministry of Power for supply of surplus power from the hydroelectric power stations in Bhutan to the Indian beneficiaries as per the allocations made by the Ministry of Power. He further submitted that based on advice of Bhutan Power System Operator on station-wise export capability, dispatch of power to the respective beneficiaries is being carried out by ERLDC and all transmission related charges, RLDC fees and charges, etc., for the Indian grid are directly settled by the concerned authorities. The learned counsel added that both the Inter-Government Agreement(s) between Royal Government of Bhutan and Government of India for four hydroelectric power stations operated in Bhutan, and the Power Purchase Agreement(s) executed, with prior approval of the Ministry of Power, between PTC and Druk Green power Corporation of Bhutan, does not provide for payment of any India grid operation related charges or levy by the Bhutanese entity.

4. After hearing the learned counsels for the parties, the Commission directed the Respondent, PTC to clarify on affidavit within 10 days the arrangement in place for settlement of transmission related charges, RLDC fees and charges, etc., for the Indian grid in relation to the four hydroelectric power stations operated in Bhutan along with supporting documents.

5. Subject to the above, the Commission reserved order in the matter.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**