

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 3/RP/2021 in Petition No. 172/TT/2018
(alongwith I.A.Nos.13/2021, 15/2021 and 16/2021)**

Subject : Petition No. 3/RP/2021 seeking review of the order dated 6.8.2019 in Petition No. 172/TT/2018.

Date of Hearing : 20.7.2021

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

Petitioner : Mytrah Energy (India) Ltd.

Respondents : Power Grid Corporation of India Ltd. & 18 Ors.

Parties present : Ms. Molshree Bhatnagar, Advocate, MEL
Ms. Manpreet Kaur, Advocate, MEL
Ms. Swapna Seshadri, Advocate, PGCIL
Shri S. S. Raju, PGCIL
Shri D. K. Biswal, PGCIL
Shri A. K. Verma, PGCIL
Shri V. P. Rastogi, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Review Petitioner, Mytrah Energy (India) Ltd., made the following submissions:
 - a. The Review Petition has been filed for review of the order dated 6.8.2019 in Petition No. 172/TT/2018 wherein the Commission held that the Review Petitioner, who has not commissioned its generation, is liable to bear the transmission charges of 2X500 MVA 400/230 kV transformers along with associated bays and equipment at new 400/230 kV (GIS) Tirunelveli Pooling Sub-station under the Transmission System Associated with "Green Energy Corridors: Inter State Transmission Scheme (ISTS)-Part A in proportionate to the quantum of LTA granted to it, i.e., 75 MW from 10.6.2018 to the date of commissioning of its generation.
 - b. Aggrieved with the order dated 6.8.2019 in Petition No. 172/TT/2018, the Review Petitioner preferred an appeal before the APTEL and subsequently withdrew the



- appeal as APTEL had shown its inability to look into merits of the case till the Commission had occasion to hear the Review Petitioner's case and give its view.
- c. After withdrawing the appeal on 21.8.2020, the Review Petitioner filed the instant review petition on 25.8.2020 and prayed for condonation of delay in filing the review petition before the Commission.
 - d. I.A. No.13/2021 has been filed for condonation of delay in filing the review petition while I.A. No. 15/2021 has been filed for stay of the operation of order dated 6.8.2019, against the notice issued by PGCIL dated 11.8.2020 regarding regulation of power supply, stay of supplementary Bill of Supply dated 31.1.2020 and Bill of Supply dated 20.1.2020 till the time the present petition is disposed of. I.A. No. 16/2021 has been filed for urgent hearing of the Review Petition.
3. Learned counsel for PGCIL opposed condonation of delay in filing the review petition and prayed to allow it to file reply on admissibility of the review petition and prayed for two weeks' time for the same.
 4. As regards the Review Petitioner's contention that APTEL in order dated 21.8.2020 in DFR No.43 of 2020 expressed its inability to look into the merits of the Review Petitioner's Appeal, the Commission observed that there was no such observation in the order of APTEL dated 21.8.2020.
 5. The Commission permitted PGCIL to file its reply on admissibility on affidavit with an advance copy to the Review Petitioner by 16.8.2021 and Review Petitioner to file rejoinder, if any, by 26.8.2021.
 6. The Commission disposed of I.A. No. 16/2021 filed by the Review Petitioner for urgent hearing of the review petition as the same was heard.
 7. Subject to the above, the Commission reserved the order on admissibility of the review petition.

By order of the Commission

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

