

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 354/TT/2019**

- Subject** : Petition for revision of transmission tariff of 2004-09 tariff period, 2009-14 tariff period, truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019-24 tariff period for the two assets associated with 220 kV Interconnection with Jharkhand State Electricity Board system at Ranchi Sub-station in the Eastern Region
- Date of Hearing** : 24.3.2021
- Coram** : Shri P.K. Pujari, Chairperson  
Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd. (PGCIL)
- Respondents** : Bihar State Power (Holding) Company Ltd. (BSPHCL) & 5 Others
- Parties Present** : Ms. Rohini Prasad, Advocate, BSPHCL  
Shri S.S. Raju, PGCIL  
Shri B. Dash, PGCIL  
Shri V.P. Rastogi, PGCIL  
Shri A.K. Verma, PGCIL

**Record of Proceedings**

Case was called out for virtual hearing.

2. The representative of the Petitioner has made the following submissions:
- a. Instant petition is filed for revision of transmission tariff of 2004-09 and 2009-14 tariff periods, truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019-24 tariff period for the following assets associated with 220 kV Interconnection with Jharkhand State Electricity Board system at Ranchi Sub-station in the Eastern Region:
    - i. Asset-I: LILO of 1<sup>st</sup> circuit of Patratu-Hatia-Chandil 220 kV D/C line at Ranchi Sub-station;
    - ii. Asset-II: LILO of 2<sup>nd</sup> circuit of Patratu-Hatia-Chandil 220 kV D/C line at Ranchi Sub-station;
  - b. Asset-I and Asset-II were put under commercial operation on 1.6.2007 and 1.9.2007 respectively;



- c. Transmission Tariff of the 2009-14 tariff period was trued up and tariff for the 2014-19 tariff period was determined by the Commission vide order dated 4.12.2015 in Petition No. 173/TT/2014;
  - d. No additional capital expenditure has been claimed in 2014-19 and 2019-24 tariff periods; and
  - e. Additional information sought through Technical Validation letter has been filed vide affidavit dated 31.7.2020.
3. The learned counsel for BSPHCL submitted that BSPHCL has filed reply vide affidavit dated 2.3.2021 and made the following submissions:
- a. As per APTEL judgment dated 22.1.2007 in Appeal No. 81/2005, the computation of Interest on Loan should be on normative loan repayment basis. Also, as per the Commission's orders dated 6.5.2009 and 10.5.2010 in Petition No. 4/2009 and Petition No. 6/2010 respectively, the tariff has been worked out and allowed as per the normative loan and normative repayment basis. Further, issue of revision has already been deliberated by the Commission vide order dated 17.6.2020 in Petition No. 301/TT/2019;
  - b. In view of provisions of Regulation 25(3) of the 2014 Tariff Regulations, impermissible amounts claimed by the Petitioner may not be granted such as penalty, if any, arising on account of delay in deposits or short deposits of tax amounts and the said Regulation does not contemplate claim of differential tariff directly from the beneficiaries;
  - c. Regulation 56 of the 2019 Tariff Regulations contemplates recovery of statutory charges by a generating company and not by a transmission licensee and, therefore, the claim of recovery made by the Petitioner is premature; and
  - d. The 2019 Tariff Regulations does not contemplate the claim pertaining to the change in the floating rate of interest, if any, to be claimed directly from the beneficiaries and the Petitioner has not made any pleading(s) supporting their prayer towards recovery of deferred tax liability.
4. In response, the representative for the Petitioner submitted that rejoinder to the reply of BSPHCL has been filed vide affidavit dated 15.3.2021 which may be taken into consideration.
5. After hearing the parties, the Commission reserved order in the matter.

**By order of the Commission**

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

