

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 482/TT/2019

- Subject** : Petition for revision of transmission tariff for 2001-04, 2004-09 and 2009-14 tariff periods, truing up of transmission tariff for the 2014-19 tariff period and determination of transmission tariff for the 2019-24 tariff period for Asset-I: 800 kV Kishenpur-Moga transmission line-I along with associated bays; Asset-II: 800 kV Kishenpur-Moga transmission line-II along with associated bays; and Asset-III: 420 kV 63 MVAR Bus Reactor at Kishenpur sub-station with associated bays and 420/220 kV, 250 MVA ICT III at Moga Sub-station with associated bays for Transmission System associated with Kishenpur Moga Transmission System in the Northern Region.
- Date of Hearing** : 10.3.2021
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member
Shri Prakash Mhaske, Member, Ex-officio
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondents** : Uttar Pradesh Power Corporation Limited and 16 others
- Parties Present** : Shri R.B. Sharma, Advocate, BRPL
Shri Mohit Mudgal, Advocate, BYPL
Ms. Megha Bajpeyi, BRPL
Shri S.S. Raju, PGCIL
Shri A.K. Verma, PGCIL
Shri B. Dash, PGCIL
Shri Ved Rastogi, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner submitted that the instant petition is filed for revision of tariff for the 2001-04, 2004-09 and 2009-14 tariff periods, truing up of tariff of 2014-19 tariff period and determination of tariff of the 2019-24 tariff period for 3 nos. of assets associated with Kishenpur-Moga Transmission System in the Northern Region. He submitted that the COD for the asset was during 2000-01 and the revised tariff for 2001-04, 2004-09 and 2009-14 tariff periods is claimed pursuant to the directions of the Commission in order dated 18.1.2019 in Petition No. 121/2007. It is further submitted that the entire project has been completed. and further that rejoinder to the reply received from UPPCL has been filed vide affidavit dated 8.3.2021. Reply from BRPL was received only on 9.3.2021



and sought one week time to file rejoinder. He further submitted that additional information as sought through Technical Validation letter has been filed vide affidavit dated 23.7.2020.

3. The learned counsel for BRPL submitted that the Commission may revisit the previous year tariff only when the tariff was in force and not afterwards. Further, he has submitted that the Commission may re-examine the whole issue after considering the entirety of the Judgement of the Hon'ble Supreme Court of India (in the matter of UPPCL Vs NTPC reported in (2009) 6 SCC) and examine if the above Judgement is applicable to the present case. He requested that the Commission may revisit the tariff orders dated 6.12.2019 in 288/TT/2019, 300/TT/2019, 301/TT/2019 and 305/TT/2019 in view of the facts, legal position and the Judgement of the Hon'ble Supreme Court of India. It is submitted that submissions made in BRPL's reply may be taken into consideration.

4. The learned counsel of BYPL submitted that BYPL is adopting and reiterating the submissions as made by the learned counsel for BRPL.

5. The Commission directed the Petitioner to file its rejoinder to the reply of BRPL, if any, within seven days from the date of publication of this ROP on Commission's website and observed that no further extension of time shall be granted.

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

By order of the Commission

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

