

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 677/TT/2020

- Subject** : Petition for determination and truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period for one no. of asset under “Powergrid works associated with Transmission System Strengthening in Indian System for transfer of power from new HEPs in Bhutan” in Eastern Region.
- Date of Hearing** : 24.9.2021
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd.
- Respondents** : Bihar State Power (Holding) Company Ltd.
& 6 Others
- Parties present** : Shri Manish Kumar Choudhary, Advocate, BSPHCL
Shri Aniket Prasoon, Advocate, ATL
Md. Aman Sheikh, Advocate, ATL
Shri S. S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri A.K. Verma, PGCIL
Shri Sunil Mittal, ATL
Ms. Neha Mittal, ATL

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:
- a. The instant petition has been filed for determination as well as truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period for two 400 kV GIS line bays along with 01 no. 80 MVAR switchable line reactor (with 400 ohm NGR) alongwith associated bay at Kishanganj GIS Sub-station associated 400 kV D/C (Quad) Kishanganj-



Dharbhanga 400 kV D/C line (line under TBCB) under “Powergrid works associated with Transmission System Strengthening in Indian System for transfer of power from new HEPs in Bhutan” in Eastern Region.

b. Instant asset was put into commercial operation on 14.3.2019 against the scheduled date of commercial operation of 5.3.2019.

c. There is delay of only 8 days in commercial operation of the instant asset. Detailed reasons for delay have been submitted in the present petition. The Petitioner completed its scope of work i.e. line bays and reactors at Kishanganj end prior to 5.3.2019 and applied to CEA for clearance on 1.3.2019. The approval of CEA for charging the instant asset was received on 8.3.2019 and after commencement of trial operation on 12.3.2019, COD of the asset was declared on 14.3.2019. Hence, the marginal delay took place which may be condoned.

d. As per the directions of the Commission in RoP dated 6.7.2021, Alipurduar Transmission Limited (ATL) who executed the TBCB line has been impleaded as a party to the present petition.

e. Rejoinder to the reply of BSPHCL has been filed vide affidavit dated 11.8.2021.

f. Contentions raised by ATL have already been covered in the main petition and as such rejoinder has not been filed to the reply filed by ATL.

g. The total estimated completion cost is within the FR approved cost.

h. Initial Spares are within the norms.

i. Additional Capital Expenditure (ACE) has been claimed during 2014-19 and 2019-24 tariff periods.

3. In response to a query of the Commission, the representative of the Petitioner submitted that the delay in commercial operation of the asset is on account of delay in approval from CEA as well as delay by ATL in commissioning of the downstream system.

4. Learned counsel for ATL made the following submissions:

a. The Petitioner cannot seek prayers regarding the TBCB line implemented by ATL in the present petition as the LTTCs of ATL are not a party to the present proceeding and the issue of extension of time regarding the TBCB line is already pending consideration before the Commission in Petition No. 470/MP/2019.

b. Various correspondences were exchanged between the Petitioner and ATL which demonstrate that the downstream system could not be put under commercial operation on account of non-completion of certain works by the Petitioner at Kishanganj Sub-station. The reasons for delay were beyond the control of ATL.

5. Learned counsel for BSPHCL made the following submissions:



a. The Petitioner has not claimed the delay on the part of ATL as a ground for seeking condonation of delay and is only seeking a declaration against ATL's declaration of deemed COD on 6.3.2019.

b. PGCIL has failed to explain the delay of 4 days from the date of receipt of approval for charging from CEA i.e. 8.3.2019 till the commencement of trial operation i.e. 12.3.2019.

6. After hearing, the Commission directed the parties to file their respective affidavits supported by documentary evidence explaining delay of 4 days i.e. from 8.3.2019 to 12.3.2019 by 24.10.2021. The Commission further directed the parties to adhere to the specified timeline and observed that no extension of time shall be granted.

7. The matter shall be relisted for hearing for which a separate notice shall be issued to the parties.

By order of the Commission

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

