

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 694/TT/2020

Subject : Petition for determination of transmission tariff of the 2019-24 period for one asset under “POWERGRID Works associated with Transmission System Strengthening in WR associated with Khargone TPS” in Western Region.

Date of Hearing : 29.10.2021

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 Limited

Respondents : Madhya Pradesh Power Management Company Limited and 12 Others

Parties present : Shri Deep Rao Palepu, Advocate, KTL
Shri Saahil Kaul, Advocate, KTL
Ms. Parichita Chowdhury, Advocate, KTL
Shri S. S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri A.K. Verma, PGCIL
Shri TAN Reddy, KTL
Shri Gaurav Kumar, KTL
Shri Anindya Khare, MPPMCL

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 of transmission tariff of 2019-24 period for 2 numbers 765 kV line bays at 765/400 kV Indore Sub-station of POWERGRID [for Khandwa PS(TBCB)-Indore 765 kV D/C line] and 240 MVAR, 765 kV Switchable Line Reactors along with 700 Ohms NGR at 765/400 kV Indore Sub-station end of each ckt. of Khandwa Pool- Indore 765 kV D/C line (line being implemented under TBCB) under “POWERGRID Works associated with



Transmission System Strengthening in WR associated with Khargone TPS” in Western Region.

b. The instant asset was to be put into commercial operation matching with the associated transmission line under TBCB route under the scope of KTL. However, the transmission line was not ready till 1.8.2019. Therefore, COD of the transmission asset has been claimed as 1.8.2019 in accordance with Regulation 5(2) of the 2019 Tariff Regulations. As informed to the Petitioner in 32nd JCC meeting held on 29.6.2021, the TBCB line has been declared under commercial operation w.e.f. 19.3.2020. Accordingly, transmission charges from 1.8.2019 till 19.3.2020 may be allowed to be billed bilaterally to the TBCB licensee.

c. A meeting was held between the Petitioner and TBCB licensee in February 2019 wherein the Petitioner informed the TBCB licensee that it is going to declare the COD of the transmission asset as per schedule. Notice was also issued to the TBCB licensee on 10.7.2019 before charging of the transmission asset.

d. Estimated completion cost is well within the approved apportioned cost.

e. Cost variation is on account of civil works, Sub-station equipment, decrease in IDC and IEDC etc. Initial Spares claimed are within the norms.

f. The information sought through the technical validation letter was filed vide affidavit dated 15.9.2021 wherein Form-5, Form-13, JCC minutes, Liability Flow Statement, etc. have been submitted. Rejoinder to the reply of MPPMCL has been filed vide affidavit dated 20.10.2021.

3. Learned counsel for KTL submitted that it has filed a petition being Diary No. 278/2021 claiming that its transmission line was affected by *force majeure* events leading to time over-run. Referring to APTEL’s judgement dated 14.9.2020 in Appeal No.17 of 2019 in case of NRSS-XXXI(B), he submitted that a comprehensive view has to be taken by the Commission on the Petitioner’s claim of COD, liability of transmission charges for the period of mismatch and KTL’s claim of *force majeure*. Therefore, the instant petition may be taken up alongwith the KTL’s petition.

4. The Commission directed the Respondents, including KTL, to file reply by 30.11.2021 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 13.12.2021. The Commission further directed the parties to comply with directions within the timeline specified and observed that no extension of time shall be granted.

5. The matter shall be relisted for further hearing alongwith the petition filed by KTL for which a separate notice shall be issued to the parties.

By order of the Commission

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

