

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 92/MP/2021 alongwith IA No. 32/IA/2021

Subject	Petition by Essar Power Transmission Company Ltd. under Section 79 (1) (c) and (d) of the Electricity Act, 2003 in terms of the direction issued pursuant to the 2 nd Meeting of Validation Committee for the Application Period from 1.7.2020 to 30.9.2020 for implementation of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 along with Interlocutory application for interim relief for payment of Provisional Tariff for the Stage-1 assets from the PoC pool from July, 2020 with interest.
Date of Hearing	19.3.2021
Coram	Shri P. K. Pujari, Chairperson Shri I. S. Jha, Member Shri Arun Goyal, Member Shri Pravas Kumar Singh, Member Shri Prakash S. Mhaske, Member (Ex-officio)
Petitioner	Essar Power Transmission Co. Ltd. (EPTCL)
Respondents	Power Grid Corporation of India Ltd. and 4 others
Parties present	Shri Alok Shankar, Advocate, EPTCL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for Essar Power Transmission Company Ltd. (EPTCL) submitted that Diary No. 747/2020 has been filed for segregation of the tariff of LILO of 400 kV S/C Vindhyachal-Korba Transmission Line (LILO) at Mahan from the Stage-1 Combined Assets and for determination of AFC and tariff of the LILO for the 2013-14 tariff period. Diary No. 62/2021 is an Interim Application (I.A.) filed by the Petitioner praying for grant of provisional tariff for the Stage-1 Combined Assets (except tariff of LILO) from the PoC pool from July 2020 with interest.

3. The revised tariff for the Stage-1 Combined Assets, i.e. a) LILO of 400 kV Vindhyachal-Korba at Essar Mahan, b) GIS Sub-station at Hazira and c) 400 kV Hazira-Gandhar from July, 2020 was approved by the Commission vide order dated 19.12.2018 in Petition Nos. 173/TT/2013 and 111/TT/2015.



4. PGCIL had filed Petition No. 132/MP/2018 seeking continuation of LILO at Mahan Power station subject to completion of 400 kV Mahan-Sipat Transmission Line by Essar Power Company Limited (EPCL). The Commission vide order dated 21.1.2020 observed that the LILO is to be excluded from POC Pool and held that Essar Power M.P Limited (EPMPL) has to bear the transmission charges of the LILO. Later, in the 2nd Meeting of the Validation Committee for the year 2020-21, the Validation Committee observed that the order dated 21.1.2020 in Petition No. 132/MP/2018 does not provide for separate tariff for the LILO and that in the absence of exclusive tariff for the LILO, the same cannot be excluded. Hence, it was decided to exclude the entire tariff of the Stage-1 Combined Asset from POC computations and directed EPTCL to approach the Commission for approval of separate tariff for the LILO.

5. Learned counsel for EPTCL submitted that though the Commission had only directed that the tariff of LILO has to be borne by EPMPL, but due to the decision of Validation Committee, EPTCL has not received tariff for Stage-1 Combined Asset (excluding the LILO) since July 2020. He submitted that the capital cost of LILO is only about 7.25% of the approved capital cost of the Stage-1 Combined Asset and, therefore, requested that pending adjudication of the Petition, the Petitioner may be allowed a provisional tariff of ₹79.92 crore from the approved tariff for Stage-1 Combined Asset.

6. The Commission considering the submissions of EPTCL admitted the petition and the IA and directed to register them and to issue notice to the Respondents. The Commission further directed the Petitioner to implead EPMPL as a party to the petition and IA, file revised memo of parties and serve a copy of the same on the Respondents, including EPMPL.

7. The Commission further directed the CTU to submit the report as directed in order dated 21.1.2020 in Petition No. 132/MP/2018 within three weeks from the date of issue of the order with a copy to all the parties.

8. The Commission also directed the Respondents, including EPMPL to file their reply to the petition and IA by 6.4.2021 and the Petitioner to file rejoinder, if any, by 14.4.2021.

9. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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

