

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.** : **94/MP/2021**

**Subject** : Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking directions for installation of optical ground wire on the 400 kV Kurukshetra-Malerkotla Transmission Line established under the Northern Region System Strengthening Scheme XXXI(b).

**Date of Hearing** : 25.6.2021

**Coram** : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Pravas Kumar Singh, Member

**Petitioner** : Central Transmission Utility (CTU)

**Respondents** : Sekura NRSS XXXI(B) Transmission Ltd.(STL)

**Parties present** : Shri M. G. Ramachandran, Senior Advocate, STL  
Ms. Suparana Srivastava, Advocate, CTU  
Shri Tushar Mathur, Advocate, PGCIL  
Ms. Soumya Singh, Advocate, PGCIL  
Shri Shubham Arya, Advocate, NETCL  
Shri Neeraj Verma, STL  
Shri Vijyanand Semletty, STL  
Shri Mohd. Shahzeb, PGCIL

**Record of Proceedings**

The matter was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the instant petition has been filed for directions to Sekura NRSS XXXI(B) Transmission Limited (STL) for installation of optical ground wire (OPGW) in place of the existing earth wire on the 400 kV Kurukshetra-Malerkotla Transmission Line established under the Northern Region System Strengthening Scheme XXXI(b) (NRSSS). The Petitioner being the CTU has been designated as the nodal agency for planning and coordination for development of communication system for ISTS under the Central Electricity Regulatory Commission (Communication System for Inter-State Transmission of Electricity) Regulations, 2017. Installation of OPGW in place of the existing earth wires is necessary to strengthen the communication network. The scheme for installation of OPGW was discussed and approved in various TCC and NRPC meetings and the Petitioner is thus under a regulatory mandate to implement the communication system in integration with transmission and generation projects. Based on the consensus in the meetings and in discharge of its statutory functions,



the Petitioner entered into a contract, after an open tender, on 31.1.2019 for implementation of OPGW in place of existing earth wire.

3. Learned counsel for the Petitioner submitted that STL has developed the Kurukshetra-Malerkotla D/C line and 400 kV ISTS Malerkotla-Amritsar D/C line through TBCB route as part of the transmission scheme under the NRSSS. The Petitioner approached STL for installation of OPGW on the 400 kV D/C Kurukshetra-Malerkotla Transmission Line owned by STL. However, STL raised the issue of ownership of OPGW, indemnification of STL towards outage/ tripping during the installation of OPGW and return of the earth wire replaced by OPGW and has declined permission for installation of OPGW on the said line. Accordingly, she requested to adjudicate the issues raised by STL and issue directions to STL to permit the Petitioner to install OPGW.

4. The learned senior counsel appearing on behalf of STL submitted that there is no objection for installation of OPGW on the subject transmission lines. However, issues are with regard to the ownership of the newly installed OPGW, tariff payable to STL after the replacement of earth wire with OPGW and treatment of the replaced earth wire. He submitted that these issues have to be settled as it has bearing on its revenue and the licence issue to STL. Relying on Motihari-Dharbhanga project, he submitted that in case of TBCB projects, OPGW is owned by TBCB project. However, in the instant case, it is not clear as to with whom the ownership of OPGW will vest.

5. The Commission after hearing the parties admitted the instant petition.

6. The Commission observed that the issues raised by CTU in the instant matter may arise in case of other TBCB projects. Therefore, the Commission directed CTU to implead all the transmission licensees implementing transmission projects under the TBCB route as respondents so that all of them may be heard and suitable directions could be issued in one order instead of deciding the issues in multiple petitions. The Commission further directed the Petitioner to implead PGCIL as a party to the proceedings. The Commission also requested the learned senior counsel for STL to discuss with CTU and firm up the issues that may arise in installation of OPGW in place of earth wire in various TBCB projects for smooth and proper adjudication of the issues involved.

7. The learned counsel for the Petitioner submitted that the contract has been awarded and requested to allow CTU to install OPGW on the 400 kV Kurukshetra-Malerkotla Transmission Line in the meanwhile to avoid any delay. The Commission directed CTU to discuss with STL and work out an amicable solution, for which the learned senior counsel for STL also agreed.

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

**By order of the Commission**

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

