

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**I.A. No. 66/IA/2021 in  
Petition No. 588/TT/2020**

**Coram:**

**Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri P. K. Singh, Member**

**Date of Order: 23.12.2021**

**In the matter of:**

Approval under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and truing up of transmission tariff of 2014-19 tariff period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 and determination of transmission tariff of 2019-24 tariff period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 in respect of the Combined Asset comprising of **Asset A-1:** Siliguri-Purnea 400 kV D/C (Quad. Conductor) Transmission Line, **Asset A-2:** Purnea-Muzaffarpur (New) 400 kV D/C (Quad. Conductor) Transmission Line, **Asset A-3:** Muzaffarpur (New)-Gorakhpur 400 kV D/C (Quad. Conductor) Transmission Line, **Asset A-4:** Gorakhpur-Lucknow 400 kV D/C (Twin Conductor) Transmission Line, **Asset A-5:** Bareilly-Mandola 400 kV D/C (Twin Conductor) Transmission Line and **Asset A-6:** Muzaffarpur (New)-Muzaffarpur (BSEB) 220 kV (Twin Conductor) transmission line under Tala inter-State Transmission System associated with Tala Hydro Electric Project in Eastern Region, Eastern-Northern Inter-Region and Northern Region.

**And in the matter of**

Powerlinks Transmission Limited,  
10<sup>th</sup> Floor, DLF Tower A, District Centre Jasola,  
New Delhi-110025.

**.....Petitioner**

**Versus**

1. Power Grid Corporation of India Limited,  
'Saudamini', Plot No.-2, Sector-29,  
Gurgaon-122001 (Haryana).
2. Rajasthan Rajya Vidhyut Prasaran Nigam Limited,  
Vidyut Bhavan, Vidhyut Marg,  
Jaipur-302005 (Rajasthan).



3. Ajmer Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura,  
Jaipur.
4. Jaipur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura,  
Jaipur.
5. Jodhpur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura,  
Jaipur.
6. Punjab State Electricity Board,  
The Mall,  
Patiala-147001.
7. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6, II Floor,  
Panchkula-134109 (Haryana).
8. Uttar Pradesh Power Corporation Limited,  
(Formerly Uttar Pradesh State Electricity Board),  
10<sup>th</sup> Floor, Shakti Bhawan Extension-14, Ashok Marg,  
Lucknow-226001.
9. Power Development Department,  
Government of Jammu and Kashmir,  
Mini Secretariat,  
Jammu.
10. Delhi Transco Limited,  
Shakti Sadan, Kotla Road (Near ITO),  
New Delhi-110002.
11. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan, Kumar House Complex Building II,  
Shimla-171004 (Himachal Pradesh).
12. Chandigarh Administration,  
Sector-9,  
Chandigarh.



13. Uttarakhand Power Corporation Limited,  
Urja Bhawan, Kanwali Road,  
Dehradun.
14. Northern Central Railway,  
Allahabad.
15. BSES Yamuna Power Limited,  
BSES Bhawan, Building No.20, Nehru Place,  
New Delhi.
16. BSES Rajdhani Power Limited,  
BSES Bhawan, Building No.20, Nehru Place,  
New Delhi.
17. North Delhi Power Limited,  
Grid Sub-station Building, Hudson Line, Near Kingsway Camp,  
New Delhi-110088.
18. New Delhi Municipal Council,  
Palika Kendra, Sansad Marg,  
New Delhi-110002.
19. Bihar State Power (Holding) Company Limited,  
(Formerly Bihar State Electricity Board-BSEB)  
Vidyut Bhavan, Bailey Road,  
Patna-800001.
20. West Bengal State Electricity Distribution Company Limited,  
Bidyut Bhawan, Bidhan Nagar, Block DJ, Sector-II, Salt Lake City,  
Calcutta-700091.
21. Grid Corporation of Orissa Limited,  
Shahid Nagar,  
Bhubaneswar-751007.
22. Jharkhand State Electricity Board,  
In front of Main Secretariat, Doranda,  
Ranchi-834002.
23. Damodar Valley Corporation,  
DVC Tower, Maniktala, Civic Centre, VIP Road,  
Calcutta-700054.

24. Power Department,  
Government of Sikkim,  
Gangtok-737101.

.....Respondent(s)

### ORDER

Powerlinks Transmission Limited filed Petition No. 588/TT/2020 for truing up of transmission tariff of 2014-19 tariff period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as “the 2014 Tariff Regulations”) and for determination of transmission tariff of 2019-24 tariff period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 (hereinafter referred to as “the 2019 Tariff Regulations”) in respect of the following transmission assets forming part of Combined Asset under Tala inter-State Transmission associated with 1020 MW Tala Hydro Electric Project in Eastern Region, Eastern-Northern Inter-Region and Northern Region:

**Asset A-1:** Siliguri-Purnea 400 kV D/C (Quad. Conductor) Transmission Line;

**Asset A-2:** Purnea-Muzaffarpur (New) 400 kV D/C (Quad. Conductor) Transmission Line;

**Asset A-3:** Muzaffarpur (New)-Gorakhpur 400 kV D/C (Quad. Conductor) Transmission Line;

**Asset A-4:** Gorakhpur-Lucknow 400 kV D/C (Twin Conductor) Transmission Line;

**Asset A-5:** Bareilly-Mandola 400 kV D/C (Twin Conductor) Transmission Line;  
and

**Asset A-6:** Muzaffarpur (New)-Muzaffarpur (BSEB) 220 kV (Twin Conductor) Transmission Line.

2. The tariff for the transmission assets for 2014-19 tariff period was trued up and tariff for 2019-24 tariff period was allowed vide order dated 2.11.2021 in Petition No. 588/TT/2020.



3. Powerlinks Transmission Limited had also filed an Interlocutory Application (IA) No. 66/IA/2021 in Petition No. 588/TT/2020. However, the same was not considered in order dated 2.11.2021.

4. In the said IA, Powerlinks Transmission Limited has prayed to allow it to approach the Commission for approval of the actual expenditure incurred on account of the unforeseen capital expenditure resulting from *force majeure* events at the time of true-up of the tariff of 2019-24 tariff period in terms of Regulation 13(1)(b) of the 2019 Tariff Regulations.

5. Powerlinks Transmission Limited has submitted that towers close to riverbanks were increasingly becoming vulnerable to collapse as a result of change in the course of river, heavy flooding and continuing erosion of the soil near the foot of the towers. Powerlinks Transmission Limited has submitted that it may be required to undertake immediate and unforeseen corrective measures like construction of pile foundation and/ or protection works for the foot of the towers during 2021-22 and 2023-24. Therefore, Powerlinks Transmission Limited has proposed Additional Capital Expenditure (ACE) during the said period. Powerlinks Transmission Limited has submitted that the said events are beyond the control of Powerlinks Transmission Limited and are in the nature of *force majeure* events. Powerlinks Transmission Limited has further submitted that, in similar *force majeure* conditions, pile foundations were constructed for two towers in 2009-10 and the capital expenditure towards the same was approved by the Commission during 2009-14 tariff period.

6. We have considered the submissions of Powerlinks Transmission Limited. Powerlinks Transmission Limited has proposed ACE on account of continued

erosion of soil near the foot of the towers which may require corrective measures for construction of pile foundation, protection works for the foot of the towers during 2021-22 and 2023-24. Powerlinks Transmission Limited has termed these events as unforeseen and *force majeure* in nature. We are of the view that ACE proposed by Powerlinks Transmission Limited will be dealt as per the applicable Regulations at the time of truing-up of tariff of 2019-24 tariff period.

7. Accordingly, I.A. No. 66/IA/2021 in Petition No. 588/TT/2020 is disposed of.

**sd/-**  
**(P. K. Singh)**  
**Member**

**sd/-**  
**(I. S. Jha)**  
**Member**

**sd/-**  
**(P. K. Pujari)**  
**Chairperson**

