

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 130/MP/2022

Subject : Petition under Section 79 of the Electricity Act, 2003 in the matter of treatment of transmission charges of Torrent Power Grid Limited's transmission system in view of the fact that the same was conceptualised for supply of power from SUGEN CCPP to the Petitioner's licenced area.

Date of Hearing : 9.9.2022

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Torrent Power Limited (TPL)

Respondents : Torrent Power Grid Limited (TPGL) and 2 Ors.

Parties Present : Shri Sanjay Sen, Sr. Advocate, TPL
Shri Guarav Dudeja, Advocate, TPL
Shri Ishwar Ahuja, Advocate, TPL
Shri Ruth Elwin, Advocate, TPL
Ms. Neha, Advocate, TPL
Ms. Suparna Srivastava, Advocate, CTUIL
Shri Jignesh Langalia, TPGL
Shri Alok Mishra, NLDC
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Pratyush Singh, CTUIL
Ms. Priyanshi Jadiya, CTUIL

Record of Proceedings

The learned senior counsel for the Petitioner submitted that the transmission system of the Respondent No.1, TPGL was conceptualised primarily for conveyance of power from the Petitioner's SUGEN Combined Cycle Power Plant (SUGEN CCPP) to the Petitioner's Ahmedabad licence area and the Petitioner is ready and willing to pay the entire transmission charges for the said transmission system. Accordingly, the present Petition has been filed, *inter-alia*, seeking a declaration that from the date of order passed by the Commission in this regard, the Petitioner shall bear the transmission charges towards the said transmission system. The learned senior counsel further submitted that pursuant to the direction of the Commission vide Record of Proceedings for the hearing dated 23.6.2022, the Petitioner has impleaded GETCO, Gujarat SLDC, WRLDC and CTUIL as party to the Petition and has also filed the additional details as called for vide affidavit dated 15.7.2022. The learned senior counsel referred to the single line diagram of the evacuation system of SUGEN CCPP and submitted that the said diagram clearly represents that transmission system/line of TPGL is for conveyance of power from SUGEN CCPP to the Petitioner's Ahmedabad distribution licence area.



2. Learned counsel for the Respondent, CTUIL suggested that since the matter proceeds on an assumption that the transmission system of TPGL is dedicated in nature and has been built primarily for the evacuation of power for the Petitioner's Ahmedabad licence area, it would be appropriate that the concerned parties including CEA, WRLDC may deliberate upon the aspects including planning of said transmission system and the prayer(s) of the Petitioner. The matter may be taken up for hearing by the Commission thereafter.

3. In response to the observation of the Commission that previously the Commission has already held that sharing of the transmission charges for such system shall be as per the Sharing Regulations, the learned senior counsel of Petitioner submitted that such findings came in the tariff petitions filed by TPGL and while repelling the contention of the objectors therein that such charges ought to be borne by the SUGEN CCPP beneficiaries. However, the Petitioner did not make any such request/prayer in the past and has now approached this Commission in view of the orders of the Commission dated 29.7.2013 in Petition No. 44/TL/2012 and order dated 14.3.2022 in Petition No. 145/TT/2021.

4. In response to the Commission's query regarding prayer (b) of the Petitioner seeking a declaration that it shall not be liable to pay transmission charges for the power supplied by SUGEN CCPP to a third party by utilizing the ISTS other than the said transmission system, the learned senior counsel clarified that the same pertains to only third party sale from the Generator SUGEN while seeking liberty to take necessary instructions in this regard. The learned senior counsel also agreed to the suggestion made by the learned counsel for CTUIL to deliberate and arrive upon the workable solution in the matter, if any.

5. Considering the submissions made by the learned senior counsel for the Petitioner and the learned counsel for CTUIL, the Commission directed the CTUIL and the Petitioner to convene a meeting within two weeks with the Respondents to deliberate upon the proposal of the Petitioner in the present Petition. The Petitioner shall file the outcome of the said meeting on an affidavit within two weeks thereafter.

6. The Petition shall be listed for hearing in the month of November, 2022, if required, for which separate notice will be issued.

By order of the Commission

Sd/-

**(T.D. Pant)
Joint Chief (Law)**