

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 19/TT/2022

- Subject** : Petition for truing up of transmission tariff for the 2014-19 tariff period and determination of transmission tariff for the 2019-24 tariff period for Asset-1: Kalpakkam PFBR–Sirucheri, 230 kV D/C Line; Asset-2: Kalpakkam PFBR–Arani 230 kV D/C Line and Asset-3: Kalpakkam PFBR– Kanchipuram 230 kV D/C Line under transmission system associated with Kalpakkam PFBR (500 MW) project in the Southern Region.
- Date of Hearing** : 1.8.2022
- Coram** : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd.
- Respondents** : Karnataka Power Transmission Corporation Ltd. (KPTCL) and 18 others
- Parties Present** : Shri S. Vallinayagam, Advocate, TANGEDCO
Shri S.S Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri V.P. Rastogi, PGCIL
Shri A.K. Verma, PGCIL
Dr. R. Kathiravan, TANGEDCO
Ms. R. Ramalakshmi, TANGEDCO
Shri R. Srinivasan, TANGEDCO
Shri R. Kumutha, TANGEDCO

Record of Proceedings

Due to paucity of time, the Commission adjourned the matter.

2. The representative of the Petitioner has made the following submissions:
- a. The instant petition has been filed for truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff for 2019-24 tariff period for following assets under transmission system associated with Kalpakkam PFBR (500 MW) project in the Southern Region:
 - i. Asset-1: Kalpakkam PFBR–Sirucheri, 230 kV D/C Line
 - ii. Asset-2: Kalpakkam PFBR–Arani 230 kV D/C Line
 - iii. Asset-3: Kalpakkam PFBR–Kanchipuram 230 kV D/C Line



- b. The COD of Asset-1, Asset-2 and Asset-3 was 1.12.2011, 1.4.2012 and 1.4.2014, respectively.
- c. Transmission tariff for the 2014-19 tariff period in respect of Asset-1 and Asset-2 was approved vide order dated 29.1.2019 in Petition No. 99/TT/2018 and in respect of Asset-3 was approved vide order dated 4.3.2021 in Petition No. 148/TT/2019.
- d. The Commission vide order dated 29.1.2019 in Petition No. 99/TT/2018 held that the transmission charges of Asset-1 and Asset-2 shall be borne from the COD of the assets till the commissioning of first unit of BHAVINI by BHAVINI and thereafter will be governed as provided under Regulation 43 of the 2014 Tariff Regulations. The Petitioner is recovering the charges for Asset-1 and Asset-2 as per order dated 29.1.2019 in Petition No. 99/TT/2018.
- e. In case of Asset-3, the Commission vide order dated 4.3.2021 in Petition No. 148/TT/2019 held that BHAVINI and TANTRANSCO were not ready on 1.4.2014, therefore transmission charges from COD on 1.4.2014 shall be shared by TANTRANSCO and BHAVINI in equal proportion. After the commissioning of generation by BHAVINI or transmission system by TANTRANSCO and the asset is put to regular use, the transmission charges shall be included in the POC computation.
- f. Kanchipuram Sub-station has been put into commercial operation by TANTRANSCO on 28.2.2019. Hence, the Petitioner is to recover charges from 1.4.2014 till 28.2.2019 in equal proportion from both TANTRANSCO and BHAVINI and thereafter tariff from 1.3.2019 is being recovered from BHAVINI.
- g. The statement of IDC has been placed on record as directed vide order dated 4.3.2021 in Petition No. 148/TT/2019.
- h. Completion cost of all the assets is within the RCE apportioned approved cost.
- i. Reply to the technical validation letter has been filed vide affidavit dated 9.5.2022 including the liability flow statement and IDC statement.
- j. One week time may be granted to file a rejoinder to the reply of TANGEDCO.

3. In response to Commission's query regarding status of Kalpakkam PFBR, the Petitioner submitted that it is anticipated to be commissioned in 2023. The Petitioner confirmed that the generator is duly paying the transmission charges but the transmission charges to be recovered from TANTRANSCO for the period 1.4.2014 to 28.2.2019 are under dispute.

4. The learned counsel for TANGEDCO submitted that as per the Sharing Regulations, the long term customers availing supplies from inter-state generating stations are billed directly based on their share of capacity in such generating stations. Such mechanism shall be effective only after commercial operation of the generator. In the instant case, BHAVINI has not commissioned its generation. Therefore, the tariff of the transmission line between the beneficiaries and the generator has to be borne by the generator and not to be shared by the beneficiaries.



5. The Commission observed that the defaulting party has to bear the transmission charges. In the instant case, BHAVINI has not commissioned its generation. Further, the Kanchipuram line consists of two parts i.e. a transmission line and a sub-station. The Petitioner has completed the transmission line under its scope however, TANTRANSCO has not completed the sub-station under its scope.

6. In response, the learned counsel for TANGEDCO submitted that as per the Sharing Regulations, the beneficiary is liable to bear the charges only after COD of the generator, till then it is the responsibility of the generator to pay the charges. The learned counsel for TANGEDCO further submitted that the Petitioner has collected monies from the beneficiaries and the generator and has not returned the balance proportionate amount to the parties. He further submitted that reply in the matter has been filed and it may be taken on record and sought time to file written submission to the rejoinder to be filed by the Petitioner, if any.

7. In response, the representative of the Petitioner submitted that the issue of sharing of transmission charges has already been decided by the Commission vide order dated 4.3.2021 in Petition No. 148/TT/2019 and it has attained finality as no review petition or appeal has been filed. He further submitted that the balance of the monies collected from the beneficiaries and generator was refunded on 29.4.2022 and TANTRANSCO has to clear its outstanding liability.

8. The Commission directed the Petitioner to confirm the status of power flow in the transmission lines and to file a rejoinder to the reply filed by TANGEDCO by 16.8.2022, with a copy to the Respondents and allowed TANGEDCO to file a written submission by 25.8.2022.

9. Subject to above, the Commission reserved order in the matter.

By order of the Commission

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

