

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 257/MP/2019

Subject : Petition under Sections 79(1)(c),79(1)(f) and 79(1)(k) of the Electricity Act, 2003, challenging the unlawful conduct of Power Grid Corporation of India Limited, *inter-alia*, wrongfully raising and recovering transmission charges through impermissible and inapplicable invoices being contra /against and unsustainable to the terms of the Transmission Service Agreement dated 18.10.2012 and the Long Term Access Agreement dated 4.6.2015, provisions of the Electricity Act, 2003 and the Regulations framed thereunder.

Date of Hearing : 15.11.2022

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

Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties Present : Ms. Subhi Sharma, Advocate, MBPMPL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Soumya Singh, Advocate, CTUIL
Ms. Astha Jain, Advocate, CTUIL
Shri Bhaskar Wagh, CTUIL
Shri Swapnil Verma, CTUIL
Shri Sidharth Sharma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Ms. Kavya Bhardwaj, CTUIL
Shri Ajay Upadhyay, CTUIL
Shri Yogeshwar, CTUIL

Record of Proceedings

At the outset, learned counsel for the Petitioner prayed for an adjournment on the ground of arguing counsel being preoccupied in a matter before the Appellate Tribunal for Electricity. Learned counsel further submitted that, in compliance with the direction of the Commission, the Petitioner is also filing a revised memo of parties impleading Central Transmission Utility of India Limited (CTUIL) as party to the Petition.

2. In response to the specific query of the Commission regarding payment of transmission charges, learned counsel for CTUIL submitted that the Petitioner is contesting the operationalization of Long-Term Access of 144 MW granted to Petitioner w.e.f 2.5.2018 and the bills for transmission charges as raised from the said date. The learned counsel further pointed out that the Petitioner, at the relevant time, paid the bills for the transmission charges without any protest or demur and raised the



issue only belatedly after the order of this Commission dated 19.4.2019 in Petition No.318/MP/2018 (Sunshine Power Pvt. Ltd. v. PGCIL).

3. Considering the request of the learned counsel for the Petitioner, the Commission adjourned the matter as last opportunity and further clarified that no further adjournment shall be allowed in the matter.

4. The Petition shall be listed for hearing on 17.1.2023.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**