

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 265/MP/2018**

Subject : Petition under Section 79 (1)(f) read with Section 142 of the Electricity Act, 2003 for issuance of direction for quashing of the letter dated 2.8.2018 issued by Power Grid Corporation of India Limited whereby, PGCIL has wrongful and arbitrarily proceeded to impose transmission charges to the tune of Rs. 6.41 Crore upon the Petitioner towards Long Term Access capacity 8.4 MW and also, through a subsequent letter dated 14.8.2018 threatened curtailment of Short Term Open Access with effect from 23.8.2018, which is in direct contravention of the final Order dated 31.5.2018 passed by the Commission in Petition No. 190/MP/2016.

Date of Hearing : 3.11.2022

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

Petitioner : Greenko Budhil Hydro Power Private Limited (GBHPPL)

Respondent : Powergrid Corporation of India Limited (PGCIL)

Parties Present : Shri Hemant Singh, Advocate, GBHPPL  
Shri Lakshyajit Singh Bagdwal, Advocate, GBHPPL  
Ms. Alchi Thapliyal, Advocate, GBHPPL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Ms. Soumya Singh, Advocate, CTUIL  
Shri Ajay Upadhyay, Advocate, CTUIL  
Shri Yogeshwar, CTUIL

**Record of Proceedings**

At the outset, learned counsel for the Petitioner submitted that present Petition has been remanded by the Appellate Tribunal for Electricity (APTEL) vide judgment dated 17.2.2022 in Appeal No. 6 of 2020 filed by the Petitioner against the order dated 20.11.2019 to the limited extent whereby the liability to pay the transmission charges to PGCIL towards supply of free power of 8.4 MW to the State Utility of Himachal Pradesh (HPSEB) for the period anterior to filing of the Petition was fastened on the Petitioner. Learned counsel further referred to the said judgment and submitted that the APTEL, vide said judgment, has remitted the short issue of liability to pay the transmission charges for the period anterior to the filing of the Petition and identification of the party which must bear such charges for such period for further hearing and fresh adjudication after impleading HPSEB. Learned counsel sought liberty to file a revised memo of parties impleading HPSEB as party to the Petition.



2. Learned counsel for CTUIL submitted that since the functions of the Central Transmission Utility have now been entrusted to CTUIL, the Petitioner may also be directed to implead CTUIL. Learned counsel further submitted that a short issue for the consideration is about the relevant party which is liable to bear the transmission charges for the period anterior to filing of the present Petition.

3. After hearing the learned counsel for the parties, the Commission ordered as under:

(a) The Petitioner to file a revised memo of parties impleading Himachal Pradesh State Electricity Board (HPSEB) and Central Transmission Utility of India Limited as party to the Petition.

(b) The Respondents including HPSEB to file their respective reply on the short issue under the remit (as per Para 9 of the judgment of APTEL dated 17.2.2022) within three weeks with copy to the Petitioner, who may file its rejoinder thereof, if any, within three weeks thereafter.

(c) Parties to comply with the above directions within specified timeline and no extension of time shall be granted.

4. The Petition shall be listed for hearing on 10.1.2023.

**By order of the Commission**

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