

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 37/TT/2022
along with I.A. Diary No. 351/2021**

Subject : Petition for truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period for two number of assets under “Establishment of 400/220 kV GIS Sub-station at Kala in UT of D&NH” in Western Region.

Date of Hearing : 11.2.2022

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

Petitioner : Power Grid Corporation of India Ltd.

Respondents : Madhya Pradesh Power Management Company Ltd.
& 10 Others

Parties present : Ms. Swapna Seshadri, Advocate, PGCIL
Shri S.S Raju, PGCIL
Ms. Anshul Garg, PGCIL
Shri D.K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri Anindya Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:

a. Instant petition is filed for truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period in respect of the following transmission assets under “Establishment of 400/220 kV GIS Sub-station at Kala in UT of D&NH” in Western Region:

Asset I: LILO of one circuit of 400 kV D/C Vapi-Navi Mumbai transmission line along with 400/220 kV GIS Kala Sub-station (New) in UT D&NH 315 MVA 400/220 KV ICT-I & ICT-II and 80 MVAR, 420 kV Bus Reactor along with 4 Nos. of 220 kV downstream bays; and



Asset II: LILO of 2nd Ckt. of 400 kV D/C Vapi-Navi Mumbai Transmission Line (i.e. Ckt - 3 & 4 of LILO) along with associated bays at Kala Sub-station.

b. The Commission vide order dated 29.4.2016 in Petition No. 110/TT/2014 approved COD of LILO of one circuit of 400 kV D/C Vapi-Navi Mumbai transmission line alongwith 400/220 kV GIS Kala Sub-station (New) in UT D&NH 315 MVA 400/220 kV ICT-I and ICT-II and 80 MVAR, 420 kV Bus Reactor as 1.4.2014 under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations as the associated downstream system under the scope of Electricity Department, D&NH was not ready.

c. The Petitioner filed Petition No. 45/TT/2020 for truing up of tariff of 2014-19 period and determination of transmission tariff for 2019-24 in respect of the transmission assets. However, the Petitioner in Petition No. 45/TT/2020, split the transmission asset into two assets, namely, **Asset-I:** LILO of one circuit of 400 kV D/C Vapi-Navi Mumbai transmission line alongwith 400/220 kV GIS Kala Sub-station (New) in UT D&NH 315 MVA 400/220 kV ICT-I and ICT-II and 80 MVAR, 420 kV Bus Reactor and **Asset-II:** LILO of 2nd Ckt. of 400 kV D/C Vapi-Navi Mumbai Transmission Line (i.e. Ckt. 3 and 4 of LILO) alongwith associated bays at Kala Sub-station and claimed their CODs as 1.4.2014 and 1.3.2015 respectively.

d. The Commission vide order dated 25.2.2021 in Petition No. 45/TT/2020, observed that entire facts in the matter were not placed before it at the time of approval of deemed COD of the transmission asset and, therefore, it withdrew approval of COD of the asset as well as tariff allowed in Petition No. 110/TT/2014. As a consequence of the Commission's order dated 25.2.2021, the Petitioner has refunded entire transmission charges of around Rs. 170 crore to the beneficiaries.

e. In terms of the Commission's order dated 25.2.2021, the Petitioner has filed the instant petition praying for tariff as the transmission assets are in service of the beneficiaries without any tariff and the Petitioner is servicing its loans. Provisional tariff for the transmission assets may be allowed as the Petitioner is servicing its loans and the transmission assets are in service of the beneficiaries.

f. The Petitioner has submitted that Commission's order dated 29.4.2016 in Petition No. 110/TT/2014 was passed after due consideration of all the material facts and, therefore, it should be restored.

g. Since June 2014, DNH is drawing power and using the transmission assets.

h. Interlocutory Application (IA) has been filed vide Diary No. 351 of 2021. The refund of transmission charges in terms of the directions in order dated 25.2.2021 in Petition No. 45/TT/2020 should not be treated to its prejudice. As per the order dated 25.2.2021, the Petitioner was required to file a fresh petition for determination of tariff of the subject assets within four weeks from the date of passing of the order. However, the Petitioner has filed the present petition with



approximate delay of ten weeks and the same is owing to outbreak of Covid-19 in the office of the Petitioner and the delay may be condoned.

3. The representative of MPPMCL sought two weeks' time to file reply to the petition.
4. The Commission directed the Registry to register the IA. Considering the facts mentioned in the aforesaid IA, the delay in filing the present tariff petition is condoned. Accordingly, the IA was disposed of.
5. The Commission directed to issue fresh notice to all the Respondents and directed the Respondents to file their reply by 3.3.2022 and the Petitioner to file rejoinder, if any, by 18.3.2022. The Commission further directed the parties to comply with the above directions within the specified timeline and observed that no extension of time shall be granted.
6. The matter shall be listed for hearing in due course for which a separate notice shall be issued to the parties.

By order of the Commission

sd/-

(V. Sreenivas)
Joint Chief (Law)

