

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 37/TT/2022
along with I.A. No. 12/2022**

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 : 24.6.2022

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

Petitioner : Power Grid Corporation of India Limited

Respondents : Madhya Pradesh Power Management Company Limited & 10 Others

Parties present : Shri Anand K. Ganesan, Advocate, PGCIL
Ms. Swapna Seshadri, Advocate, PGCIL
Shri Jai Dhanani, Advocate, PGCIL
Shri Ravi Sharma, Advocate, MPPMCL
Shri Anindya Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing. The case was last listed on 11.2.2022.

2. The learned counsel for the Petitioner made the following submissions:
 - a. Petition No. 45/TT/2020 was filed for truing up of tariff of 2014-19 period and determination of transmission tariff for 2019-24 in respect of the transmission assets under “Establishment of 400/220 kV GIS Sub-station at Kala in UT of D&NH”. 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 Substation (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.



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 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.

d. In terms of the Commission's order dated 25.2.2021, the Petitioner has filed the instant petition. At present, the Petitioner is not receiving any tariff even though the transmission assets are in service. Therefore, provisional tariff for the transmission assets may be allowed.

e. 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.

f. However, vide order dated 25.2.2021, the Commission noted that the Petitioner on its own has submitted that LILO of 400 kV D/C Vapi-Navi Mumbai Transmission Line at Kala Sub-station was partially completed and that the scope of work as approved in the Investment Approval has not been completed. Whereas, the submission of the Petitioner was that LILO of one circuit was done and the LILO of second circuit could not be done. Further, the power flow started immediately after 1.4.2014, which delay was attributable to DN&H and not the Petitioner.

g. The Petitioner has already refunded the beneficiaries in compliance of the order dated 25.2.2021.

h. Even though the COD of the 400 kV D/C Vapi-Navi Mumbai line was severely affected due to RoW and forest clearance issues, the details of which have already been submitted, the scope of works under the project remained unchanged as per the Investment Approval. However, nomenclature of the assets was changed slightly from the Investment Approval due to phased utilization of 400 kV D/C Vapi-Navi Mumbai line. There is no change in the scope of the work.

i. LILO of 1st circuit of 400 kV D/C Vapi-Navi Mumbai line at Kala has been used to interconnect Kala Sub-station on one side with Navsari Sub-station (with usage of Navsari-Boisar line), on other side with Vapi Sub-station (with usage of Vapi-Navi Mumbai line), to make it Vapi-Kala and Kala-Navsari 400 kV Transmission line.



j. Hence, the connectivity of Kala Sub-station was achieved from both the ends with the charging of LILO of one circuit of 400 kV D/C Vapi-Navi Mumbai Transmission Line. Further, with the said charging entire 400/220 kV GIS Kala Sub-station was completed in all respects and was ready for utilization to provide power to the downstream system of DN&H as per approval of energization dated 27.3.2014. Therefore, there was no wrong declaration by the Petitioner and hence the COD may be approved as was approved in Petition No. 110/TT/2014.

k. COD of 2nd circuit LILO has been claimed as 1.3.2015.

l. There is regular power flow through the assets since 25.6.2014 when the first downstream asset achieved COD. The other 220 kV downstream bays were put into commercial operation only on 30.10.2014 and 12.3.2016.

m. As per the Investment Approval the assets were to be put under commercial operation by July 2013, however, the asset was put into commercial operation only on 1.4.2014. The reasons for the same were already provided in Petition No. 110/TT/2014 which were duly accepted by the Commission.

n. The delay in charging of Asset-I was due to time over-run in Vapi-Navi Mumbai line in which LILO of multi circuit was to be connected. That portion of Vapi-Navi Mumbai line has been put under commercial operation on .4.2014 and the time over-run was condoned by the Commission in Petition No. 412/TT/2014 vide order dated 22.3.2016.

o. Asset-II was discussed in the 37th SCM as a contingency arrangement and agreed for charging. Although the asset was ready along with Asset-I, it could not be put into commercial operation as the commissioning of WRSS-V between AP38/0 to AP43B/0 could only be completed in February 2015 due to RoW issues.

p. None of the Respondents have filed reply in the matter.

3. The Commission observed that the presentation of nomenclature of assets should be clear as per Investment Approval and change in the nomenclature of the asset or part thereof should have been clearly mentioned in the petition along with minutes of the meeting of SCM/RPC where such decision was taken. Accordingly, the Petitioner is directed to clarify the same on an affidavit.

4. The representative of MPPMCL sought two weeks' time to file reply in the matter.

5. The Commission directed the Respondents, including MPPMCL to file their reply, as a last opportunity, by 14.7.2022 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 24.7.2022. The Commission observed that due date of filing the reply and rejoinder should be strictly adhered to and no extension of time shall be granted.



6. After hearing the parties, the Commission reserved the order in the matter.

By order of the Commission

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

