CENTRAL ELECTRICITY REGULATORY COMMISSION New Delhi

Petition No. 57/MP/2022

Subject: Petition for approval of Central Electricity Regulatory

Commission for inclusion of 220 kV D/C Charor-Banala Transmission line of H.P. Power Transmission Corporation Limited under PoC mechanism for recovery of transmission charges under Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses)

Regulations, 2020.

Petitioner : H.P. Power Transmission Corporation Limited (HPPTCL)

Respondents: Everest Power Private Limited (EPPL)

Date of Hearing : 10.3.2022

Coram : Shri P. K. Pujari, Chairperson

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

Parties Present : Shri Anand K Ganesan Advocate, HPPTCL

Ms. Swapna Seshadri, Advocate, HPPTCL

Shri Amal Nair Advocate, HPPTCL

Ms. Sugandh Khanna Advocate, HPPTCL Shri Aditya Dubey Advocate, HPPTCL Shri Rakesh Shah, EPPL (Greenko)

Record of Proceeding

Case was called out for virtual hearing

2. The learned counsel for the Petitioner submitted that the instant petition has been filed for approval of the Commission for inclusion of 220 kV D/C Charor-Banala Transmission Line ('transmission line') under PoC mechanism and recovery of transmission charges under Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (2020 Sharing Regulations"). She submitted that the transmission line was energised on "no load" in July, 2014 and the power started flowing in December, 2019, when the 2010 Sharing Regulations are applicable. The Petitioner had filed a petition for approval of capital cost and ARR for the period from 24.7.2019 till 31.3.2024 before Himachal

A.

Pradesh Electricity Regulatory Commission (HPERC) in May, 2020. HPERC vide order dated 12.8.2021 approved the capital cost and annual transmission charges. However, as regards the recovery of transmission charges, HPERC observed that the nature of asset is not clear and it cannot be established whether the transmission line is inter-state or intra-state transmission line. Accordingly, directed the Petitioner to follow-up with NRPC regarding the nature of the asset and take up the matter of recovery of the line under PoC mechanism with the Commission in case the transmission line is declared as inter-State transmission line by NRPC. NRPC vide letter dated 24.8.2021 informed the Petitioner that as per the 2020 Sharing Regulations there is no provision of certification of non-ISTS lines and the Petitioner may approach the Commission for the same.

- 3. In response to a query of the Commission regarding as to why the said transmission line was constructed by STU, if the same is an inter-State transmission line, learned counsel for the Petitioner submitted that it is a 220 kV transmission line and usually CTUIL ask the STU to construct such transmission lines. She submitted that said issue was also taken up at the time of drafting of 2020 Sharing Regulations wherein Petitioner objected to the proposal to discontinue the certification of the inter-State lines as part of ISTS. The Petitioner is constructing number of power plants whose power will be transmitted outside the State of Himachal Pradesh and these projects have been designed considering them as part of inter-State transmission system. The transmission line was planned for evacuation of power within H.P. Thereafter, the EPPL entered into long term PPA with Goa. Thus, 50% of the power is flowing outside the state hence, NRPC is required to certify the transmission line as an ISTS line. She further requested the Commission to implead NRPC as a party in the instant matter.
- 4. The Commission directed the Petitioner to submit the complete schematic diagram of the instant transmission line along with its associated intra and inter-State transmission system on affidavit by 31.3.2022 with a copy to the Respondent. The Commission also directed NRPC to submit its comments on the nature of the transmission line on affidavit by 31.3.2022 with a copy to the Petitioner and Respondents.
- 5. After hearing the learned counsel for the Petitioner, the Commission reserved the order on admissibility of the petition.

By order of the Commission

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(V. Sreenivas)
Joint Chief (Law)

