

**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 & Ors.
- Date of Hearing** : 10.11.2022
- Coram** : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Parties Present** : Ms. Swapna Seshadri, Advocate, HPPTCL  
Shri. Amal Nair Advocate, HPPTCL  
Ms. Kritika Khanna Advocate, HPPTCL  
Mr. Aditya Dubey Advocate, HPPTCL  
Shri Swapnil Verma, Advocate, CTUIL  
Shri Ranjeet .S Rajput, Advocate, CTUIL  
Shri Priyansi Jadya, Advocate, CTUIL  
Shri Gajendra Singh, Advocate, NRLDC  
Shri Prashant Garg, Advocate, NRLDC  
Ms. Anisha Chopra, Advocate, NRLDC  
Shri Yatin Sharma, CTUIL  
Shri Rakesh Shukla, CTUIL

**Record of Proceeding**

The learned counsel for the Petitioner submitted that the Commission vide order dated 23.9.2022 had directed the Petitioner to submit the status of generating stations, details of transmission access sought on the 220 kV D/C Charor-Banala Transmission line ("transmission line") by the generating stations and the current recovery mechanism of transmission charges of the transmission line since its COD. The learned counsel for the Petitioner submitted that the said information has been submitted vide affidavit dated 2.11.2022. The gist of the submissions made by her is as follows:

- a. HPPTCL had planned to inject 170 MW of power from the Small Hydro Electric Projects ('SHEP') situated at Charor and it was discussed in the 31<sup>st</sup> Standing



Committee Meeting (SCM) of Northern Region held on 2.1.2013. The actual quantum of power approved by CEA which is to be transmitted through the transmission line is 289 MW.

- b. The Petitioner has submitted the status of the generating stations, power from whom was planned to be evacuated through transmission line. Few generating stations are under construction or clearance stage and few have been commissioned.

The Connection Agreement (CA) was signed between EEPPL and HPPTCL on 30.5.2022.

- c. Presently, the power of only EPPL (Malana-II HEP) is flowing through instant transmission line. Power of IPPs having connectivity at 132/33 kV Barsaini Sub-station would also be flowing through the transmission line *via* 132 kV Barsaini-Charor transmission line. The details of the generators having connectivity at 132/33 kV Barsaini Sub-station and their status has also been submitted vide affidavit dated 2.11.2022.
- d. On 5.9.2022, the matter of power evacuation of various SHEPs at 132/33 kV Barsaini sub-station was discussed in 50<sup>th</sup> STU Coordination Committee Meeting wherein it was agreed that IPPs shall evacuate their power by LILO of 33 kV Barsaini to Malana Switchyard line of Himachal Pradesh State Electricity Board Limited ('HPSEBL')
- e. Prior to the passing of the tariff order dated 12.8.2021 by Himachal Pradesh Electricity Regulatory Commission ("HPERC"), no transmission charges have been raised on EPPL (Malana-II HEP). However, pursuant to the order dated 12.8.2021, HPPTCL issued invoices to EPPL.
- f. EPPL filed petition before HPERC against the Petitioner seeking directions to HPPTCL not to raise monthly invoices till the nature of the line has been decided by the Commission.
- g. HPERC, *vide* order dated 27.11.2021, directed EPPL to deposit/pay 35% of the demand/bill raised by HPPTCL pending disposal of the interim application in three equal instalments. Subsequently, EPPL has filed a Writ Petition before High Court of Himachal Pradesh to quash and set aside the order dated 27.11.2021 passed by HPERC. The Hon'ble High Court *vide* order dated 10.12.2021 has stayed the order dated 27.11.2021.

2. The representative of CTUIL submitted that pursuant to the directions of the Commission vide order dated 23.9.2022, to submit the details of planning of the transmission line as inter-State vs STU line, CTUIL has filed the details vide affidavit dated 7.11.2022. The gist of the submissions are as follows:

- a) The evacuation of power from Malana-II HEP was planned through LILO of one ckt of AD HEP-Nalagarh 220 kV D/C line of AD Hydro at Charor (Chhaur) 220/132 kV sub-station of EPPL and power from the generation project was to be injected at Charor (Chhaur) by 132 kV D/C line. However, the AD HEP-Nalagarh 220 kV D/C line was not adequate for reliable evacuation of power from both the projects, especially during any contingency condition. Accordingly, the matter was discussed in the 30th and 31st Standing Committee Meetings (SCM) on Power System Planning of NR held on 19.12.2011 and 2.1.2013 respectively.
- b) During the 30th SCM on Power System Planning of Northern region, it was decided that Chhaur-Parbati pooling station 220 kV D/C line shall be implemented by EPPL at their cost. However, during the 31<sup>st</sup> SCM on Power System Planning of Northern region, HPPTCL informed that only one 220 kV



line could be constructed from Chhaur to Parbati Pooling Station due to RoW constraints and HPPTCL also intends to inject about 170 MW power from Small HEPs at Chhaur Sub-station for its further transfer to Parbati Pooling station. Further, HPPTCL proposed that they would construct the 220 kV D/C line from Chhaur Sub-station to Parbati Pooling station.

- c) HPPTCL would also take the ownership of 132/220 kV Charor (Chhaur) Sub-station from EPPL to make it a part of their STU system. On this, it was informed that Malana-II generation is directly connected to ISTS grid, for which LTOA has been granted. In case, this line is constructed by HPPTCL, direct connectivity of Malana-II with ISTS would be lost and EPPL would have to bear STU charges in addition to PoC charges.
- d) Under present proposal Malana-II would be treated as State-embedded generator and would have to pay applicable charges and EPPL gave their consent to the proposal. Subsequently, HPPTCL has also granted connectivity to EPPL for their Malana-II HEP.
- e) Thus, the instant transmission line covered under present petition was originally envisaged to be constructed by EPPL as dedicated line. However, considering future injection of about 170 MW power from Small HEPs at Charor (Chhaur) Sub-station by HPPTCL as well as RoW constraints for transmission corridor, HPPTCL proposed that they would construct the 220 kV D/C line from Charor (Chhaur) Sub-station to Parbati Pooling station and would also take the ownership of 132/220 kV Charor (Chhaur) Sub-station from EPPL to make it a part of their STU system. Accordingly, present line i.e. Charor (Chhaur)-Banala 220 kV D/C line was planned under intra-state (STU) by HPPTCL.

3. In response to the query of the Commission regarding the change of circumstances/situation which led to the subject transmission line being considered from intra-State to inter-State line, the learned counsel for the Petitioner submitted that there were several HEPs who wanted to evacuate power from the said transmission line. Placing reliance on the data provided by NRLDC which reflects the percentage usage of the subject transmission line by HP, she submitted that the utilization by H.P. varies from 10% to 98% and accordingly prayed to the Commission to grant the relief as claimed by the Petitioner.

4. The representative appearing on behalf of NRLDC while supporting the reply/submissions filed by CTUIL submitted that the said transmission line was planned as intra-State line and the same may be treated as an intra-State line.

5. The learned counsel appearing for EPPL sought time to file reply in the matter. He submitted that EPPL has approached the Hon'ble High Court of Himachal Pradesh being aggrieved by the bills raised by the Petitioner for the entire capacity of transmission line i.e 289 MW when power evacuated is only 100 MW. He further submitted that High Court *vide* order dated 10.12.2021 has stayed the order dated 27.11.2021 passed by HPERC.

6. The Commission directed the Respondents including EPPL to file their replies by 9.12.2022 and the Petitioner to file its rejoinder, if any, by 19.12.2022. The Commission further directed the parties to comply with the above directions within the specified timeline and observed that no time extension shall be granted.



7. Subject to the above, the Commission reserved the order in the matter.

**By order of the Commission**

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(V. Sreenivas)  
Joint Chief (Law)

