

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Review Petition No. 8/RP/2022

Subject	: Review Petition No. 8/RP/2022 seeking review of order dated 30.11.2021 in Petition 691/TT/2020.
Date of Hearing	: 26.4.2022
Coram	: Shri I.S Jha, Member Shri Arun Goyal, Member Shri P.K. Singh, Member
Petitioner	: Power Grid Corporation of India Limited (PGCIL)
Respondents	: Madhya Pradesh Power Management Company Limited (MPPMCL) and 12 others
Parties Present	: Shri Aryaman Saxena, Advocate, PGCIL Shri S.S. Raju, PGCIL Shri D.K. Biswal, PGCIL Shri Ravi Sharma, Advocate, MPPMCL Shri Ravindra Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Review Petitioner made the following submissions:
 - a. The instant review petition is filed for review of the order dated 30.11.2021 in Petition 691/TT/2020 wherein revision of transmission tariff for the 2004-09 and 2009-14 tariff periods and truing up of transmission tariff of the 2014-19 tariff period under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 and determination of transmission tariff for the 2019-24 tariff period under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for Combined Asset-I consisting of (i) 765 kV S/C Bina-Gwalior Transmission Line; (ii) 315 MVA, 400/220/33 kV ICT-I along with associated bays at Gwalior Sub-station; (iii) LILO of 400kV S/C Korba-Raipur line at Bhatapara Sub-station along with associated bays; (iv) 400 kV Khandwa Rajgarh Circuit-II along with associated bays and 765/400 kV ICT-III at Seoni Sub-station; (v) 400 kV Khandwa Rajgarh Circuit-I along with associated bays and 63 MVAR Bus Reactor Bina Sub-station; Asset-II: 400 kV ICT-II at Gwalior Sub-station; and Asset-III: 400/220 kV ICT-II at Bhatapara Sub-station under Sipat-II Transmission System in the Western Region was approved.
 - b. The instant review petition is with regard to restriction of capital cost of Asset-II.
 - c. The Petitioner had claimed the completion cost of ₹1486.36 lakh as on 1.4.2014 for Asset-II which was restricted to RCE-I apportioned approved cost of ₹1408.56 lakh vide order dated 29.2.2016 in Petition No. 225/TT/2015. Subsequently, Review



Petition No. 37/RP/2017 was filed seeking review and modification of the said order. In the said Review Petition, RCE-II along with apportionment for Asset-II amounting to ₹1625.15 lakh was submitted.

- d. The Commission vide order dated 27.3.2018 in Review Petition No. 37/RP/2017, declined to entertain the review petition on account of non-compliance of the statutory time limit for filing the review petition but at the same time granted liberty to the Petitioner to approach the Commission for consideration of the capital cost of Asset-II (as claimed in Petition No. 225/TT/2015) at the time of truing up of the tariff for 2014-19 tariff period.
- e. While filing the Petition No. 691/TT/2020, Annexure of RCE-II indicating revised cost was submitted, however the cover page of RCE-II, being part and parcel of the Annexure, was inadvertently not submitted by the Review Petitioner .. The Commission restricted the capital cost of Asset-II to RCE-I apportioned cost in order dated 30.11.2021 in Petition 691/TT/2020 as RCE-II approved by BOD of the Petitioner company was not furnished. This has led to disallowance of ₹77.80 lakh in case of Asset-II.
- f. Requested to admit the review petition and issue notice to the parties.

3. In response to MPPMCL's contention in its reply that RCE-II dated 12.4.2017 is a new document produced by the Review Petitioner, the Review Petitioner has submitted that the RCE-II is not a new evidence and it was inadvertently not filed in Petition No. 691/TT/2020, which was already placed on record by the Review Petitioner in Review Petition No. 37/RP/2017.

4. The learned counsel for MPPMCL submitted that the Petitioner has purposely omitted to submit RCE-II in Petition No. 691/TT/2020 and that it was not an inadvertent error as contended by the Review Petitioner.

5. After hearing the learned counsel for the Review Petitioner and MPPMCL, the Commission admitted the review petition and directed to issue notice to the Respondents.

6. The Commission directed the Review Petitioner to serve copy of the Review Petition on the Respondents, if not served. The Respondents are directed to file their reply by 17.5.2022 with an advance copy to the Review Petitioner, who may file its rejoinder, if any, by 30.5.2022. The Commission directed that due date of filing the reply and rejoinder should be strictly adhered to and no extension of time shall be granted.

7. The Petition shall be listed in due course for which separate notice will be issued to the parties.

By order of the Commission

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

