

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 91/TT/2022

Subject : Petition for revision of transmission tariff of 2004-09 and 2009-14 tariff period, truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019-24 period for eighteen number of assets under “Transmission System associated with Kudankulam Atomic Power Project in Southern Region”.

Date of Hearing : 20.12.2022

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

Petitioner : Power Grid Corporation of India Limited

Respondents : Tamil Nadu Generation & Distribution Corporation Limited & 17 Others

Parties present : Shri S. Vallinayagam, Advocate, TANGEDCO
Shri S.S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri Zafrul Hasan, PGCIL
Shri Naresh Kumar, PGCIL
Shri Ranjeet Kumar Pandey, PGCIL
Shri Aman Siddiqui, PGCIL

Record of Proceedings

The representative of the Petitioner made the following submissions:

- a. The instant petition has been filed for truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019- 24 period in respect of eighteen number of transmission assets (out of the total 20 transmission assets covered under the scope of the project, as two assets are covered in Petition No. 663/TT/2020) under “Transmission System associated with Kudankulam Atomic Power Project in Southern Region”.
- b. The transmission assets were put under commercial operation during 2004-09 and 2009-14 tariff periods.



- c. Transmission tariff for the 2014-19 tariff period in respect of the transmission assets was allowed vide order dated 21.4.2016 in Petition No. 53/TT/2015.
- d. ACE has been incurred during the 2014-19 period and the 2019-24 tariff period on account of court orders w.r.t. land compensation.
- e. The capital cost of the transmission assets has increased and accordingly RCE-IV is under preparation. Three weeks' time may be granted to submit the RCE-IV.
- f. The information sought in Technical Validation letter has been filed vide affidavit dated 4.8.2022;
- g. TANGEDCO has filed the reply on 19.12.2022 and hence three weeks' time to filed rejoinder may be granted.

2. Learned counsel for TANGEDCO referring to his reply submitted that TANGEDCO had filed Appeal No. 201 of 2011 before the Appellate Tribunal for Electricity regarding sharing of transmission charges of Kundankulam-Thirunelveli 400 kV (QUAD) D/C Line - 1 & 2, which was dismissed by the APTEL vide order dated 3.10.2012, against which an appeal has been preferred and is pending adjudication before the Hon'ble Supreme Court. The beneficiaries are not liable to pay transmission charges for the period when the line was not in use. He submitted that transmission tariff of one tariff period cannot be claimed in another tariff period.

3. After hearing the parties, the Commission directed the Respondents to file their reply by 9.1.2023 on affidavit with an advance copy to the Petitioner, who may file rejoinder, if any, by 20.1.2023. The Commission further directed the Petitioner to submit the following information on affidavit by 20.1.2023 with an advance copy to the Respondents:

- a) Revised Cost Estimate;
- b) Justification for claiming ACE in 2014-19 tariff period alongwith the copy of the orders passed by the Court in 2019-24 period;
- c) Reconciliation of ACE claimed in 2014-19 tariff period and 2019-24 tariff period with the Court order.

4. The Commission directed the parties to adhere to the specified timeline and observed that no further extension of time shall be granted.

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

By order of the Commission

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

