

CENTRAL ELECTRICITY REGULATORY COMMISSION
4th Floor, Chanderlok Building, 36, Janpath, New Delhi-110001
Ph: 23753942 Fax- 23753923

Petition No. 134/MP/2021

Dated: 5.8.2022

To

Shri T.A.N. Reddy,
Chief Business & Regulatory,
NER-II Transmission Limited,
F-1, Mira Corporate Suits, 1 & 2,
Mathura Road, Ishwar Nagar,
New Delhi-110065.
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Subject: Petition under Section 61, Section 63 and Section 79 of the Electricity Act, 2003 read with statutory framework and Article 11 and Article 12 of the Transmission Service Agreement dated 27.12.2016 executed between NER-II Transmission Limited and its Long-Term Transmission Customers for inter-alia claiming compensation due to Changes in Law and seeking an extension to the scheduled commissioning date of the relevant elements of the Project on account of force majeure events.

Sir,

With reference to your petition mentioned above, I am directed to request you to implead NLDC and CTU as Respondents in the matter and to file revised "Memo of Parties" and to serve a copy of the petition on them by 12.8.2022.

2. Further, with reference to the petition mentioned above, I am directed to request you to furnish the following information under Regulation 87(2) of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, on an affidavit, with an advance copy to the respondents/beneficiaries/other parties latest by 22.8.2022:

- (i) RLDC Certificate of trial operation of Palatana Bays and BI LILO.
- (ii) COD document for BI LILO.
- (iii) SLD/ schematic diagram of the transmission scheme.
- (iv) The actual length of each of the lines as implemented vis-a-vis length of line as per BPC routes.
- (v) Whether the route followed was as provided by the BPC route or any other route along with necessary proof, for each of its line?

- (vi) Legible copy of map, separately for each line, depicting 3 alternate route(s) as per BPC survey superimposing the route as followed in respect of all lines.
- (vii) The following information with respect to *force majeure* and *Change in Law* events for each of the asset:

Summary of force majeure events

Sl. No.	Particulars of the Activity/ Force Majeure event	Original time line as per plan of licensee for the activity		Actual Time line for the activity		Effective delay (excluding the time period planned to execute the event) due to FM event	Date of serving the notice to LTTC
		From	To	From	To		

Summary of Change in Law events

Sl. No.	Particulars of the Change in Law event	Date of occurrence of Change in Law event	Date by which notice was required to be served to LTTCs as per TSA	Date of serving the notice to LTTCs

- (viii) Reasons for shifting of location of Surajmaninagar Sub-station and P.K Bari Sub-station away from existing Sub-stations of Surajmaninagar and P.K Bari and approval of CTU, CEA in this regard.
- (ix) The Petitioner has claimed COD as under:

No. of Element	Name of Element	Deemed COD	Actual COD
1	“Biswanath Chariyalli (POWERGRID)-Itanagar 132 kV D/C (Zebra Conductor) Line”	-	6.4.2021
2	“2 nos. 132 kV line bays at Itanagar for termination of Biswanath Chariyalli (POWERGRID)-Itanagar 132 kV D/C (Zebra Conductor) Line”	-	6.4.2021
3	LILO of one circuit of Biswanath Chariyalli (POWERGRID) – Itanagar 132 kV D/C (Zebra Conductor) line at Gohpur (AEGCL)	4.4.2021	

As per Schedule 3 of TSA, COD of Element No. 1 and Element No. 2 is pre-requisite for declaring COD of the Element No. 3. Clarify how deemed COD of Element No. 3 is done prior to COD of Element No. 1 and Element No. 2.

- (x) For the Elements at Sl. No. 5, 6, 7 and 8 COD is claimed as under:

Element No.	Name of Element	Deemed COD	Actual COD
5	400/132 kV, 7x105 MVA Single Phase (including one spare) Sub-station at Surajmaninagar	27.1.2021	31.3.2021
6	400/132 kV, 7X105 MVA single phase (including one spare) Sub-station at P.K. Bari	27.1.2021	11.3.2021
7	Surajmaninagar-P.K. Bari 400 kV D/C Line	27.1.2021	Ckt-1 4.2.2021 Ckt-2 11.2.2021
8	2 nos. 400 kV line bays at Palatana GBPP switchyard for termination of Palatana-Surajmaninagar 400 kV D/C Line	27.1.2021	13.7.2021

- (a) As per the Schedule 3 of TSA declaration of COD for the Elements at Sl. No. 5, 6, 7 and 8 could be done simultaneously. However, different CODs have been claimed for each of these elements, clarify the reasons and approval of the same.
- (b) Clarify from which date it claim transmission charges from POC pool and necessary communication with NLDC and CTU in this regard.
- (c) The date(s) from where the power flow started in each of the elements.
- (xi) Submit necessary approvals regarding the implementation of the following:
- (a) LILO of P.K. Bari (TSECL) to Ambassa 132 kV line at P. K. Bari (TBCB) Sub-station.
- (b) LILO of Surajmaninagar (TSECL) to Bodhjangnagar 132 kV Line at Surajmaninagar (TBCB)
- (c) Submit the declared COD for these elements and the control area jurisdiction of these elements?

2. In case the above said information is not filed within the specified date, the petition shall be disposed on the basis of the information already on record.

Yours faithfully

Sd/-
(Kamal Kishor)
Asst. Chief (Legal)