

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 11/TT/2022

- Subject** : Petition for determination of transmission tariff from COD to 31.3.2024 for 400 kV line bays at Bhiwani Sub-station for termination of 400 kV Babai-Bhiwani D/C Line under Provision of 400 kV Line bays at Bhiwani (PG) in the Northern Region.
- Date of Hearing** : 12.1.2023
- Coram** : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member
- Petitioner** : Power Grid Corporation of India Limited.
- Respondents** : Rajasthan Rajya Vidyut Prasaran Nigam Limited and 17 others
- Parties Present** : Shri Venkatesh, Advocate, NRSS XXXVI
Shri Rishabh Sehgal, Advocate, NRSS XXXVI
Shri Anant Singh Ubeja, Advocate, NRSS XXXVI
Shri S.S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri V.P. Rastogi, PGCIL
Shri Zafrul Hassan, PGCIL
Shri Amit Yadav, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:
- a. The instant petition is filed for determination of transmission tariff from COD to 31.3.2024 for 400 kV line bays at Bhiwani Sub-station for termination of 400 kV Babai-Bhiwani D/C Line under Provision of 400kV Line bays at Bhiwani(PG) in the Northern Region.
 - b. The associated transmission system of Babai (RRV PNL) – Bhiwani (PG) D/C line being constructed by NRSS-XXXVI Transmission Limited (previously with Essel Group) is yet to be commissioned. Since the associated transmission line under the scope of NRSS-XXXVI Transmission Limited is not ready, the COD the transmission asset is claimed as 23.8.2019 under Regulation 5(2) of the 2019 Tariff Regulations.
 - c. In terms of the directions of the Commission vide ROP dated 27.10.2022, details of progress of work in respect of the transmission assets and COD have been submitted and Resurgent Power Ventures Private Limited (the present owner, a Tata Power subsidiary) has been impleaded as Respondent and amended “memo of parties” has been filed.



d. In response to technical validation letter, information has been filed vide affidavit dated 31.3.2022. As directed vide RoP dated 27.10.2022 information has been filed vide affidavit dated 11.11.2022.

e. Respondent No. 18, NRSS-XXXVI Transmission Limited (In short – NRSS), has filed reply in the matter and rejoinder to the same has been filed vide affidavit dated 12.12.2022.

3. Learned counsel for NRSS-XXXVI made oral submissions, inter alia, submitted as follows:

- a. The Petitioner has made a certain averment as to the requirement of putting the asset to commercial operation by 23.8.2019 which was due to contractual obligations. There was no SCOD set in the Investment Approval (IA).
- b. As per the 35th SCM held on 3.11.2014, the Committee considered the proposal for the Babai-Bhiwani DC line. This proposal was ratified by the NRPC meeting held on 24.12.2014.
- c. The plan for the proposed system was conceptualized vide 34th meeting of the Empowered Committee on Transmission held on 13.4.2015.
- d. On 13.1.2016 the Transmission Service Agreement (TSA) was executed between NRSS and beneficiaries. The Letter of Intent (LoI) was issued on 28.3.2016.
- e. The Commission notified the CERC (IEGC) Fourth Amendment Regulations, 2016 on 29.4.2016.
- f. NRSS was granted transmission license vide order dated 7.12.2016 in Petition No. 161/TL/2016. The Commission vide order dated 14.12.2016 in Petition No. 162/AT/2016 approved and adopted tariff for NRSS.
- g. IA was approved vide letter dated 4.7.2017.
- h. On 15.1.2018 NRSS vide its letter requested CEA to prepone SCOD of 400 kV Babai-Bhiwani 400 kV DC line from June 2019 to 31.3.2019 to avail the incentive as envisaged under MoP notification dated 15.7.2015. In response vide letter dated 6.2.2018, CEA stated that as per the TSA, the preponement of SCOD cannot take place, until agreed by all the parties.
- i. As per Regulation 5(2) of the 2019 Tariff Regulations, one month's advance notice has to be given by the licensee prior to COD. However, in this case the Petitioner vide letter dated 19.6.2021 intimated NRSS about the commissioning of the 2 nos. 400 kV line bays at Bhiwani where charging date was mentioned as 21.8.2019.
- j. Sought permission to file written submissions in this matter.

4. After hearing the representatives of the Petitioner and learned counsel of the Respondent, the Commission directed the Respondents, including NRSS to file their written submissions by 3.2.2023 with an advance copy to the Petitioner, who may file its rejoinder, if



any, by 17.2.2023. The Commission further directed the parties to adhere to the timelines and observed that no extension of time shall be granted.

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

By order of the Commission

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

