

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 141/TT/2015

- Subject** : Approval of transmission tariff for MB TPS (Anuppur)-Jabalpur Pooling Station 400 kV D/C (triple Snowbird) line, under Transmission System for connectivity of MB Power (M.P.) Limited in Western Region for tariff block 2014-19 under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.
- Petitioner** : Power Grid Corporation of India Limited. (PGCIL)
- Respondents** : MB Power (Madhya Pradesh) Company Limited & 8 Ors.
- Date of Hearing** : 7.2.2023
- Coram** : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present** : Ms. Swapna Seshadri, Advocate, PGCIL
Shri Anand K. Ganesan, Advocate, PGCIL
Ms. Neha Garg, Advocate, PGCIL
Ms. Surbhi Gupta, Advocate, PGCIL
Ms. Utkarsh Singh, Advocate, MB Power
Ms. Moolshree Bhatnagar, M.B Power
Ms. Nimish Sha, M.B Power
Shri V. Srinivas, PGCIL
Shri V.C Shekhar, PGCIL
Shri Mukesh Khanna, PGCIL
Shri Prashant Kumar, PGCIL
Shri Pankaj K., PGCIL

Record of Proceedings

MB Power (Madhya Pradesh) Limited filed Appeal No. 73 of 2018 against the Commission's order dated 15.12.2017 in Petition No. 141/TT/2015 and CTUIL filed Appeal No. 196 of 2019 against the Commission's order dated 10.5.2019 in Petition No. 96/MP/2018. APTEL vide combined judgement dated 6.10.2022 dismissed the Appeal No. 196 of 2019 filed by CTUIL and remitted Petition No. 141/TT/2015 for re-consideration of the Commission. Accordingly, Petition No. 141/TT/2015 is listed for reconsideration.



2. The learned counsel for PGCIL argued the matter at length. The gist of submissions are as follows:

- (a) The Commission vide its order dated 15.12.2017 in Petition No. 141/TT/2015 declined to approve the COD of MB TPS Anuppur-Jabalpur pooling station 400 kV D/C (triple snowbird) line ("Anuppur-Jabalpur line") under Regulation 4(3) of the 2014 Tariff Regulations as 8.8.2014 and held that the asset was put to regular service on 25.2.2015 and accordingly approved the COD of the transmission line as 25.2.2015. The Commission further held that M.B Power is liable to pay the IDC and IEDC charges for the period from 8.8.2014 to 24.2.2015 since the line despite being ready from 8.8.2014 could not be put to commercial operation due to non-availability of bays at MBPL end. Further, the liability to pay the transmission charges for the period from 25.2.2015 to 19.5.2015 was also imposed on M.B Power.
- (b) Highlighted the findings and directions of the APTEL in judgement dated 6.10.2022.
- (c) APTEL has accepted the Commission's approval of COD of the transmission lines as 25.2.2015. Therefore, PGCIL is entitled for transmission charges from 25.2.2015.
- (d) The WRLDC certificate dated 18.11.2014 demonstrates that the line was ready on 8.8.2014.
- (e) Thus, the only issue for consideration of the Commission in remand is the charges to be paid to PGCIL for the Anuppur-Jabalpur Line from 8.8.2014 to 25.2.2015.
- (f) MB Power has been granted reverse transmission charges for the period from 20.5.2015 to 26.8.2015 for non-operationalisation of LTA. Accordingly, PGCIL is also entitled for transmission charges for the period from 8.8.2014 to 24.2.2015.
- (g) The written submissions along with computation of charges has already been filed in the matter.

3. The learned proxy counsel for M.B Power submitted that the arguing counsel is not available and sought a short adjournment.

4. The Petition shall be listed for hearing on 9.2.2023.

By order of the Commission

Sd/
(V. Sreenivas)
Joint Chief (Law)



