

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 161/TT/2021

Subject : Petition for determination of transmission tariff for the year 2019-20 in respect of RVPNL owned transmission lines/system connecting with other States and intervening transmission lines incidental to inter-State transmission of electricity for inclusion in the POC transmission charges in accordance with Central Electricity Regulatory Commission (Sharing of Transmission Charges and Losses) Regulations, 2010.

Petition No. 212/TT/2022

Subject : Petition for determination of transmission tariff for the year 2020-21 to 2023-24 in respect of RVPNL owned transmission lines/ system connecting with other States and intervening transmission lines incidental to inter-State transmission of electricity for inclusion in the POC transmission charges.

Date of Hearing : 9.1.2023

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

Petitioner : Rajasthan Rajya Vidyut Prasaran Nigam Limited

Respondents : Power Grid Corporation of India Limited and 10 Others

Parties present : Ms. Poorva Saigal, Advocate, RRVPNL
Shri Shubham Arya, Advocate, RRVPNL
Shri Ravi Nair, Advocate, RRVPNL
Ms. Reeha Singh, Advocate, RRVPNL
Ms. Shikha Sood, Advocate, RRVPNL
Ms. Anumeha Smiti, Advocate, RRVPNL
Shri S. S. Raju, PGCIL
Shri D. K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL



Shri Zafrul Hasan, PGCIL
Shri Vipin Joseph, PGCIL
Shri Ravindra Khare, MPPMCL
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Shri Lashit Sharma, CTUIL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that Petition No. 161/TT/2021 has been filed for determination of tariff for 16 no. of transmission lines for the year 2019-20 while Peition No. 212/TT/2022 is filed for 13 no. of transmission lines for years 2020-21 to 2023-24 in respect of RVPN owned transmission lines/system connecting with other States and Intervening transmission lines incidental to inter-State transmission of electricity for inclusion in the PoC transmission charges.
3. In response to a query of the Commission, learned counsel for the Petitioner submitted that out of the total 16 lines, 10 lines are natural ISTS lines while 6 lines have been approved as ISTS lines. For the financial year 2019-20, these 16 lines have been certified as ISTS lines. In the 48th NRPC meeting held on 2.9.2020, Bhilwara-Ajmer 400 kV D/C line, Merta-Heerapura 400 kV S/C line and Chittorgarh-Bhilwara 400 kV D/C line were certified as ISTS lines by NRPC.
4. The Commission observed that vide order dated 15.6.2020 in Petition No. 362/TT/2019, out of total 19 Assets (filed by the Petitioner), the Commission approved the transmission tariff for Asset-1 to Asset-17 for inclusion in PoC charges and for Asset-18 and Asset-19, the Petitioner was directed to approach Rajasthan Electricity Regulatory Commission (RERC) for determination of tariff because when the system was planned, the Petitioner did not come for regulatory approvals to the Commission.
5. Learned counsel for the Petitioner informed the Commission that the Petitioner has challenged the Commission's order dated 15.6.2020 in Petition No. 362/TT/2019 qua Asset-18 and Asset-19 before the APTEL and the matter is sub-judice.
6. The Commission noted that in view of the fact that its order dated 15.6.2020 in Petition No. 362/TT/2019 is challenged before the APTEL in Appeal which is sub-judice, therefore, till final outcome of the said Appeal, the Commission has no jurisdiction to entertain tariff in respect of Asset-18 and Asset-19 (Asset-15 and Asset-16 in the present petition).
7. In response to the query of the Commission, the Learned counsel for the Petitioner requested the Commission to consider the instant petition in line with the 2010 Sharing Regulations as the Petitioner is seeking tariff for the year 2019-20 i.e. prior to the commencement of the 2020 Sharing Regulations.



8. Learned counsel for the Petitioner pointed out that the order of the Commission dated 20.6.2018 in Petition No. 215/TT/2017, determining tariff for financial year 2017-18 followed the methodology of 25 years of useful life for payment of transmission charges of the transmission lines connecting two States/deemed ISTS lines. The said methodology of allowing tariff for the deemed ISTS lines reckoning their useful life as 25 years has been set aside by the APTEL vide judgment dated 14.11.2022 in Appeal No. 267 of 2018 and batch matters and the APTEL in the said judgment has observed that the useful life of the deemed ISTS lines shall be the same as for the ISTS lines specified in the 2014 Tariff Regulations.

9. After hearing the learned counsel for the Petitioner, the Commission permitted the Petitioner to amend the present petitions and serve copy of the same on the Respondents by 13.2.2023.

10. The Commission directed the Petitioner to provide the following information on affidavit by 13.2.2023 with advance copy of the same to the Respondents.

- (a) The Commission vide order dated 15.6.2020 in Petition No 362/TT/2019 did not grant the tariff for 400 kV D/C Bhilwara-Ajmer Line and 400 kV D/C Chittorgarh-Bhilwara Line and held that the petitioner may approach RERC for determination of tariff. As against this, the Petitioner has filed Appeal before APTEL. The Petitioner is directed to submit details of Appeal and its present status.
- (b) The lines covered in the instant Petition are between two States. Is there any Power Supply Agreement between the two States? Is there any Agreement between the States to maintain these lines and keep standby lines in good condition?
- (c) Operational status and daily average power flow on the ISTS transmission lines covered in the instant petition during the period 2014-2019.
- (d) Availability of transmission system for the above-mentioned lines.

11. The matter shall be listed for further hearing on 2.3.2023.

By order of the Commission

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

