

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.216/MP/2023

- Subject : Petition under Section 79(1)(c), Section 79(1)(f) and Section 79(1)(k) of the Electricity Act, 2003 seeking to set aside the monthly bilateral bills for transmission charges raised by CTUIL on the Petitioner since August, 2021 onwards and seeking direction to restrain CTUIL from raising further monthly bilateral bills for transmission charges raised on the Petitioner.
- Date of Hearing : **22.9.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Jharkhand Urja Sancharan Nigam Limited (JUSNL)
- Respondents : North Karanpura Transco Limited and Anr.
- Parties Present : Shri Puneeth Ganapathy, Advocate, JUSNL
Shri Ravi Sharma, Advocate, JUSNL
Shri Neeraj Singh, Advocate, JUSNL
Shri Gaurav Kumar, JUSNL
Shri Hemant Singh, Advocate, NKTL
Ms. Ankita Bafna, Advocate, NKTL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking a declaration that the Petitioner had no obligation to match the timeline for completion of its downstream assets with the commissioning of Respondent No.1 NKTL's asset and consequently, setting aside the monthly bilateral bills for the transmission charges as raised by the CTUIL on the Petitioner since August 2021 onwards. The Learned counsel further submitted that there is no formal legal agreement between the parties that imposes responsibility on the Petitioner to construct the downstream network in synchronization with NKTL's Project, and the provisions of the Sharing Regulations, 2020, as relied upon by the CTUIL, are applicable only to the Inter-State transmission licensee, whereas the Petitioner is an Intra-State transmission licensee.

2. Learned counsel for Respondent No.1, NKTL accepted the notice and sought the liberty to file a reply in the matter. The Learned counsel for Respondent No.1, NKTL also pointed out that the Respondent is yet to receive the transmission charges raised under the bilateral bill and urged for early listing of the matter.

3. Considering the submissions made by the learned counsel for the Petitioner and the Respondent No.1, the Commission directed as under:

- (a) Admit. Issue notice to the Respondents.



(b) The Respondents to file their replies to the Petition, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder, within four weeks thereafter.

(c) CTUIL to submit a copy of the Minutes of Meeting of the Standing Committee wherein the request for an instant transmission scheme was made by the Petitioner and the same was finalized and approved.

(d) The Respondent, NKTL to provide the following information on an affidavit within four weeks:

(i) A copy of the Transmission Service Agreement (TSA) signed with the LTTCs.

(ii) A copy of the Implementation Agreement signed with the entities responsible for executing the upstream/ downstream transmission system, if any.

(iii) A copy of the CEA energization certificate in respect of each Element.

(iv) Whether NKTL declared deemed COD of the ICTs or 'COD' as per the provisions of the TSA. Submit a copy of the declaration of COD in respect of these ICTs.

(v) A copy of the POSOCO trial run certificate issued for "400 kV, MVAR Bus Reactor- 1 along with the associated bay no. 403" at the Dhanbad substation.

4. The Petition will be listed for hearing on **5.1.2024**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**