

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 25/RP/2022

In

Petition No. 88/TT/2020

Subject : Petition seeking review of the order dated 22.4.2022 in
Petition No. 88/TT/2020.

Date of Hearing : 28.7.2023

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

Petitioner : Power Grid Corporation of India Limited

Respondent : Madhya Pradesh Power Management Company Limited and
10 others

Parties present : Ms. Swapna Seshadri, Advocate, PGCIL
Ms. Surbhi Gupta, Advocate, PGCIL
Shri Varun K. Chopra, Advocate, MPPMCL
Shri Mehul Sharma, Advocate, MPPMCL
Shri Zafrul Hasan, PGCIL
Shri Mohsin, PGCIL
Shri Pankaj Sharma, PGCIL

Record of Proceedings

Instant review petition has been filed by PGCIL seeking review of the order dated 22.4.2022 in Petition No. 88/TT/2020 wherein the Commission trued-up the transmission tariff of the 2014-19 period and allowed transmission tariff for the 2019-24 tariff period in respect of four assets under Western Region System Strengthening Scheme-V in Western Region.

2. The learned counsel for the Petitioner submitted as follows:

a. The Commission vide order dated 22.4.2022 in Petition No. 88/TT/2020 had restricted the completion cost of Asset-C2 to the RCE-II observing that the Petitioner has not submitted any justification for increase of about ₹3252.66 lakh in case of Asset-C2.

b. The increase in the capital cost of Asset-C2 was due to ACE and there is no change in the capital cost as on COD. The item-wise cost variation in case of Asset-C2 was submitted in Form-5 alongwith the justification.



- c. It is a peculiar case where there was inordinate time over-run in case of some of the assets due to various reasons beyond the control of Review Petitioner and last element was completed and achieved deemed DOCO in 2019. This resulted in requirement of multiple RCEs from time-to-time and same were approved by BoD of the Review Petitioner.
- d. Merely because the approval came after 3 years of COD does not raise any doubt on the veracity of the claim.
- e. Sought time to file rejoinder to the reply filed by MPPMCL.
3. The learned counsel for MPPMCL submitted that the Commission considered all the submissions made by the Review Petitioner and thereafter concluded that the Review Petitioner did not submit any reasons for increase in the capital cost of Asset-C2. He further submitted that the Review Petitioner has not pointed out the error apparent in the order dated 22.4.2022 in Petition No. 88/TT/2020 and the present petition is an appeal in disguise, which is not maintainable and requires to be dismissed.
4. In response, the learned counsel for the Review Petitioner submitted that the Commission's finding that the Review Petitioner has not submitted the reasons for the variation in the capital cost of Asset-C2 is an error apparent, as the Review Petitioner had submitted the reasons for variation in Form-5 filed alongwith the Petition No.88/TT/2020.
5. The Commission permitted the Review Petitioner to file a rejoinder to the reply filed by MPPMCL. Further, on the request of the parties, the Commission permitted the Review Petitioner and MPPMCL to file their written submissions with a copy to each other by 14.8.2023.
6. Subject to the above, the Commission reserved its order in the matter.

By order of the Commission

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

