

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Review Petition No. 26/RP/2022

Subject	: Review Petition seeking review of the order dated 25.11.2021 in Petition No. 719/TT/2020.
Date of Hearing	: 28.3.2023
Coram	: Shri I. S. Jha, Member Shri Arun Goyal, Member Shri P. K. Singh, Member
Petitioner	: Meja Urja Nigam (P) Limited (MUNPL)
Respondents	: Power Grid Corporation of India Limited and others
Parties Present	: Ms. Shikha Ohri, Advocate, MUNPL Shri B. B. Rath, PGCIL Shri Ved Prakash Rastogi, PGCIL Shri Naresh Angaru, PGCIL

Record of Proceedings

The learned counsel for the Petitioner made the following submissions:

- (a) The Commission initially in order dated 5.10.2017 and the subsequent corrigendum dated 28.5.2018 in Petition No. 203/TT/2016 held that the time taken by the Petitioner from 5.5.2016 to date of COD of transmission assets (i.e Asset-1(a) and Asset-1(b)) is attributable to MUNPL and hence the IDC and IEDC for this period shall be borne by MUNPL.
- (b) Aggrieved with the Commission's findings on sharing of transmission charges in order dated 5.10.2017 in Petition No. 203/TT/2016, MUNPL filed Appeal No. 6/2018 before the APTEL. The APTEL vide judgment dated 28.9.2018 remanded back the matter to the Commission for fresh consideration.
- (c) In terms of the APTEL judgment dated 28.9.2019, the Commission vide order dated 7.11.2019 in Petition No. 203/TT/2016 had reconsidered the matter and upheld its earlier order dated 5.10.2017 in Petition No.203/TT/2016 i.e IDC and IDEC for the period between the date of energisation of the line (5.5.2016) and the date of commercial operation shall be borne by MUNPL.
- (d) Thereafter, PGCIL filed Petition No. 719/TT/2020 for truing up of transmission tariff of 2014-19 tariff period and determination of tariff of 2019-24 tariff period. In the said petition, PGCIL had submitted that there was an inadvertent error wherein the date of issuance of CEA Energization certificate was reflected as 5.4.2016 instead of 11.4.2016. Accordingly, the Commission after taking into consideration the date of issuance of the CEA Certificate as 11.4.2016 held that IDC and IEDC from 11.4.2016 (CEA Certificate date) to the COD of Asset-1(a) and Asset1(b) shall be borne by MUNPL.



(e) The liability of bearing IDC and IEDC on MUNPL has been effective from the date of CEA approval of energization of the transmission assets which is not in consonance with Commission's order dated 5.10.2017 read with its corrigendum dated 28.5.2018 in Petition No 203/TT/2016. Accordingly, the instant review petition has been filed to the extent of reviewing the period for which the liability of IDC and IDEC of the transmission assets has been imposed on the Review Petitioner.

2. The representative appearing on behalf of PGCIL submitted that there is no error apparent in the order dated 25.11.2021 in Petition No. 712/TT/2020 as the Commission has already dealt with the issue of IDC and IEDC in its remand back order dated 7.11.2019 in Petition No. 203/TT/2016.

3. After hearing the parties, the Commission admitted the Review Petition and directed to issue notice to the Respondents. The Commission directed the Review Petitioner to serve copy of the Review Petition on the Respondents by 14.4.2023. The Respondents are directed to file their reply by 28.4.2023 with an advance copy to the Review Petitioner, who may file its rejoinder, if any, by 5.5.2022. The Commission further observed that due date of filing the reply and rejoinder should be strictly adhered to and no extension of time shall be granted.

4. The Review Petition shall be listed for final hearing on 11.5.2023.

By order of the Commission

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(V. Sreenivas)
Joint Chief (Law)

