

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 263/MP/2022**

- Subject** : Petition under Section 79 of the Electricity Act, 2003 for direction to Odisha Power Transmission Co. Ltd (OPTCL) to refund the excess paid wheeling charges & short term open access charges along with interest in respect of its transmission system of 220 kV D/C Rourkela-Tarkera-Budhipadar-Korba (Budhipadar-Korba Circuit 2 & 3-Odisha portion) line and associated sub-station bays to MPPMCL.
- Date of Hearing** : 3.8.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : M.P. Power Management Company Limited (MPPMCL)
- Respondents** : Odisha Power Transmission Co. Limited (OPTCL) & 7 others
- Parties present** : Shri G. Umapathy, Sr. Advocate, MPPMCL  
Shri Aditya Singh, Advocate, MPPMCL  
Shri Raj Kumar Mehta, Advocate, OPTCL  
Ms. Himanshi Andley, Advocate, OPTCL  
Shri Anup Jain, Advocate, MSEDCL  
Shri Vyom Chaturvedi, Advocate, MSEDCL  
Shri M. R. Das, OPTCL

**Record of Proceedings**

Madhya Pradesh Power Management Company Limited (MPPMCL) has filed the instant petition seeking direction to Odisha Power Transmission Company Limited (OPTCL) to refund the excess wheeling charges & short term open access charges paid by MPPMCL to OPTCL, along with the interest in respect of the transmission system of the 220 kV D/C Rourkela-Tarkera-Budhipadar-Korba (Budhipadar-Korba Circuit 2 & 3-Odisha portion) line and associated sub-station bays.

2. The learned senior counsel for MPPMCL submitted that OPTCL has to refund around Rs.20 crore, and OPTCL has admitted that it has to refund Rs.17.58 crore. Therefore, OPTCL may be directed to refund the amount to MPPMCL.



3. The learned counsel for OPTCL submitted that MPSEB, the predecessor of the Petitioner, was the nodal agency and was responsible for collecting the charges from the other beneficiaries, like Gujarat, Maharashtra, and Goa, and paying the same to OPTCL. OPTCL is willing to refund the amount to MPPMCL. However, Gujarat and Maharashtra are also seeking refunds from OPTCL. Therefore, it is willing to refund Rs.10 crore to MPPMCL, and it is necessary to decide to whom OPTCL should refund the remaining amount. He further submitted that Gujarat, Maharashtra, Chhattisgarh, and Goa, which have been impleaded as Respondents in the matter, have neither appeared nor filed a reply in the matter.

4. After hearing MPPMCL and OPTCL, the Commission directed OPTCL to refund Rs.10 crore to MPPMCL by 4.9.2023. As regards the amount that is claimed by Gujarat and Maharashtra, the Commission directed MPPMCL and OPTCL to convene a meeting(s) with the other beneficiaries, i.e. Maharashtra, Gujarat, Chhattisgarh, and Goa, and try to reach an amicable settlement before 15.9.2023. and to submit the minutes of the meeting(s) by 25.9.2023, along with the agreement, if any, reached between them.

5. The Commission further directed MPPMCL to clarify whether the charges that are claimed by it include the claims made by Gujarat and Maharashtra. Gujarat, Maharashtra, Chhattisgarh, and Goa, are to be present on the next date of hearing without fail and also to file a reply in the matter by 25.9.2023, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 16.10.2023.

6. The Commission also directed the parties to comply with the directions within the specified timeline and observed that no extension of time would be granted.

7. The petition to be listed for a final hearing tentatively on 15.11.2023.

**By order of the Commission**

sd/-

(V. Sreenivas)  
Joint Chief (Law)

