

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 344/MP/2020**

- Subject** : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 seeking adjudication of transmission charges by Respondent No.1, MSETCL.
- Date of Hearing** : 20.4.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : Ratnagiri Gas & Power Private Limited (RGPPL)
- Respondents** : Maharashtra State Electricity Transmission Co. Ltd. (MSETCL) and 3 Ors.
- Parties Present** : Ms. Swapna Seshadri, Advocate, RGPL  
Ms. Ritu Apoorva, Advocate, RGPL  
Ms. Archita Kashyap, Advocate, RGPL  
Shri G. Sai Kumar, Advocate, MSEDCL  
Ms. Nikita , MSEDCL  
Shri Mahesh P. Shinde, Advocate, MSETCL  
Shri Sudhanshu S. Choudhary, Advocate, MSETCL

**Record of Proceedings**

The learned counsel for the Petitioner submitted that MSETCL may be directed to charge the transmission charges for 300 MW inter-State in respect of the power despatched from RGPPL to Indian Railways at the rate of Rs. 0.73 lakh/MW/month in terms of the WRPC letter dated 17.8.2020 and also direct MSETCL to refund the transmission charges levied in excess of Rs. 0.73 lakh/MW/month for the period from 1.4.2017 till date along with interest to the Petitioner. Further, the Petitioner prayed that MSETCL be directed to henceforth levy charges at the above said rate for transmission of power from the Petitioner's generating station to Indian Railways.

2. Learned counsel for the Petitioner submitted that Maharashtra State Electricity Distribution Company Limited (MSEDCL) has filed Interlocutory Application No. 45 of 2021, for its impleadment in the present petition which is opposed by the Petitioner on the grounds that MSEDCL is neither a necessary nor a proper party to the present dispute. She further submitted that the present dispute is with regard to the manner of transmission charges for the power flowing on inter-State basis using the transmission lines of MSETCL and MSETCL is charging the Petitioner as per the tariff determined by MERC in the respective years while, in the facts and circumstances of the case, MERC is not vested with the jurisdiction to determine the tariff.

3. Learned counsel for MSETCL conceded that in the present case, the Petitioner is being charged as per the MERC's tariff order determined in the respective years.
4. Learned counsel for MSEDCL requested the Commission to allow it to file Written Submissions.
5. After hearing, the Commission directed Respondent No.1, MSETCL to submit the following information on an affidavit by 25.5.2023 with a copy of the same to the Petitioner:
  - (i) Copy of BPTA signed with Indian Railways for 330 MW power.
  - (ii) Copy of tariff order issued by MERC based on which MSETCL has raised bills on the Indian Railways.
  - (iii) Copy of LTOA granted to Indian Railways with respect to 330 MW power.
6. The Commission further directed the Petitioner to clarify the following information on an affidavit by 25.5.2023 with a copy of the same to MSETCL:
  - (i) Whether the Petitioner has availed waiver of transmission charges for FY 2015-16 and FY 2016-17 under Maharashtra State Electricity Regulatory Commission (Implementation of Gas Based Power Generation Capacity) Regulations, 2016 and whether Western Region Power Committee's methodology provided for such waiver?
7. The Commission allowed the request of MSEDCL to submit its Written Submissions by 25.5.2023 with advance copy of the same to the Petitioner and MSETCL.
8. The Commission directed the parties that due date of filing information and Written Submissions should be strictly complied with.
9. The matter shall be listed for further hearing on 13.6.2023.

**By order of the Commission**

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(V. Sreenivas)  
Joint Chief (Law)