

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 368/MP/2022

- Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 111, 112 and 119 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement / execution of the Tariff Order dated 21.11.2019 passed by the Hon'ble Commission in Petition No. 105/TT/2018 directing bilateral billing and payment of Transmission Charges by Respondent No. 1 to the Petitioner on account of delay in commissioning of its downstream transmission networks.
- Date of Hearing** : 2.5.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondent** : Jharkhand Urja Sancharan Nigam Limited (JUSNL) and Anr.
- Parties present** : Shri Shubham Arya, Advocate, PGCIL
Ms. Reeha Singh, Advocate, PGCIL
Ms. Sikha Sood, Advocate, PGCIL
Shri Md. Mohsin, PGCIL
Shri Arjun Malhotra, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted as follows:

- (a) The Commission vide order dated 21.11.2019 in Petition No. 105/TT/2018 (for determination of tariff from COD to 31.3.2019) approved the COD of 4 Numbers 220 kV Line Bays at Daltonganj Sub-station as 1.9.2018 under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations. Due to the non-execution of the downstream lines under the scope of Respondent No. 1 JUSNL, the Commission directed that JUSNL will bear the transmission charges from the COD of Asset-II i.e. 16.9.2018 till COD of associated downstream transmission lines.



(b) JUSNL filed Appeal No. 106 of 2023 against the Commission's order dated 21.11.2019 in Petition No. 105/TT/2018 before APTEL and the same is pending adjudication. No interim directions for stay of operation of the Commission's order has been granted by the APTEL in the said Appeal.

(c) The bilateral invoices have been raised on JUSNL by CTUIL as per the directions of the Commission. However, JUSNL failed to pay the amount raised in the invoices even after repeated requests and reminders from CTUIL.

(d) The Petitioner has requested for enforcement of the Commission's order in favour of the Petitioner.

2. In response to the Commission's query, the learned counsel for the Petitioner submitted that the downstream assets of four (4) line bays at Daltonganj Sub-station have been completed by JUSNL.

3. The Commission admitted the petition and directed that notice be issued to the Respondents.

4. The Commission further directed the Respondents to file their reply on an affidavit by 5.6.2023 with an advance copy to the Petitioner and the Petitioner to file its rejoinder, if any, by 30.6.2023. The Commission further observed that no request for extension of time will be entertained and directed the parties to strictly comply with the above directions within the specified timeline.

5. The Petition shall be listed for further hearing on 21.7.2023.

By order of the Commission

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

