

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 374/MP/2022**

- Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulations 111, 112 and 119 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement/execution of the tariff order dated 21.11.2019 in Petition No 158/TT/2018 directing bilateral billing and payment of transmission charges by the Respondent to the Petitioner on account of delay in commissioning of its downstream transmission network.
- Date of Hearing** : 10.10.2023
- 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)
- Respondents** : Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) and Another
- Parties Present** : Shri Shubham Arya, Advocate, PGCIL  
Ms. Poorva Saigal, Advocate, PGCIL  
Ms. Reeha Singh, Advocate, PGCIL  
Shri G. Sai Kumar, Advocate, HPPTCL  
Ms. Nikita Choukse, Advocate, HPPTCL  
Ms. Supriya Singh, PGCIL  
Shri Swapnil Verma, CTUIL  
Shri Priyansi Jadiya, CTUIL  
Shri Siddharth Sharma, CTUIL

**Record of Proceedings**

Learned counsel for HPPTCL submitted that HPPTCL has filed Appeal No. 300 of 2022 before the APTEL against the Commission's order dated 21.11.2019 in Petition No. 158/TT/2018, wherein HPPTCL was directed to pay the transmission charges of 220 kV, 2 nos. line bays at Hamirpur Sub-station from 31.3.2019 till COD of the associated downstream network under the scope of HPPTCL. The Appeal filed by HPPTCL is pending adjudication before the APTEL. Learned counsel further submitted that Punjab State Transmission Corporation Limited (PSTCL) had also challenged the said order of the



Commission in Appeal No. 109 of 2021 before the APTEL. The APTEL in its judgment dated 15.9.2022 in Appeal No. 109 of 2021 has set aside the order of the Commission dated 21.11.2019 in Petition No. 158/TT/2018 with regard to payment of transmission charges, observing that in the absence of any contract binding the parties to the dispute in the present case, the liability towards transmission charges cannot be fastened on the STU, PSTCL, on the ground that it had been remiss in the development of the downstream system. Learned counsel further submitted that HPPTCL did not seek any stay or direction against the Commission's order dated 21.11.2019 in Petition No. 158/TT/2018 before the APTEL as the facts of HPPTCL and PSTCL are identical and may be considered as pari-materia.

2. Learned counsel for the Petitioner submitted that the Respondent, HPPTCL, did not reply to the query of the Commission raised through RoP dated 16.8.2023 in the present case, whereby the Commission directed HPPTCL, to explain why proceedings under Section 142 of the Electricity Act, 2003, should not be initiated against it for non-compliance of the Commission's directions in order dated 21.11.2019 in Petition No. 158/TT/2018. Learned counsel for the Petitioner further submitted that the present petition is an execution petition and the Respondent, HPPTCL cannot be permitted to argue the grounds of Appeal in the present execution petition. He also submitted that the Petitioner does not wish to file any further information/ additional documents in the matter.

3. After hearing the learned counsel for the parties, the Commission directed HPPTCL to file its Written Submissions by 27.10.2023, with an advance copy to the Petitioner.

4. The Commission further directed the parties to strictly comply with the above directions within the specified timelines and observed that no extension of time would be granted.

5. Subject to the above, the Commission reserved the order in the matter.

**By order of the Commission**

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

