

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.377/MP/2022**

- Subject : Petition under Sections 79 of the Electricity Act, 2003, read with Articles 11, 12 and 16 of the Transmission Services Agreement dated 23.04.2019, seeking extension of time period for achieving CoD of the Project and compensation on account of occurrence of force majeure and change in law events, and other consequential reliefs, and for seeking recovery transmission tariff/ charges from the Respondent No. 1, on bilateral basis, from 04.09.2021 till 03.10.2021, in terms of Regulation 13(12) of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020.
- Date of Hearing : 15.5.2023
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioners : Bikaner – Khetri Transmission Limited (BKTL)
- Respondents : Powergrid Khetri Transmission System Ltd. (PKTSL) and 9 Ors.
- Parties Present : Shri Hemant Singh, Advocate, BKTL  
Shri Lakshyajit Singh, Advocate, BKTL  
Ms. Lavanya Panwar, Advocate, BKTL  
Ms. Swapna Seshadri, Advocate, PKTSL  
Shri Utkarsh Singh, Advocate, PKTSL  
Shri Arjun Malhotra, PKTSL  
Shri Mohd. Mohsin, PKTSL  
Shri Swapnil Verma, CTUIL  
Shri Ranjeet Rajput, CTUIL  
Shri Yatin Sharma, CTUIL

**Record of Proceedings**

At the outset, learned counsel for the Respondent No.1, PKTSL prayed for four weeks' additional time to file reply to the Petition. Learned counsel submitted that the Petitioner *inter alia* has sought recovery of transmission charges from the deemed Commercial Operation Date. However, as per the Respondent, the Project of the Petitioner was not ready on the said date and to substantiate the same, the Respondent would require to place on record a detailed correspondence exchanged between the parties and thus, the additional time as prayed for be permitted.

2. Learned counsel for the Petitioner, as such, did not oppose the request of additional time by the Respondent No.1 to file a reply and sought liberty to file its rejoinder thereafter.

3. After hearing the learned counsels for the Respondent No.1 and the Petitioner, the Commission order as under:

(a) Respondent No. 1 to file its reply within four weeks with copy to the Petitioner who may file its rejoinder, if any, within three weeks thereafter.

(b) The Petitioner to file the following information on affidavit within three weeks:

(i) Copy of legible and full page of Schedule 3 of the TSA, as in the Schedule 3 of the TSA submitted by the Petitioner, the right most portion of the TSA is not completed.

(ii) Route map indicating the original route as well as final route clearly marking the original as well as revised location of the Khetri sub-station.

(iii) Status of COD of 765/400 kV Khetri sub-station, Khetri-Sikar 400 kV D/C line and Khetri-Jatikara 765 kV D/c line specifically as on 4.9.2021 when Petitioner has declared deemed COD.

(iv) Total forest land required to be acquired for the original route as well as the final route (Jhunjhunu & Bikaner Area).

(c) The Respondent No. 1 PKTSL to submit the following information on affidavit within three weeks:

(i) Reasons for change in the location of Khetri sub-station as contended by the Petitioner and the provisions of the TSA in this regard. Radial distance between the original location of the Khetri sub-station and revised location.

(ii) Nature and quantum of land acquired for Khetri sub-station along with various statutory clearances taken.

(iii) Reasons for delay in providing space to the Petitioner for construction of bays at Khetri sub-station.

(iv) Clarifications w.r.t. increase in the bay extension works at Khetri sub-station due to non- allocation of BKTL bays adjacent to PKTSL bays along with relevant SLD and the provisions in the TSA in this regard.

4. The Petition be listed for hearing on 11.8.2023.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**