

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 685/TT/2020
with IA No. 60/IA/2023**

- Subject** : Petition for approval under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for determination of transmission tariff from anticipated COD to 31.3.2024 for \pm 800 kV 6000 MW Raigarh (HVDC Station)-Pugalur (HVDC Station) HVDC Link along with \pm 800 kV 1500 MW (Pole-I) HVDC terminals each at Raigarh (HVDC Station) & Pugalur (HVDC Station) under “HVDC Bipole link between Western Region (Raigarh, Chattisgarh) and Southern Region (Pugalur, Tamil Nadu)-North Trichur (Kerala)-Scheme 1: Raigarh-Pugalur 6000 MW HVDC System” in Southern Regional Grid.
- Date of Hearing** : 30.8.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P.K. Singh, Member
- Petitioners** : Powergrid Corporation of India Limited
- Respondents** : Tamil Nadu Generation and Distribution Corporation Limited & Ors.
- Parties Present** : Ms. Swapna Seshadri, Advocate, PGCIL
Ms. Surbhi Gupta, Advocate, PGCIL
Shri Utkarsh Singh, Advocate, PGCIL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Aastha Jain, Advocate, CTUIL
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Prabhas Bajaj, Advocate, KSEB
Shri Priyanshu Tyagi, Advocate, KSEB
Shri Vishrov Mukherjee, Advocate, Sembcorp Energy
Shri Yashaswi Kant, Advocate, Sembcorp Energy
Ms. Priyanka Vyas, Advocate, Sembcorp Energy
Shri Anup Jain, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Shri Shubhranshu Padhi, Advocate, R. No. 12 to 15
Shri Niroop Sukirthy, Advocate, R. No. 12 to 15



Shri D. Abhinav Rao, Advocate, R. Nos. 9, 10 and 16
Shri Rahul Jajoo, Advocate, R. Nos. 9, 10 and 16
Shri Mohd. Mohsin, PGCIL
Shri Arjun Malhotra, PGCIL
Shri Zafrul Hasan, PGCIL
Shri Siddhartha Sharma, CTUIL
Ms. Priyansi Jadiya, CTUIL
Shri Gajendra Singh, NRLDC
Shri Rahul Shukla, NRLDC
Shri Debajyoti Majumder, NRLDC

Record of Proceedings

The matter was taken up for hearing. Shri I.S. Jha, Member, recused himself from the hearing of the matter.

2. The Commission vide Record of Proceedings of 11.8.2023 directed to list the matter on 17.11.2023. However, in view of the directions of the Hon'ble Supreme Court in order dated 18.8.2023 in Civil Appeal No.4959 of 2023 and the Interlocutory Application filed by the Petitioner, the matter is being taken up by the Commission.

3. The leaned counsel for the Petitioner submitted as follows:

- (a) In Appeal No. 433 of 2022 filed by TANGEDCO against the Commission's order dated 29.9.2022 in Petition No.685/TT/2020 (wherein the tariff for the Raigarh-Pugalur HVDC link was approved), the Appellate Tribunal for Electricity (APTEL), vide judgment dated 18.7.2023 has set aside the Commission's order dated 29.9.2022, (wherein the Commission disallowed TANGEDCO's plea for granting the Raigarh-Pugalur HVDC link the status of "national and strategic importance") and directed the Commission to pass a fresh order in the light of observations recorded in its order dated 18.7.2023.
- (b) As per the directions of the Commission in Record of Proceedings (RoP) of 11.8.2023, the Petitioner has impleaded the beneficiaries of all the regions as Respondents in the present petition, filed the amended "Memo of Parties," served a copy of the petition on all the Respondents, and filed the details of the same vide affidavit dated 28.8.2023, along with the proof of service on the Respondents.
- (c) Of the 75 Respondents, CEA, Respondent No. 74, and GMR Bajoli Holi Hydropower Pvt. Ltd., Respondent No. 71, are not registered in the e-filing portal of the Commission. Therefore, they have been mailed a copy of the petition separately, besides physically serving it on them.
- (d) The Petitioner filed Civil Appeal No. 4959 of 2023 before the Hon'ble Supreme Court against the APTEL's judgement dated 18.7.2023 in Appeal No. 433 of 2022. The Hon'ble Supreme Court, vide order dated 18.8.2023, dismissed the Civil Appeal and directed the Commission to dispose of the proceedings on remand on or before 31.10.2023.



- (e) Therefore, the Petitioner has filed the instant IA for an urgent hearing of the matter.
- (f) The Respondents may be directed to file the reply on the issue of declaration of the HVDC link as an asset of “national and strategic importance” and “sharing of transmission charges” in a time bound manner so that the Petition could be disposed of before 31.10.2023, as per the direction of the Hon’ble Supreme Court.
- (g) TANGEDCO has unilaterally adjusted/ deducted the transmission charges already paid for the Raigarh-Pugalur-Trichur HVDC Transmission system including the instant transmission line. Therefore, TANGEDCO and the other Respondents may be directed to pay the transmission charges as per the bills raised without any adjustment/ deduction.

4. The learned counsels for the TANGEDCO, Telangana Discoms, and KSEB submitted that the Commission’s order dated 29.9.2022 has been set aside in entirety by the APTEL. Further, some of the Respondents who are impleaded now at the stage of remand did not have the opportunity to make their submissions on the tariff determination of the HVDC link in the main petition. Therefore, the Respondents’ right to file the reply should not be restricted, as requested by the Petitioner, limited to the issue of the declaration of the HVDC link as an asset of “national and strategic importance” and the consequent “sharing of transmission charges.”

5. In response, the learned counsel for the Petitioner submitted that TANGEDCO’s Appeal before APTEL was with respect to the declaration of the Raigarh-Pugalur HVDC Link as an asset of “national and strategic importance” and the issue of tariff determination was not even raised before the APTEL. Further, the APTEL’s judgement should be read in its entirety and not in isolation. Therefore, the Respondents can only file a reply in respect of the declaration of the HVDC link as an asset of “national and strategic importance” and “sharing of transmission charges”.

6. Taking into consideration the submissions of the Petitioner and the Respondents, the, Commission directed the Respondents to file reply in the light of the observance by the APTEL in the remand order.

7. The Commission directed the Registry to register the Interlocutory Application filed by the Petitioner.

8. The Commission further directed the Respondents, especially CEA, CTUIL, and POSOCO, to file their replies on affidavit by 13.9.2023 and the Petitioner to file the rejoinder by 20.9.2023. The Commission also directed the parties to comply with the directions above within the specified time and observed that no extension of time or adjournment of the hearing will be allowed in view of the directions of the Hon’ble Supreme Court to dispose of the petition by 31.10.2023.



9. The Commission directed CTUIL to submit the following along-with its reply:

(a) The background and facts that were considered while planning the Raigarh-Pugalur HVDC Link, along-with the relevant documents, including minutes of the meetings, and the consent of beneficiaries, if any.

(b) Present inter-regional capacity between the Southern region and the Western region / Eastern region and its utilization over the last two financial years.

(c) Whether any new HVDC systems have been planned for the evacuation of RE power from Southern Region to other regions, and if so, (i) the details of the same (ii) the plan to utilise such HVDCs; and (iii) while planning such new inter-regional links, whether the existing inter-regional reverse capacity (AC and DC) of Southern Region with other regions has been considered.

(d) Whether there is any plan to upgrade the existing reverse capacity of the Raigarh-Pugalur HVDC Link up to 6000 MW?

10. The matter shall be listed for a further hearing on 13.9.2023

By order of the Commission

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

