

**Central Electricity Regulatory Commission
New Delhi**

Petition No. 173/TT/2021 alongwith IA No. 92/2023

- Subject : Petition for transmission tariff for the 2019-24 tariff period for **Asset-1**: ± 800 kV 1500 MW (Pole-II) HVDC terminals each at Raigarh (HVDC Station) and Pugalur (HVDC Station) and **Asset-2**: ± 800 kV 1500 MW (Pole-III) 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 the Southern Regional Grid.
- Petitioner : Power Grid Corporation of India Limited (PGCIL)
- Respondents : Tamil Nadu Generation and Distribution Corporation Limited and 23 Others
- Parties Present : Shri Basava Prabu Patil, Sr. Advocate, TANGEDCO
Ms. Swapna Seshadari, Advocate, PGCIL
Shri Utkarsh Singh, Advocate, PGCIL
Ms. Sneha, Advocate, PGCIL
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Prabhas Bajaj, Advocate, KSEBL
Shri Priyanshu Tyagi, Advocate, KSEBL
Shri Harsh Chauhan, Advocate, KSEBL
Shri Rithvik Mathur, Advocate, KSEBL
Shri D. Abhinav Rao, Advocate, Telangana DISCOMS
Ms. Megha Shaw, Advocate, Telangana DISCOMS
Shri Sidhant Kumar, Advocate, AP DISCOMS
Ms. Eksha Kashyap, Advocate, AP DISCOMS
Ms. Anshika Saxena, Advocate, AP DISCOMS
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Aastha Jain, Advocate, CTUIL
Ms. Arshiya Sharma, Advocate, CTUIL
Shri Mohd. Mohsin, PGCIL
Shri Zafrul Hasan, PGCIL
Shri Arjun Malhotra, PGCIL
Ms. Kirti, PGCIL
Shri M. Sethuraman, TANGEDCO

Petition No. 242/TT/2021 alongwith IA No. 91/2023

- Subject : Petition for transmission tariff for the 2019-24 tariff period for **Asset-1**: ± 800 kV 1500 MW (Pole-IV)



HVDC terminals each at Raigarh (HVDC Station) and Pugalur (HVDC Station) under “HVDC Bipole link between the Western Region (Raigarh, Chattisgarh) and the Southern Region (Pugalur, Tamil Nadu)- North Trichur (Kerala)-Scheme 1: Raigarh-Pugalur 6000 MW HVDC System” in the Southern Regional Grid.

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Shri Zafrul Hasan, PGCIL
Shri Arjun Malhotra, PGCIL
Ms. Kirti, PGCIL
Shri M. Sethuraman, TANGEDCO

Date of Hearing : **29.8.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Record of Proceedings

The learned senior counsel for Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) mainly submitted as follows:

(a) After remand of the matter, the Commission, vide its order dated 30.10.2023 in Petition No. 685/TT/2020, had disposed of the Petition after hearing all the patties. Aggrieved by the said order dated 30.10.2023,



TANGEDCO filed an Appeal before the Appellate Tribunal for Electricity (APTEL) said appeal was heard on 27.8.2024, and it is pending adjudication before the APTEL. The other Appeals filed by the other DISCOMS against the Commission's order dated 30.10.2023 could not be taken up by the APTEL on the said date.

(b) With regard to HVDC Raigarh-Pugalur Pole-I, the Commission, in the order dated 30.10.2023, observed that no regulatory approval was required as it fell under Regulation 3(2) of the Central Electricity Regulatory Commission (Grant of Regulatory Approval for the execution of inter-State Transmission Scheme to Central Transmission Utility) Regulations, 2010 (2010 Regulatory Approval Regulations).

(c) Referring to Regulation 3(1) (i) of the 2010 Regulatory Approval Regulations, it was contended that the generators in Chhattisgarh who wanted to evacuate their excess power through the WR applied for the connectivity, which was granted to them. The injection point was made known, and the termination point was in Dhule (Maharashtra). They also entered into a BPTA because they did not have identified beneficiaries. Accordingly, the regulatory approval was taken under Regulation 3(1) (i) of the 2010 Regulatory Approval Regulations. After granting the regulatory approval, the termination point was changed from Dhule to Pugalur. When the change was made from Dhule to Pugalur, no regulatory approval was taken in terms of Regulation 3(1) (i) of the 2010 Regulatory Approval Regulations. The regulatory approval was required even for system strengthening, and no beneficiaries were identified insofar as SR was concerned.

(d) Referring to Regulation 3(2) of the 2010 Regulatory Approval Regulations, it was argued that the same was applicable only when all the beneficiaries had signed the BPTA, which is not the case here.

(e) The Commission, in its order dated 30.10.2023, directed the Petitioner to approach the PSDF Committee within a month of the order's issuance and to make sincere efforts to avail of a sufficient grant from PSDF so that the beneficiaries' tariff burden is reduced. However, the Petitioner failed to take any steps in this regard.

2. The learned counsel for CTUIL submitted that it had multiple meetings with all the stakeholders, including TANGEDCO, and it also incorporated their suggestions during the system's planning. She further submitted that the system had been implemented and executed, therefore, the stakeholders cannot claim that the necessary regulatory approvals were not obtained.

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

(a) All the submissions made by TANGEDCO were recorded by the Commission in its order dated 30.10.2023 in Petition No. 685/TT/2020. Further, TANGEDCO made the same arguments before the Hon'ble Madras High Court in challenging the Third Amendment to the 2010 Sharing Regulations.



(b) With regard to the signing of the BPTA, the Commission, in its order dated 30.10.2023 in Petition No. 685/TT/2023, observed that 'all' the beneficiaries signed the BPTA, and, therefore, regulatory approval was not required for the subject assets as provided under Regulation 3(2) of the 2010 Regulatory Approval Regulations.

(c) Pursuant to the Commission's direction in the order dated 30.10.2023 in Petition No. 685/TT/2020, the Petitioner immediately approached the PSDF Committee and the Ministry of Power to obtain the grant, the details of which have been given in the Petitioner's pleadings.

4. After hearing the learned counsels for the parties at length, the Commission directed TANGEDCO to file its written submissions within 10 days with an advance copy to the Petitioner, who may file its written submissions within a week thereafter.

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

By order of the Commission

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

