

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 194/MP/2024 along with IA No.46/2024

- Subject : Petition under Section 79 of the Electricity Act, 2003 seeking extension of SCOD for the Transmission Line under the 'Transmission Scheme for Solar Energy Zone in Gadag (1500 MW), Karnataka: Part-A Phase-II' due to delay in commissioning of the Transmission Line/ Project on account of certain Force Majeure events under the Transmission Service Agreement dated 18.11.2022 between the Gadag II-A Transmission Ltd. and Central Transmission Utility of India Limited.
- Petitioner : Gadag IIA Transmission Limited (GIATL)
- Respondents : Central Transmission Utility of India Limited (CTUIL) and Ors.
- Date of Hearing : **7.10.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Vishrov Mukerjee, Advocate, GIATL
Shri Swapnil Verma, CTUIL
Shri S. Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition had been filed *inter alia* seeking an extension of the Scheduled Commercial Operation Date (SCOD) of the Gadag PS-Koppal PS 400 kV D/c line from 17.5.2024 to the actual date of commencing operation of the said line on account of certain force majeure events viz. (i) delay in grant of approval under Section 164 of the Electricity Act, 2003, and (ii) delay due to sever Right of Way (RoW) issues faced by the Petition in construction of the said line, which continue till date. Learned counsel further submitted that these events have already been recognized as force majeure events by the Commission in its previous orders. Learned counsel submitted that since there is an imminent threat that CTUIL may encash the Performance Bank Guarantee (PBG) submitted by the Petitioner under the Transmission Service Agreement on account of delay in commissioning of the said line, the Petitioner is praying for an interim direction to CTUIL not to encash the PBG till final disposal of the Petition. Learned counsel pointed out that with the commissioning of the 400 kV Gadag PS-Narendra (New) D/c line and 2×500 MVA, 400/220 kV Gadag PS under Gadag Phase I on 4.9.2024, along with the readiness of Gadag Phase II PS and associated line bays, there will be no bottleneck for evacuation of renewable energy.

2. The representative of the Respondent, CTUIL, and learned counsel for the Respondent, TANGEDCO prayed for time to file their respective reply in the matter.

3. Considering the submissions made by the learned counsel and the representative of the parties, the Commission directed as under:



- (a) Admit and issue notice to the Respondents subject to just exceptions;
- (b) The Respondents are to file their respective reply, if any, within six weeks with a copy to the Petitioner, who may file its rejoinder, within four weeks thereafter.
- (c) Keeping in view that no precipitative steps have been initiated against the Petitioner so far, the Commission declined to issue any interim direction(s) at this stage.

4. The Petition, along with IA, will be listed for hearing on **19.12.2024**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)