

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 242/MP/2024 along with IA No. 57/2024

- Subject : Petition under Section 79 of the Electricity Act, 2003 seeking for quashing of the 3 Bills/Invoices dated (i) 22.3.2024, (ii) 22.3.2024 and (iv) 2.4.2024 issued by the Central Transmission Utility of India Limited, cumulatively of Rs. 2,62,71,559/- and for a declaration that the Petitioner has no liability towards payment of transmission charges corresponding to its Long-Term Open Access / General Network Access quantum of 600 MW.
- Petitioner : Adani Renewable Energy Holding Seventeen Limited (AREHSL) and Anr.
- Respondents : Central Transmission Utility of India Limited (CTUIL) and Anr.
- Date of Hearing : **8.11.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Hemant Singh, Advocate, AREHSL
Shri Lakshyajit Singh, Advocate, AREHSL
Ms. Lavanya Panwar, Advocate, AREHSL
Shri Jai Lal, Advocate, AREHSL
Shri Nishant Kumar, Advocate, AREHSL
Shri Gaurav Pathak, Advocate, AREHSL
Shri Pawan Singh, Advocate, AREHSL
Shri Swapnil Verma, CTUIL
Ms. Kavya Bhardwaj, CTUIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition had been filed seeking quashing of the Bilateral Transmission Bills / Invoices dated 22.3.2024, 22.3.2024, and 2.4.2024 issued by the Respondent No.1, CTUIL, cumulatively of Rs. 2,62,71,559/- for the period from February 2024 to April 2024 upon the Petitioner No.1 and for a declaration that the Petitioner has no liability towards payment of the transmission charges corresponding to its Long-Term Open Access / General Network Access quantum of 600 MW. Learned counsel also pointed out that as per the Minutes of the 30th JCC Meeting (Northern Region), even the connectivity is likely to be operationalised only w.e.f. 1.1.2025, and hence, no bilateral transmission bills/invoices could have been raised upon Petitioner No.1.

2. The representative of Respondent, CTUIL, accepted the notice and sought liberty to file a reply within three weeks in the matter. The representative further submitted that a similar issue is already pending consideration in Petition Nos.216/MP/2024 and 271/MP/2024, and the instant Petition may also be taken-up along with said cases.



3. Considering the submissions made by the learned counsel for the Petitioner and the representative of CTUIL, the Commission ordered as under:

- (a) Admit and issue notice to the Respondents, subject to just exceptions.
- (b) The Petitioner to implead Grid-India/NLDC and Powergrid Ramgarh Transmission Ltd. (PRTL) as party to the present Petition and to file the revised memo of parties within a week.
- (c) The Respondents to file their respective replies, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder within a week thereafter.
- (d) In the interregnum, the Petitioners will deposit an amount of Rs. 1 crore on a lump sum basis against the Bilateral Transmission Invoices raised upon Petitioner No.1 before the next date of the hearing. Subject to such payment, the CTUIL will not take any coercive measures against the Petitioners until further directions.
- (e) The Petitioner to file the present status of commissioning of the Project and status of Payment of the Bilateral charges raised on to the Petitioners on an affidavit within two weeks.
- (f) CTUIL to file the following information, on an affidavit, within two weeks in regard to the Petitioner project:
 - (i) The details of the Associated Transmission System (ATS) and Common Transmission System (CTS) considered while granting connectivity/ GNA to the Petitioners and their SCOD and present commissioning status.
 - (ii) The reasons for the non-effectiveness of the GNA of the Petitioners.
 - (iii) The details of the bilateral bills raised on the Petitioners as under:

Sr. No.	Bill date	Bill Amount (in Rs.)	Billing Month	Billing Period	Quantum for which bilateral bills are raised on to the Petitioner (in MW)	Details of the transmission system against which bilateral bills have been raised on to the Petitioners	Status of Payment received from the Petitioner
1.							
2.							

(g) Grid-India/NLDC to file the following information, on an affidavit, within two weeks in regard to the Petitioner project:

- (i) Certificate of completion of successful trial run in respect of all the elements of PRTL's Transmission System.

- (ii) Basis of charging the Bilateral Transmission charges on to the Petitioners under Regulation 13(3) of the CERC (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020.
- (h) PRTL to file the Certificate of declaration COD by the PRTL for its transmission system for which the bilateral charges are being raised on to the Petitioners on an affidavit within two weeks in regard to the Petitioner project.
4. The Petition will be listed for hearing along with Petition Nos. 216/MP/2024 and 271/MP/2024 on **28.11.2024 at 2.30 PM.**

By order of the Commission

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