

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.271/MP/2024

Subject : Petition under Section 79(1)(c) and 79(1)(f) of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

Petitioner : Altra Xergi Power Private Limited (AXPPL)

Respondents : Central Transmission Utility of India Limited (CTUIL) and 4 Ors.

Date of Hearing : **13.8.2024**

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

Parties Present : Shri Ashutosh Srivastava, Advocate, AXPPL
Shri Manu Tiwari, Advocate, AXPPL
Shri Shubham Arya, Advocate, PRTL
Ms. Reeha Singh, Advocate, PRTL
Ms. Tanya Singh, Advocate, PRTL
Shri Prashant Kumar, PRTL
Shri Yogeshwar, PRTL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Astha Jain, Advocate, CTUIL
Ms. Divya Sharma, Advocate, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Ranjeet Rajput, CTUIL
Ms. Priyasi Jadiya, CTUIL
Shri Akshayvat Kislay, CTUIL
Shri Sunil Kanojiya, NRLDC
Shri Alok Mishra, NLDC
Shri Ajit Yadav, NLDC

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed *inter alia* for quashing the impugned invoices dated 22.3.2024, 22.3.2024, and 2.4.2024 for the months of February 2024, March 2024, and April 2024 respectively issued by the Respondent No.1, CTUIL on behalf of the Respondent No.2, Powergrid Ramgarh Transmission Limited (PRTL). The learned counsel submitted that since the concerned Associated Transmission System (ATS) is yet to achieve the Commercial Operation Date, no transmission charges could have been levied upon the Petitioner as per the provisions of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020. The learned counsel added that the Petitioner has also prayed for the grant of an ad-interim stay against the aforesaid impugned invoices and for direction upon CTUIL not to take any coercive steps, including regulation of power supply in

furtherance of the impugned invoices. The learned counsel submitted that since the Petitioner has already made the payment against the said invoices *under protest*, it is no longer pressing for interim reliefs. Learned counsel further submitted that the Petitioner does not wish to file any rejoinder in the matter.

2. Learned counsel for Respondent No.1, CTUIL, accepted the notice and sought four weeks' time to file a reply in the matter.

3. Learned counsel for Respondent No.2, PRTL, also sought liberty to file a reply and/or requisite details in the matter.

4. Considering the submissions made by the learned counsel for the Petitioner and the Respondent, CTUIL, the Commission ordered as under:

(a) Admit and issue notice to the Respondents.

(b) The Respondents to file their respective replies, if any, within four weeks with a copy to the Petitioner.

5. The Petition will be listed for hearing **on 8.10.2024** along with Petition No. 216/MP/2024.

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