

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 345/MP/2023

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 read with Articles 4, 11, 12 and 16 of the Transmission Service Agreement dated 06.01.2016

Date of Hearing : **27.9.2024**

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

Petitioner : Warora Kurnool Transmission Limited (WKTL).

Respondent : Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) & Ors.

Parties Present : Shri Amit Kapoor, Advocate, WKTL
Ms. Sakshi Kapoor, Advocate, WKTL
Shri Rajesh Jha, Advocate, WKTL
Shri Afak Pothiwala, WKTL
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Anand K. Ganesan, Advocate, Karnataka ESCOMS
Ms. Ritu Apoorva, Advocate, Karnataka ESCOMS
Shri Karthikeyan Murugan, Advocate, Karnataka ESCOMS
Ms. Sanjeevani Mishra, Advocate, Karnataka ESCOMS

Record of Proceedings

At the outset, learned counsels for the Respondent, Bangalore Electricity Supply Company Limited (BESCOM) & TANGEDCO sought time to file their respective replies in the matter Learned counsel for the Petitioner also sought liberty to file a rejoinder to the replies to be filed by the Respondents BESCOM & TANGEDCO.

2. Considering the submissions of the learned counsels for the parties, the Commission permitted the Respondents BESCOM & TANGEDCO to file their respective replies within two weeks with a copy to the Petitioner, who may file its rejoinder(s), within two weeks thereafter. The interim directions issued under Para 37 of the order dated 7.2.2021 in Petition No.334/MP/2020 shall be continued.

3. The Commission directed the Petitioner to provide the following information on an affidavit within two weeks:

- (i) Single Line Diagram (SLD) of the transmission scheme with the upstream and the downstream interconnecting transmission system.

- (ii) Present status of the upstream and the downstream interconnecting transmission system.
- (iii) Status of payment of the transmission charges in respect of the transmission scheme.
- (iv) A copy of the CEA approval for Eenergization for each element.
- (v) A copy of RLDC charging certificate for each element.
- (vi) A copy of the advance notice issued to the LTTC for readiness of the transmission element in terms of clause 6.1.1 of the TSA.
- (vii) A copy of the letter issued to the LTTC in respect of the declaration of COD/Deemed COD of the transmission element in terms of clause 6.2.1 of the TSA for Element 7.
- (viii) Summary of Force Majeure Events in the following table:

S. No.	Particulars of the Force Majeure event	Original timeline as per plan of Petitioner for the activity		Actual Timeline for the activity		Effective delay (Excluding the time period planned to execute the event) due to FM event	Date of Occurrence of Force Majeure event	Date by which notice was required to be served to LTTCs as per TSA	Date of serving the notice to LTTC
		From	To	From	To				

- (ix) Amount of IDC and IEDC (provide separate numbers) factored in by the Petitioner while quoting the bid.
- (x) Details of the loan infusion dates, amount infused, and rate of interest thereof.
- (xi) Details of Change in Law events which have affected the execution of the each of the elements of the transmission scheme covered under the present Petition as under:

Sl. No.	Name of Transmission Element	Detail of Change in Law event	Date of occurrence of Change in Law event	Date by which notice was required to be served to LTTCs as per TSA	Date of serving the notice to LTTC	Amount of compensation claimed on account of Change in Law (in INR)	Additional IDC (in INR)	Additional IEDC (in INR)	Time extension, if any, sought by the Petitioner against such Change in Law events under its claim of Force Majeure.
1.									
2.									

- (xii) As per schedule 3 of the TSA dated 06.01.2016, Element 2 (Warora Pool - Warangal (New) 765 kV D/c line) and Element 3 (Warangal (New) – Hyderabad 765 kV D/c line) are prerequisite of the Element 1 (765/400kV substations at Warangal (New)), similarly Element 1 and Element 3 are prerequisite of Element 2, and Element 1 and Element 2 are prerequisite of Element 3. However, the Petitioner has claimed different COD/deemed COD of each of

these three Elements, the Petitioner to clarify the same.

- (xiii) Element 1 (which prerequisite are Element 2 and 3) is the prerequisite of the for the Element 4 (Warora new – Warangal (existing 400kV D/c line) and Element 6 (Warangal (New) – Chilakaluripeta 765kV D/c line). The Petitioner to clarify how the deemed COD, i.e. 23.04.2023 of the Element 4, and COD, i.e.11.09.2023 of the Element 6 is done prior to the COD of each of the Elements 1, 2 and 3.
 - (xiv) Diagram of Warora – Warangal New 765kV D/c line by superimposing the route followed by the Petitioner on the three alternate routes indicated under the survey report of the BPC and also clearly depict the area of tiger corridors on the routes.
 - (xv) Diagram of Warangal New- Hyderabad 765kV D/c line by superimposing the route followed by the Petitioner on the three alternate routes indicated under the survey report of the BPC and also clearly depict the diverted portion of the route as claimed by the petitioner.
 - (xvi) A copy of the survey report of the BPC.
4. The Petition will be listed for the hearing on **19.11.2024**.

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