

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.372/MP/2022 along with IA No.71/2024

- Subject : Petition under Section 79(1)(c) & section 79(1)(f) of the Electricity Act, 2003 read with Regulation 32 of Central Electricity Regulatory Commission (Grant Of Connectivity, Long Term And Medium Term Open Access in Inter State Transmission and Related Matters) Regulations, 2009 along with Regulation 24 and 111 of the Central Electricity Regulatory Commission (Conduct Of Business) Regulations, 1999 challenging the levy of relinquishment charges by Power Grid Corporation of India Limited along with return of construction phase bank guarantee.
- Petitioner : Srijan Energy Systems Private Limited (SESPL)
- Respondents : Central Transmission Utility of India Limited (CTUIL) and Anr.
- Date of Hearing : **28.8.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Basava Prabhu Patil, Sr. Advocate, SESPL
Shri Tushar Srivastava, Advocate, SESPL
Shri Sumant Nayar, Advocate, SESPL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Divya Sharma, Advocate, CTUIL
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL
Ms. Kavya Bhardwaj, CTUIL

Record of Proceedings

Since the order in the matter (which was reserved on 5.12.2023) could not be issued prior to the Members of the Commission, who formed part of Coram, demitting office, the matter has been re-listed for the hearing.

2. Learned senior counsel for the Petitioner submitted that after the matter was reserved for order on 5.12.2023, CTUIL proceeded to raise the two Bills of Supply dated 12.3.2024 upon the Petitioner for an amount of Rs. 42.62 crores towards the relinquishment charges. Learned senior counsel further submitted that since the due date of the said bills is 12.9.2024, after which the regulation of power will kick in, the Petitioner has also moved an IA No.71/2024 *inter alia* seeking an ad-interim stay on the above bills. Learned senior counsel accordingly submitted that the Commission may either consider granting a stay on the above bills as prayed for in the IA or take up the main matter for the hearing afresh. Learned senior counsel also added that in terms of the direction of the Commission vide Record of Proceedings for the hearing



dated 5.12.2023, the validity of the Bank Guarantee has already been extended till December 2024.

3. Learned counsel for the Respondent, CTUIL, submitted that the Commission may proceed with the matter as may deem fit.

4. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission directed the CTUIL to file the following information on an affidavit within three days:

(a) CTUIL vide a notification dated 24.12.2021, determined the relinquishment charges in respect of the Petitioner. However, the Bills have been raised by the CTUIL vide letter dated 12.03.2024. Clarify the specific reasons for delay in raising the relinquishment charges bills to the Petitioner.

(b) The basis of calculation of relinquishment charges for 35 MW against relinquished quantum of 175 MW LTA. On what basis the LTA quantum of M/s CTN have been considered for calculation of the “net relinquishment” of the Petitioner. Clarify the term “net relinquishment”.

5. The Commission directed to list the matter for hearing afresh on **5.9.2024**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)