

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**New Delhi**

**Petition No. 9/TT/2021**

Subject : Petition for determination of transmission tariff for the 2019-24 period in respect of seven nos. transmission assets under "Transmission System for Solar Power Park at Bhadla" in Northern Region (NR).

Petitioner : Power Grid Corporation of India Limited

Respondents : Rajasthan Rajya Vidyut Prasaran Nigam Limited & and 20 Others

Date of Hearing : **25.7.2024**

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

Parties Present : Shri Utkarsh Singh, Advocate, PGCIL  
Shri A. K. Agarwal, Advocate, ESUCRL  
Ms. Ritvika Nanda, Advocate, ESUCRL  
Ms. Shruti Gupta, Advocate, ESUCRL  
Shri Sachin Dubey, Advocate, BRPL & BYPL  
Shri Prashant Kumar, PGCIL  
Shri V. C. Shekhar, PGCIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that in terms of the ROP dated 16.7.2024, ESUCRL (Respondent No. 20) has filed its reply in the matter, and the Petitioner has filed its rejoinder to the same vide affidavit dated 19.7.2024.

2. Learned counsel for ESUCRL submitted that ESUCRL faced various force majeure events which led to a delay in the development of the Solar Power Park, and the LTA operationalisation of ESUCRL was also delayed. Therefore, no liabilities are to be imposed on ESUCRL corresponding to the mismatch period.

3. Learned counsel for Petitioner submitted that as per the relevant provisions of the Tariff Regulations, Sharing Regulations, and direction of the Commission in the Regulatory Approval for the instant transmission project, the Solar Park developer is liable for payment of the transmission charges from the COD of the POWERGRID transmission project till the commissioning of the generation. With regard to the LTA operationalisation, he submitted that this issue had not been raised by ESUCRL in its reply filed. He further submitted that present proceedings are related to the determination of the tariff of PGCIL's transmission system, and ESUCRL is mixing the issue of LTA operationalisation in present proceedings. Learned counsel submitted that ESUCRL should raise such issues in a separate Petition with its beneficiaries, and the Petitioner's claim is independent. Moreover, the Commission has already decided the ATS required for the ESUCRL solar power park, which remained unutilised due to the non-commissioning of the ESUCRL Solar Power Park. learned counsel pointed out that the Commission, in its ROP dated 9.5.2024, has categorically stated that



*“ESUCRL should have been more diligent in pursuing the matter, especially when the matter is remanded to the Commission at its instance,”* and again, ESUCRL is delaying the issuance of the order in the present petition and due to which PGCIL is not getting transmission charges without any fault of it.

4. During the course of the hearing, the Commission observed that there is some mismatch in pagination in the Commission’s E-Court file to that of the file of the learned counsel for ESUCRL. Considering the difficulties with pagination, the Commission directed the Registry and the learned counsel for ESUCRL to align the file for better deliberation of the matter and decided to give one more last opportunity to the Respondent.

5. The Commission directed the Petitioner and ESUCRL to submit their respective written submissions, if any, on or before 5.8.2024 with a copy to the other side

6. The matter will be listed for the arguments on **8.8.2024**.

**By order of the Commission**

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

