

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.134/TT/2023

Coram:

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

Date of Order : 16th December, 2024

In the matter of:

Approval under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for Truing up Transmission Tariff for the 2014-19 Tariff Period for the determination of Transmission Tariff for the 2019-24 Tariff Period in respect of Uttar Pradesh Power Transmission Corporation Limited (UPPTCL) owned Transmission Lines/System conveying electricity to other States.

And

In the matter of:

**U.P. Power Transmission Corporation Limited,
5th Floor, Shakti Bhawan, 14 Ashok Marg,
Lucknow-226001 (Uttar Pradesh).**

..Petitioner

Versus

- 1. Power Grid Corporation of India Limited,
Saudamini, Plot No.2. Sector-29, Near IFFCO Chowk,
Gurgaon (Haryana)- 122001**
- 2. U.P. Power Corporation Limited,
Shakti Bhawan, 14 Ashok Marg, Lucknow- 226001
Represented by Managing Director**
- 3. Noida Power Company Limited,
Commercial Complex, H Block, Alpha -II Sector
Greater Noida City- 201308**
- 4. Delhi Transco Limited,
Shakti Sadan, Kotla Road,
New Delhi- 110002**



5. Power Transmission Corporation of Uttarakhand Limited,
Basant Vihar Enclave,
Dehradun-248002

6. Rajasthan Raja Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Vidyut Marg,
Jaipur- 302005

7. Bihar State Power Transmission Company Limited,
Vidyut Bhawan, Bailey Road,
Patna -800001

8. MP Power Transmission Company Limited,
Block No.2, Shakti Bhawan, Rampur,
Jabalpur-482 008 (M.P.)

.... Respondent(s)

Parties present: Shri Sachin Dubey, Advocate, UPPTCL
Shri Mohit Jain, Advocate, UPPTCL

ORDER

The Petitioner had filed the instant Petition for the truing-up of the transmission tariff for the 2014-19 tariff period and for the determination of the transmission tariff for the 2019-24 tariff period in respect of Uttar Pradesh Power Transmission Corporation Limited (UPPTCL) owned Transmission Lines/System conveying electricity to other States:

2. The Petitioner has made the following prayers:

"a. Admit the instant petition and approve the Trued up Transmission Tariff for the tariff period 2014-19 and the transmission tariff for tariff period 2019-24 for the Asset I to XVIII covered under this petition.

b. Allow UPPTCL to recover the shortfall or refund the excess Annual Fixed Charges after Truing-up exercise as specified under Regulation 8 of Tariff Regulation 2014.

c. Approve the reimbursement of expenditure by the beneficiaries towards petition filing fee, and expenditure on the publishing of notices in newspapers in terms of Regulation 70(1) Central Electricity Regulatory Commission (Terms and Conditions of



Tariff) Regulations, 2019, and other expenditure (if any) in relation to the filing of the petition.

d. Allow UPPTCL to bill and recover Licensee fee and RLDC fees and charges, separately from the respondents in terms of Regulation 70(3) and (4) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019.

e. Allow UPPTCL to claim the capital spares & security expenses at the time of truing up for tariff period 2019-24 as per actuals.

f. Allow UPPTCL to bill and recover GST on Transmission Charges separately from the beneficiaries, if GST on the transmission is levied, at any rate in future. Further, any taxes including GST and duties including cess, etc. imposed by any statutory/Govt. municipal authorities shall be allowed to be recovered from the beneficiaries.

g. Condone any shortcomings/deficiencies and allow UPPTCL to submit additional information/data at a later stage as may be required.

h. Pass other such relief as the commission deems fit and appropriate under the circumstances of the case and in the interest of justice.”

3. The matter was heard on 31.1.2024 after notice to the Respondents. The Petitioner, vide Record of Proceedings for the hearing dated 31.1.2024, was directed to submit the following information on an affidavit:

(a) The purpose of construction of the following transmission lines:

Asset-X	132 kV Sahupuri-Karmnasha
Asset-XI	132 kV Chandauli- Karmnasha
Asset-XII	132 kV Kiratpur-Manglore
Asset-XIII	132 kV Chandak-Luksar
Asset-XIV	132 kV Afzalgarh-Kalagarh
Asset-XV	132 kV Dhampur-Kalagarh
Asset-XVI	132 kV Lalitpur-Rajghat
Asset-XVII	132 kV Anpara-Morwa
Asset-XVIII	132 Bina-Morwa

(b) The Connectivity Diagram and Single Line Diagram (SLD) of the transmission assets covered in the instant petition.



(c) The details of the transmission assets in the following format:

Name of the line	Total line length in km	Length of line in km (UPPTCL Portion)

(d) The availability of the transmission lines for the years 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, and 2022-23, as duly certified by the respective RLDC.

(e) Whether there is any Power Supply Agreement between the two States as the transmission lines covered in the instant petitioner are inter-State lines?

(f) Whether the energy transfer through the inter-State transmission lines is being accounted for by RLDC?

(g) Operational status and monthly average power flow on the transmission lines covered in the instant petition during the period 2014-19.

4. In response to the above Record of Proceedings, the Petitioner did not file the information called for.

5. The matter was further heard on 16.7.2024. Based on the request of the learned counsel for the Petitioner, vide Record of Proceedings for the hearing dated 16.7.2024, the Petitioner was granted four weeks' time to file the amended Petition.

6. In the next hearing on 20.8.2024, the learned counsel for the Petitioner submitted that the amended Petition, including information called for by the Commission, vide ROP dated 31.1.2024, could not be filed as certain data was required to be taken from the NLDC to ascertain and verify the availability of the lines. Accordingly, the learned counsel for the Petitioner prayed for six weeks' time to file the amended Petition. Considering the



request of the learned counsel for the Petitioner, the Petitioner was directed to file the amended Petition within six weeks, and the Respondents were directed to file their respective replies on the amended Petition.

7. The matter was called out for the hearing on 18.11.2024. During the course of the hearing, the Commission observed that despite the clear directions stipulated in the ROPs to file the amended Petitions and information called for, the Petitioner has failed to comply with the same. In our view, no useful purpose would be served to keep the instant Petition pending. Accordingly, the Petition is disposed of with liberty to the Petitioner to approach the Commission with a fresh Petition in accordance with the law.

8. The Petition No. 134/TT/2023 is disposed of in terms of the above.

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson

