

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 210/MP/2023**

- Subject : Petition under Sections 63, 79(1) (c), 79(1)(d) and 79(1)(f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking appropriate orders and directions concerning Section 63 transmission licensees to address issues relating to recovery of tariff, including the likely under-recovery of tariff, where the scheduled commercial operation date of transmission projects has been extended by the competent authority on account of uncontrollable events.
- Petitioner : Electric Power Transmission Association (EPTA) and 6 Ors.
- Respondent : Central Transmission Utility of India Limited and 38 Ors.
- Date of Hearing : **19.2.2025**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Parties Present : Shri M. G. Ramachandran, Sr. Advocate, EPTA  
Shri Deep Rao Palepu, Advocate, EPTA  
Ms. Shikha Sood, Advocate, EPTA  
Shri Ravi Sharma, Advocate, MPPMCL  
Shri Aryan Chanda, Advocate, MPPMCL  
Shri Shubham Arya, Advocate, CTUIL  
Ms. Pallavi Saigal, Advocate, CTUIL  
Shri Rishabh Saxena, Advocate, CTUIL  
Ms. Tanya Singh, Advocate, CTUIL  
Shri Anand Ganesan, Advocate, Karnataka ESCOMs  
Ms. Ritu Apurva, Advocate, Karnataka ESCOMs  
Ms. Swapna Seshadri, Advocate, Karnataka ESCOMs  
Shri Karthikeyan, Advocate, Karnataka ESCOMs  
Ms. Nishstha Goel, Advocate, MSEDCL  
Shri Vyom Chaturvedi, Advocate, MSEDCL  
Shri Swapnil Verma, CTUIL  
Shri Siddharth Sharma, CTUIL

**Record of Proceedings**

During the course of the hearing, the learned senior counsel for the Petitioner referred the Pleadings and made detailed submissions in the matter. Learned senior counsel *inter alia* submitted that the issues raised in the matter stand completely covered by the order dated 13.5.2024 passed by the Commission in Petition No.87/MP/2022 in the matter of *Fatehgarh-Bhadla Transmission Limited v. Adani Renewable Energy Park Rajasthan Limited & Ors.* wherein the Commission has held that the only way to ensure recovery of tariff for the entire 35 year' Operating Period is that the tariff stream is shifted

as per the extended SCOD. Learned senior counsel further submitted that the prayers made in the instant case are not hit by Order 2 Rule 2 of the CPC as averred by the Respondent, MSEDCL.

2. Learned counsel for the Respondents, Karnataka ESCOMs, and MSEDCL; however, prayed for an adjournment on the grounds of non-availability of the arguing counsel and sought an opportunity to make the oral submissions during the next date of hearing.

3. Learned counsel for the Respondent, CTUIL, submitted that CTUIL is neither supporting nor contesting the prayers made in the Petition. Learned counsel further added that in terms of paragraph 134 of the order dated 13.5.2024 in Petition No. 87/MP/2022, the 'expiry date' of the TSA is linked with the SCOD of the Project and thus, the 'expiry date' also needs to be adjusted in accordance with the extended SCOD of the Project.

4. Considering the request made by the learned counsel for the Respondents, Karnataka Discoms, and MSEDCL, as noted above, the matter was adjourned.

5. The matter remained part-heard and will be listed for hearing on **18.3.2025**.

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