

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 411/MP/2024**

- Subject : Petition under Section 17(3), read with Section 79 (1)(c), of the Electricity Act, 2003 seeking approval of the Commission for sale of the spare capacity of the optical ground wires (OPGW) owned by the Petitioners, grant of right of way for the transmission lines owned by the Petitioners for operation of such transferred OPGW to successful bidder and for installation and operation of additional OPGW, by successful bidder, at its own risk, reward and expense.
- Date of Hearing : **21.1.2025**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Petitioners : Raipur Rajnandgaon-Warora Transmission Limited (RRWTL) and 18 Others
- Respondents : Madhya Pradesh Power Management Company Limited (MPPMCL) and 44 Others
- Parties Present : Shri Ramanuj Kumar, Advocate, RRWTL & Others  
Shri Vishal Binod, Advocate, RRWTL & Others  
Shri Sagnik Maitra, Advocate, RRWTL & Others

**Record of Proceedings**

The Petitioner's counsel submitted that the instant Petition had been filed seeking approval to sell the surplus fibers of the OPGW through bidding to the successful bidder as well as to the grant of Right of Way to the successful bidder for the transmission lines of the Petitioner to install, operate, and maintain the additional OPGW.

2. After hearing the Petitioner's counsel, the Commission directed the Petitioner to implead all the beneficiaries of the Northern Region, including CTUIL as a party to the present Petition. The Commission further directed the Respondents/beneficiaries to file their respective reply within four weeks and the Petitioner to file the rejoinder, if any, within four weeks thereafter. The Commission further directed the Petitioner to provide the following information on an affidavit within three weeks with an advance copy to the Respondents:

- (a) Under which Regulation the Petitioner is seeking the Commission's approval for the sale of the OPGW fibers? Provide detailed information in terms of Regulation 4(2) of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilization of Transmission Assets for Other Business) Regulations, 2020.



- (b) Clarify how after the sale of a part of the OPGW fibres to the third party through bidding (i.e., a few fibers of the OPGW of the licensed transmission system) will be under the ownership of the third party and the remaining integrated part of the transmission system will be under the ownership of the existing transmission licensee.
- (c) Clarify how the requirement of no encumbrance on the Petitioner's transmission assets by the third party under Section 41 of the Electricity Act, 2003, will be satisfied.
- (d) In case of grant of Right of Way to the successful bidder for the transmission lines of the Petitioners to install, operate, and maintain additional OPGW, clarify the following:
  - (i) The mechanism for the replacement of the existing earth wire of the transmission line.
  - (ii) Who will be the owner of such sold OPGW fibres?
  - (iii) Who will bear the cost of such replacement?
  - (iv) What will be the mechanism for sharing the revenue with the LTTCs?
  - (v) Whether the third party(s) would need to obtain a transmission licence?
- (e) How the gross revenue earned from such business will be shared among the respective Long-Term Customers and the Petitioners?

3. After hearing the Petitioner's counsel, the Commission directed to list the matter on the **maintainability** of the instant Petition.

4. The Petition will be listed on **29.4.2025**.

**By order of the Commission**

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

