

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

PETITION NO. 211/TT/2024

Coram:

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

Date of Order: 05.12.2025

In the matter of:

Approval under under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for the determination of Transmission Tariff from COD/Proposed COD/Anticipated COD to 31.3.2024 for **Asset-1:** 420 kV 63 MVAR Lower Subansiri-2 line reactor (to be used as Bus Reactor) along with associated bays & equipment's at Biswanath Chariyali (POWERGRID), **Asset-2:** Lower Subansiri – Biswanath Chariyali (POWERGRID) 400 kV D/C line-1 with twin Lapwing conductor along with associated bays & equipment's at Biswanath Chariyali (POWERGRID), **Asset-3:** Lower Subansiri - Biswanath Chariyali (POWERGRID) 400 kV D/C line-2 with twin Lapwing conductor along with associated bays & equipment's at Biswanath Chariyali (POWERGRID) & **Asset-4:** 420 kV 63 MVAR Lower Subansiri-4 line reactor (to be used as Bus Reactor) along with associated bays & equipment's at Biswanath Chariyali (POWERGRID) under the transmission system associated with "North East – Northern/Western Interconnector – I Project" in the North-Eastern Region.

And in the matter of:

Power Grid Corporation of India Limited,
SAUDAMINI, Plot No-2,
Sector-29, Gurgaon-122 001 (Haryana).

... Petitioner

Versus

- 1. Assam Power Distribution Company Limited,**
4th Floor, Bijulee Bhawan, Paltan Bazar,
Guwahati, Assam-781 001
- 2. Meghalaya Energy Corporation Limited,**
Short Round Road, "Lumjingshai"
Shillong – 793 001, Meghalaya
- 3. Government of Arunachal Pradesh,**
Itanagar, Arunachal Pradesh
- 4. Power and Electricity Department,**
Government of Mizoram
Aizawl, Mizoram



5. **Manipur State Power Distribution Corporation Limited,**
Keishampat, Imphal
6. **Department of Power,**
Government of Nagaland
Kohima, Nagaland
7. **Tripura State Electricity Corporation Limited,**
Vidyut Bhawan, North Banamalipur, Agartala,
Tripura (W) – 799 001, Tripura
8. **NHPC Limited,**
NHPC Office Complex,
Sector-33, Faridabad,
Haryana-121 003
9. **Central Transmission Utility of India Limited,**
Saudamini, Plot No. 2, Sector 29
Gurugram – 122 001.

... Respondent(s)

Parties Present: Ms. Swapna Seshadri, Advocate, PGCIL
Shri Utkarsh Singh, Advocate, PGCIL
Shri Venkatesh, Advocate, NHPC
Shri Ashutosh Kumar Shrivastava, Advocate, NHPC
Shri Akash Lamba, Advocate, NHPC
Shri Adarsh Singh, Advocate, NHPC
Shri Aman Mahajan, NHPC
Shri Zafrul Hassan, PGCIL
Shri Angaru Naresh Kumar, PGCIL
Shri Ranjeet Pandey, PGCIL
Shri Ashish Alankar, PGCIL
Shri Arjun Malhotra, PGCIL
Ms. Kirti, PGCIL

INTERIM ORDER

The instant Petition has been filed by Power Grid Corporation of India Limited (hereinafter referred to as “the Petitioner”), a deemed transmission licensee, for the determination of transmission tariff under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 (hereinafter referred to as “the 2019 Tariff Regulations”) of the period from COD to 31.3.2024 with respect to the following transmission assets under “North East – Northern/ Western Interconnector – I Project” (hereinafter referred to as “transmission project”) in the North-Eastern Region.



Particulars	Asset Name
Asset-1	420 kV 63 MVAR Lower Subansiri-2-line reactor (to be used as Bus Reactor) along with associated bays & equipment at Biswanath Chariyali (POWERGRID)
Asset-2	Lower Subansiri – Biswanath Chariyali (POWERGRID) 400 kV D/C line-1 with twin Lapwing conductor along with associated bays & equipment at Biswanath Chariyali (POWERGRID)
Asset-3	Lower Subansiri – Biswanath Chariyali (POWERGRID) 400 kV D/C line-2 with twin Lapwing conductor along with associated bays & equipment at Biswanath Chariyali (POWERGRID)
Asset-4	420 kV 63 MVAR Lower Subansiri-4-line reactor (to be used as Bus Reactor) along with associated bays & equipment at Biswanath Chariyali (POWERGRID)

2. The details of the transmission assets, including Scheduled Commercial Operation Date (SCOD), Date of Commercial Operation (COD), and time overrun, are as under:

Particulars	Asset Name	SCOD	COD	Time over-run
Asset 1	420 kV 63 MVAR Lower Subansiri-2-line reactor (to be used as Bus Reactor) along with associated bays & equipments at Biswanath Chariyali (POWERGRID)	1.3.2013	12.8.2022	3451 days
Asset 2	Lower Subansiri – Biswanath Chariyali (POWERGRID) 400kV D/C line-1 with twin Lapwing conductor along with associated bays & equipments at Biswanath Chariyali (POWERGRID)		2.4.2023*	3684 days
Asset 3	Lower Subansiri – Biswanath Chariyali (POWERGRID) 400 kV D/C line-2 with twin Lapwing conductor along with associated bays & equipments at Biswanath Chariyali (POWERGRID)		26.3.2024*	4043 days
Asset 4	420 kV 63 MVAR Lower Subansiri-4-line reactor (to be used as Bus Reactor) along with associated bays & equipments at Biswanath Chariyali (POWERGRID)		3.11.2023	3899 days

**The Petitioner has claimed the proposed COD for Asset-2 and Asset-3 under Regulation 5(2) of the 2019 Tariff Regulations, due to the delay in commissioning of the generation asset under the scope of NHPC.*

3. The Petitioner has claimed the proposed COD for Asset-2 and Asset-3 under Regulation 5(2) of the 2019 Tariff Regulations, due to the non-readiness of the associated generating station, i.e., Lower Subansiri Hydro-Electric Power Project, which has been implemented by the National Hydroelectric Power Corporation (NHPC).

4. The matter was heard on 20.11.2025. During the course of the hearing, the learned counsel for the Petitioner requested the Commission to grant an interim tariff of 80% for the instant transmission assets, due to huge expenditure already incurred.

5. The Respondent, NHPC, has filed its reply vide affidavits dated 24.6.2025 and 15.9.2025, and the Petitioner has filed rejoinders vide affidavit dated 8.7.2025 and 22.9.2025.

6. We have considered the Petitioner's submissions and prayer for the grant of an interim tariff. The rival contentions will be considered only at the time of the final tariff order. Therefore, the same are not deliberated in the instant interim order.

7. Regulation 5 (2) of the 2019 Tariff Regulation provides as under:

"In case the transmission system or element thereof executed by a transmission licensee is ready for commercial operation but the interconnected generating station or the transmission system of other transmission licensee as per the agreed project implementation schedule is not ready for commercial operation, the transmission licensee may file petition before the Commission for approval of the date of commercial operation of such transmission system or element thereof."

8. As we are not deliberating in detail in this interim order, the prayer for the grant of COD under Regulation 5(2) of the 2019 Tariff Regulations shall be considered in the final order.

9. Regulation 10 of the 2019 Tariff Regulations provides as under:

"10. Determination of tariff

.....

(3) If the information furnished in the petition is in accordance with these regulations and is adequate for carrying out prudence check of the claims made, the Commission may consider granting interim tariff in case of new projects.

.....

(5) The Commission shall grant final tariff in case of existing and new projects, after considering the replies received from the respondents, and suggestions and objections, if any, received from the general public and any other person permitted by the Commission including the consumers or consumer associations.

(6) The Commission may hear the petitioner, the respondents and any other person permitted including the consumers or consumer associations while granting interim or final tariff.

(7) The difference between the tariff determined in accordance with clauses (3) and (5) above and clauses (4) and (5) above, shall be recovered from or refunded to, the beneficiaries or the long term customers, as the case may be, with simple interest at the rate equal to the bank rate prevailing as on 1st April of the respective year of the tariff period, in six equal monthly instalments.



(8) Where the capital cost considered by the Commission on the basis of projected additional capital expenditure exceeds the actual additional capital expenditure incurred on year to year basis by more than 10%, the generating company or the transmission licensee shall refund to the beneficiaries or the long term customers as the case may be, the tariff recovered corresponding to the additional capital expenditure not incurred, as approved by the Commission, along with interest at 1.20 times of the bank rate as prevalent on 1st April of the respective year.

(9) Where the capital cost considered by the Commission on the basis of projected additional capital expenditure falls short of the actual additional capital expenditure incurred by more than 10% on year to year basis, the generating company or the transmission licensee shall recover from the beneficiaries or the long term customers as the case may be, the shortfall in tariff corresponding to difference in additional capital expenditure, as approved by the Commission, along with interest at the bank rate as prevalent on 1st April of the respective year."

10. As the Petitioner has filed the application in pursuance of Regulation 9(1) of the 2019 Tariff Regulations for the grant of interim tariff for its new transmission project under Regulation 10(3) of the 2019 Tariff Regulations, this interim tariff is being granted to the Petitioner after carrying out a preliminary prudence check of the Annual Fixed Cost (AFC) claimed by the Petitioner and taking into consideration the time over-run in case of the instant transmission assets, which shall be looked into in detail at the time of grant of the final tariff order. Accordingly, the interim tariff @ 70% of the AFC claimed in Asset-1 and Asset-4 in the instant Petition shall be allowed for the 2022-23 and 2023-24 tariff period in terms of Regulation 10(3) of the 2019 Tariff Regulations. However, the Commission is not inclined to allow an interim transmission tariff for Asset-2 and Asset-3 as the assets have not been put into commercial operation due to delay in commissioning of generation asset under the scope of NHPC, and the tariff has been claimed under Regulation 5(2) of the 2019 Tariff Regulations and hence, the same shall be dealt with in the final tariff order.

11. The Petitioner has claimed the following annual transmission charges with respect to the Asset-1 and Asset-4 for the 2019-24 tariff period:

(₹ in lakh)			
Asset-1	COD as per the Petition	2022-23 (pro-rata 232 days)	2023-24
	12.8.2022	127.41	205.69

(₹ in lakh)

Asset-4	COD as per the Petition	2023-24 (pro-rata 150 days)
	3.11.2023	66.69

12. Keeping in view, the expenditure already incurred by the Petitioner and due to non-commissioning of the downstream assets under the scope of NHPC, we hereby allow the Interim annual transmission charges only with respect to Asset-1 and Asset-4 are as follows:

(₹ in lakh)

Asset-1	COD as per the Petition	2022-23 (pro-rata 232 days)	2023-24
	12.8.2022	89.19	143.98

(₹ in lakh)

Asset-4	COD as per the Petition	2023-24 (pro-rata 150 days)
	3.11.2023	46.68

13. The interim tariff allowed in this order shall be applicable from the COD of the transmission assets, and the billing, collection, and disbursement of the transmission charges approved in this order shall be governed by the provisions of the 2020 Sharing Regulations, as provided in Regulation 57 of the 2019 Tariff Regulations, as amended from time to time. Further, the interim transmission charges allowed in this order shall be subject to adjustment in accordance with Regulation 10 of the 2019 Tariff Regulations.

sd/-
(Ravinder Singh Dhillon)
Member

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson

