

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**I.A.No. 2/2013 in
Petition No. 170/MP/2011**

**Coram:
Dr. Pramod Deo, Chairperson
Shri S. Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member**

Date of Hearing: 29.1.2013

Date of Order: 6.2.2013

In the matter of

Extension of Contract Performance Guarantee by M/s Talcher-II Transmission
Company Limited

And in the matter of

Tamil Nadu Transmission Corporation Limited, Chennai

..Petitioner

Vs

Talcher-II Transmission Co. Ltd. and others

...Respondents

Following were present:

Shri S. Vallinayagam, Advocate, TANTRANSCO
Shri L.N.Mishra, TTCL
Shri Anil Rawal, TTCL

ORDER

The present Interlocutory Application (IA) has been filed by Tamil Nadu Transmission Corporation Limited (TANTRANSCO) seeking direction to Talcher-II Transmission Company Ltd. (hereinafter referred to as "TSP") for renewal of the Contract Performance Guarantee (CPG). TANTRANSCO has submitted that existing Contract Performance Guarantee executed by the TSP is expiring on 31.1.2013. TANTRANSCO vide its letters dated 17.12.2012 and 7.1.2013 requested the TSP to

extend/renew the Contract Performance Guarantee and no response was received from TSP in this regard. TANTRANSCO has made following prayers:

- (a) Direct the TSP to renew the Contract Performance Guarantee for a period of one year before 31.1.2013;
- (b) As an interim measure, direct the TSP Bankers, IDBI Bank/Mumbai to extend the expiry date of the existing contract performance guarantee pending disposal of Petition No. 170/MP/2011;and
- (c) Pass such other orders as this Hon`ble Commission may deem fit and proper in the facts and circumstances of the case

2. The TSP vide its letter dated 28.1.2013 has informed the Commission that the period of validity of the Contract Performance Guarantee for Rs. 9.57 crore has been extended from 31.1.2013 to 31.7.2013.

3. During the course of hearing, the representative of the TSP submitted that the validity of Contract Performance Guarantee has been extended for six months and same has been communicated by the bank to the petitioner. Learned counsel for the petitioner confirmed the same.

4. In view of the submission of the parties, the Interlocutory Application No. 2/2013 has become infructuous and is accordingly disposed of.

Sd/-

(M. Deena Dayalan)
Member

sd/-

(V.S. Verma)
Member

sd/-

(S. Jayaraman)
Member

sd/-

(Dr. Pramod Deo)
Chairperson