

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 157/MP/2014

Coram:

Shri Gireesh B. Pradhan, Chairperson

Shri M. Deena Dayalan, Member

Shri A.K. Singhal, Member

Shri A.S. Bakshi, Member

Date of Hearing: 16.09.2014

Date of Order : 03.12.2014

In the matter of

Petition for grant of connectivity and use of inter-State transmission line for evacuation of power from 96 MW Dikchu Hydro Electric Power in Sikkim.

And

In the matter of

Sneha Kinetic Power Projects Private Limited

Plot No. 1366, Road No. 45, Jubilee Hills, Hyderabad-33

..Petitioner

Vs

1. Power Grid Corporation of India Limited

B-9, Qutub Institutional Area, Katwaria Sarai, New Delhi-110 0016

2. Power System Operation Corporation Ltd.

B-9, Qutub Institutional Area, Katwaria Sarai, New Delhi-110 0016

3. PCE-cum-Secretary

Energy and Power Department, Govt. of Sikkim, Gangtok, Sikkim

4. Teestavalley Power Transmission Limited

1st Floor, NBCC Tower, Bhikaji Cama Place, New Delhi-110 066

5. Teests Urja Limited

1st Floor, NBCC Tower, Bhikaji Cama Place, New Delhi-110 066

....Respondents

Parties Present:

Shri Avinash Menon, Advocate, SKPPL

Shri P.S. Ahluwalia, SKPPL

Shri P. Maurya, SKPPL

Shri Vijay Kumar, SKPPL

Shri Ashok Pal, Advocate, PGCIL

Ms. Jayantika Singh, POSOCO

Ms. Jyoti Prasad, POSOCO

Shri S.R. Narasimhan, POSOCO

Shri Abilia Zaidi, POSOCO

Shri Pragya Singh, POSOCO

Shri Chandra, CEA

Shri G. Singha, CEA



ORDER

The petitioner, Sneha Kinetic Power Projects Private Limited, has filed the present petition under Section 79 (1)(c) and (f) of the Electricity Act, 2003 for grant of connectivity and use of inter-State transmission line for evacuation of power from its 96 MW Dikchu Hydro Electric Power in the State of Sikkim.

2. The petitioner is a generating company and is in the process of establishing 96 MW Hydro Electric Project at Dikchu in the State of Sikkim (hereinafter “Dikchu project”). The power generated from the Dikchu project is intended for sale outside the State of Sikkim. The Dikchu project is scheduled for commercial operation in May, 2015.

3. The petitioner made an application to Power Grid Corporation of India Limited (PGCIL) on 13.9.2010 for grant of connectivity and long-term access (LTA) for evacuation of power from the hydro project in accordance with the Central Electricity Regulatory Commission (Grant of Connectivity, Long term Access and Medium term Open access in inter-state transmission and related matters) Regulations, 2009 (Connectivity Regulations) for 96 MW power. On 10.1.2011, PGCIL granted connectivity and LTOA to the petitioner.

Petitioner’s case

4. The petitioner has submitted that the connectivity was granted by PGCIL through LILO of Gangtok-Mangan 132 kV D/C transmission line which was to be constructed by Government of Sikkim under the comprehensive scheme and Master Plan for providing Long Term Open Access to different prospective power developers in Sikkim for evacuation of power outside the State of Sikkim. However,

the said transmission line got delayed and is expected to be not available for at least three years due to Forest and Environmental clearances and land acquisition. Accordingly, the above transmission line will not be available for evacuation of power from the petitioner's project at Dikchu in May, 2015. Pursuant to the above, the issue was discussed between the petitioner, PGCIL and CEA for an alternative arrangement for evacuation of power from Dikchu HEP through LILO of the 400 kV Teesta III- Kishanganj transmission line of Teestavalley Power Transmission Limited on 15.11.2013, 12.5.2014 and 26.5.2014. In the meeting held on 26.5.2014, it was decided that the petitioner shall approach CERC for seeking advice in the matter.

5. The petitioner has stated that it is ready and willing to pay the applicable transmission charges for use of the transmission system of Teestavalley Power Transmission Ltd. as per the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010 and orders passed by the Commission from time to time.

6. Against the above background, the petitioner has filed the present petition with the following prayers:

“(a) Declare that the 400 kV D/C transmission line from Mangan pooling point to Kishanganj of Respondent No. 4, Teesta Valley Transmission Company Limited, is an Inter State Transmission Line and is neither a dedicated transmission line within the meaning of section 2(16) of the Electricity Act, 2003 nor otherwise in any manner dedicated only to the project of Respondent No. 5 as alleged by Respondents 4 and 5;

(b) Direct that the Respondents herein shall immediately facilitate and allow connectivity of the Dikchu 96 MW power project of the Petitioner through LILO at Dikchu to the 400 kV D/C transmission line of Respondent No. 4 and to allow operation of the power project including testing and commissioning and evacuation of power from the power project through the said line to Kishanganj notwithstanding any objection by Respondent No. 4 or Respondent No. 5;

(c) Decide as to whether the proposed 400 kV LILO of the 400 kV Mangan - Kishanganj line at Dikchu would be considered as ISTS asset or dedicated system and accordingly issue necessary directions regarding operation and

maintenance of the LILO arrangement and metering of power flows through the LILO portion;

(d) Pass such further order or orders as this Hon'ble Commission may deem just and proper in the circumstances of the case.”

7. Replies to the petition have been filed by Power Grid Corporation of India Limited, Power System Operation Corporation Limited and Energy and Power, Department, Govt. of Sikkim.

Submission of PGCIL

8. PGCIL vide its reply dated 12.9.2014 has submitted that the proposal of an interim arrangement through LILO of one circuit of Teesta III-Kishanganj 400 kV D/C (quad conductor) at Dikchu project was discussed in various meetings wherein PGCIL expressed the following views:

(a) Teesta III-Kishanganj 400 kV D/C (quad conductor) line is part of the inter-State Transmission System (ISTS);

(b) The proposal of LILO of one circuit of Teesta III-Kishanganj 400 kV D/C (quad conductor) line at Dikchu project along with 400/132 kV transformer of adequate capacity as in interim arrangement for connectivity to Dikchu project is technically in order;

(c) Once the originally approved scheme is commissioned by Govt. of Sikkim, the above arrangement shall be withdrawn. Till such time, Dikchu project shall not be allowed LTA and power may be evacuated through MTOA/STOA depending upon margins available in the transmission system.

(d) The proposed LILO would be the responsibility of the petitioner and if LILO is considered as a part of ISTS, it will be implemented through tariff based

competitive bidding.

Submission by Energy and Power Department, Govt. of Sikkim

9. Energy and Power Department, Govt. of Sikkim in its reply has submitted that the 220 KV twin moose (to be initially charged at 132 KV) transmission line from Chungthang to New Rangpo via Dikchu HEP has been recently sanctioned by the Central Government under the "Comprehensive scheme for the strengthening of the transmission and distribution system in NER and Sikkim, Sikkim Portion." The scheme will be implemented by the CTU as per the norms of the funding agency i.e. Non-Lapsable Central Pool of Resources (NLCPR). The total length of the portion of the transmission line from Dikchu HEP to the New Rangpo CTU Pooling Station is 29 km. The sanctioned scheme includes the evacuation of power from Dikchu HEP. However, detailed survey has not been done yet and the process for land acquisition and Ministry of Environment and Forest clearances are yet to be initiated. It has been further submitted that the Energy and Power Department also anticipates severe ROW issues due to minimal availability of land and this would further impact the project completion period to around three years and above.

Submission of Power System Operation Corporation Limited (POSOCO)

10. POSOCO in its reply dated 15.9.2014 has submitted that the proposed LILO is a contingency arrangement which would lead to congestion in high hydro season of 2015. It has been further submitted that the 400 kV Teesta III-Kishanganj transmission line which is under construction is facing serious ROW issues both at Kishanganj and in Sikkim area. If 400 kV D/C Teesta III-Kishanganj transmission line is delayed due to ROW issues then it would be difficult to evacuate power from even Teesta-III HEP during the 2015 high hydro season. The representative of the POSOCO submitted that Teesta-III HEP (1200 MW) of Teesta Urja Limited is also

expected during January 2015 to June 2015 and it is approaching ERLDC for evacuation of power through the existing transmission system. If this contingency arrangement is approved in 2014, about 2000 MW power would flow through 400 kV D/C Teesta III- Kishanganj transmission line during high hydro season in 2015 which includes Teesta-III (1200 MW) of Teesta Urja Limited, Teesta-V (510 MW) of NHPC station already having long term access, Gati Infrastructure HEP (99 MW) at 132 kV LIL Oed at Rangpo and now Dikchu (96 MW). POSOCO has submitted that in Sikkim many projects are coming and CTU has planned Mangan pooling station for which land is an issue and this pooling station may be near the petitioner's project. Therefore, in order to discuss these issues, there should be an integrated planning for evacuation of power from Sikkim area.

11. The petition was admitted on 1.9.2014. After notice to the respondents, the petition was taken up for hearing. During the course of hearing on 16.9.2014, the representative of the POSOCO reiterated the submission made in its reply. The representative of the State of Sikkim submitted that the 132 kV transmission system has been sanctioned by the Govt. of India for which survey has not been done and land has not been acquired due to ROW issues in the State which would easily take approximately three years to get resolved. He further submitted that transmission line from Teesta Urja Ltd to Rangpo pooling station would be commissioned by 2015. The representative of Central Electricity Authority submitted that there are two 400 kV systems for evacuation of power from Sikkim, namely (a) 400 kV Teesta-V to Siliguri which is operational and (b) 400 kV D/C Teesta-III to Kishanganj which has not been commissioned yet and it is facing serious ROW problem. He further submitted that the issue of implementation of 132 kV transmission system has been seriously pursued with Power and Electricity Department, Govt. of Sikkim since 2010

onwards but progress on ground is not encouraging.

Submission of Teestavalley Power Transmission Ltd. (TPTL):

12. Teestavalley Power Transmission Ltd. (TPTL), vide Record of Proceedings for the hearing dated 16.9.2014, was directed to submit the current status of transmission line and its expected date of commercial operation. TPTL vide its affidavit dated 11.10.2014 has submitted that the contract for construction of 400 kV Teesta III-Kishanganj line was awarded by TPTL to JV of Deepak Cable (India) Ltd. and Abir Infrastructure Private Limited (DCIL-AIPL JV). The Right of Way (ROW) clearances for the transmission line were also under the scope of the contractor. The contractor could not complete the transmission line as per schedule even after repeated extension of three years. As a result, the contract was terminated on 30.5.2014. Aggrieved by the termination of contract, the contractor filed a petition before the Hon'ble High Court of Delhi. The Division Bench of High Court of Delhi vide order dated 15.9.2014 dismissed the contractor's petition. In the meanwhile, one of sub-contractors of the contractor filed petition before District and Session Court, Sikkim (E/N) at Gangtok. The matter was finally heard on 9.10.2014 and order is awaited. In view of litigations pertaining to the execution of the transmission line, no work was being carried out since 6.6.2014. TPTL has submitted that since the ROW problem is a serious issue in the State of Sikkim and Darjeeling Hill Region, the Date of Commercial Operation (DOCO) of 400 kV Teesta III-Kishanganj transmission line is expected to be December, 2015. TPTL has submitted the present status of the 400 kV Teesta III -Kishanganj transmission line is as under:

Items	Total quantity	Cumulative Progress as on	Balance
Foundation (nos.)	569	385	184
Erection (nos.)	569	358	211
Stringing (Km)	211	80	131

Analysis and Decision

13. We heard the learned counsels and representatives of the parties. We have considered the pleadings of the parties, including reply filed on behalf of the respondents and the documents available on record. The following issues arise for our consideration:

- (a) **Whether 400 kV D/C Teesta-III to Kishanganj transmission line is an ISTS line or dedicated transmission line?**
- (b) **Whether 400 kV D/C Teesta-III to Kishanganj transmission line can be LILOed at Dikchu?**
- (c) **If the proposed LILO is allowed, whether this would be a dedicated line or ISTS line?**
- (d) **Issue of cost, operation & maintenance (O&M) of the LILO arrangement and metering of power flows through the interim arrangement along with associated transmission system.**

Issue No.1: Whether 400 kV D/C Teesta-III to Kishanganj transmission line is an ISTS line or dedicated transmission line?

14. The 400 kV D/C Teesta-III to Kishanganj transmission line is being constructed by Teesta Valley Power Transmission Ltd (TPTL), which is a joint venture between PGCIL, and Teesta Urja Ltd. TPTL has been granted licence for the transmission lines with the following scope:

S. No.	Description	Line Length
1	400 kV D/C transmission line with quad Moose conductor from generating station to Mangan pooling point	2 km
2	400 kV D/C transmission line with quad Moose conductor from Mangan to new pooling station at	204 km

	Kishanganj	
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15. At the time of grant of transmission licence, it was submitted by TPTL that the 400 kV D/C Transmission line from the generating station till Magan Pooling station would be for the dedicated use of the generating station and the transmission line from Mangan to the New Pooling Station at Kishanganj would be used for wheeling of electricity of other generating stations. The Commission in order dated 24.4.2009 in Petition No. 116/2008 has taken note of the submission of TPTL as under:

"5. The scheme for evacuation of power is said to have been developed as a part of the master plan for evacuation of total power of all the hydro electric generating stations in the State of Sikkim by CEA, the fifth respondent and CTU, the first respondent and the surplus capacity of the transmission lines, other than the dedicated part, are proposed to be used for wheeling of electricity of other generating companies operating in the region. It has been stated that the first respondent received a number of applications for evacuation of power from different generators including second respondent in the region with total generation capacity of about 4225 MW to the entities outside the Eastern Region. Because of the capacity constraints, it was not found feasible to use the existing transmission lines for evacuation of the entire generation capacity. It has been submitted that the first respondent in consultation with the fifth respondent prepared a master plan for an integrated transmission system for evacuation of total power, from all the generating stations in the State of Sikkim to the beneficiaries in Northern and Western Regions. The plan was said to have been approved at the planning sub-committee meetings held in November 2007 and February 2008. The transmission lines are stated to be part of the integrated transmission system.

6. The first and second respondents are said to have decided to execute the transmission lines through the applicant. It has been stated that in case commissioning of Mangan substation is delayed, 400 kV D/C transmission line shall be constructed directly from the generating station to Kishanganj pooling point. However, the transmission lines will be LILoed at Mangan after its commissioning. Except for the dedicated part, the transmission lines shall form part of the integrated transmission system and sharing of the transmission service charges shall be based on decision of the Appropriate Commission, this Commission is the Appropriate Commission as the application for grant of license has been made before this Commission."

16. While granting the transmission licence to TPTL, the Commission vide order dated 14.5.2009 had observed as under:

"9. On consideration of the material on record, we direct that license for transmission of electricity in favour of the applicant, Teestavalley Power Transmission Limited for the assets noted in para 1 above be issued. The license granted shall be subject to the terms and conditions as contained in the Act, the rules prescribed by the Central Government and the regulations specified by the Commission from time to time, including statutory amendment and re-enactment thereof as also the order dated 24.4.2009 *ibid*. The payment of license

fee during the validity of the license shall be regulated in terms of fee notified by the Commission separately under the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008. The license shall be valid for a period of 25 years, unless revoked earlier."

17. It may be seen that the scheme for evacuation of power is said to have been developed as a part of the master plan for evacuation of total power of all the hydro electric generating stations in the State of Sikkim by CEA and CTU, and the surplus capacity of the transmission lines, other than the dedicated part, are proposed to be used for wheeling of electricity of other generating companies operating in the region. The Commission had issued licence for both dedicated part of the transmission line (i.e. from the generating station of Teesta Urja Limited to Mangan sub-station) and for the main transmission line (i.e. from Mangan sub-station to Kishanganj pooling station). Both the lines are licensed lines which are being executed by TPTL under licence from the Commission. The division of dedicated part and main transmission line was for the purpose of sharing of transmission charges only as the dedicated part would be used only by the generating station of Teesta Urja Limited and the main line from Mangan till Kishanganj would be used for evacuation of power from other generating stations. It is pertinent to mention that the above transmission lines do not fall within the scope of the generating station and as such cannot be considered as dedicated transmission lines. Section 10 (1) of the Act provides that the duties of the generating company shall be to establish, operate and maintain dedicated transmission lines. Section 2 (16) of the Act, defines 'Dedicated Transmission Lines' as "any electric supply line for point to point transmission which are required for the purpose of connecting electric lines or electric plants of a captive generating plant referred to in Section 9 or generating station referred to in Section 10 to any transmission lines or sub-stations or generating stations or the load centre, as the case may be." The transmission line from the generating station of Teesta Urja Limited to Mangan sub-station is intended to evacuate the power from the generating

station of Teesta Urja only. It would have been considered a dedicated transmission line, had it been established, operated and maintained by Teesta Urja Limited. The moment it is established, operated and maintained by a transmission licensee, it no more remains a dedicated transmission line. It is therefore declared that the transmission line from the generating station of Teesta Urja Limited till Kishanganj is an inter-State transmission system. Under clause (c) of section 40 of the Act, it shall be the duty of a transmission licensee to provide non-discriminatory open access to its transmission system for use by any licensee or generating company on payment of transmission charges. Therefore, there is no embargo to allow the petitioner to use of the transmission system developed by TPTL on payment of transmission charges.

Issue No.2 : Whether 400 kV D/C Teesta-III to Kishanganj transmission line can be LILoed at Dikchu?

18. The petitioner made an application to PGCIL on 13.9.2010 for grant of connectivity and LTA for evacuation of power from Dikchu project in accordance with the provisions of Connectivity Regulations. PGCIL, vide letter dated 10.1.2011, granted the petitioner connectivity and LTA. The connectivity granted was through LILo of Gangtok-Mangan 132 kV D/C transmission line which was to be constructed by Government of Sikkim under the comprehensive scheme and Master Plan for providing LTA to different prospective power developers in Sikkim for power evacuation outside the State of Sikkim. The said transmission line has got delayed due to delay in Forest and Environmental clearances and land acquisition. Energy and Power Department, Govt. of Sikkim has stated that as per the present status, the transmission line is not expected to be available for at least three years. Consequently, the above transmission line will not be available for evacuation of power from the petitioner's project by May, 2015. In various meetings, the petitioner

and the respondents have discussed having an alternative arrangement for evacuation of power generated at the petitioner's project through Loop in Loop out (LILO) of one circuit of 400 KV Teesta III- Kishanganj Inter-State transmission line. In the meeting held on 26.5.2014, the petitioner proposed for LILO arrangement and suggested that the cost of proposed LILO would be borne by the developer. In the said meeting, it was also opined that there is no technical constraint in the above arrangement. The relevant portion of the minutes of meeting dated 26.5.2014 is extracted as under:

“9. After detailed discussion the following emerged:

- (1) The originally planned 220 kV Dikchu - Rangpo line (Intra State to be operated initially at 132 kV) could not be implemented by E & PD (GoS) matching with Dikchu project (May 2015). This line is proposed to take about 3 years for implementation as stated by E & PD, GoS.
- (2) E & PD, GoS and Dikchu developer proposed for LILO of 400 kV Teesta-III Rangpo - Kishanganj D/C line of TPTL at Dikchu for evacuation of generation and the entire cost for the LILO and associated works estimated to ` 73 crores would be borne by the Dikchu developer.
- (3) TPTL/TUL is not in a position to accept the proposed LILO of the 400 kV Teesta - III Rangpo - Kishanganj D/C line at Dikchu as Teesta III - Kishanganj line is stated to be a dedicated line.
- (4) The generation developer is seeking an interim connectivity to the 400 kV TPTL line through LILO arrangement as it will help in evacuation of power to the extent transmission margin available in the corridor for at least 3 hydro seasons, if not more. This is economically beneficial rather than bottling up of the Dikchu generation which is more than 500 Million units per year.
- (5) NLDC/POSOCO was of the view that whether the proposed 400 kV LILO work/arrangement of one ckt of the 400 kV Teesta III Rangpo - Kishanganj D/C line at Dikchu would be considered as an ISTS asset or dedicated system, needs to be decided.
- (6) Dikchu representatives emphasized that this 400 kV LILO and the associated transmission system would be a 'dedicated asset of Dikchu HEP', which would be disconnected and kept as redundant asset once the original evacuation system of Dikchu viz 220 kV Dikchu- Rangpo line (to be operated at 132 kV) gets commissioned.
- (7) It was opined that time line for commissioning of 400 kV Rangpo - Kishanganj section of TPTL line by March 2015 is important and relevant in the context of contingency arrangement for Dikchu.
- (8) **It was opined that there may be no technical constraints in connecting Dikchu HEP to the 400 kV TPTL line through LILO arrangement.**

Considering the above, it was felt after detailed deliberation that it would be appropriate to take advice of the Hon'ble Commission (CERC) by the Dikchu project developer."

19. The representative of CEA, during the hearing on 16.9.2014, submitted that there is no technical problem in the proposed interim arrangement and unless the interim arrangement materialises, evacuation of power from Dikchu is not possible. PGCIL in its reply has stated that the proposed LILO of one circuit of Teesta III-Kisangunj 400 kV D/C (Quad Conductor) transmission line at Dikchu project along with 400/132 kV transformer of adequate capacity at Dikchu HEP as an interim arrangement for connectivity to Dikchu HEP is technically in order and once the originally approved scheme is commissioned by Govt. of Sikkim, the above interim arrangement shall be withdrawn. PGCIL has further stated that till such time, Dikchu project shall not be allowed LTA and power may be evacuated through MTOA/STOA depending upon margins available in the transmission system.

20. We have considered the submissions of the petitioner and the respondents. In view of the submission of CEA and PGCIL that there is no technical constraint in that interim arrangement, we are of the view that the proposed interim arrangement is the only possible arrangement to evacuate power from Dikchu HEP at present. Therefore, LILO of one circuit of 400 kV D/C Teesta III-Kisanganj transmission line at Dikchu is allowed as an interim arrangement. The issue of LTA/MTOA/STOA shall be taken up by CTU in Standing Committee/RPC meeting after system study.

Issue No. 3 : If the proposed LILO is allowed, whether this would be a dedicated line or an ISTS line?

21. The representative of Dikchu, during the meeting held on 26.5.2014, emphasized that the 400 kV LILO and the associated transmission system would be

a 'dedicated asset of Dikchu HEP'. POSOCO in the said meeting stated that it needs to be determined as to whether the proposed 400 kV LILO work/arrangement of one circuit of 400 KV Teesta III-Rangpo-Kishanganj D/C transmission line at Dikchu would be considered as an ISTS asset or dedicated system. During the hearing on 16.9.2014, the representative of POSOCO submitted that even if this arrangement is the only interim arrangement, the Commission may decide whether the proposed LILO would be a dedicated system or an ISTS. The representative of CEA submitted that as per CEA observation, the 400 kV D/C Teesta-III to Kishanganj transmission line is getting LILoed at Rangpo pooling station for evacuation of generation projects in Southern part of Sikkim and now one circuit is proposed to be LILoed at Dikchu. Therefore, it is to be determined that the proposed LILO would be a dedicated line or ISTS line. In case it is treated as dedicated line, the power should flow in one direction but if the line is LILoed, power will flow in both the directions. PGCIL has stated that implementation of abovementioned interim arrangement is the responsibility of the petitioner. In case the same is to be implemented as an ISTS system, the implementation would be done through Tariff Based Competitive Bidding route.

22. We have considered the submissions of the parties. The petitioner has stated that since its hydro project is scheduled for commercial operation in May, 2015, there is little time left for implementation of the interim arrangement. If the interim arrangement does not materialize by May, 2015, the petitioner would not be able to evacuate power. If the same is implemented as an ISTS system, the process of Tariff Based Competitive Bidding would take at least a year which is not a feasible solution in the present circumstances. Since, this is only a temporary arrangement and in view of the circumstances mentioned above, the petitioner is allowed to

implement the work of LILO as an interim arrangement as a dedicated system which shall be removed once the originally planned scheme is operationalized.

Issue No.4 : Cost of interim arrangement, operation and maintenance (O&M) of the LILO arrangement and metering of power flows through the interim arrangement along with associated transmission system.

23. The issue of cost of interim arrangement was also discussed during the meeting held on 24.5.2014. In the said meeting, the petitioner proposed that the entire cost for the LILO and associated works estimated to ` 73 crore would be borne by the petitioner. The representative of POSOCO, during the hearing on 16.9.2014, stated that the petitioner is going to make an investment in assets which will be redundant after 3 years i.e. after commissioning of original scheme. PGCIL has stated that the LTA was granted to the petitioner through LILO of Gangtok-Mangan 132 kV D/C transmission line. LILO of Gangtok-Mangan 132 kV D/C line at Dikchu HEP was under the scope of the generation developer. However, E&PD, Govt. of Sikkim could not start work of Gangtok-Mangan 132 kV D/C transmission line due to certain reasons. PGCIL has stated that the above scheme was revised at the request of E&PD, Govt. of Sikkim in April, 2013. As per revised scheme, the connectivity to Dikchu HEP was planned through Dikchu HEP-New Gangtok (Bermiok)-Rangpo (Samardong) 220 kV D/C transmission line and Dikchu HEP-Singhik 220 kV D/C transmission line, both to be implemented by E&PD, Govt. of Sikkim. However, E&PD, Govt. of Sikkim expressed its inability to implement the transmission system matching with commissioning of the generation projects.

24. On perusal of submissions of the petitioner and respondents, it is noted that the implementation of LILO, as per original scheme, was within the scope of the petitioner. The proposed LILO is an interim arrangement which would be withdrawn when the original scheme is commissioned. In view of the above, we direct that the

cost of LILO and associated work shall be borne by the petitioner. The operation and maintenance shall also be carried out by the petitioner at its own cost. With regard to metering of power flows through LILO arrangement, metering shall be done by the petitioner in consultation with the concerned RLDC in accordance with Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.

25. The petition is disposed of with the above directions.

Sd/-	sd/-	sd/-	sd/-
(A.S.Bakshi) Member	(A. K. Singhal) Member	(M. Deena Dayalan) Member	(Gireesh B. Pradhan) Chairperson