

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 41/IA/2016 in Petition No. 528/TT/2014

Subject : Application under Sections 79(1)(c), 79(1)(d), 79(1)(f), 79(1)(k) and 94 of the Electricity Act, 2003 read with Regulations 111, 112 and 113 of the CERC (Conduct of Business) Regulations 1999 and Regulations 3, 4 and 13 of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010.

Date of Hearing : 19.9.2016

Coram : Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Applicant : Greenko Budhil Hydro Power Pvt. Ltd.

Respondents : RRVPL and others

Parties present: Shri Hemant Singh, Advocate, GBHPPL
Shri Nimesh Kumar Sharma, Advocate, GBHPPL

Record of Proceedings

The learned counsel for Greenko Budhil Hydro Power Pvt. Ltd., the applicant, submitted that the instant application has been filed for recalling and setting aside the order dated 17.2.2016 in Petition No. 528/TT/2014. The learned counsel submitted that it is liable to pay the transmission charges allowed vide order dated 17.2.2016, PGCIL has not made the applicant a party to the proceedings in Petition No. 528/TT/2014. The learned counsel submitted that the applicant has filed another Interlocutory Application No.26/IA/2016 in Petition No. 94/TT/2011 and the same was heard on 10.8.2016 and the issues involved in 26/IA/2016 and 43/IA/2016 are similar and they adopt the arguments advanced by the senior counsel in IA No. 26/IA/2016 on 10.8.2016. The learned counsel further prayed that PGCIL may be directed not to take any coercive action in terms of the order dated 17.2.2016.

2. The learned counsel submitted that PGCIL filed Petition No. 528/TT/2014 for truing up the tariff of 400/220 kV 315 MVA ICT-I and ICT-II under Chamera-II GIS Pooling Station at Rajera with 80 MVAR Bus Reactor at Pooling Point under Chamera-II system allowed in Petition No. 94/TT/2011 for the 2009 tariff period under the 2009 Tariff Regulations and grant of tariff for the 2014-19 tariff period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014. The tariff was allowed vide orders dated 17.2.2016 in Petition No. 528/TT/2014.



3. The Commission observed that recall of order can be done only through a review petition. The Commission directed to treat the instant IA as a review petition and further directed GBHPPL to deposit balance fee of ₹2.00 lakh towards review petition fees.

4. The Commission further directed to list the Review Petition (on conversion from IA) on 3.11.2016.

5. The Commission also directed PGCIL not to take any coercive measure for recovery of transmission charges till 3.11.2016.

By order of the Commission

Sd/-
V. Sreenivas
Dy. Chief (Law)

