CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 199/MP/2020

Subject	:	Petition for determination of fees and charges payable to the Petitioner which has been designated as the Settlement Nodal Agency by the Ministry of Power, Government of India under the Guidelines for Import/Export (Cross Border) of Electricity, 2018 to undertake various activities for settlement of grid operation related charges as enumerated in the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019.
Petitioner	:	NTPC Vidyut Vyapar Nigam Limited (NVVNL)
Date of Hearing	:	21.7.2020
Coram	:	Shri I. S. Jha, Member Shri Arun Goyal, Member
Parties present	:	Ms. Anushree Bardhan, Advocate, NVVNL Shri K. S. Bandyapdhyay, NVVNL Shri Anurag Gupta, NVVNL Shri Sujoy Das Verma, NVVNL Shri P. K. Jena, NVVNL

Record of Proceedings

The matter was heard through video conferencing.

2.   Learned counsel for the Petitioner submitted that the instant Petition has been filed seeking determination of fees/charges payable to the Petitioner to undertake various activities for settlement of grid operations as enumerated in the 'Guidelines for Import/Export (Cross Border) of Electricity, 2018' (in short 'Cross Border Guidelines') and Regulations 25, 26, 30, 32 and 33 of the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019 (in short the 'Cross Border Regulations'). Learned counsel further submitted that in terms of Clause 8.8 of the Cross Border Guidelines, the Petitioner has been nominated as Settlement Nodal Agency (SNA) by the Ministry of Power for settlement of grid operation related charges for the neighbouring countries, namely, Bangladesh, Bhutan, Nepal and Myanmar. As SNA, the Petitioner, *inter-alia*, is responsible for settlement of grid operation related charges like operating charges, deviation charges, reactive energy charges, and is also coordinating the scheduling of cross border transactions involving these countries. However, no specific fees/charges for SNA to carry out the above activities, have been specified in the Cross Border Regulations. Accordingly, the Petitioner, under Regulation

37 of the Cross Border Regulations (Power to issue directions), has prayed for determination of fees/charges payable to the Petitioner to carry out the above activities as SNA.

3.   In response to a specific query of the Commission regarding the present/existing arrangements of fees/charges, if any, learned counsel for the Petitioner submitted that presently, the Petitioner is collecting the fees/charges for undertaking various activities either on lump sum basis or per unit basis. However, in absence of any specific fees/charges determined by the Commission, certain neighbouring countries are not paying anything.

4.   After hearing the learned counsel for the Petitioner, the Commission admitted the Petition.

5.   The Commission directed the Petitioner to implead POSOCO and PTC as parties to the Petition and to file revised memo of parties, by 4.8.2020. The Commission further directed the Petitioner to serve copy of the Petition on the impleaded Respondents immediately. The Commission directed the Respondents to file their reply, if any, by 24.8.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 10.9.2020.

6.   The Commission further directed the Petitioner to file the following information on affidavit, by 24.8.2020:

> a) Detailed break-up and basis of estimation of fees and charges required to perform activities as Settlement Nodal Agency, and
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> b) Fees and charges in the Agreements/Draft Agreements executed/to be executed with the neighbouring countries and Indian entities for providing services as SNA.

7.   The Commission directed that the due date of filing of reply, rejoinder and information should be strictly complied with.

8.   The Petition shall be listed for hearing in due course for which separate notice shall be issued.

By order of the Commission

Sd/-
(T.D. Pant)
Deputy Chief (Law)