

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 195/MP/2022  
alongwith IA No. 49 of 2022 and 68 of 2022**

**Subject** : Petition under Section 79(1)(c), (d) and (f) read with 142 of the Electricity Act, 2003 seeking adjudication of disputes as well as compliance of order dated 14.3.2022 passed by the Commission in Petition No. 145/TT/2018.

**Date of Hearing** : 20.12.2022

**Coram** : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P.K. Singh, Member

**Petitioner** : Essar Power Transmission Corporation Limited (EPTCL)

**Respondents** : Mahan Energen Limited (MEL) formerly known as Essar Power M.P. Limited (EPMPL) & 7 others

**Parties present** : Shri Maninder Singh, Senior Advocate, EPTCL  
Shri Sanjay Sen, Sr. Advocate, MEL  
Shri Hemant Singh, Advocate, MEL  
Shri Nitin Gaur, Advocate, MEL  
Ms. Swapna Seshadri, Advocate, EPTCL  
Shri Amal Nair, Advocate, EPTCL  
Ms. Kritika, Advocate, EPTCL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Shri Nitin Guar, Advocate, MPPMCL  
Shri Hari, CTUIL  
Shri Swapnil Verma, CTUIL  
Shri Ranjit Singh Rajput, CTUIL  
Ms. Kavya Bhardwaj, CTUIL  
Shri Debajyoti Majumdar, Grid India  
Shri Alok Mishra, Grid India

**Record of Proceedings**

Learned senior counsel for the Petitioner submitted that the Petitioner was receiving provisional tariff of ₹333.05 crore from the PoC Pool from September, 2018 as per order dated 14.3.2019 for the Stage-II assets of the transmission project and as per order dated 14.3.2022 in Petition No. 145/TT/2018, the tariff recoverable from PoC Pool is ₹261.96 crore. Therefore, CTUIL is of the view that approximately ₹296.29 crore has to be paid



back by the Petitioner to the PoC Pool. Accordingly, CTUIL has been adjusting the provisional tariff disbursed to the Petitioner as per order dated 14.3.2019 with the tariff granted in terms of the Commission's order dated 14.3.2022 in Petition No. 145/TT/2018 for the Stage-II assets of the Petitioner. As a result, the Petitioner is only receiving around ₹2 crore per month on an average and it is not sufficient to meet even the O&M Expenses of the transmission assets covered under Stage-II of its transmission project. Accordingly, the CTUIL may be directed to release 76% of the transmission charges as per order dated 14.3.2022 without making any adjustment. Learned senior counsel prayed for some interim relief so that the Petitioner could at least meet the O&M Expenses of the transmission assets.

2. In response to a query of the Commission, the learned counsel for the CTUIL submitted that approximately ₹296.29 crore are to be recovered from the Petitioner in terms of the Commission's order dated 14.3.2022 in Petition No.145/TT/2018, CTUIL has already recovered ₹190 crore and approximately ₹105 crore is yet to be recovered from the Petitioner.

3. Taking into consideration the difficulties faced by the Petitioner in meeting the O&M Expenses of the transmission assets, the Commission directed CTUIL to recover the remaining balance amount due from the Petitioner, in terms of its order dated 14.3.2022 in Petition No. 145/TT/2018, in five equated installments.

4. The Commission directed the Respondents to file their reply to the petitions and the IAs by 16.1.2023 on affidavit with an advance copy to the Petitioner, who may file rejoinder, if any, by 31.1.2023. The Commission further observed that no further extension of time will be allowed and directed the parties to comply with the directions within the specified timeline.

5. The matter shall be listed for further hearing on 14.2.2023.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

