

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 77/MP/2022

Subject : Petition under Section 79(1)(c) and Section 79(1)(f) of the Electricity Act, 2003 for seeking appropriate orders from this Commission directing the Respondent - Khargone Transmission Limited to pay operation and maintenance charges for the elements - bays that have been charged and in use in terms of the Transmission Service Agreement dated 14.3.2016 along with Late Payment Surcharge to Bhopal Dhule Transmission Company Limited.

Date of Hearing : 29.7.2022

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

Petitioner : Bhopal Dhule Transmission Company Limited (BDTCL)

Respondents : Khargone Transmission Limited (KTL) and Anr.

Parties Present : Shri Apoorva Misra, Advocate, BDTCL
Ms. Nishtha Kumar, Advocate, BDTCL
Shri Lokendra Singh Ranawat, BDTCL
Shri Ketan Patil, BDTCL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed seeking orders and directions from the Commission to the Respondent, KTL to make due payments in terms of the Transmission Service Agreement ('TSA') dated 14.3.2016. Learned counsel mainly submitted the following:

(a) KTL has constructed and commissioned 2 Nos. of 765 kV line bays along with 2 Nos. of Switchable Line Reactor (240 MVAR) in the premises of the 765 kV Dhule sub-station of the Petitioner for termination of the Khandwa Pool-Dhule 765 kV line and these elements were charged and put to use as per the requisite approvals from the Central Electricity Authority.

(b) Pursuant to the successfully charging of these elements, they are put to continuous operation and O & M of these elements is being carried out by the Petitioner from the date of charging of these elements.

(c) As per TSA, KTL is required to pay O & M charges of such bays to the Petitioner as per the norms notified by the Commission from time to time. However, the Petitioner has not been paid O&M charges in this regard.

(d) The aforesaid issue of recovery of O & M charges for operation and maintenance of KTL's bays and allied infrastructure was also raised by the Petitioner before WRPC and as evident from the minutes of 544th OCC meeting

held on 22.6.2021, the charging of line reactors and bays was facilitated by WRLDC as per the request of KTL. However, WRPC finally observed that the above is an internal issue between the Petitioner and the KTL and suggested to approach this Commission for suitable direction.

(e) Despite the above position, the Petitioner has been diligently following the instruction of WRLDC in respect of the switchable line reactor operation and for all reason including on account of voltage regulation and system requirement. As per standing instruction of WRLDC, the Petitioner has carried out around 110 switching operation for bays and elements in question, including on account of voltage regulation and system/grid requirement.

3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:

(a) Issue notice on 'admissibility' of the Petition.

(b) The Respondents are directed to file their reply on the 'admissibility' of the Petition, if any, within three weeks with copy to the Petitioner, who may file its response thereon, if any, within two weeks thereafter.

(c) The Petitioner to submit the following details/ information on affidavit within two weeks:

(i) Details of O&M charges claimed by the Petitioner from KTL clearly mentioning the relevant provisions of TSA qua Tariff Regulations, 2019.

(ii) Details of O&M activities being performed w.r.t. 2 nos. of 765 kV line bays and 7x80 MVAR switchable line reactors at Dhule 765/400 kV Substation along with documentary proof.

(iii) Copy of O&M Agreement executed between the BDTCL and the KTL, if any? If not executed, the reason thereof.

(iv) Clarify if payment for O&M charges starts from COD or prior to COD (any specific date as agreed may be provided) as per its arrangement with KTL.

(d) The Respondent, KTL to submit the following details on affidavit within two weeks:

(i) Present status of CoD of 2 nos. of 765 kV line bays and 7x80 MVAR switchable line reactors (1 unit as spare) along with 800 Ω NGR and its auxiliaries for Khandwa Pool-Dhule 765 kV D/C at Dhule 765/ 400 kV substation.

(ii) The following documents in regards to energisation of 2 nos. of 765 kV line bays and 7x80 MVAR switchable line reactors (1 unit as spare) along with 800 Ω NGR and its auxiliaries for Khandwa Pool- Dhule 765 kV D/C at Dhule 765/ 400 kV substation:

(a) CEA clearance certificate for energisation in compliance to Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010.

(b) RLDC certificate for trial run operation.

(c) Copy of DOCO certificate /deemed DOCO certificate.

(e) Parties to comply with the above direction in the specified timeline and no extension of time shall be granted.

4. Subject to the above, the Commission reserved the order on 'admissibility' of the Petition.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)