

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 133/TT/2023

- Subject** : Petition for determination of transmission tariff for the 2019-24 tariff period for 02 nos. 400 kV GIS Line Bays at 765/400 kV Varanasi Sub-station covered under "Construction of 2 nos. of 400 kV Hybrid/GIS Line bays at Varanasi (PG) Sub-station" in the Northern Region.
- Date of Hearing** : 30.10.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondents** : Ajmer Vidyut Vitran Nigam Limited (AVVNL) and 15 others
- Parties Present** : Shri Mohit Mudgal, Advocate, UPPTCL
Shri Sachin Dubey, Advocate, UPPTCL
Shri Mohit Jain, Advocate, UPPTCL
Ms. Supriya Singh, PGCIL
Shri Vivek Kumar Singh, PGCIL
Shri Amit Yadav, PGCIL
Shri Bipin Bihari Rath, PGCIL
Ms. Ashita Chauhan, PGCIL

Record of Proceedings

The instant petition is filed by PGCIL for determination of transmission tariff for the 2019-24 tariff period for 02 nos. 400 kV GIS Line Bays at 765/400 kV Varanasi Sub-station (transmission asset) covered under "Construction of 2 nos. of 400 kV Hybrid/GIS Line bays at Varanasi (PG) Sub-station" in the Northern Region under the 2019 Tariff Regulations.

2. The learned counsel for UPPTCL submitted that there is a delay in the completion of the downstream asset under the scope UPPTCL, associated with the transmission asset covered in the instant petition. The transmission asset covered in the instant petition was put under commercial operation a year from its SCOD. He submitted that Regulation 5(2) of the 2019 Tariff Regulations envisages the filing of a separate petition by the transmission licensee for approval of the COD. Further, Regulation 6.3A(3)(iv) of the 2010 Grid Code Regulations casts the obligation on the transmission licensee to approach the Commission for approval of COD where the transmission line of such licensee could not be executed due to delay in COD of inter-connected downstream line. Also, in case of inconsistencies arising between the 2010 Grid Code Regulations and the 2019 Tariff Regulations, the provisions stated in the 2010 Grid Code Regulations shall prevail. Accordingly, the Petitioner should have filed a Miscellaneous Petition instead of tariff petition. On the said legal premises, the instant tariff petition is not maintainable.



3. In response, the representative of the Petitioner submitted that the instant petition has been filed for approval of the COD and determination of tariff of the transmission asset. He further submitted that UPPTCL has wrongly submitted in its reply to the petition that the Petitioner has claimed the COD of its asset as 25.11.2021. In fact, a 'No Load Certificate' was obtained from NRLDC on 23.11.2021 once the associated bays were ready and intimation regarding the same was served upon UPPTCL. As far as Idle Load Charging of the transmission line is concerned, an application was made to NRLDC on 11.11.2022 for charging and a trial run from the 400 kV associated bay to Jaunpur Sub-station, and the same was charged on 10.2.2023.

4. The Commission directed the Petitioner to submit the following information on an affidavit by 20.11.2023 with an advance copy to the Respondents:

- i) Status of the project as on 25.3.2020 and 1.4.2021 in accordance with MoP's Letters dated 27.7.2020 and 12.6.2021, respectively.
- ii) Effect of the COVID-19 pandemic on the timely execution of the project.

5. The Commission further directed the Petitioner to file a rejoinder to the reply filed by UPPTCL and its written submissions, if any, by 4.12.2023. The Commission also directed the Respondents, including UPPTCL, to file written submissions by 11.12.2023. The Commission also directed to comply with the directions within the specified time and observed that no extension of time would be granted.

6. Subject to the above, the Commission reserved the order in the matter.

By order of the Commission

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

