

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 167/TT/2022

Subject : Petition for determination of transmission tariff from COD to 31.3.2024 for transmission assets under Project "POWERGRID works associated with North Eastern Region Strengthening Scheme-V.

Petitioner : Power Grid Corporation of India Limited

Respondents : Assam Electricity Grid Corporation Ltd & Ors.

Date of Hearing : 22.5.2023

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

Parties Present : Ms. Swapna Seshadri, Advocate, PGCIL
Shri Utkarsh Singh, Advocate, PGCIL
Shri Deep Rao Palpu, Advocate, NER-II TL
Shri Arjun Agarwal, Advocate, NER-II TL
Shri Anita Gupta, Advocate, NER-II TL
Ms. Anisha Chopra NER-II TL
Shri S.S Raju PGCIL
Shri Zafrul Hasan, PGCIL
Shri Saurav Kumar Jha, PGCIL

Record of Proceedings

PGCIL has filed the present petition for determination of transmission tariff from the date of commercial operation (COD) to 31.3.2024 in respect of the following three number of assets under 'Powergrid works associated with North Eastern Region Strengthening Scheme:

Asset-1: Additional 400 kV D/C line (Circuit-I) at P.K. Bari (TBCB) end and Silchar (PGCIL) end for termination of P.K. Bari (TSECL)- Silchar 400 kV D/C line (initially operated at 132 kV) at 400 kV P.K. Bari (TBCB) and 400 kV Silchar (GIS) (PGCIL) end along with 400 kV GIS bay at Silchar (PGCIL) Sub-station.

Asset-2: Additional 400 kV D/C line (Circuit-II) at P.K. Bari (TBCB) end and Silchar (PGCIL) end for termination of P.K. Bari (TSECL)- Silchar 400 kV D/C line (initially operated at 132 kV) at 400 kV P.K. Bari (TBCB) and 400 kV Silchar (GIS) (PGCIL) end along with 400 kV GIS bay at Silchar (PGCIL) Sub-station.



Asset-3: Additional 400 kV D/C line at Palatana and Surajmaninagar (TBCB) ends for termination of 400 kV D/C Palatana-Surajmaninagar (TSECL) line at 400 kV Palatana (Bays under TBCB) and 400 kV Surajmaninagar (Sub-station under TBCB).

2. Learned counsel for the Petitioner made the following submissions:

- (a) SCOD of the transmission assets was 1.7.2020 against which Asset-1 and Asset-2 have been declared under commercial operation on 8.3.2021 and 13.3.2021 respectively while COD of Asset-3 is proposed as 20.4.2021 under Regulation 5(2) of the 2019 Tariff Regulations due to non-availability of shut-down of 132 kV Palatana-Surjamaninagar for termination of 400 kV Palatana-Surjamaninagar (ISTS) Transmission Line at 400 kV bays at Pallatana (OTPC) and Surjamaninagar (ISTS) end.
- (b) There is delay in the execution of Asset-1, Asset-2 and Asset-3 of 97 days, 102 days and 140 days respectively. Asset-1 and Asset-2 were delayed due to outbreak of the Covid-19 pandemic, change in location of P.K. Bari Sub-station, protests against the Citizenship Amendment Bill, delay in material movement due to crack in Dwar Ksuid Bridge, subsequent weight restriction and heavily rainfall in North Eastern India. Asset-3 is delayed due to the Covid-19 pandemic, change in the location of Sujamaninagar Sub-station, multiple changes in scheme, due to protests against the Citizenship Amendment Bill, rainfall, non-availability of shut down of 132 kV Palatana-Surjamaninagar for termination of 400 kV Palatana-Surjamaninagar (ISTS) Transmission Line at 400 kV bays at Pallatana (OTPC) and Surjamaninagar (ISTS) end.
- (c) New 400 kV ISTS Sub-station at Surjamaninagar under TBCB scope was conceived close to the existing State owned sub-station. However, actual 400 kV Sub-station at Surjamaninagar was awarded to NER-II Transmission Limited under TBCB is located at an entirely different location. Investment Approval (IA) for the project was accorded in April, 2018 and award for the scope of work was placed in June, 2018. The intimation for change of scope of works was not communicated to the Petitioner. The award was given for execution of line length of 0.5 km in the previous location. However, line length has increased from 0.5 km to 11.5 km and this matter was brought to the notice of all concerned in the 19th TCC and 19th NER Power Committee Meetings dated 28th and 29th November, 2018 respectively wherein TSECL informed that no communication was made with it by Sterlite which created an additional burden for Tripura. Thus, Sterlite has made the shifted the location of the sub-station without the consent of stakeholders without any information to the Petitioner which was executing the inter-connected system. Due to this increase in line length, the contract had to be amended which resulted in a higher tower conductor, other line material quantities and civil



quantities which resulted in delay in the commencement of construction activities.

- (d) Estimated completion cost of the transmission assets based on Auditor's certificate is more than the FR approved apportioned cost. Revised Cost Estimate for the project is under approval and the same will be submitted on approval.
- (e) Reasons for cost variation of the transmission assets are given in detail in the petition.
- (f) Additional Capital Expenditure towards the transmission assets incurred/projected to be incurred is mainly on account of balance and retention payment and the same may accordingly be allowed under Regulation 24(1)(a) and Regulation 24(1)(b) of the 2019 Tariff Regulations.
- (g) Rejoinder to the reply of Respondent No.8, NER-II TL is filed vide affidavit dated 6.10.2022.

3. Learned counsel for the Respondent No. 8, NER-II TL submitted that the reply filed by Respondent No.8 may be taken into account while deciding the present petition.

4. After hearing the parties, the Commission directed the parties to file their respective brief Written Submissions by 9.6.2023. 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. Subject to the above, the Commission reserved the order in the matter.

By order of the Commission

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

