

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 180/TT/2021

- Subject** : Petition for determination of transmission tariff for the 2019-24 period for LILO of 400 kV S/C Lonikhand (MSETCL)-Kalwa (MSETCL) Line at Navi-Mumbai along with 400/220 kV Navi Mumbai (GIS Sub-station) at Navi Mumbai under the 'Western Region System Strengthening Scheme V'.
- Date of Hearing** : 15.12.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondent** : Madhya Pradesh Power Management Company Limited (MPPMCL) and 11 others
- Parties present** : Ms. Swapna Seshadri, Advocate, PGCIL
Shri Utkarsh Singh, Advocate, PGCIL
Shri Ravi Sharma, Advocate, MPPMCL
Shri Sudhanshu S. Choudhary, Advocate, MSETCL
Shri M. Veera Raghavan, Advocate, MSETCL
Shri G. Umamathy, Advocate, MSEDCL
Shri Anup Jain, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Shri Akshayvat Kislay, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Bhaskar Wash, CTUIL

Record of Proceedings

The matter was earlier heard in detail on 26.7.2022, 9.1.2023 and 27.9.2023.

2. Learned counsel for the Petitioner made the following submissions:
- (i) The Petitioner's transmission line is ready from 13.5.2019. However, MSETCL's downstream line is not ready, and for this reason, MSETCL is not allowing the Petitioner to connect its transmission line to MSETCL's sub-station



on the grounds of technical difficulties. Therefore, the Petitioner is not able to obtain the certificate of 'no load testing' of the line.

- (ii) In view of the above, the Petitioner is praying for two reliefs i.e. (i) relax the provisions of Regulation 5(2) of the 2019 Tariff Regulations insofar as the requirement of 'no-load testing' for declaring/ approval of the deemed COD of the transmission line as 13.5.2019 and (ii) on approval of the deemed COD of the transmission line, the tariff may be recovered as per the prevalent tariff regulations.
- (iii) MSETCL is not allowing the Petitioner to connect its line to fulfil the contractual obligations. MSETCL has not made any submissions regarding the commercial treatment of the line in its reply. MSETCL has simply prayed not to allow the Petitioner to connect the line, not because the line is of no use but because of unfounded technical problems. However, it has not explained the nature of technical problems.
- (iv) CTUIL has filed its reply clarifying the fact that there is no technical difficulty in connecting the transmission line to the 400 kV Navi Mumbai Substation.
- (v) It is the 220 kV downstream system of MSETCL which is not ready. Initially, MSETCL said that this transmission asset has no use to it and that the Petitioner will have to bring another 400 kV feed for them to use this transmission line. The CTUIL's response clearly shows that it is the 220 kV system of MSETCL that is going to be connected, and this has nothing to do with the 400 kV feed of the Petitioner.
- (vi) When the scheme was initially planned, the downstream system was the same. Several connections were to be put to the 220 kV system of MSETCL, and multiple sub-stations were thereto. When the scheme was changed because of severe RoW issues with the consent of all the parties, including MSETCL, MSEDCL and other Western Region beneficiaries, it was decided to terminate the 400 kV line at Kudus. At that time also, the 220 kV system of MSETCL was to come. MSETCL was a party in all the WRPC meetings when the scheme was changed, and as such, it is not open to MSETCL to say that the transmission asset has no use to it. When the Petitioner has completed its scope of work, MSETCL, on one pretext or the other, did not allow the Petitioner to connect the same.
- (vii) Mumbai Urja Marg Limited (MUMML) has been impleaded as a party in the matter as directed by the Commission vide RoP dated 27.9.2023. However, no reply has been filed on behalf of MUMML.

3. Learned counsel for MSEDCL has submitted that the present case is not a fit case for grant of relaxation as there is a delay of more than 11 years and the Distribution



Companies will be required to pay the PoC charges. He further submitted that if deemed COD is granted to the Petitioner from 13.5.2019, the unnecessary burden of PoC charges would fall on the DISCOMS.

4. The learned counsel for MPPMCL submitted that due to a delay of about 11 years in putting the transmission line into commercial operation, the cost has escalated from Rs.179 crore to Rs.420 crore. He requested that if the Petitioner's prayer is allowed, then it may be allowed on the original FR cost of Rs.179 crore. He further submitted that the instant petition does not comply with the provisions of Regulation 5(2) of the 2019 Tariff Regulations.

5. The representative of CTUIL, referring to its reply, explained the scope of the transmission lines in detail and submitted that the ISTS line was to be implemented by the Petitioner. He also submitted that even if this LILO of Lonikhad-Kalwa 400 kV line is allowed, no power will flow through the substation because no downstream system will be ready till March, 2024.

6. In response to the Commission's query, the learned counsel for MSETCL submitted that the two elements under the scope of MSETCL were finally dropped in November, 2017 due to severe RoW issues, after various meetings of SCM and by that time, the Petitioner's LILO line was already under construction.

7. After the hearing, the Commission directed the parties to file their Written Submissions by 9.1.2024 with an advance copy to the other parties. The Commission further directed the parties to strictly comply with the above direction within the specified timeline and observed that no extension of time would be granted.

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

By order of the Commission

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(V. Sreenivas)
Joint Chief (Law)

