

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

**Petition No. 332/MP/2020
alongwith I.A. Nos. 18 & 65/2022**

- Subject** : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 for adjudication of dispute arising out of the action of Power Grid Corporation of India in seeking opening of a Letter of Credit in favour of PGCIL towards PoC charges for the unutilized Long-Term Access for 50 MW capacity.
- Date of Hearing** : 12.7.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Ostro Kutch Wind Private Limited (OKWPL)
- Respondent** : Power Grid Corporation of India Limited (PGCIL)
- Parties present** : Shri Sanjay Sen, Senior Advocate, OKWPL
Ms. Mazag Anarabi, Advocate, OKWPL
Ms. Mandankini Ghosh, Advocate, OKWPL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Aastha Jain, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Shri Agam Kumar, OKWPL
Shri Shashank Shekhar, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Shri Swapnil Verma, CTUIL

Record of Proceedings

The instant petition is filed by Ostro Kutch Wind Private Limited (OKWPL) seeking exemption from the opening of a Letter of Credit in favour of CTUIL towards transmission charges for an unutilised LTA of 50 MW capacity.

2. In response to an observation of the Commission regarding the maintainability of the instant petition in view of the decision taken by the Commission in similar other cases, the learned senior counsel for the Petitioner submitted that the issues involved in the instant matter are slightly different from the issues involved in the Sprng Wind Energy Private Limited case, in which prayer of the petitioner was rejected by the Commission,



and sought permission to submit a Note to highlight how the instant matter is different from the said case..

3. Learned counsel for CTUIL submitted that the Petitioner is liable to pay transmission charges for a period of delay in the commissioning of 50 MW capacity as per the LTA in accordance with the applicable Sharing Regulations.

4. The Commission directed the Petitioner to submit the date of commissioning of its 50 MW and also directed the parties to file their written submissions within one week, with a copy to the other side.

5. Subject to the above, the Commission reserved the order.

By order of the Commission

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

