

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 85/MP/2021 alongwith IA No. 26/2021

- Subject** : Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Section 79(1)(c) of the Electricity Act, 2003 challenging the levy of relinquishment charges by PGCIL.
- Date of Hearing** : 20.10.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Southern Power Distribution Company of Telangana Limited (TSSPDCL)
- Respondents** : Power Grid Corporation of India Limited (PGCIL) & Anr.
- Parties present** : Shri Anand A. Ganeshan, Advocate, TSSPDCL
Ms. Ashabari Thakur, Advocate, TSSPDCL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Aastha Jain, Advocate, CTUIL
Ms. Tejasvita Dhawan, Advocate, CTUIL
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL
Ms. Muskan Agarwal, CTUIL

Record of Proceedings

The instant petition had been filed by Southern Power Distribution Company of Telangana Limited (TSSPDCL) against the alleged wrongful levy of “relinquishment charges” by CTUIL. The IA No. 26/2021 had been filed by the Petitioner to direct CTUIL not to precipitate the matter and desist from making any further claim for recovery of the relinquishment charges till the pendency of this petition.

2. The learned counsel for CTUIL submitted that the written submissions have been filed in the matter as per the Commission’s direction. He further submitted that the relinquishment charges calculated are as per the regulations and are correct.

3. Per contra, the learned counsel for the Petitioner submitted that the CTUIL had carried out the process of un-identified system augmentation for the grant of LTA as per the Commission’s order dated 8.3.2019 in Petition No. 92/MP/2015. He further submitted



that the LTA with the Petitioner was signed without the system strengthening/augmentation. Therefore, CTUIL did not ask the Petitioner to give the Construction Bank Guarantee (CBG). He submitted that in November 2015, in its grant of LTA letter, CTUIL itself had stated that for the grant of LTA, no additional transmission system was envisaged. The same may be granted on the existing/ under construction and already planned transmission system. He submitted that the agreement for Long Term Access was without system strengthening between the Petitioner and PGCIL and also without the CBG of Rs.5 lakh/MW.

4. Learned counsel for CTUIL submitted that had CTUIL computed the LTA charges on the existing system, it would come to be around Rs. 565.71 crore. She submitted that without the system strengthening, LTA cannot be operationalized. She submitted that after the November 2015 grant of the LTA letter, a discussion took place in the SCM, where it was pointed out by CTUIL that there are some links which are required for the operationalization of the LTA for transferring power. She submitted that, as per CTUIL's understanding, the instant LTA ought to be considered with system strengthening. She submitted that CTUIL has carried out the billing as per the order dated 8.3.2019 in Petition No. 92/MP/2015 and, if any modification is required to be done in the computation, CTUIL is ready to do so, subject to the order of the Commission.

5. Per contra, the learned counsel for the Petitioner submitted that, as per the records, CTUIL has computed the LTA charges of more than Rs.500 crore. He submitted that CTUIL is overloading the line even after the relinquishment and has not given an explanation in this regard.

6. In response to the Petitioner's contention about loadability, the representative of CTUIL submitted that loadability for a single circuit is 2500 MW and a double circuit, it is 5000 MW. The base case power flow of 2952 MW is for both circuits. Therefore, the calculations have been done within the limit of loadability.

7. After hearing the rival contentions, the Commission directed the parties to submit their written submissions, if any, by 17.11.2023 with an advance copy to each other. The Commission also directed the parties to come up with a note of agreements on the next date of the hearing.

8. The Commission further observed that no request for an extension of time will be entertained and directed the parties to strictly comply with the above directions within the specified timeline

9. The Petition will be listed for final hearing on 5.12.2023.

By order of the Commission

sd/-
(Kamal Kishor)
Assistant Chief (Law)

