

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 368/MP/2023**

**Subject** : Petition under Section 79(1)(c) of the Electricity Act, 2003 seeking appropriate directions for treatment of transmission charges arising in giving effect to the order dated 20.9.2017 in Petition No.130/MP/2015.

**Date of Hearing** : 13.3.2024

**Coram** : Shri Jishnu Barua, Chairperson  
Shri P. K. Singh, Member

**Petitioner** : Central Transmission Utility of India Limited (CTUIL)

**Respondent** : GRIDCO Limited (GRIDCO) and Others

**Parties present** : Shri Alok Shankar, Advocate, CTUIL  
Shri Ishrat Ali, CTUIL  
Shri Yogeshwar, CTUIL  
Shri Siddharth Sharma, CTUIL  
Shri Alok Mishra, NLDC & ERLDC

**Record of Proceedings**

The instant petition is filed by Central Transmission Utility of India Limited (CTUIL) under Section 79(1)(c) of the Electricity Act, 2003, seeking appropriate directions for treating transmission charges in view of the Commission's order dated 20.9.2017 in Petition No.130/MP/2015, whereby the commercial operation date (COD) of NTPC Barh State-II Unit-IV was revised from 15.11.2014 to 7.3.2016.

2. Learned counsel for the Petitioner submitted that the Commission, in its order dated 20.9.2017 in Petition No. 130/MP/2015, held that the power injected by GRIDCO Limited/Respondent No.1 in respect of Barh Unit-IV of NTPC before 8.3.2016 shall be treated as infirm power even though the power was scheduled by the beneficiaries during the period. He further submitted that the Commission, in the said order, also held that the revenue earned over and above fuel cost from the sale of infirm power from 15.11.2014 to 7.3.2016 should be adjusted in the capital cost.

3. Learned counsel for the Petitioner submitted that the said order dated 20.9.2017 of the Commission does not deal with the issue of transmission charges paid/payable as a result of modification of RTA/RTDA arising out of the revision of COD of NTPC Barh Unit-IV due to which the beneficiaries and Grid India are not in a position to reconcile the



transmission charges. Learned counsel for the Petitioner requested the Commission to issue suitable directions for adjustment of transmission charges arising on account of change in COD of NTPC Barh Stage-II Unit-IV for the period from 15.11.2014 to 7.3.2016.

4. After hearing the learned counsel for the Petitioner, the Commission directed that the present petition be admitted and a notice be issued to the Respondents.

5. The Commission further directed NLDC to furnish the period and quantum of the LTA considered for calculation of PoC rates, on an affidavit with copies to the Petitioner and the Respondents, by 31.3.2024.

6. The Commission also directed the Petitioner to clarify whether the present petition is barred by limitation on an affidavit by 31.3.2024.

7. The Commission directed the Respondents to file their replies on an affidavit, by 24.4.2024, with an advance copy to the Petitioner, and the Petitioner, to file its rejoinder, if any, on an affidavit by 13.5.2024. The Commission also directed the parties to strictly comply with the above timelines and observed that no extension of time would be entertained.

8. The matter will be listed for further hearing on 6.6.2024.

**By order of the Commission**

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

