

# CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

## Petition No. 63/TT/2023

<b>Subject</b>	Petition under Regulation 86 of Central Electrical Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electrical Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for determination of Transmission Tariff from DOCO to 31.3.2024 for 2 nos. of 400 kV line bays at Banaskantha (PG) for termination of LILO of second circuit of Zerda-Ranchodpura 400 kV D/C line at Banaskantha (PG) PS under Western Region System Strengthening Scheme-XIX.
<b>Date of Hearing</b>	27.2.2023
<b>Coram</b>	Shri Jishnu Barua, Chairperson Shri Arun Goyal, Member
<b>Petitioner</b>	Power Grid Corporation of India Limited
<b>Respondents</b>	Madhya Pradesh Power Management Company Ltd and 8 others
<b>Parties Present</b>	Shri Gaurav Dudeja, Advocate, MUML Shri Dhruval Singh, Advocate, MUML Shri Shashwat Kumar, Advocate, MSEDCL Shri Rahul Chauhan, Advocate, MSEDCL Ms. Shikha Sood, Advocate, MSEDCL Shri Raghaav Kapoor, Advocate, MSEDCL Shri Mohd. Mohsin, PGCIL Shri Angaru Naresh Kumar, PGCIL Shri Divyanshu Mishra, PGCIL Shri Arjun, PGCIL Ms. Ashita Chauhan, PGCIL Shri Sandeep Rajpurohit, MUML

### Record of Proceedings

PGCIL has filed the instant Petition for determination of transmission tariff from proposed COD to 31.3.2024 for two nos. of 400 kV line bays at Banaskantha (PG) for termination of LILO of second circuit of Zerda-Ranchodpura 400 kV D/C line at Banaskantha (PG) PS under Western Region System Strengthening Scheme-XIX.

2. The representative of the Petitioner submitted that the information sought, vide Record of Proceedings (ROP) dated 20.12.2023, has been filed. The Respondents MSEDCL, MPPMCL and Mumbai Urja Marg Limited (MUML) have submitted their replies



to the petition against which the Petitioner has filed its rejoinder to the respective replies on 29.1.2024.

3. The representative of the Petitioner further made elaborate submissions. The gist of the submissions made are as follows:

a) The SCOD of the transmission asset, as per the IA, was 30.7.2022, against which the Petitioner has claimed its COD as 21.4.2022 under Regulation 5(2) of the 2019 Tariff Regulations after having complied with the requirement as envisaged under the said regulation. The early commissioning of the transmission asset was because of continuous persuasion by MUML to do so on the assurance that the construction of the transmission line by MUML would be completed by 15<sup>th</sup> April 2022.

b) However, the downstream asset (i.e. the associated transmission line) which was being implemented by the Respondent, MUML was commissioned on 3.7.2022.

c) Despite the early commissioning of the both, the transmission asset and the associated transmission line of MUML, there is a mismatch of 2 months and 11 days.

4. In response, the learned counsel for MUML mainly submitted as follows:

a) The SCOD of the transmission line was 22.10.2022, i.e., 28 months from the effective date under the Transmission Service Agreement (“TSA”) dated 7.12.2018 executed by MUML with the LTTCs. The transmission line was, however, commissioned on 3.7.2022

b) The early commissioning of the transmission line was because of continuous pressure from the Government of Gujarat and Gujarat Energy Transmission Corporation Limited (GETCO) to commission the transmission line early. MUML had therefore agreed for early commissioning of the transmission line in the month of April 2022 if Government of Gujarat/ GETCO extended help in resolving the RoW issues being faced by MUML. However, no help was provided by them because of which the COD was achieved in July 2022, still earlier to the proposed SCOD on 22.10.2022.

c) Despite the early commissioning of the transmission line, MUML is being made liable for payment of bilateral charges by PGCIL on the grounds that there is a delay of 2 months and 11 days by MUML. There is no delay on the part of MUML since it did not extend the SCOD.

d) The Petitioner did not issue a notice regarding the COD of the transmission asset as mandated in the 2019 Tariff Regulations. The first proviso to Regulation 5(2) of the Tariff Regulations 2019 requires the transmission licensee to issue a notice of at least one month to its DICs/ beneficiaries and other transmission licensees (such as MUML) before the declaration of the proposed date of commercial operation. In the present case, the PGCIL has failed to comply with this notice requirement.



5. The learned counsel for MUML also sought two weeks' time to file the written submissions.

6. The learned counsel for the Respondent, MSEDCL submitted that the other beneficiaries such as MSEDCL should not be made liable for any charges for the period of mismatch between the COD of the transmission asset of the Petitioner and MUML.

7. After hearing the learned counsels of the parties at length, the Commission gave the following directions:

a) GETCO to submit whether it had suggested early commissioning of COD of the two nos. of 400 kV line bays at Banaskantha (PG) and LILO of second circuit of Zerda-Ranchodpura 400 kV D/C line at Banaskantha (PG) PS for smooth operation of Gujarat grid as claimed. If so, submit the details of the same on affidavit by 29.3.2024 with a copy to all the parties in the matter.

b) CTUIL to submit whether CTUIL had recommended early commissioning of the 2 nos. of 400 kV line bays at Banaskantha (PG) and LILO of second circuit of Zerda-Ranchodpura 400 kV D/C line at Banaskantha (PG) PS as claimed. If so, submit the reasons for the same on affidavit by 29.3.2024 with a copy to all the parties in the matter.

c) The Petitioner to provide a copy of the petition and all other related documents to GETCO and CTUIL by 10.3.2024.

d) The Registry to provide access to this petition in the e-filing portal of the Commission to GETCO and CTUIL before 10.3.2024.

e) GETCO, CTUIL, MUML and other parties to file their written submissions by 05.04.2024 with an advance copy to the other parties.

8. The Commission further directed the parties to comply with the above directions within the specified time and observed that no extension of time would be granted

9. Subject to the above, the Commission reserved the order in the petition.

**By order of the Commission**

sd/-

(V. Sreenivas)  
Joint Chief (Law)

