

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 210/MP/2023

Subject : Petition under Sections 63, 79(1) (c), 79(1)(d) and 79(1)(f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking appropriate orders and directions concerning Section 63 transmission licensees to address issues relating to recovery of tariff, including the likely under-recovery of tariff, where the scheduled commercial operation date of transmission projects has been extended by the competent authority on account of uncontrollable events.

Petitioner : Electric Power Transmission Association (EPTA) and 6 Ors.

Respondent : Central Transmission Utility of India Limited and 38 Ors.

Date of Hearing : **19.2.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties Present : Shri M. G. Ramachandran, Sr. Advocate, EPTA
Shri Deep Rao Palepu, Advocate, EPTA
Ms. Shikha Sood, Advocate, EPTA
Shri Ravi Sharma, Advocate, MPPMCL
Shri Aryan Chanda, Advocate, MPPMCL
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Shri Rishabh Saxena, Advocate, CTUIL
Ms. Tanya Singh, Advocate, CTUIL
Shri Anand Ganesan, Advocate, Karnataka ESCOMs
Ms. Ritu Apurva, Advocate, Karnataka ESCOMs
Ms. Swapna Seshadri, Advocate, Karnataka ESCOMs
Shri Karthikeyan, Advocate, Karnataka ESCOMs
Ms. Nishstha Goel, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL

Record of Proceedings

During the course of the hearing, the learned senior counsel for the Petitioner referred the Pleadings and made detailed submissions in the matter. Learned senior counsel *inter alia* submitted that the issues raised in the matter stand completely covered by the order dated 13.5.2024 passed by the Commission in Petition No.87/MP/2022 in the matter of *Fatehgarh-Bhadla Transmission Limited v. Adani Renewable Energy Park Rajasthan Limited & Ors.* wherein the Commission has held that the only way to ensure recovery of tariff for the entire 35 year' Operating Period is that the tariff stream is shifted



as per the extended SCOD. Learned senior counsel further submitted that the prayers made in the instant case are not hit by Order 2 Rule 2 of the CPC as averred by the Respondent, MSEDCL.

2. Learned counsel for the Respondents, Karnataka ESCOMs, and MSEDCL; however, prayed for an adjournment on the grounds of non-availability of the arguing counsel and sought an opportunity to make the oral submissions during the next date of hearing.

3. Learned counsel for the Respondent, CTUIL, submitted that CTUIL is neither supporting nor contesting the prayers made in the Petition. Learned counsel further added that in terms of paragraph 134 of the order dated 13.5.2024 in Petition No. 87/MP/2022, the 'expiry date' of the TSA is linked with the SCOD of the Project and thus, the 'expiry date' also needs to be adjusted in accordance with the extended SCOD of the Project.

4. Considering the request made by the learned counsel for the Respondents, Karnataka Discoms, and MSEDCL, as noted above, the matter was adjourned.

5. The matter remained part-heard and will be listed for hearing on **18.3.2025**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)