



भारत सरकार  
Government of India  
विद्युत मंत्रालय  
Ministry of Power  
केन्द्रीय विद्युत प्राधिकरण  
Central Electricity Authority  
विद्युत प्रणाली परियोजना प्रबोधन प्रभाग  
Power System Project Monitoring Division

फाइल सं० सीईए / पीएस / पीएसपीएम / 01/57/01/2018 /

दिनांक 10.04.2018

सेवा मे

(पता सूची के अनुसार)

विषय: टीबीसीबी के माध्यम से NKTCL & TTCL को प्रदान किये गए ट्रांसमिशन प्रोजेक्ट्स की समीक्षा करने के लिए केन्द्रीय विद्युत् प्राधिकरण में 22.03.2018 को हुई बैठक का कार्यवृत्त।

महोदय

टीबीसीबी के माध्यम से प्रदान किये गए निम्न संचरण परियोजनाओं की समीक्षा के लिए

22.03.18 को सदस्य (पीएस), केन्द्रीय विद्युत् प्राधिकरण की अध्यक्षता में बैठक आयोजित की गई थी ;

a.i.1. Augmentation of Talcher-II Transmission System being implemented by Talchar Transmission Co. Ltd. ( A subsidier of Reliance Power Transmission Co. Ltd).

a.i.2. System strengthening in NR for import of power from North Karanpura and other projects outside NR and system strengthening in WR for import of power from North Karanpura and other projects outside Western Region and also for projects within Western Region being implemented by North Karanpura Transmission Co. Ltd. ( A subsidiary of Reliance power Transmission Co. Ltd.)

The minutes of above meeting are attached at Annex:

संलग्न: उपरोक्त

(आर पी प्रधान)

निदेशक

प्रतिलिपि:

1. संयुक्तसचिव (ट्रांस), विद्युत् मंत्रालय, श्रम शक्ति भवन, नई दिल्ली
2. Chief Engineer (PSP&A-I)
3. Chief Engineer(PSP&A-II)
4. SA to Member (PS)\_\_\_\_\_

संलग्नक

टीबीसीबी के माध्यम से NKTCL & TTCL को प्रदान किये गए ट्रांसमिशन प्रोजेक्ट्स की समीक्षा करने के लिए केंद्रीय विद्युत् प्राधिकरण में 22.03.2018 को हुई बैठक का कार्यवृत्त **Minutes of meeting held in CEA on 22.03.2018 to review the transmission projects awarded through TBCB route to NKTCL & TTCL (a subsidiary of RPTL).**

List of participants is attached at Annexure-I.

2. No representative of Maharashtra State Electricity Distribution Company Limited (Lead LTTC for NKTCL) attended meeting.
3. Member (PS) welcomed all participants and asked Chief Engineer (PSPM), CEA to start the proceedings. CE (PSPM) stated that the purpose of meeting was to discuss the issues pertaining to two nos. transmission schemes i.e augmentation of Talcher-II Transmission System and System Strengthening in Northern and Western Regions for import of power from North Karanpura and other projects as project developer (TTCL and NKTCL) has not started construction activities.
4. Chief Engineer(PSP&A-I) apprised about the projects in brief. He stated that TSA of both the schemes were signed on 10.09.2009 and Transmission licenses were issued by CERC in Nov & Dec, 2010. The clearances under section 164 were issued in Aug, 2013 to both the schemes. Thereafter, Transmission Company viz TTCL & NKTCL, approached CERC for allowing tariff revision due to Force Majeure as there was delay in grant of authorization u/s 164 of Electricity Act (EA 2003) and informed that both the schemes were stuck up as the matter was subjudice in Hon'ble Supreme Court of India and APTEL. He further stated that as per clause no. 13.1 of TSA, the long term transmission customers(LTTCs) can initiate action and approach CERC for termination of contract and cancellation of transmission license of TSP.
5. Representative of TANGEDCO (Lead LTTC for TTCL) submitted details of events in chronological order as under;
  - After lapse of one year, TTCL issued notice in Jun,2011 to the beneficiaries for extension of COD and declaration of force majeure since TTCL failed to commence work citing non-approval u/s 164 of EA2003,
  - On denial by the beneficiaries, TTCL filed petition No. 170/ 2011 before Hon'ble CERC praying for setting off the time and cost over run on account of the delay in grant of authorization to be construed as Force Majeure.
  - CERC vide order dated 9.5.2013 declined their prayer to declare the delay in grant of authorization as "Force Majeure".
  - In the meeting convened by TANTRANSCO on 26.07.2013, all the beneficiaries decided not to extend the Scheduled COD.

- TTCL filed an appeal No. 140 of 2013, before the Hon'ble Appellate Tribunal for Electricity (APTEL). APTEL vide order dated 2.12.2013 set aside the order of CERC and declared the delay in granting authorization to be construed as "force Majeure".
- TANGEDCO filed an appeal before Hon'ble Supreme Court and the same was numbered as CA D7615 of 2014 and yet to be listed for hearing.
- Meanwhile, M/s PGCIL filed a petition No. 20/MP/2013 before Hon'ble CERC praying for revocation of the transmission license granted to TTCL.
- CERC, adopting the operative part of APTEL's order in 140/ 2013, issued order in petition No. 20/MP/2013 with the following directions:
  - *TTCL shall confirm that they would implement the projects within a period of 30 months counting from 1.10.2015.*
  - *No upfront revision of tariff allowed.*
  - *If no reply is received within 15 days, action will be initiated to revoke the licence"*
- Appeal No. 201 of 2015 against the orders of CERC and also IA No. 338 of 2015 for stay were filed by TTCL. APTEL granted stay vide their order dated 23/09/2015 till the disposal of the IA NO. 337&338 of 2015.
- APTEL vacated the stay granted in IA 337/2015 & 338/ 2015 and disposed the petition vide their order dated 30.09.2015 which is extracted below:
 

*"9.....Any order passed by us staying the impugned order or giving directions as suggested by Mr. Sen will be counterproductive as it will further delay the commissioning of the projects. In our prima facie opinion, the Central Commission has adopted a balanced approach. Hence, the application for stay are rejected and are disposed of as such".*
- Hon'ble CERC vide its suo motu order dated 5.11.2015 has issued show cause notice for revocation of transmission license with three months' time, which expired on 4.2.2016.
- TTCL filed Civil appeal in Supreme Court vide CA No. 13370 of 2015 against the order of APTEL in IA NO. 338/ 2015 and also filed interim stay petition.
- *Hon'ble Supreme court granted interim ex-parte stay in order dated 16.11.2015 and directed no coercive action to be taken by CERC.*
- Hon'ble Supreme Court of India vide their order dated 12.8.2016 has granted interim relief and directed APTEL to decide the Appeal No. 201 within three months from the date of issue or order.
- TANGEDCO submitted an additional affidavit dated 06.01.2017 in connection with the meeting conducted by TTCL at their office on 16.12.2016 and submitted that in the prevailing circumstances, the transmission lines are not required and the system is economically unviable. TTCL shall have to compensate the beneficiaries.
- Subsequently, in the daily Order dated 09-01-2017 in A201 of 2015, APTEL has directed TTCL to submit a proposal to the Respondent within a week stating the timeline for commissioning the project and the cost implication in absolute terms.

- M/s TTCL submitted a proposal vide their letter dated 13th January, 2017 comprising the details of tariff implication for implementation of the project, commissioning schedule and the pre-requisites in absolute terms

**Prerequisites:**

- *Resolution of the implementability issue due to ground level changes from the originally specified scope of work in Behrampur-Gazuwaka line.*
  - *In-principle agreement of Beneficiaries to bear the revised Transmission Tariff.*
  - *Renewal of Sec 68 approval from Gol.*
  - *Conclusion/ withdrawal of cases in Hon'ble Supreme Court filed by Beneficiaries against APTEL order upholding FM in favour of TTCL*
  - *Detailed survey to be taken up to revalidate/ alter the line routing and to determine its effect on project cost.*
  - *Up front approval of the revised tariff by CERC sought by TTCL.*
  - *Amended TSA (Transmission Service Agreement) to be signed with Beneficiaries, with revised tariff and date.*
- TANGEDCO conducted a meeting on 04.02.2017 with all LTTCs and deliberated the proposal given by TTCL. It was unanimously decided to reject the prerequisites given by the appellant and also upfront revision of Tariff.
  - It was also resolved to request the Hon'ble APTEL to direct the CEA to conduct a Joint study with beneficiaries to ascertain the requirement of the Talcher II augmentation scheme considering the present power scenario/ network condition as well as the system strengthening schemes implemented/ under implementation and its cost implications.
  - During the hearing held on 08.02.2017, the Hon'ble Appellate Tribunal directed the beneficiaries to file an affidavit making their stand clear as to whether the subject transmission lines are required or not.
  - Based on the direction of APTEL, a detailed load flow study under different scenarios was conducted by TANGEDCO. The study results reveal that Talcher II augmentation scheme which was evolved ten years back has no relevance in the present and future scenario and will be a redundant asset, causing unnecessary burden on the beneficiaries.
  - TANGEDCO submitted the study report and stated that the instant assets will be redundant in the present scenario. Further, TANGEDCO prayed for dismissal of the appeal highlighting the liability of TTCL under the Article 13 of the TSA.
  - Subsequently, TTCL has submitted a settlement proposal before APTEL, proposing to set aside the impugned order of CERC and remand the matter of CERC again.
  - TANGEDCO vide affidavit dated 6.03.2018 submitted that the proposal of TTCL is illegitimate and unacceptable. Further, it is prayed to
- i) Uphold the orders of CERC cancelling the license issued to TTCL
  - ii) Allow LTTCs to encash the bank guarantee for the damages attributed to TTCL as per the provisions of TSA.

I/572/2018

6. Representative of CTU stated that augmentation of Talcher-II Transmission System was evolved to remove constraint in transfer of power from Talcher-II to Southern Region in the event of outage of one pole of Talcher-Kolar HVDC bipolar line and improve the reliability of the transmission system. He stated that TANGEDCO, being a state utility, should have referred the matter to CEA/CTU before making submission to APTEL on the requirement of the transmission scheme in the changed scenario. Further, for reviewing the requirement of any inter-state transmission scheme, Standing Committee on Power System Planning is an appropriate forum. CTU added that had this scheme been commissioned in time, the Southern Region would have benefited immensely during the period of acute shortage of power faced by Southern Region. Uncertainty in the implementation of the scheme is also causing uncertainty in planning additional transmission system for transfer of power to Southern Region.
  
7. As informed by representative of TANGEDCO that all petitions filed by beneficiaries of both the transmission projects have been clubbed together by the Hon'ble Supreme Court and the judgement is awaited, it was opined to wait for outcome of hearing held at APTEL on 6.3.2018

Meeting ends with thanks to chair.

टीबीसीबी के माध्यम से NKTCL & TTCL को प्रदान किये गए ट्रांसमिशन प्रोजेक्ट्स की समीक्षा करने के लिए केंद्रीय विद्युत् प्राधिकरण में 22.03.2018 को हुई बैठक का कार्यवृत्त

**Minutes of meeting held in CEA on 22.03.2018 to review the transmission projects awarded through TBCB route to NKTCL & TTCL (a subsidiary of RPTL).**

**List of Participants**

S. NO.	NAME	DESIGNATION
<b>CEA</b>		
1.	SHRI P.S. MHASKE	MEMBER (PS)
2.	SHRI B. K. ARYA	CHIEF ENGINEER (PSPM)
3.	SHRI S. K. RAY MOHAPATRA	CHIEF ENGINEER (PSPA-II)
4.	SHRI RAVINDER GUPTA	CHIEF ENGINEER (PSPA-I)
5.	SMT. RISHIKA SHARAN	DIRECTOR (PSPA-II)
6.	SHRI R. P. PRADHAN	DIRECTOR (PSPM)
7.	SHRI AJITESH KUMAR	DEPUTY DIRECTOR (PSPM)
8.	SHRI RAVI KANT	ASSTT. DIRECTOR-II (PSPM)
<b>POWERGRID</b>		
1.	SHRI ASHOK PAL	GENERAL MANAGER(CTO-PLG)
<b>TANGEDCO</b>		
1.	SHRI E. SHYAMALA	SUPT. ENGINEER
2.	SHRI R. KATHRAVAN	ASSTT. EX. ENGINEER

**List of addresses**

- a.i.1. Managing Director, TANTRANSCO, 10th Floor, NPKRR Maaligai, 144, Link Road, Anna Salai, Chennai, Tamil Nadu- 600002
- a.i.2. Chairman & Managing Director, MSEDCL, Hongkong Bank Building, M.G. Road, Fort, Mumbai-400001
- a.i.3. Chief Executive Officer, REC Transmission Projects Company Ltd., 12-21, Upper Ground Floor, Antriksh Bhawan, 22-K.G. Marg, New Delhi-110001.
- a.i.4. COO (CTU-Planning), PGCIL, Saudamini, Plot No.2, Sector 29, Near IFFCO Chowk, Gurgaon (Haryana) – 122001