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ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.4, OERC ROAD, SHAILASHREE VIHAR, BHUBANESWAR -751021
TEL. No. 2721048, 2721049
E-MAIL: oerc@odisha.gov.in / oriarc@gmail.com
WEBSITE: www.oriarc.org

Present: Shri G. Mohapatra, Officiating Chairperson
Shri S. K. Ray Mohapatra, Member

Case No. 53/2024

Odisha Power Transmission Corporation Limited (OPTCL), **Petitioner**
- Vrs. -
M/s. GRIDCO Ltd. & others **Respondents**

In the matter of: Application under Clause 4.1 of Regulation 4 of the OERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2014 for approval of Business Plan for the 3rd Control Period (FY 2024-25 to FY 2026-27).

For the petitioner: Shri Biplab Kumar Behera, DGM (El.), OPTCL

For the respondents: Shri Bijay Kumar Das, CGM (PP), GRIDCO Ltd., Shri Chintamani Chitnis, Head Power System Control, TPCODL, Shri K. C. Nanda, GM (RA & Strategy), TPWODL, Mrs. Malancha Ghose, DGM (RA), TPNODL & the representative of TPSODL.
None appears on behalf of DoE, GoO.

Date of Hearing: 10.09.2024

Date of order: 06.11.2024

ORDER

M/s. Odisha Power Transmission Corporation Limited, Bhubaneswar (in short OPTCL), the present petitioner, engaged in Intra-State transmission business in this State, has been notified by Clause-10 of the Govt. Notification No. 6892 dated 09.06.2005 as the State Transmission Utility (STU) under Section 39(1) of the Electricity Act 2003 with effect from 01.04.2005. By virtue of the 2nd Proviso to Section 14 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) OPTCL has been a deemed Transmission Licensee under the Act, and is now governed by License Conditions set forth in the OERC (Conduct of Business) Regulations, 2004, at Appendix 4B issued under Section 16 of the Electricity Act, as modified by Commission’s Order dated 27th October 2006.

2. Regulation 4.1 of the OERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2014 mandates that- “*The Transmission Licensee shall file for the*

approval of Hon'ble Commission not less than 120 days before the commencement of the first year of the Control Period or such other date as may be directed by the Commission, a Long-Term Business Plan prepared in accordance with these Regulations....”.

3. Considering the aforesaid provisions of the Regulations, the 1st Control Period was effective from 1st April 2014 to 31st March 2019 and the Commission vide its Order dated 30.07.2016 in Case No. 05/2016 did approve the 5-year Business Plan of OPTCL for 1st Control Period from i.e. from FY 2014-15 to FY 2018-19. Similarly, the Business Plan for the 2nd Control Period from FY 2019-20 to FY 2023-24 has been approved by the Commission vide Order dated 03.11.2021 in Case No. 63/2020. As the Intra-State Transmission Plan is an integral part of the Business Plan and since the Commission has approved the Transmission Plan for the period FY 2024-25 to 2026-27, OPTCL vide letter no. RT&C-BP-58/2022/ 332(8) dated 02.08.2023 has prayed before the Commission to consider the 3rd control period for a span of 3 years from FY 2024-25 to 2026-27, so that the Control period of the Business Plan will be in sync with the Transmission plan for the subsequent years. The Commission in exercise of the powers under the Regulation 2.1(k) of the OERC (Terms & Conditions for Determination of Transmission Tariff) Regulations, 2014 vide Letter no. DIR(T) – 332/08/296 dated 04.09.2023 has fixed the 3rd Control period starting from 01.04.2024 to 31.03.2027 for the Business Plan of OPTCL. Accordingly, OPTCL has formulated its Business Plan for the 3rd Control Period from FY 2024-25 to FY 2026-27 broadly incorporating the provisions as stipulated in the OERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2014 and has filed the same under Regulation 4.1 of (Terms & Conditions for Determination of Transmission Tariff) Regulations, 2014 before the Commission for approval.
4. GRIDCO, TPWODL, TPNODL, TPSODL & TPCODL, the Respondents have submitted their written submissions/views on the Business Plan submitted by OPTCL for the control period from FY 2024-25 to FY 2026-27. During the course of the hearing, on 10.09.2024 OPTCL made a PowerPoint presentation pertaining to its Business Plan for the 3rd control period from FY 2024-25 to FY 2026-27.
5. The Commission heard the parties at length and during the course of the hearing, the Commission raised some issues pertaining to demand and energy projection, scheme-wise capital investment plan considering the purpose of investment under different heads showing spilled over projects & new projects and their scheduled date of completion, sources of funding, transmission line connectivity of the proposed sub-station, detail break-up of employees cost, etc. In response to the above directions of the Commission, OPTCL

has submitted its additional submissions on 21.09.2024. In the course of scrutinising the submissions of OPTCL, the Commission observes that there are inconsistencies in the data submitted by OPTCL under different components such as Employee cost, Project cost, A&G expenses, etc. in relation to original filing, additional submissions and soft copies submitted before the Commission. Therefore, it is not workable to consider the application of OPTCL in the present form. Accordingly, considering the above inconsistencies and anomalies in the information, at present, the Commission is not inclined to approve the Business Plan of OPTCL for the 3rd control period from FY 2024-25 to FY 2026-27. However, OPTCL is granted liberty to file fresh application of Business Plan for the 3rd control period from FY 2024-25 to FY 2026-27 after data validation before the Commission for approval.

6. The application of OPTCL in Case No. 53 of 2024 is disposed of accordingly.

Sd/-
(S. K. Ray Mohapatra)
Member

Sd/-
(G. Mohapatra)
Officiating Chairperson