

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Subject: In the matter of MPPTCL's petition for re-computation of intra State Transmission Charges applicable to non-conventional energy sources based generating plants and open access customers connected to distribution system (at voltage 33 KV level) at EHV sub stations of MPPTCL.**

**Petition No. 22 / 2023**

**Order**

**(Date of Order:27/09/2023)**

**M.P. Power Transmission Co. Ltd.**

Shakti Bhawan, Jabalpur

**- Petitioner**

V/s

1) M.P. Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur

2) M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal

3) M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore

4) M.P. Industrial Development Corporation Ltd., Indore

5) West Central Railways, Jabalpur

} - **Respondents**

The subject petition has been filed by M.P. Power Transmission Co. Ltd. under Section 62 of the Electricity Act, 2003 for re-computation of intra State Transmission Charges applicable to non-conventional energy sources based generating plants and open access customers connected to distribution system (at voltage 33 KV level) at EHV sub stations of MPPTCL.

2. Commission notified "Terms and Conditions for Intra State Open Access in Madhya Pradesh" Regulations (Revision-I), 2021 on dated 17.12.2021.
3. M.P. Power Transmission Company Ltd., sought clarification from the Commission about date of applicability of transmission charges to non-conventional energy sources based generating plants and open access customers connected to distribution system (at voltage 33 KV level). On dated 31.05.2022, this Commission clarified that the date of applicability of transmission charges shall be the date of "Implementation of Retail Supply Tariff Order for FY2022-23".
4. According to aforementioned clarification, MPPTCL raised the bills. Petitioners questioned the clarification order dated 31.05.2022 and order dated 24.03.2023 passed by MPPTCL before Hon'ble High Court, Bench at Indore in its WP no. 9638 of 2023. Hon'ble High Court by order dated 31.05.2023 stayed the operation of orders dated 12.05.2022 and 24.03.2023 passed by the Commission and MPPTCL respectively.

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5. Due to the order passed by the Hon'ble High Court, this petition cannot be decided in near future. Commission cannot proceed for hearing. Therefore, it is ordered that the case be disposed of for the present with direction to the Secretary of Commission that whenever Hon'ble High Court decides or vacates the stay order, case be reopened and put up before the Commission for further order/ direction.

**(Prashant Chaturvedi)**  
**Member**

**(Gopal Shrivastava)**  
**Member (Law)**

**(S.P.S. Parihar)**  
**Chairman**