

based on suppliers' offers for main plant package, etc. It was stated that the bids for the power project were yet to be invited.

3. The petitioner proposes to supply 400 MW of power generated from the proposed generating station to the respondent and remaining capacity to other States, including NDPL.

4. We feel that no useful purpose would be served by considering the estimated project cost for 'in principle' approval in the present case. In our view, consideration of this cost may even prove to be counter-productive, as it may adversely influence the competitive bidding. Further, there could be wide variation between the estimated cost and the cost to be worked out on the basis of offers actually received. A much clearer picture regarding the project cost is likely to emerge after the bids to be invited by the petitioner have been opened. Financial tie-up etc. could also be finalized only when the project capital cost is worked out based on the bids for the main plant packages. The petitioner is, therefore, directed to place on record the project capital cost, emerging after complete evaluation of the bids received for the main plant packages.

5. The following additional details shall also be filed by the petitioner:

- (i) Complete list of contract packages;
- (ii) Prices quoted by qualified L-1 bidders;
- (iii) Summary evaluation reports for all main packages;
- (iv) Detailed basis for deriving the project cost;
- (v) Proposed financing plan;
- (vi) Latest status of the power project and clearances;
- (vii) Any special features of the power project, and their impact on the project cost; and

(viii) Unit-wise MW rating and the expected date of commercial operation.

6. It is made clear that the petitioner shall remain fully responsible for compliance of the Electricity Act, 2003, applicable Government of India policies, rules and regulations, etc. The 'in principle' approval of project capital cost and financing plan, if granted, shall not be construed as approval/ratification of any other aspect covered under the applicable law.

7. The copy of the information to be filed by the petitioner, as per paras 3 and 4 above shall also be supplied to the respondent.

8. The office shall process the petition for further hearing on receipt of the additional information called for from the petitioner. Meanwhile, the respondent may file its reply to the petition.

Sd-/
(RAKESH NATH)
MEMBER

sd-/
(R. KRISHNAMOORTHY)
MEMBER

sd-/
(BHANU BHUSHAN)
MEMBER

New Delhi dated the 27th June 2007