

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri. R.Krishnamoorthy, Member**
- 3. Shri. S. Jayaraman, Member**
- 4. Shri. V.S.Verma, Member**

Petition No.11/2009

And in the matter of

Approval of revised fixed charges on account of additional capital expenditure incurred during the period 2007-08 and projected additions of 2008-09 in respect of Neyveli Lignite Corporation TPS –II, Stage-I (630 MW) and Stage-II (840 MW).

And in the matter of

Neyveli Lignite Corporation Ltd.

..... Petitioner

Vs

1. Tamil Nadu Electricity Board, Chennai
2. Power Company of Karnataka Ltd, Bangalore
3. Kerala State Electricity Board, Thiruvananthapuram
4. Puducherry Electricity Department, Puducherry
5. Transmission Corporation of Andhra Pradesh, Hyderabad..... Respondents

Petition No.13/2009

And in the matter of

Approval of revised fixed charges on account of additional capital expenditure incurred during the period 2007-08 and projected additions of 2008-09 in respect of Neyveli Lignite Corporation TPS –I (600 MW)

And in the matter of

Neyveli Lignite Corporation Ltd.

..... Petitioner

Vs

Tamil Nadu Electricity Board, Chennai

.....Respondent

And in the matter of

Approval of revised fixed charges on account of additional capital expenditure incurred during the period 2007-08 and projected additions of 2008-09 in respect of Neyveli Lignite Corporation TPS –I (Expansion) (2 x 210 MW)

And in the matter of

Neyveli Lignite Corporation Ltd.

..... Petitioner

Vs

1. Tamil Nadu Electricity Board, Chennai
2. Power Company of Karnataka Ltd, Bangalore
3. Kerala State Electricity Board, Thiruvananthapuram
4. Puducherry Electricity Department, Puducherry

..... Respondents

The following were present

1. Shri N.A.K.Sarma, Advocate, NLC
2. Shri R.Suresh, NLC
3. Shri E.Gnanaprakasam, NLC

**ORDER
(Date of Hearing 17.3.2008)**

The petitioner, Neyveli Lignite Corporation Limited has made these applications for approval of revised fixed charges on account of additional capital expenditure incurred during the period 2007-08 and projected additions of 2008-09 in respect of the generating stations, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 (hereinafter referred to as “the 2004 regulations”).

2. Learned counsel for the petitioner submitted that the petitioner had approached the Commission for revision of the fixed charges based on the

additional capital expenditure incurred during the period 2004-07 and by these petitions has sought revision of annual fixed charges for the second time during the tariff period, based on additional capitalization during the year 2007-08 and anticipated expenditure during the year 2008-09. Learned counsel also submitted that in terms of the 2004 regulations, revision of tariff has to be considered twice in the tariff period 2004-09, and as the tariff period 2004-09 is coming to an end, the Commission may consider revision of annual fixed charges for the generating station for the period 2004-09, based on the actual expenditure incurred during the year 2007-08 and anticipated expenditure during 2008-09 or grant liberty to the petitioner to approach the Commission with the audited figures of the additional capital expenditure incurred up to 31.3.2009.

3. Considering the fact that the tariff period 2004-09 is coming to an end, the petitioner is granted time up to 30.6.2009 to amend the petitions, taking into account the audited figures of additional expenditure incurred up to 31.3.2009. The petitioner shall also serve copy of the amended petitions upon the respondents who may file their responses within two weeks thereafter. Matter will be listed thereafter.

Sd/-
(V.S.VERMA)
MEMBER

Sd/-
(S.JAYARAMAN)
MEMBER

Sd/-
(R. KRISHNAMOORTHY)
MEMBER

Sd/-
(PRAMOD DEO)
CHAIRPERSON

New Delhi dated the 23rd March 2009.