

CENTRAL ELECTRICITY REGULATORY COMMISSION

RECORD OF PROCEEDINGS

Petition No.147/2009 with I.A.41/2009

Subject: Determination of impact of additional capital expenditure incurred during 2007-09 on fixed charges of Vindhyachal STPS, Stage-I (1260 MW) - Interlocutory application has been filed for amendment of Annexure-I to the petition.

Date of hearing: 10.11.2009

Coram: Shri R.Krishnamoorthy, Member
Shri S.Jayaraman, Member
Shri V.S.Verma, Member

Petitioner: NTPC Ltd

Respondents: MPPTCL, MSEDCL, GUVNL, CSPDCL, Electricity Dept, Goa, Electricity Dept, Admn. Of Daman & Diu, Electricity Dept, Admn. of Dadra & Nagar Haveli,

Parties present: Shri V.K.Padha, NTPC
Shri D.G.Salpekar, NTPC
Shri S.Saran, NTPC
Shri Manoj Saxena, NTPC
Shri A.S.Pandey, NTPC

This petition has been filed by the petitioner, NTPC for determination of impact of additional capital expenditure incurred during the year 2007-09 for Vindhyachal STPS, Stage-I (1260 MW) (hereinafter referred to as "the generating station") based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 (hereinafter referred to as "the 2004 regulations").

2. The representative of the petitioner submitted that it had incurred additional capital expenditure on schemes approved by CEA and on certain other works which were required for efficient and successful operation of the generating station and prayed that the Commission consider the same for revision of fixed charges for the generating station. He also submitted that the petitioner had included capital liabilities which were disallowed by the Commission during the years 2004-05, 2005-06 and 2006-07, in terms of the judgment of the Appellate Tribunal dated 16.3.2009 in Appeal Nos 133,135 etc of 2008. The representative of the petitioner submitted that the interlocutory application had been filed for amendment of Annexure-I of the petition taking into

account the revised calculations for annual fixed charges, based on the additional capital expenditure incurred for the year 2008-09 and the principles laid down in the judgments of the Appellate Tribunal dated 13.6.2007 and 16.3.2009 in Appeal Nos. 139,140 etc of 2006 and Appeal Nos.133, 135 etc of 2008 respectively, and prayed that the application be taken on record and tariff determined accordingly. The representative of the petitioner submitted that it had filed the additional information as directed by the Commission and had served copy on the respondent.

3. None of the respondents was present. The prayer of the petitioner in the I.A. for amendment of the petition was allowed. The amended calculations were taken on record. The tariff, as per the amended petition will be considered in accordance with law.

4. The petitioner was directed to submit the following information on affidavit, along with soft copies, latest by 27.11.2009, with advance copy to the respondent:

- (a) Amount of interest transferred to revenue and the interest charged to CWIP;
- (b) Amount of interest included in the opening CWIP, addition to CWIP, CWIP capitalized and closing CWIP, in respect of the stages (and the period) under consideration;
- (c) Soft copy (editable) of original petition along with Annexure-I (amended);
- (d) Details in respect of de-capitalization sought under exclusions, indicating;
 - (i) Date on which assets put to use; and
 - (ii) Depreciation recovered in tariff.
- (e) Details in respect of capital spares consumed during the period 2002-03 to 2006-07 over and above the routine O&M spares, the cost of which was listed at Sl. No. 14 titled "capitalized spares consumed-not included in A-1 above"(refer Annexure-V for arriving at the O&M norms for the period 2009-14) as per the format below:

| Sl.No | Name of the capital spares/component | Code | Cost (Rs. in lakhs) | Year of capitalization in books |
|-------|--------------------------------------|------|---------------------|---------------------------------|
| | | | | |

5. Subject to the above, order in the petition was reserved.

Sd/-
(T.Rout)
Joint Chief (Legal)