

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

I.A. No. 30/2010
in
Petition No.171/2009

Coram

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri. S. Jayaraman, Member**
- 3. Shri. V.S.Verma, Member**
- 4. Shri M. Deena Dayalan, Member**

DATE OF ORDER: 11.11.2010

In the matter of

Fixation of tariff for NLC-Barsingsar (2x125 MW) Circulating Fluidized Bed Combustion (CFBC) technology based thermal power generating station for the period 2009-14.

And in the matter of

Neyveli Lignite Corporation Ltd, Chennai

..... Petitioner

Vs

1. Rajasthan Rajya Vidyut Prasaran Nigam Ltd, Jaipur
2. Jodhpur Vidyut Vitaran Nigam Ltd, Jodhpur
3. Jaipur Vidyut Vitaran Nigam Ltd, Jaipur
4. Ajmer Vidyut Vitaran Nigam Ltd, Ajmer

...Respondents

ORDER

The petitioner, Neyveli Lignite Corporation Limited has made the application for fixation of tariff for Circulating Fluidized Bed Combustion (CFBC) technology based Thermal Power generating station, (2 x 125 MW)(hereinafter referred to as "the generating station") from the date of commercial operation to 31.3.2014, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff)



regulations, 2009 (hereinafter referred to as “the 2009 regulations”).The anticipated date of commercial operation of Unit-I was 31.10.2009 and Unit-II was 31.1.2010.

2. During the hearing of Petition No.171/2009 on 22.12.2009, the petitioner submitted that the commercial operation of Unit-I of the generating station which was scheduled on 31.10.2009 has been postponed to 31.3.2010. Accordingly, the petitioner prayed for grant of some time to amend the petition, taking into account the revised capital expenditure on account of re-scheduling of Unit-I of the generating station. Based on the above submissions, the Commission by an interim order dated 22.12.2009 granted liberty to the petitioner to amend the said petition.

3. In terms of the above order, the petitioner filed amended petition seeking revision of tariff, considering the date of commercial operation of Unit-I as 31.3.2010 and Unit-II as 30.6.2010.

4. While so, by this interlocutory application, the petitioner has submitted that the commercial operation of Units I and II of the generating station which was scheduled on 31.3.2010 and 30.6.2010 respectively has been postponed and was expected to be under commercial operation in November 2010. Accordingly, the petitioner has prayed for revision of capital expenditure on account of re-scheduling of the Units of the generating station and revision of lignite charges and cost of limestone for fixation of tariff for the years 2010-11 to 2013-14.

5. In view of the above, the prayer of the petitioner in the interlocutory application for amendment of the petition is allowed. The amended calculations are



taken on record and the tariff, after amendment, would be considered in accordance with law.

6. Since the generating station is expected to be under commercial operation during November, 2010, we direct the petitioner to publish notice of the application in terms of clause (6) of Regulation 3 of the Central Electricity Regulatory Commission (Procedure for making application for determination of tariff, publication of application and other related matters) Regulations, 2004, and submit proof of the same. The petitioner shall also serve copy of the application latest by 30.11.2010, upon the respondents/objectors, who may file their reply/objections within two weeks thereafter.

7. Petition No. 171/2009 along with the Interlocutory Application will be listed for hearing thereafter.

Sd/-
(M.DEENA DAYALAN)
MEMBER

Sd/-
(V.S.VERMA)
MEMBER

Sd/-
(S. JAYARAMAN)
MEMBER

Sd/-
(DR.PRAMOD DEO)
CHAIRPERSON

