

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 44/2009

Coram

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

Date of order: 10.2.2010

In the matter of

Determination of impact of additional capital expenditure incurred during the years 2004-05, 2005-06, 2006-07 and 2007-08 for Kawas GPS (656.20 MW).

And in the matter of

NTPC Ltd, New Delhi

.....**Petitioner**

Vs

1. Madhya Pradesh Power Trading Company Ltd., Jabalpur
2. Maharashtra State Electricity Distribution Co. Ltd, Mumbai
3. Gujarat Urja Vikas Nigam Ltd, Vadodara
4. Chhattisgarh State Electricity Board, Raipur
5. Electricity Department, Govt. of Goa, Panjim
6. Electricity Department, Administration of Daman & Diu, Daman
7. Electricity Department, Administration of Dadra and Nagar Haveli, Silvassa

.....**Respondents**

The following were present:

1. Shri V.K.Padha, NTPC
2. Shri A.S.Pandey, NTPC
3. Shri B.Kar, NTPC
4. Shri V.Kumar, NTPC
5. Shri D.Khandelwal, MPPTCL

ORDER

The petitioner had made this application for approval of the revised fixed charges for the period 2004-09, after considering the impact of additional capital expenditure incurred during the years 2004-05, 2005-06, 2006-07 and 2007-08 for Kawas GPS (656.20 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”). The Commission by order dated 30.12.2009 revised the annual fixed charges for the generating station for the period 2004-09, after considering the additional capital expenditure for the period 2006-08, as under:

(Rs. in lakh)					
Particulars	2004-05	2005-06	2006-07	2007-08	2008-09
Interest on Loan	4944.32	4949.18	4955.17	4957.87	4958.61
Interest on Working Capital	1.08	0.00	0.00	0.00	0.00
Depreciation	10596.64	10596.63	10598.25	10598.85	10598.81
Advance Against Depreciation	0.00	0.00	0.00	0.00	0.00
Return on Equity	4395.01	4414.68	4435.61	4467.66	4897.42
O & M Expenses	5118.36	5321.78	5538.33	5754.87	5984.54
TOTAL	25055.41	25282.27	25527.36	25779.25	26439.38

2. It is noticed that certain ministerial errors had crept in the order dated 30.12.2009 to the extent that the annual fixed charges indicated for the respective years against certain components of tariff, had been interchanged, inadvertently.

3. Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, provides as under:

" 103. (1) The Commission may at any time, on its own motion, or on an application of any of the persons or parties concerned, within 45 days of making such decision, directions or order, review such decision, directions or orders and pass such appropriate orders as the Commission deems fit:

Provided that power of review by the Commission on its own motion under this clause may be exercised only for correction of clerical or arithmetical mistakes arising from any accidental slip or omission."

4. By virtue of said power, the ministerial error in the table under Para 56 of the order dated 30.12.2009 is corrected by this order as under:

(Rs. in lakh)

Particulars	2004-05	2005-06	2006-07	2007-08	2008-09
Interest on Loan	1.08	0.00	0.00	0.00	0.00
Interest on Working Capital	4395.01	4414.68	4435.61	4467.66	4897.42
Depreciation	4944.32	4949.18	4955.17	4957.87	4958.61
Advance Against Depreciation	0.00	0.00	0.00	0.00	0.00
Return on Equity	10596.64	10596.63	10598.25	10598.85	10598.81
O & M Expenses	5118.36	5321.78	5538.33	5754.87	5984.54
TOTAL	25055.41	25282.27	25527.36	25779.25	26439.38

4. Correction of the above ministerial error do not impact the tariff determined by order dated 30.12.2009. All other terms contained in order dated 30.12.2009 remains unaltered.

Sd/-
(V.S.VERMA)
MEMBER

Sd/-
(S.JAYARAMAN)
MEMBER

Sd/-
(DR.PRAMOD DEO)
CHAIRPERSON