

# CENTRAL ELECTRICITY REGULATORY COMMISSION

## Record of Proceedings

### PETITION No. 186/2010

**Sub:** Approval of transmission tariff for LILO of Kolaghat-Rengali 400 kV S/ C line at Baripada and establishment of new 400/220/132 kV substation at Baripada in Eastern Region for the period from 1.4.2009 to 31.3.2014.

Date of hearing : 23.12.2010

Coram : Shri S. Jayaraman, Member  
Shri V. S. Verma, Member  
Shri M. Deena Dayalan, Member

Petitioner : Power Grid Corporation of India Ltd. (PGCIL)

Respondents : Bihar State Electricity Board (BSEB) and others

Parties present : Shri R. B. Sharma, Advocate, BSEB  
Shri M. M. Mondal, PGCIL  
Shri Rajeev Gupta, PGCIL  
Shri Rakesh Prasad, PGCIL

This petition has been filed by Power Grid Corporation of India Ltd. for determination of transmission tariff for LILO of Kolaghat-Rengali 400 kV S/C line at Baripada and establishment of new 400/220/132 kV substation at Baripada in Eastern Region for the period from 1.4.2009 to 31.3.2014.

2. The representative of the petitioner submitted that no reply has been received from the beneficiaries. He further submitted that an additional capital expenditure of ` 70 lakhs during the year 2010-11 has been sought for "balance

and retention payment” within the original scope work by invoking the power of relaxation by the Commission under regulation 44 of the Central Electricity Regulatory Commission (Terms and conditions of tariff) regulations, 2009.

3. Learned counsel for BSEB submitted that reply to the petition on behalf of BSEB would be filed shortly. Learned counsel further submitted that the “power to relax” under Regulation 44 should be exercised in exceptional cases and should not be invoked as a matter of routine. He further submitted that the benefits of tax holiday if availed by the petitioner in respect of the transmission system should be passed on to the beneficiaries.

4. The Commission directed the petitioner to confirm that the works for which the additional capital expenditure has been sought were completed within the cut-off date. The Commission further directed BSEB to file its reply by 31.12.2010 and the petitioner to file its rejoinder, if any, within a week thereafter.

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

sd/-  
(T. Rout)  
Joint Chief (Law)