

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 282/2009

**Coram: Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member**

Date of Order: 12.8.2011

In the matter of

Grant of provisional tariff for Kahalgaon Super Thermal Power Station, Stage-II (1500 MW) of NTPC, for the period from 1.4.2009 to 31.3.2014.

AND

In the matter of

NTPC Ltd, New Delhi

.....**Petitioner**

Vs

1. West Bengal State Electricity Board, Kolkata
2. Bihar State Electricity Board, Patna
3. Jharkhand State Electricity Board, Ranchi
4. Grid Corporation of Orissa Ltd., Bhubaneswar
5. Power Department, Govt. of Sikkim, Gangtok
6. Madhya Pradesh Power Trading Ltd., Jabalpur
7. Maharashtra State Electricity Distribution Company Ltd., Mumbai
8. Gujarat Urja Vikas Nigam Limited, Baroda
9. Uttar Pradesh Power Corporation Ltd, Lucknow
10. Power Development Department, Govt. of J&K, Srinagar
11. Power Department, Union Territory of Chandigarh, Chandigarh
12. Punjab State Electricity Board, Patiala
13. Himachal Pradesh State Electricity Board, Shimla
14. Jaipur Vidyut Vitaran Nigam Ltd, Jaipur
15. Ajmer Vidyut Vitaran Nigam Ltd, Ajmer
16. Jodhpur Vidyut Vitaran Nigam Ltd, Jodhpur
17. Chhattisgarh State Power Trading Company Ltd, Raipur
18. Haryana Power Purchase Centre, Haryana
19. BSES-Rajdhani Power Ltd, New Delhi
20. BSES-Yamuna Power Ltd, New Delhi
21. North Delhi Power Ltd, Delhi
22. Uttarakhand Power Corporation Ltd, Dehradun
23. Electricity Department, Administration of Dadra and Nagar Haveli, Silvassa
24. Electricity Department, Administration of Daman & Diu, Daman ..**Respondents**



ORDER

Regulation 5 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2011 provides as under:

“(4) Where application for determination of tariff of an existing or a new project has been filed before the Commission in accordance with clauses (1) and (2) of this regulation, the Commission may consider in its discretion to grant provisional tariff upto 95% of the annual fixed cost of the project claimed in the application subject to adjustment as per proviso to clause (3) of this regulation after the final tariff order has been issued:

Provided that recovery of capacity charge and energy charge or transmission charge, as the case may be, in respect of the existing or new project for which provisional tariff has been granted shall be made in accordance with the relevant provisions of these regulations.”

2. The petitioner, NTPC Ltd, has filed this petition for determination of tariff of Kahalgaon Super Thermal Power Station, (1500 MW) (“the generating station”) for the period 2009-14. In exercise of power under Clause 4 of Regulation 5 of the 2009 regulations, we have decided to grant provisional tariff to the petitioner pending determination of the final tariff.

3. The annual fixed charges for the period 2009-14 claimed by the petitioner is as under:

2009-10		2010-11	2011-12	2012-13	2013-14
(1.4.2009 to 19.3.2010)	(20.3.2010 to 31.3.2010)				
76150.00	113682.00	117478.00	122825.00	127796.00	130871.00

4. After carrying out due prudence check, we allow the provisional annual fixed charges for the period 2009-14 in respect of the generation station as under:

2009-10		2010-11	2011-12	2012-13	2013-14
(1.4.2009 to 19.3.2010)	(20.3.2010 to 31.3.2010)				
72342.50	107997.90	111604.10	116683.75	121406.20	124327.45

5. Energy Charge Rate in respect of the generating station shall be determined in terms of Clauses 5 and 6 (a) of Regulation 21 of the 2009 regulations on month to month basis.

6. The provisional annual fixed charges allowed above is subject to adjustment as per proviso to Clause (3) of Regulation 5 of the 2009 regulations after the final tariff order has been issued.

Sd/-
[M.DEENA DAYALAN]
MEMBER

Sd/-
[V.S.VERMA]
MEMBER

Sd/-
[S.JAYARAMAN]
MEMBER

Sd/-
[DR.PRAMOD DEO]
CHAIRPERSON

