

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 245/2009

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

Date of Order: 6.7.2011

In the matter of

Grant of provisional tariff for Kahalgaon Super Thermal Power Station, Stage-I (840 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. Damodar Valley Corporation, Kolkata
6. Power Department, Govt. of Sikkim, Gangtok
7. Tamil Nadu Electricity Board, Chennai
8. Union Territory of Puducherry, Electricity Department, Puducherry
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. Madhya Pradesh Power Trading Ltd., Jabalpur
13. Gujarat Urja Vikas Nigam Limited, Baroda
14. Electricity Department, Administration of Daman & Diu, Daman
15. Electricity Department, Administration of Dadra and Nagar Haveli, Silvassa
16. BSES Rajdhani Power Limited, New Delhi
17. BSES Yamuna Power Limited, Delhi
18. North Delhi Power Ltd, New Delhi
19. Maharashtra State Electricity Distribution Company Ltd., Mumbai

....**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, Stage-I (840 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:

<i>(₹ in lakh)</i>				
2009-10	2010-11	2011-12	2012-13	2013-14
49839.00	51288.00	53428.00	55268.00	56504.00

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:

<i>(₹ in lakh)</i>				
2009-10	2010-11	2011-12	2012-13	2013-14
47347.05	48723.60	50756.60	52504.60	53678.80

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