

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 332/2009**

**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 Badarpur Thermal Power Station, (705 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. North Delhi Power Ltd, New Delhi
2. BSES Rajdhani Power Limited, New Delhi
3. BSES Yamuna Power Limited, Delhi.
4. New Delhi Municipal Council, New Delhi
5. Military Engineering Services, New Delhi

....**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 Badarpur Thermal Power Station, (705 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>				
<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>
37320.00	38195.00	41097.00	47410.00	53437.00

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>				
<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>
35454.00	36285.25	39042.15	45039.50	50765.15

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**