

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 189/TT/2011**

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

**Date of Order: 7 .1.2012**

**IN THE MATTER OF**

Approval under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations 2009 for determination of transmission tariff from date of commercial operation to 31.3.2014 for 400/220 kV 500 MVA ICT alongwith 2 nos. 220 kV Line Bays at Bahadurgarh Sub-station under Northern Region System Strengthening Scheme-XXIII in Northern Region for tariff block 2009-14 period.

**AND**

**IN THE MATTER OF**

Power Grid Corporation of India Limited

**..Petitioner**

**Vs**

Haryana Power Purchase Centre, Panchkula

**..Respondents**

**ORDER**

In this petition the petitioner, Power Grid Corporation of India Limited (PGCIL) has sought approval for tariff in respect of 400/220 kV 500 MVA ICT alongwith 2 nos. 220 kV Line Bays at Bahadurgarh sub-station under Northern Region System Strengthening Scheme-XXIII in Northern Region for tariff block 2009-14 period, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009, as amended from time to time (hereinafter referred to as "the 2009



regulations”). Further, the petitioner has requested, vide affidavit dated 19.12.2011, to approve provisional tariff as per the 2009 regulations.

2. Regulation 5 of the 2009 regulations provides as under:-

**"Application for determination of tariff.** (1) *The generating company or the transmission licensee, as the case may be, may make an application for determination of tariff in accordance with Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004, as amended from time to time or any statutory re-enactment thereof, in respect of the units of the generating station or the transmission lines or sub-stations of the transmission system, completed or projected to be completed within six months from the date of application.*

(2) *The generating company or the transmission licensee, as the case may be, shall make an application as per **Appendix I** to these regulations, for determination of tariff based on capital expenditure incurred duly certified by the auditors or projected to be incurred up to the date of commercial operation and additional capital expenditure incurred duly certified by the auditors or projected to be incurred during the tariff period of the generating station or the transmission system:*

*Provided that in case of an existing project, the application shall be based on admitted capital cost including any additional capitalization already admitted up to 31.3.2009 and estimated additional capital expenditure for the respective years of the tariff period 2009-14:*

*Provided further that application shall contain details of underlying assumptions for projected capital cost and additional capital expenditure, where applicable.*

(3) *In case of the existing projects, the generating company or the transmission licensee, as the case may be, shall continue to provisionally bill the beneficiaries or the long-term customers with the tariff approved by the Commission and applicable as on 31.3.2009 for the period starting from 1.4.2009 till approval of tariff by the Commission in accordance these regulations: Provided that where the tariff provisionally billed exceeds or falls short of the final tariff approved by the Commission under these regulations, the generating company or the transmission licensee, as the case may be, shall refund to or recover from the beneficiaries or the transmission customers, as the case may be, within six months along with simple interest at the rate equal to short-term Prime Lending Rate of State Bank of India on the 1st April of the concerned/respective year.*

(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."*

3. As per Regulation 5(4) of the 2009 regulations, the Commission may in its discretion grant provisional tariff if an application has been filed under Regulation 5(1)



and (2) of the 2009 regulations. Regulation 5(1) of the 2009 regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 regulations"). Regulation 5(2) of 2009 regulations provides that the application shall be made as per Appendix to the 2009 regulations.

4. The petitioner has made the application as per the Appendix to the 2009 regulations. The petitioner has also complied with the requirements of 2004 regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

5. No comments or suggestions have been received from the general public in response to the notices published by the petitioner under Section 64 of the Electricity Act, 2003 read with Regulation 3(6) of the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004.

6. The transmission line was commissioned on 1.11.2011 and the beneficiaries are drawing power through the transmission line. Therefore we have decided to grant the provisional tariff to the petitioner.



7. The petitioner has claimed the following annual transmission charges as per the petition:-

(₹ in lakh)

	<b>Asset</b>	<b>2011-12 (pro-rata)</b>	<b>2012-13</b>	<b>2013-14</b>
<b>Annual transmission charges claimed</b>	400/220 kV 500 MVA ICT alongwith 2 nos. 220 kV Line Bays at Bahadurgarh sub-station under NRSS-XXIII in Northern Region	134.79	585.94	604.97

8. After prudence check, provisional annual transmission charges for the period 2009-14 in respect of the transmission asset are allowed as under:-

(₹ in lakh)

	<b>Asset</b>	<b>2011-12 (pro-rata)</b>	<b>2012-13</b>	<b>2013-14</b>
<b>Annual transmission charges allowed</b>	400/220 kV 500 MVA ICT alongwith 2 nos. 220 kV Line Bays at Bahadurgarh sub-station under NRSS-XXIII in Northern Region	121.31	527.35	544.47

9. The provisional transmission charges allowed shall be recovered on monthly basis in accordance with Regulation 23 and shared by the beneficiaries in accordance with Regulation 33 of the 2009 regulations upto 30.6.2011. With effect from 1.7.2011, the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010.



10. The provisional transmission charges allowed in this order shall be subject to adjustment as per proviso to clause (3) of Regulation 5 of the 2009 regulations after the final tariff order is issued.

sd/-

**(M. DEENA DAYALAN)**  
**MEMBER**

sd/-

**(S. JAYARAMAN)**  
**MEMBER**

sd/-

**(V.S. VERMA)**  
**MEMBER**

sd/-

**(Dr. PRAMOD DEO)**  
**CHAIRPERSON**

