

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 16/2012

**in
Petition No. 247/2009**

**Coram: 1. Shri S.Jayaraman, Member
2. Shri M.Deena Dayalan, Member**

Date of Hearing: 7.8.2012

Date of Order: 9.8.2012

IN THE MATTER OF

Review of order dated 3.5.2012 in Petition No. 247/2010 regarding determination of generation tariff for Korba Super Thermal Power Station Stage-III (500 MW) for the period from the date of Commercial operation to 31.3.2014.

AND

IN THE MATTER OF

NTPC Ltd

...Petitioner

Vs

1. Madhya Pradesh Power Trading Company Ltd, Jabalpur
2. Maharashtra State Electricity Distribution Co. Ltd, Mumbai
3. Gujarat Urja Vikas Nigam Ltd, Vadodara
4. Chhattisgarh State Power Distribution Co. Ltd, Raipur
5. Electricity Department, Government of Goa, Goa
6. Electricity Department, Administration of Daman & Diu, Daman
7. Electricity Department, Administration of Dadra and Nagar Haveli, Silvassa ...**Respondents**

Parties Present

1. Shri. M.G Ramachandran, NTPC
2. Ms. Swapna Seshadri, NTPC
3. Shri. S. Maggim, NTPC
4. Shri Sachin Jain, NTPC
5. Shri M.K.V Rama Rao, NTPC
6. Shri C K Mondol, NTPC
7. Shri A.K Chaudhary, NTPC
8. Shri D.N Naresh, NTPC

ORDER

This application for review has been filed by NTPC, the petitioner herein, against the order of the Commission dated 3.5.2012 in Petition No.247/2010 relating to the determination

of generation tariff in respect of Korba STP Stage-III (500 MW) (hereinafter referred to as 'the generating station') for the period from the date of Commercial operation to 31.3.2014.

Aggrieved by the said order, the petitioner has sought review on following issues:

(a) Delay in the commissioning of the project and consequent adjustment of Interest during construction prior to the commercial operation of the project.

2. During the hearing, the learned counsel for the petitioner submitted that the Commission in its order dated 3.5.2012 had concluded that the delay in commissioning of the project and the reasons thereof are attributable to the petitioner mainly based on the findings that the petitioner had not undertaken the testing of soil condition prior to the placement of award for main plant civil works, which would have saved time and cost. This finding of the Commission, according to the learned counsel, is an error apparent on the face of the order, since the breakup of cost of land & site development, which included the approved cost towards preliminary investigation & site development, had been submitted in the original petition for the consideration of the Commission. The learned counsel prayed that the details submitted by the petitioner in the original petition, which had been overlooked by the Commission in its order may be taken into consideration and the order dated 3.5.2012 may be reviewed accordingly.

3. Heard the learned counsel for the petitioner. Admit. Issue Notice.

4. The petitioner is directed to serve copy of the application for review on the respondents, along with this order, latest by 22.8.2012. The respondents may file their replies by 6.9.2012 with advance copy to the petitioner, who shall file its rejoinder, if any, latest by 13.9.2012.

5. Matter to be listed for hearing on 20.9.2012.

Sd/-
[M.DEENA DAYALAN]
MEMBER

Sd/-
[S.JAYARAMAN]
MEMBER