

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

Dr. Pramod Deo, Chairperson

Shri V.S.Verma, Member

Shri M.Deena Dayalan, Member

DATE OF HEARING: 19.3.2013

Petition No. 277/MP/2012

Sub: Petition for approval of additional cost incurred owing to revision of scale of pay for the employees of North Eastern Electric Power Corporation Ltd. (NEEPCO) and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 for Agartala Gas Turbine Plant (84 MW).

Petition No. 278/MP/2012

Sub: Petition on account of additional cost incurred owing to revision of scale of pay for the employees of NEEPCO and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 in respect of Ranganadi Hydro Electric Project (405 MW).

Petition No. 279/MP/2012

Sub: Petition on account of additional cost incurred owing to revision of scale of pay for the employees of NEEPCO and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 in respect of Khandong Power Station (50 MW).

Petition No. 280/MP/2012

Sub: Petition for approval of additional cost incurred owing to revision of scale of pay for the employees of NEEPCO and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 in respect of Kopili Stage II (25 MW).

Petition No. 281/MP/2012

Sub: Petition for approval of additional cost incurred owing to revision of scale of pay for the employees of NEEPCO and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 in respect of Kopili Hydro Electric Project (20 MW).

Petition No. 282/MP/2012

Sub: Petition on account of additional cost incurred owing to revision of scale of pay for the employees of NEEPCO and the Meghalaya Home Guard on deputation to NEEPCO from 1.1.2007 to 31.3.2009 in respect of Assam Gas Based Power Project (219 MW)

Petitioner : North Eastern Electric Power Corporation Ltd., Shillong

Respondents : 1. Assam Power Distribution Company Limited, Guwahati
2. Meghalaya Energy Corporation Limited, Shillong
3. Tripura State Electricity Corporation Limited, Agartala
4. Power and Electricity Department, Mizoram, Aizwal
5. Electricity Department, Govt. of Manipur, Imphal
6. Department of Power, Govt. of Arunachal Pradesh
7. Department of Power, Govt. of Nagaland, Kohima
8. North Eastern Regional Power Committee, Shillong
9. North Eastern Regional Load Despatch Centre, Shillong

Parties present : Ms. Debjani Dey, NEEPCO
Ms. Elizabeth Pyrbot, NEEPCO
Shri Rana Boase, NEEPCO
Shri P.K.Sarma, APDCL
Shri K.Goswami, APDCL

Record of Proceedings

The representative of the petitioner submitted that these petitions have been filed for recovery the additional O & M cost due to increase in employee cost on account of wage revision of its employees from 1.1.2007 and pay revision of the employees of the Meghalaya home guard deployed at North Eastern Electric Power Corporation Ltd stations under Regulations 12 and 13 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004.

2. The representative of the petitioner further submitted that as per the Commission` directions, details of actual O&M expenses for the years 2004-09 have already been filed and no reply has been received from the respondents.

3. The representative of the Assam Power Distribution Company Limited (APDCL) submitted that reply to the petition has been filed on 18.3.2013. In response, the representative of the petitioner submitted that copy of the reply has not been received. The Commission directed the respondent to supply copy of its reply to the petitioner.

4. The representative of the APDCL further submitted as under:
- (a) The petitioner has filed petition under Regulations 12 and 13 of the CERC (Terms and Conditions of Tariff) Regulations, 2004 which period has already been over and during that period there was no such provision for recovery of additional O & M cost due to increase in employee cost on account of wage revision;
 - (b) The petitioner did not raise this issue during the existence of the Tariff Regulations, 2004;
 - (c) The impact of pay revision has already been factored by the Commission by providing 50% increase in employee cost on account of pay revision under the CERC (Terms and Conditions of Tariff) Regulation, 2009;
 - (d) The State Regulatory Commission, has already fixed the tariff in the State of Assam for the years up to 2012-13 and even truing up has also been completed up to 2009-10. Therefore, after a period 4-5 years, there is no scope for the respondent to pass on impact of pay revision to the ultimate consumers;
 - (e) As the petitioner has already revised pay scale and disbursed the expenditure by transferring funds from profit & loss account and IEDC of corresponding years, there is no difficulty on the part of the petitioner to absolve the impact of employee cost.
5. After hearing the parties present, the Commission directed the petitioner to file rejoinder to the reply of APDCL, with an advance copy to the APDCL, on or before 5.4.2013.
6. Subject to above, Commission reserved orders in the petitions.

By order of the Commission,

**Sd/-
(T. Rout)
Joint Chief (Law)**