

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.304/2009

Subject: Approval of tariff of Talcher TPS (460 MW) for the period from 01.04.2009 to 31.03.2014

Date of hearing: 24.10.2013

Coram: Shri Gireesh B. Pradhan, Chairperson
Shri M.Deena Dayalan, Member
Shri A.K. Singhal, Member

Petitioner: NTPC Ltd.

Respondents: GRIDCO Ltd.

Parties present: Shri Ajay Dua, NTPC
Shri Rohit Chhabra, NTPC
Shri V. Ramesh, NTPC
Shri Shyam Kumar, NTPC
Shri Shailendra Singh, NTPC
Shri A. Basu Roy, NTPC
Shri Navneet Goel, NTPC
Shri Rajesh Bhagat, NTPC
Shri Amit Kumar Sahu, NTPC
Shri R.B.Sharma, Advocate, GRIDCO
Shri S.R. Sarangi, GRIDCO

RECORD OF PROCEEDINGS

This petition has been filed by the petitioner, NTPC for approval of tariff of Talcher TPS (460 MW) (the generating station) for the period from 01.04.2009 to 31.03.2014 in accordance with the CERC (Terms and Conditions of Tariff) Regulations, 2009 ('the 2009 Tariff Regulations').

2. During the hearing, the representative of the petitioner submitted as under:
- a) Though the petition was filed on 27.12.2009 the same was amended vide affidavit dated 25.6.2013 taking into consideration the actual expenditure for the period 2009-12 and the projected capitalization for the period 2009-14 based on the current status of works.
 - b) The capital cost considered in the petition is based on the admitted capital cost as on 31.03.2009 excluding un-discharged liabilities for works allowed as on 31.03.2009.
 - c) Additional information as sought for by the Commission has been filed and copies have been served on the respondent.
 - d) Tariff of the generating station may be determined based on the submissions made in the petition.

3. The learned counsel for the respondent, GRIDCO raised preliminary objections and submitted as under:
- (i) Since the review petition filed by the petitioner in respect of the generating station has been decided by the Commission, the petitioner may be directed to amend the petition accordingly.
 - (ii) In terms of the submission of the petitioner in para 4 of the petition, truing up of tariff of the generating station shall be done by the Commission and the petitioner may accordingly be directed to submit the audited accounts duly certified by auditor.
4. In response, the representative of the petitioner clarified as under:
- (a) There is no need for amendment of the present petition since the figures allowed in the review petition in respect of this generating station can be considered by the Commission at the time of determination of final tariff of the generating station in this petition. This practice has been adopted by the Commission while determining tariff in some of the other generating stations of the petitioner.
 - (b) This petition has been filed in terms of Regulation 5 of the 2009 Tariff Regulations and not in terms of Regulation 6(1) of the 'the 2009 Tariff Regulations and hence, the question of submission of audited accounts does not arise.
5. On a specific query by the Commission as to whether the audited accounts could be submitted by the petitioner, the representative of the petitioner submitted that it may be granted 15 days time to submit the same since some reconciliation process was involved. The Commission however directed the petitioner to submit the same within 10 days with copy to the respondent.
6. The learned counsel for the respondent, GRIDCO prayed that it may be granted two weeks time to file its detailed reply after receipt of the submissions of the petitioner as above. The representative of the petitioner also prayed that it may be granted time to file its detailed rejoinder to the said reply.
7. The Commission after hearing the parties directed the petitioner to submit on affidavit the audited statement of accounts for the period 2009-13 and actual expenditure for the period 1st April to 30th September 2013 along with the reconciliation statement of accounts of the additional capital expenditure with respect to the books of accounts.
8. The information as required in para 7 above shall be submitted by the petitioner with copy to the respondent, on or before 7.11.2013 and the respondent shall file its detailed reply by 18.11.2013. Rejoinder by the petitioner on or before 22.11.2013.
9. Matter shall be listed for final hearing on 26.11.2013.

By order of the Commission

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