

**Central Electricity Regulatory Commission
New Delhi**

RECORD OF PROCEEDINGS

Petition No. 57/TT/2012

Subject: Petition under Section 28 (4) of the Electricity Act, 2003 for determination of Fees and Charges for Unified Load Despatch & Communication Scheme (PGCIL portion i.e. Communication system portion and SLDC system retained by PGCIL after formation of POSOCO) in Western Region for the period 2009-14 block

Petitioner: PGCIL, New Delhi

Respondents: NTPC Ltd. & 13 others

Petition No. 59/TT/2012

Subject: Petition under Section 28 (4) of the Electricity Act, 2003 for determination of Fees and Charges for Unified Load Despatch & Communication Scheme (PGCIL portion i.e. Communication system portion and SLDC system retained by PGCIL after formation of POSOCO) in Northern Region for the period 2009-14 block

Petitioner: PGCIL, New Delhi

Respondents: NTPC Ltd. & 20 others

Petition No. 61/TT/2012

Subject: Petition under Section 28 (4) of the Electricity Act, 2003 for determination of Fees and Charges for Unified Load Despatch & Communication Scheme (PGCIL portion i.e. Communication system portion and SLDC system retained by PGCIL after formation of POSOCO) in North Eastern Region for the period 2009-14 block

Petitioner: PGCIL, New Delhi

Respondents: North-Eastern Electric Power Corporation Ltd. & 7 others

Date of Hearing: 1.4.2013

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

Parties present: Shri S.S. Raju, PGCIL
Shri Upendra Pande, PGCIL
Shri M.M.Mondal, PGCIL
Shri A.S. Kushwaha, PGCIL
Shri Y.K.Dixit, PGCIL
Shri Sunil Kumar, PGCIL
Shri Ajay Dua, NTPC
Ms. Suchitra Maggon, NTPC
Shri A.K. Chaudhary, NTPC
Shri Rajesh Jain, NTPC
Shri Rohit Chhabra, NTPC
Shri Manoj Dubey, MPPMCL
Shri M.A.K.P. Singh, NCA, Indore
Shri Anil Rawal, RPTL
Shri L.N. Mishra, WRT(M)L & WRT(G)L
Shri P.C. Trivedi, RVPNL
Ms. Debjani Dey, NEEPCO
Shri A. Gonchoudhuri, Tripura State Electricity Corp. Ltd.
(TSECL)

The representative of the petitioner submitted as under:-

- (a) The Commission in its order dated 8.12.2011 in Petition No. 68/2010 has already decided tariff norms for recovery of cost for the assets ("Communication system" and "SLDC system") to be retained/ installed by PGCIL after formation of POSOCO for the period 2009-14. Later, in Appeal No. 21 of 2010 filed by Haryana Vidyut Prasaran Nigam Ltd. (HVPNL), the Appellate Tribunal for Electricity (hereinafter the Tribunal") in its judgment dated 11.11.2011 accepted the contention of HVPNL to calculate the levelised charges on monthly basis instead of yearly basis;
- (b) The above three petitions have been filed by PGCIL for such assets respectively in Western, Northern, and North Eastern Regions for 2009-14 period, as per the Commission's order dated 8.12.2011 in Petition No. 68/2010, and Judgment of the Tribunal dated 11.11.2011 in Appeal No. 21 of 2010. O&M charges has been claimed as per actual for the years 2009-10 and 2010-11, and the O&M charges has been escalated @5.72% for 2011-12 onwards which will be subject to actual expenditure to be considered at the time of truing up;
- (c) In Northern Region, and North Eastern Region, the Digital Microwave System is being replaced by Optic Fibres as per directions of the Department of Telecommunication. The Commission in its order dated 8.12.2011 in Petition No. 68/2010 has allowed accelerated depreciation to recover the entire cost of Microwave system by end of June 2012;

(d) PGCIL has received reply from NTPC Ltd. in respect of Northern and Western Regions, and seeks to file rejoinder.

2. In respect of Northern and Western Regions, the representative of NTPC submitted that since the fees and charges covered under this petition are in the nature of RLDC charges, these may be allowed to be reimbursed under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2012, dated 31.12.2012 which gives powers to the Commission to allow reimbursement of any fees or expenses as may be considered necessary.

3. The representative of Western Region Transmission (Maharashtra) Pvt. Ltd., and Western Region Transmission (Gujarat) Pvt. Ltd. submitted that as per the Third Amendment to the Tariff Regulations, inter-state transmission licensees including deemed licensees can recover the same from the beneficiaries. He requested that inter-state transmission licensees should be kept out of this loop.

4. The representative of TSECL submitted that he has not received copy of the petition. He further submitted that since norms for recovery of cost for the assets have not yet been decided, TSECL is making payment to PGCIL on provisional basis. He requested that the norms should be decided first.

5. The Commission directed PGCIL to give a copy of the petition to TSECL. The respondents were permitted to file replies by 25.4.2013, with advance copies to the petitioner who may file rejoinder, if any, by 2.5.2013.

6. Subject to the above, order in the petitions was reserved.

By order of the Commission,

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