

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. TT/287/2013**

**Coram:**

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

**Date of Hearing: 03.12.2013  
Date of Order: 18.12.2013**

**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 for 400kV D/C (Quad) Vadodara-Asoj Transmission line along with associated bays at Asoj (GETCO S/S) under system strengthening scheme in North/West part of IPP projects in Chhattisgarh {for direct interconnection with 400kV D/C Vadodara Pirana Tr. Line} by passing Vadodara Pooling SS under interim arrangement in Western Region for tariff block 2009-14 period.

**And in the matter of**

Power Grid Corporation of India Limited,  
"Saudamani", Plot No.2,  
Sector-29, Gurgaon -122 001.

.....**Petitioner**

Vs

1. Madhya Pradesh Power Management Company Ltd.,  
Shakti Bhawan, Rampur  
Jabalpur-482 008.
2. Maharashtra State Electricity Distribution Company Limited,  
Prakashgad, 4th floor  
Andehri (East), Mumbai-400 052.
3. Gujarat Urja Vikas Nigam Ltd.,  
Sardar Patel Vidyut Bhawan,  
Race Course Road, Vadodara-390 007.
4. Electricity Department, Government of Goa,  
Vidyut Bhawan, Panaji,  
Near Mandvi Hotel, Goa-403 001.



5. Electricity Department,  
Administration of Daman and Diu,  
Daman-396 210.
6. Electricity Department,  
Administration of Dadra Nagar Haveli,  
U.T., Silvassa-396 230.
7. Chhattisgarh State Electricity Board,  
P.O. Sunder Nagar, Dangania, Raipur  
Chhattisgarh-492 013.
8. Madhya Pradesh Audyogik Kendra Vikas Nigam (Indore) Ltd.,  
3/54, Press Complex, Agra-Bombay Road  
Indore -452 008.
9. R. K. M. Power Ltd.,  
147, Gitanjali Nagar, Avanti Vihar,  
Sector-I, Raipur-492 004.
10. Athena Chhattisgarh Power Pvt. Ltd.,  
7-1-24 B Block, 5th Floor, "Roxana Towers",  
Greenlands, Begumpet,  
Hyderabad-500 016.
11. Jindal Power Limited,  
Post Box No.-16,  
Kharsia Road, Raigarh-496 001.
12. SKS Power Generation (Chhattisgarh) Ltd.,  
501 B, Elegant Business Park,  
Andheri Kurla Road,  
J. B. Nagar, Andheri (E),  
Mumbai-400 059.
13. Korba West Power Co. Ltd.,  
2nd Floor, Centrum Plaza, Golf Course Road,  
Sector-53, Gurgaon-122 002.
14. KSK Mahanadi Power Company Ltd.,  
8-2/293/82/A/431/A, Road No. 22, Jubilee Hills,  
Hyderabad-500 033.
15. Bharat Aluminium Co. Ltd.  
Core-6, Scope Office Complex,  
Lodi Road, New Delhi-110 003

16. Visa Power Ltd.,  
HUL Building, 2nd Floor,  
9, Shakespeare Sarani,  
Kolkata-700 071.
17. GMR Chhattisgarh Energy Pvt. Ltd.,  
10th Floor Tower, D Block,  
Knowledge Park, 4/1, Bannerghatta Road,  
Near Dairy Circle,  
Bangalore-560 029.
18. D. B. Power Ltd.,  
Plot No.-813, Phase-V,  
Udyog Vihar, Gurgaon-122 016.

.....**Respondents**

### **ORDER**

In the instant petition the petitioner, Power Grid Corporation of India Limited (PGCIL) has sought approval for transmission tariff for (1) 400kV D/C (Quad) Vadodara-Asoj Transmission line alongwith associated bays at Asoj (GETCO SS) under system strengthening scheme in North/West part of IPP projects in Chhattisgarh {for direct interconnection with 400kV D/C Vadodara Pirana Tr. Line} by passing Vadodara Pooling S/S under interim arrangement in Western Region for tariff block 2009-14 period, under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as "2009 Tariff Regulations"). Further, the petitioner has requested to grant provisional tariff as per 2009 Tariff Regulations, pending determination of final tariff.

2. Regulation 5 of the 2009 Tariff 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.

X X X X

(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 Tariff 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 Tariff Regulations. Regulation 5(1) of the 2009 Tariff 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 Tariff Regulations provides that the application shall be made as per Appendix to the 2009 Tariff Regulations.

4. The petitioner has made the application as per the Appendix to the 2009 Tariff 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. Reply to the petition has been filed by M.P. Power Management Company Limited (MPPMCL), Respondent No.1. MPPMCL has submitted, vide its affidavit dated 2.12.2013, that sufficient time has not been provided to study and file a detailed reply. MPPMCL has also submitted that tariff has been claimed on the basis of anticipated date of commercial operation and if the asset is not commissioned as anticipated and commissioned during the next tariff period, then it would require revision of the provisional tariff allowed herein. MPPMCL has submitted that the petition may be listed only after the instant asset is commissioned. As regards provisional tariff, MPPMCL has submitted that no irreparable damage would be caused to the petitioner if provisional tariff is not allowed at present.

6. The petition was heard on 3.12.2013 for consideration of the petitioner's prayer for allowing provisional tariff. During the hearing, the representative of the petitioner submitted that the petitioner has complied with the requirements specified in Regulation 5 of the 2009 Tariff Regulations for granting provisional tariff and prayed that 95% of the Annual Transmission Charges claimed may be allowed as provisional tariff as provided in the said Regulation. He further submitted that the asset covered in the instant petition is anticipated to be commissioned within the scheduled time period and there is no time over-run. He also requested to allow additional Return on Equity of 0.5% as the asset is anticipated to be commissioned with the timeline specified in the 2009 Tariff Regulations. He also submitted that there is cost over-run in the project.

7. We have considered the submissions made by the petitioner and the respondent. After carrying out a preliminary prudence check of the Annual Fixed Charges claimed and taking into consideration the cost over-run, which shall be looked into at the time of determination of final tariff, the Commission has decided to grant provisional tariff as given below. The petitioner's prayer for additional Return on Equity shall also be considered at the time of determination of final tariff.

(₹ in lakh)

Particulars	Anticipated DOCO	Annual transmission charges claimed for the year 2013-14	Annual transmission charges allowed for the year 2013-14
400kV D/C Vadodara-Asoj T/L alongwith associated bays	1.1.2014	226.62	158.10*

\* Annual Fixed Charges has been restricted corresponding to apportioned estimated cost.

8. The provisional tariff allowed in this order shall be applicable from the date of commercial operation (DOCO) of the transmission system and 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, as amended from time to time.

9. The provisional transmission charges allowed in this order shall be subject to adjustment as per Regulation 5(3) of the 2009 Tariff Regulations.

Sd/-

**(A. K. Singhal)**  
Member

Sd/-

**(M. Deena Dayalan)**  
Member

Sd/-

**(Gireesh B. Pradhan)**  
Chairperson

