

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 115/GT/2013

Subject: Approval of generating tariff of Teesta Low Dam Project Stage-III for the period from 1.4.2013 to 31.3.2014

Date of hearing: 15.4.2014

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

Petitioner: NHPC Limited,

Respondents: WBSEDCL

Parties present: Shri J.K. Jha, NHPC
Shri S.K. Meena, NHPC
Shri N.K.Verma, NHPC
Shri Sakya S. Chaudhuri, Advocate, WBSEDCL
Shri Bedajna, WBSEDCL
Shri A.Mondal, WBSEDCL

RECORD OF PROCEEDINGS

The petition was re-listed today for directions.

2. During the hearing, the representative of the petitioner submitted that all additional information as called for by the Commission has been filed and copies served on the respondents. Accordingly, the representative of petitioner prayed that tariff of the generating station may be determined.

3. The learned counsel for the respondent pointed out that there has been a huge time and cost overrun in this project and submitted that the reasons/justifications furnished by the petitioner were inadequate and inconsistent. He also submitted that pursuant to the report of the designated agency (viz M/s Tata Consulting Engineers Ltd) for vetting of capital cost, reply has been filed by the respondent vide affidavit dated 9.1.2014 pointing out the discrepancies /inconsistencies in the data/information furnished by the petitioner vide its earlier affidavits as against the report submitted by M/s TCE. The learned counsel further submitted that the PERT chart with regard to the execution of the work and justification for expenditure towards statutory requirement, arbitration and additional works has also not

been furnished by the petitioner. Accordingly, the learned counsel submitted that further clarifications have been sought for by the respondent vide its affidavit dated 4.3.2014. He prayed that the Commission may consider setting up of a one Member Bench to look into various aspects of time and cost overrun of the project.

4. In response, the representative of the petitioner pointed out that the report of the TCE contains the PERT chart indicating the execution of the work and submitted that rejoinder to the replies of the respondent has been filed by the petitioner and all issues raised by the respondent have been clarified. He also submitted that the copy of the affidavit dated 4.3.2014 filed by the respondent has not been received and prayed that the petitioner may be granted time to file its response within two weeks, after receipt of the same. The representative further submitted that in the absence of tariff order, the petitioner was not in a position to raise bills for the power supplied to the respondent. He accordingly prayed that tariff of the generating station may be determined at the earliest.

5. The learned counsel for the respondent while submitting that copy of the affidavit dated 4.3.2014 had already been served on the petitioner, handed over a copy of the same to the representative of the petitioner, which has been acknowledged by the petitioner.

6. The Commission after hearing the parties directed the petitioner to file its response to the affidavit of the respondent dated 4.3.2014 on or before 7.5.2014, with copy to the respondent. The parties are at liberty to file written submissions in the matter within one week thereafter. The Commission observed that additional information, if need be, would be called for from the parties.

7. Subject to the above, order in the petition was reserved.

By order of the Commission

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