

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 237/GT/2013**

Subject: Petition for revision of tariff for the period 1.4.2009 to 31.3.2014 based on actual capital expenditure incurred during the financial years 2009-10 to 2011-12 and projected capital expenditure during the financial years 2012-13 and 2013-14 in respect of Assam Gas Based Power Project (291 MW) of North Eastern Electric Power Corporation Limited.

Date of hearing: **1.7.2014**

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

Petitioner: NEEPCO Ltd.

Respondents: Assam Power Distribution Company Ltd and 8 others.

Parties present: Shri Bhaskar Goswami, NEEPCO  
Shri Rana Bose, NEEPCO  
Ms. Elizabeth Pyrbot, NEEPCO  
Shri Manoj Kr Adhikary, APDCL  
Shri K.Goswami, APDCL  
Shri R.Kapoor, APDCL

**Record of proceedings**

This petition has been filed by the petitioner, NEEPCO for revision of tariff for the period 1.4.2009 to 31.3.2014 based on actual capital expenditure incurred during the financial years 2009-10 to 2011-12 and projected capital expenditure during the financial years 2012-13 and 2013-14 in respect of Assam Gas Based Power Project (291 MW) ('the generating station') in terms of Regulation 6(1) of the 2009 Tariff Regulations.

2. During the hearing, the representative of the petitioner submitted that the petition has been filed for truing up of the tariff determined by Commission's order dated 6.9.2011 in Petition No. 295/2009. He also submitted that all additional information as sought for by the Commission has been filed with copy to the respondents. The representative further submitted that rejoinder to the reply has been filed and accordingly prayed that tariff as claimed in the petition may be granted.

3. The representative of the respondent, APDCL submitted that though the capacity of the generating station is 291 MW, the average level of generation of the generating station is in the range of 210 to 220 MW and thus the beneficiaries have been deprived of power from the station due to non availability. He also submitted that the petitioner has not taken adequate

steps to enhance the generation of energy. The representative further submitted that the variation in the amounts claimed by the petitioner may be considered and allowed on prudence check by the Commission at the time of determination of tariff.

4. In response, the representative of the petitioner clarified that the non availability of power from the generating station is mainly on account of low availability of gas as the existing contracted gas linkage was not adequate to meet the requirement. He also clarified that the issue of increased gas allocation has been taken up by the petitioner with the Ministry of Petroleum and Natural Gas (MoP&NG), Govt of India and Oil India Ltd and response from these authorities is awaited. He further submitted that the difference in the amounts is only on account of the actual expenditure claimed in this petition, as against those allowed by the Commission on projected basis in order dated 6.9.2011.

5. The Commission after hearing the parties directed the petitioner to submit on affidavit, the correspondences/documents exchanged by the petitioner with MoP&NG, GOI and Oil India Ltd respectively, on or before 14.7.2014. No extension of time shall be granted under any circumstances and the additional information filed after the due date shall not be considered. Subject to this, order in the petition was reserved.

By order of the Commission

Sd/-  
T.Rout  
Chief (Law)