

**CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**Petition No. 288/TT/2013**

- Subject : Approval of date of commercial operation under Regulation 3 (12) (c) of Central Electricity Regulatory Commission (Terms & Conditions of tariff) Regulations, 2009 and Regulation 24 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Determination of transmission tariff for LILO of 400 kV D/C Nathpa Jhakri-Nallagarh (Triple Snowbird) line at Rampur under transmission system associated with Rampur HEP in Northern Region
- Date of Hearing : 13.3.2014
- Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri M. Deena Dayalan, Member  
Shri A.K. Singhal, Member
- Petitioner : PGCIL
- Respondents: : Rajasthan Rajya Vidyut Prasaran Nigam Limited and 17 others
- Parties present : Shri S.S. Raju, PGCIL,  
Ms. Sangeeta Edwards, PGCIL,  
Ms. Seema Gupta, PGCIL  
Shri M.M. Mondal, PGCIL  
Shri S.K. Venkatesan, PGCIL  
Shri R.B.Sharma, Advocate, BRPL  
Shri Padamjit Singh, PSPCL  
Shri Rajeev Agarwal, SJVNL  
Ms. Megha Bajpeyi, BRPL

**Record of Proceedings**

The representative for the petitioner submitted as under:-

- a) The instant petition is for determination of transmission tariff for LILO of 400 kV D/C Nathpa Jhakri-Nallagarh (Triple snowbird) line at Rampur under transmission system associated with Rampur HEP for tariff period 2009-14. The



petition was filed on 30.10.2013 with anticipated date of commercial operation of the asset as 1.12.2013;

- b) Investment approval for the transmission project was accorded on 20.2.2009 for completion within 33 months from the date of investment approval, i.e. by 1.12.2011. LILO of 1st circuit of Nathpa Jhakri- Nalagarh transmission line at Rampur has been commissioned on 1.3.2014, after a delay of 27 months. LILO of 2nd circuit is anticipated to be commissioned on 1.5.2014;
- c) During the 29th meeting of Standing Committee of Transmission System Planning of Northern Region held on 29.12.2010, it was agreed to commission LILO of Nathpa Jhakri-Nalagarh 400 kV D/C line at Rampur, matching with the commissioning schedule of Rampur HEP. During 16th and 18th meetings of NRPC, the commissioning schedule of Rampur HEP has been revised to September 2013. Delay in the commissioning of the assets is also due to delay in getting forest clearance in Anni and Rampur divisions, for which detailed justification has been given by the petitioner vide affidavit dated 10.3.2014;
- d) The delay is for reasons beyond the control of the petitioner and hence delay may be condoned. Revised tariff forms and management certificates, based on actual date of commercial operation of LILO of 1st circuit of Nathpa Jhakri-Nalagarh transmission line at Rampur have been submitted vide affidavit dated 12.3.2014.
- e) Rejoinder to the replies of UPPCL, BRPL and SJVNL will be filed.

2. The representative for the PSPCL submitted as under:-

- (a) The line got delayed either because of generating station not being commissioned or due to delay in forest clearance. The beneficiaries should not be burdened with IDC and IEDC;
- (b) The petitioner has claimed tariff for the whole transmission project in the instant petition. However, one half of the project is completed in the tariff period 2009-14, whereas the rest would come in the tariff period 2014-19;
- (c) There is huge cost over-run in the project. Force majeure defined in the Indemnity Agreement between PGCIL and SJVNL does not cover forest clearance. As per the Indemnity Agreement, there was provision for constitution of a co-ordination committee consisting of two officials of SJVNL and two officials of PGCIL, but the petition is silent on this aspect. He



requested to know the steps taken by the petitioner to ensure coordination between generation and transmission.

3. The learned counsel for the BRPL submitted that commercial operation date of the transmission assets will have to be first determined in accordance with the judgment of the Hon'ble Appellate Tribunal for Electricity in Appeal No. 123 of 2011 and only then the capital cost of the assets will be determined. He further submitted that he has filed reply vide affidavit dated 10.3.2014 raising other issues which may also be considered.

4. The representative of SJVNL submitted that the submission of the petitioner for non-readiness of respective transmission line due to non-readiness of generation is not correct. In case of LILO of 400 kV D/C Naptha Jhakri-Nallagarh (Triple snowbird) line at Rampur, the erection, commissioning and stringing on all the 12 towers which the petitioner had to commission is still not complete. There is no delay on the part of SJVNL. He further submitted that the main reason is delay in forest clearance in Anni and Rampur divisions and ROW issues.

5. In response to a query of the Commission as to why IDC and IEDC should be passed on to the beneficiaries, the representative of the petitioner submitted that the Commission has allowed IDC and IEDC in Petition No. 2/2011 and Petition No.57/2011 in Koldam-Nalagarh cases where the generation stations were delayed.

6. The representative of petitioner further submitted that the tariff for the 1st Ckt. is to be determined on the basis of 2009 Tariff Regulations and tariff for the 2nd Ckt. will be determined on the basis of Tariff Regulations applicable for 2014-19 period, for which revised tariff forms and management certificates would be submitted. He further submitted that in NRPC meetings, all the beneficiaries have agreed that LILO of 400 kV D/C Nathpa Jhakri- Nallagarh would be commissioned, matching with the Rampur HEP. He also submitted a copy of the SJVNL letter dated 31.10.2013 revising their schedule of commissioning, and also minutes of the meeting held in the Ministry of Power on 31.1.2014 in this regard.

7. The Commission directed the petitioner to submit the following on affidavit, before 11.4.2014, with advance copy to the respondents:

- a) The revised tariff forms and Management/Auditor's certificate for 1st Ckt. as per the actual date of commercial operation i.e. 1.3.2014;
- b) Revised petition for 2nd Ckt. as per the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014;



c) Minutes of the 29th Meeting of Standing Committee on Transmission System Planning of Northern Region held on 29.10.2010.

8. Subject of the above, order in the petition was reserved.

By order of the Commission

Sd/-  
(T. Rout)  
Chief Legal

