

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEWDELHI**

Petition No. 14/RP/2014 in Petition No. 160/GT/2012

Subject: Review of Commission's order dated 20.2.2014 in Petition No.160/GT/2012 pertaining to determination of tariff of 2 x 600 MW power plant of Udupi Power Corporation Limited.

Date of Hearing: **15.7.2014**

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

Petitioner: Udupi Power Corporation Limited

Respondents: PCKL & 6 others

Record of Proceedings

During the hearing, the learned counsel for the petitioner submitted that the petitioner may be granted two weeks time to file its detailed rejoinder to the reply filed by the respondents (discoms of Karnataka) which was received on 14.7.2014. The learned counsel for the petitioner circulated certain documents related to the petition and submitted that in terms of the consent letter of the Karnataka State Pollution Control Board (KSPCB) dated 9.7.2013, the petitioner in its affidavit filed in August, 2013 had clarified that the GRP return sea water pipeline was to be replaced by MS pipeline and the said work was to be completed by June, 2014 in terms of the directions of the KSPCB. Accordingly, the learned counsel submitted that there is error apparent on the face of the record as these documents were not considered by the Commission at the time of passing the order dated 20.2.2014. The learned counsel took exception to the submissions of the respondents in its reply that no documents have been filed by the petitioner to substantiate the claim for replacement of GRP pipeline and clarified that documents justifying the claims made were filed by the petitioner and the same was available on record at the time of passing the order. The learned counsel added that the Commission may permit the petitioner to put on record all documents relating to the said claims in the rejoinder to be filed by the petitioner.

2. The learned counsel for the respondents (discoms of Karnataka) clarified that the documents relied upon by the petitioner related to the date of commercial operation of the project and not for the additional capital expenditure claimed. The learned counsel submitted that neither any document nor any justification was submitted by the petitioner in support of its claim for capitalization of the said expenditure towards replacement of GRP pipeline with MS pipeline and hence no relief can be granted. The learned counsel further submitted that the scope for review was limited and no new documents can be produced by the petitioner to substantiate its claim for capitalization of the said expenditure and the same may not be permitted by the Commission.

3. In response, the learned counsel for the petitioner referred to the relevant portion of the Commission's order dated 20.2.2014 rejecting the claim of ₹27.56 crore and submitted that the findings of the Commission in this regard is required to be reviewed as the documents in support of its claim were available on records of the Commission. The learned counsel further submitted that the details of the completed cost towards replacement of GRP pipeline would also be submitted to the Commission.

4. On a specific query by the Commission as to the actual date of capitalization of the said expenditure, the learned counsel clarified that the said item has been capitalized during May, 2014.

5. The Commission accepted the prayer of the petitioner and directed the petitioner to file its rejoinder on or before 7.8.2014 including the details as to the date and year of capitalization of the expenditure incurred towards the replacement of GRP pipeline. No extension of time shall be granted for any reason whatsoever. Rejoinder filed after the due date shall not be considered.

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

By order of the Commission

Sd/-
T.Rout
Chief (Law)