

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 121/MP/2011

Coram:

**Shri V.S. Verma, Member
Shri M. Deena Dayalan, Member**

**Date of Hearing: 4.7.2013
Date of Order : 22.2.2014**

In the matter of

Petition under Regulation 44 of the CERC (Terms & Conditions of tariff) Regulation, 2009 read with Regulation 111 and other related Regulations of CERC (Conduct of Business) Regulations, 1999 for recovery of additional cost incurred due to abnormal increase in water charges at NTPC stations.

And in the matter of

NTPC Ltd

Petitioner

Vs

1. Uttar Pradesh Power Corporation Ltd., Lucknow
2. Jaipur Vidyut Vitran Nigam Ltd, Jaipur
3. Ajmer Vidyut Vitran Nigam Ltd, Ajmer
4. Jodhpur Vidyut Vitran Nigam Ltd, Jodhpur
5. North Delhi Power Ltd, New Delhi
6. BSES Rajdhani Power Ltd, New Delhi
7. BSES Yamuna Power Ltd, New Delhi
8. Haryana Power Purchase Centre, Panchkula
9. Punjab State Power Corporation Ltd, Patiala
10. Himachal Pradesh State Electricity Board, Shimla
11. Power Development Department, J&K, Srinagar
12. Power Department, Union Territory of Chandigarh, Chandigarh
13. Uttaranchal Power Corporation Ltd., Dehradun
14. Madhya Pradesh State Electricity Board, Jabalpur
15. Maharashtra State Electricity Distribution Co Ltd, Mumbai
16. Gujarat Urja Vikas Nigam Ltd, Vadodara
17. Chhattisgarh State Electricity Board, Raipur
18. Electricity Department, Govt. of Goa, Panjim.
19. Electricity Department, Administration of Daman & Diu, Daman
20. Electricity Department, Administration of Dadra and Nagar Haveli, Silvassa
21. West Bengal State Electricity Distribution Company Ltd, Kolkata
22. Bihar State Electricity Board, Patna
23. Jharkhand State Electricity Board
24. Grid Corporation of Orissa Ltd., Bhubaneshwar

25. Power Department, Government Sikkim, Gangtok
26. Eastern Power Distribution Company Ltd, Jamshedpur
27. Southern Power Distribution Company Ltd, Tirupathi
28. Northern Power Distribution Company Ltd, Warangal
29. Central Power Distribution Company Ltd, Hyderabad
30. Electricity Department, Govt. of Puducherry, Puducherry
31. Tamil Nadu Generation and Distribution Corporation Ltd, Chennai
32. Kerala State Electricity Board, Thiruvananthapuram
33. Bangalore Electricity Supply Company, Bangalore
34. Mangalore Electricity Supply Company, Mangalore
35. Chamundeswari Electricity Supply Company, Mysore
36. Gulbarga Electricity Supply Company, Gulbarga
37. Hubli Electricity Supply Company, Hubli
38. Assam State Electricity Board, Guwahati

.....Respondents

Parties Present

Shri M.G.Ramachandran, Advocate, NTPC
Shri Ajay Dua, NTPC
Shri Guryog Singh, NTPC
Shri M.K.V.Rama Rao, NTPC
Shri S.K. Sharma, NTPC
Shri Rohit Chhabra, NTPC
Shri Rajnish Bhagat, NTPC
Shri Padamjit Singh, PSPCL
Shri T.P.S.Bawa, PSPCL
Shri Manish Garg, UPPCL & BYPL
Shri R.B.Sharma, Advocate, BRPL & JSEB
Ms. Megha Bajpeyi, BRPL
Shri Hmanshu Chauhan, BRPL
Dr. Meenu Mishra, BYPL
Shri Sameer Singh, BYPL

ORDER

The petitioner, NTPC Limited has filed this petition under Regulation 44 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (the tariff regulations) to seek recovery of water charges for its generating stations in Eastern, Western and Northern Regions in relaxation of Operation and Maintenance Expenses (O&M Expenses) norms.

2. The Commission after hearing the parties on 4.7.2013 reserved its orders in the matter, with the following directions;

"7. The Commission after hearing the parties directed the petitioner to file the copy of the judgments of the Tribunal, the station-wise details of the water charges pursuant to the said increase along with the amount of actual consumption of water for each of the generating station on affidavit, on or before 19.7.2013, with advance copy to the respondents, who shall file their reply submissions, by 26.7.2013, with copy to the petitioner. The petitioner may thereafter file its response by 2.8.2013. The Commission observed that there would be no further hearing in the matter."

3. In compliance with the said directions, the petitioner has filed the said information on 1.8.2013 and has also served copies on the respondents. The respondent, UPPCL has filed its reply on 3.10.2013 in response to the said submissions of the petitioner.

4. We after examination of the submissions of the parties are of the view that further information as under shall be called for in respect of all the generating stations:

- (a) Type of cooling system-open cycle or closed cycle;
- (b) Designed capacity for makeup water system in case of closed cooling system, along with detailed justification and brief write-up;
- (c) Designed capacity for the intake system in case of open cycle system;
- (d) Latest and earlier State Government notifications for levy of water charges for actual consumption/colony consumption if any;
- (e) Any other relevant information.

5. The information as required above shall be submitted by the petitioner on affidavit, on before 10.3.2014, with advance copy to the respondents who may file their reply by 24.3.2014 with copy to the petitioner. Rejoinder, if any, shall be filed by the petitioner, within 31.3.2014.

6. Matter shall be heard on 3.4.2014.

Sd/-
(M. DEENA DAYALAN)
MEMBER

Sd/-
(V.S. VERMA)
MEMBER