

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.50/GT/2014**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson**

**Shri M.Deena Dayalan, Member**

**Shri A.K. Singhal, Member**

**Date of Order: 14.7.2014**

**IN THE MATTER OF**

Approval of generation tariff of Barh STPS Stage-II (2x660 MW) for the period from the anticipated date of commercial operation of first Unit (Unit-IV) till 31.3.2014.

**AND IN THE MATTER OF**

NTPC Ltd.  
NTPC Bhawan,  
Core-7, SCOPE Complex,  
7, Institutional Area, Lodhi Road,  
New Delhi-110003

.....Petitioner

Vs

1. South Bihar Power Distribution Company Ltd.,  
1st Flor, Vidyut Bhawan  
Bailey Road, Patna-800 001.
2. North Bihar Power Distribution Company Ltd.,  
1st Floor, Vidyut Bhawan  
Bailey Road, Patna-800 001.
3. Jharkhand State Electricity Board  
Engineering Bhawan,  
Heavy Engineering Corporation  
Dhurwa, Ranchi-834 004.
4. Grid Corporation of Orissa Ltd  
24, Janpath,  
Bhubaneswar-751 007.
5. West Bengal State Electricity Distribution Company Ltd,  
Bidyut Bhawan (8<sup>th</sup> Floor), Block-DJ, Sector-II  
Salt Lake, Kolkata-700 091.
6. Power Department  
Govt. of Sikkim

## ORDER

The petitioner, NTPC has filed this petition for approval of generation tariff in respect of Barh STPS Stage-II (2 x 660 MW) ('the generating station') for the period from the anticipated date of commercial operation of first Unit (Unit-IV) till 31.3.2014 in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 ('the 2009 Tariff Regulations').

2. The petitioner submitted that the first unit (Unit-IV) of the generating station was synchronized on 12.10.2013 and was expected to achieve commercial operation with effect from 7.3.2014 and the second unit (Unit-V) to be declared for commercial operation thereafter. The petitioner also prayed for the grant of provisional tariff of the said unit of the generating station in terms of Regulation 5(4) of the 2009 Tariff Regulations.

3. During the pendency of the said petition, the petitioner filed Interlocutory Application (IA No. 17/2014) for determination of tariff of the first unit of the generating station from the anticipated date of its commercial operation to 31.3.2019 under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 ('the 2014 Tariff Regulations'). The petitioner also undertook to revise the petition based on the audited financial statements and projections for the period 2014-19 for determination of tariff based on the actual date of commercial operation of Unit-IV as per provisions of the 2014 Tariff Regulations.

4. Considering the fact that the tariff determination of the said unit is to be governed by the provisions of the 2014 Tariff Regulations, the Commission by its order dated 23.6.2014 disposed of the said I.A No.17/2014 with direction to the petitioner to amend the petition in accordance with the provisions of the 2014 Tariff Regulations. Based on this, the petition was proposed to be listed for hearing after completion of pleadings.

5. The petitioner has filed a fresh petition (Petition No. GT/130/2014) on 30.6.2014 with prayer for determination of tariff of Unit-IV for the period from the anticipated date of its commercial operation till 31.3.2019 along with the requisite fees. After filing of the fresh Petition under the 2014 Tariff Regulations, the present petition has become *infructuous*. We find no reason to keep the petition pending and accordingly, the petition is disposed of as *infructuous*.

Sd/-  
**[A.K.Singhal]**  
Member

Sd/-  
**[M.Deena Dayalan]**  
Member

Sd/-  
**[Gireesh B. Pradhan]**  
Chairperson