

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 434/GT/2014

Subject : Approval of tariff of Jaypee Karcham Wangtoo Hydroelectric Project for the period 2014-19

Date of Hearing : **25.8.2015**

Coram : Shri Gireesh B Pradhan, Chairperson
Shri A.K.Singhal, Member
Shri A.S. Bakshi, Member
Dr M.K. Iyer, Member

Petitioner : Jaiprakash Power Ventures Limited

Respondents : PTC India Limited & 6 Others

Parties present : Shri Vishal Gupta, Advocate, JPVL
Shri Sanjeev K. Goel, JPVL
Shri Suren Jain, JPVL
Shri Nitish Gupta, Advocate, PTC
Shri Rajiv Srivastava, Advocate, UPPCL
Ms Swapna Seshadri, Advocate, HPGCL & PSPCL
Ms Anushree Bardhan, Advocate, Discoms of Rajasthan

Record of Proceedings

During the hearing the learned counsel of the respondents HPGCL & PSPCL submitted that the participation of PSPCL in the proceedings before this Commission is subject to the decision of Punjab State Electricity Regulatory Commission (PSERC) in Petition No. 48 of 2014 filed by the respondent PSPCL seeking approval of power purchase of 200 MW through back to back PPA and PSA between the petitioner, PTC and PSPCL. The learned counsel referred to the order dated 20.5.2015 passed by PSERC in the said petition.

2. The learned counsel for the petitioner objected to the above submissions of the respondent PSPCL and submitted that the said respondent cannot raise such plea at the final stage of hearing of this petition. The learned counsel while pointing out that the State Commissions of UP and Haryana have approved the PPA/ PSA, submitted that in terms of Section 8 of the Electricity Rules 2005, the State Commission may determine whether a distribution licensee should enter into PPA with the generating company based on the tariff to be determined by the Central Commission. The learned counsel reiterated that the Commission while determining tariff shall ensure that the generation of electricity is conducted on commercial principles as per Section 61 (b) of the Electricity Act, 2003. Referring to the rejoinder dated 21.8.2015 the learned counsel submitted clarifications on the issues raised by the learned counsels for the

respondents on 16.7.2015 namely, the increase in capacity, sale of infirm power, liability of respondents to pay IDC or IEDC, the consideration of initial spares and Auxiliary Energy Consumption as per Regulation 47 of the 2014 Tariff Regulations, claim of NAPAF in terms of Regulation 37 of the 2014 Tariff Regulations etc. The learned counsel further submitted that the detailed rejoinder filed by the petitioner on the replies filed by the respondents may be considered while determining the tariff of the generating station.

3. The Commission after hearing the parties, reserved orders in the petition.

By Order of the Commission

-Sd/-
(T. Rout)
Chief (Legal)