

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 130/MP/2015

Subject : Petition for implementation/enforcement of the provisions of the CERC (Terms & Conditions of Tariff) Regulations, 2014 regarding declaration of Commercial Operation Date in respect of Unit-IV of Barh Super Thermal Power Station Stage-II (660 MW) and for consequential directions

Petitioner : GRIDCO Limited

Respondents : NTPC Limited & Others

Petition No. 130/GT/2014

Subject : Petition for approval of tariff of Barh Super Thermal Power Station Stage-II (2x660 MW) for the period from anticipated Date of Commercial Operation of 1st Unit (unit No.-iv) to 31.03.2019

Petitioner : NTPC Limited

Respondents : South Bihar Power Distribution Co. Ltd. & 5 Others

Date of Hearing : **10.9.2015**

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.S. Bakshi, Member

Parties present : Shri M.G. Ramachandran, Advocate, NTPC
Ms. Poorva Saigal, Advocate, NTPC
Shri Raj Kumar Mehta, Advocate, GRIDCO
Shri Abhishek Upadhyay, Advocate, GRIDCO
Shri Himanshi Audley, Advocate GRIDCO
Shri R.B. Sharma, Advocate, BRPL
Shri K.K. Sinha, NTPC
Shri Bhupinder Kumar, NTPC
Shri Umesh Ambali, NTPC
Shri Mohit Kumar Shah, Advocate, BSPHCL
Ms. Shilpi Shah, Advocate, BSPHCL
Shri P.S. Das, ERLDC

Record of Proceedings

These petitions were taken up today for hearing.

2. During the hearing, the Commission observed that the miscellaneous petition i.e. Petition No. 130/MP/2015 filed by GRIDCO on the issue of declaration of COD of the generating station by NTPC is to be considered prior to the determination of the tariff of the generating station. The learned counsel for the parties agreed to the same.

Petition No. 130/MP/2015

3. Petition No. 130/MP/2015 was admitted and the Commission directed issuance of notice to the parties. Shri M.G. Ramachandran, Advocate accepted notice on behalf of the respondent NTPC and prayed for grant of time to file its reply in the matter.

4. The Commission accepted the prayer and granted time to the respondent to file its reply by 1.10.2015 with copy to the petitioner, who shall file its rejoinder by 5.10.2015.

Petition No. 130/GT/2014

5. The learned counsel for the respondent, BSPHCL prayed for time to file its reply in the matter. The Commission accepted the prayer and granted time to the respondent to file its reply by 1.10.2015 with copy to the petitioner, who shall file its rejoinder by 5.10.2015.

6. The Commission also directed the petitioner to file additional information on the following:

i) *In respect of other generating stations, the petitioner has considered effective tax rate of 23.9394%. Detailed clarification shall be furnished as the effective tax rate of 22.5844% for the purpose of computing rate of return on equity has been considered in the present case.*

ii) *Reconciliation statement in respect of tax and profit figures used for computing effective tax rate with that as per audited books.*

iii) *Status of date of commercial operation of Unit-V of the generating station.*

iv) *Tax audit report for the years 2013-14 and 2014-15 in sealed envelope.*

v) *The actual capital cost as on COD of Unit-IV duly certified by the auditor and the common facilities capitalized as on date of COD of Unit-IV. The Capital work in Progress (CWIP) as on COD of Unit-IV and the additional capital expenditure from COD of Unit-IV to 31.03.2015 in case of Unit-IV and Unit-V separately.*

vi) *Reason and justification of time overrun and the agency responsible for the delay in clear terms, along with PERT and Bar charts of project commissioning activities.*

vii) *Details of cost over run due to time over run from scheduled COD to actual COD of unit-IV, due to escalation, increase in IEDC, increase in IDC & financing charges. Any cost over-run due to escalation in price, change in scope etc shall also be furnished separately*

viii) *Mention the controllable and uncontrollable factors leading to cost escalation impacting Contract Prices, IDC and IEDC of the project.*

ix) *Details of coal and secondary oil for preceding three months from the date of COD.*

x) *The details of infirm power injected in the Grid by Unit – IV till COD, revenue earned from sale of infirm power excluding fuel cost and the details of fuel used from synchronization till COD, for pre-commissioning activities as per the Form attached.*

xi) *The tariff petition was filed on anticipated date of COD. Since then, the COD of Unit-IV has been declared. In view of above, tariff filing forms are to be revised based on COD and corresponding capital cost. Therefore, all tariff filing forms (Thermal) shall be revised duly filled in all respects as specified in Tariff Regulations 2014.*

7. The information/ documents filed as above shall be exchanged between the parties and pleadings shall be completed on or before 5.10.2015. No extension of time shall be granted for reason whatsoever.

8. These petitions shall be listed for hearing on 8.10.2015.

By Order of the Commission

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

8	Value of Coal/ Lignite or Secondary fuel oil consumed in other unit of the station	Rs. Lakh																	
9	Closing of stock of Coal/ Lignite or Secondary fuel oil	mt/kl																	
10	Value of closing stock of Coal/ Lignite or Secondary fuel oil in the station	Rs. Lakh																	
11	Quantum of energy generated	MU																	
12	Revenue earned for sale of power	Rs. Lakh																	
6	Quantum of carpet Coal/ Lignite capitalized upto COD	mt																	
7	Value of carpet Coal/ Lignite Capitalised upto	Rs Lakh																	
8	Stock of Coal/ Lignite as on COD of the unit	mt																	
9	Value of stock of Coal/ Lignite as on COD of the Unit	Rs Lakh																	
Note 1	Information with regard to Coal/ Lignite and Secondary fuel oil should be submitted separately.																		
Note 2	The information should be furnished for each unit separately																		
Note 3	If description of/details of activities undertaken leading to fuel consumption during each month shall also be submitted separately																		