

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 23/MP/2014

Coram:

Shri Gireesh B.Pradhan, Chairperson

Shri A.K.Singhal, Member

Shri A.S.Bakshi, Member

Dr. M.K.Iyer, Member

Date of Hearing: 19.11.2015

Date of Order: 23.11.2015

In the matter of

Petition under Regulation 44 “power to Relax” of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 and Regulation 24 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for relaxation of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009.

And

In the matter of

Power Grid Corporation of India Limited
Plot No. 12, Sector-B-1, Pocket-1,
Local Shopping Complex,
Vasant Kunj, New Delhi-110 070

....Petitioner

Vs

Secretary
Central Electricity Authority,
Seva Bhawan, R.K.Puram,
New Delhi-110 066 and others

... Respondents

The following were present:

Shri Rajender Kumar Gujar, PGCIL

Shri Aryaman Saxena, PGCIL

ORDER

The petitioner, Power Grid Corporation of India Limited, has filed the present petition with the following prayers to:

- "(i) Consider the Right of Way (ROW) as uncontrollable factor;
- (ii-a) Relax Regulation 15 (2) CERC (Terms and Conditions of Tariff) Regulations, 2009 and increase and qualifying time schedule suitably, mentioned in CERC (Terms and Conditions of Tariff) Regulations, 2009 for the projects to be commissioned on or after 01.01.2014.
- (ii-b) increase the qualifying time schedule suitably mentioned in draft CERC (Terms & Conditions of Tariff) Regulations, 2014 for the projects to be commissioned during 2014-19 block.

Alternatively,

- (iii-a) relax Regulations 15 (2) of CERC (Terms and Conditions of Tariff) Regulations, 2009 and to merge the 0.5% additional return with the base rate of 15.5% and may allow the return on equity at the base rate of 16.0% (*computed on pre-tax basis*) without any qualifying time schedule in CERC (Terms & Conditions of Tariff) Regulations, 2009 for the projects to be commissioned on or after 01.01.2014.
- (iii-b) to merge the 0.5% additional return with applicable base rate for Return on Equity, without any qualifying time schedule for transmission system in upcoming CERC (Terms & Conditions of Tariff) Regulations, 2014 for the projects to be commissioned during 2014-19 block.

Pass such other relief as Hon'ble Commission deems fit and appropriate under the facts and circumstances of the case and in the interest of justice.

2. During the course of hearing, the representative of the petitioner submitted that subsequent to the filing of the petition, the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 have been issued. Therefore, the petition has become infructuous. The representative of the petitioner sought permission of the Commission to withdraw the present petition.

3. The prayer of the representative of the petitioner is allowed. Accordingly, Petition No. 23/MP/2014 is disposed of as withdrawn.

Sd/-	sd/-	sd/-	sd/-
(Dr. M.K.Iyer) Member	(A.S.Bakshi) Member	(A.K.Singhal) Member	(Gireesh B. Pradhan) Chairperson