

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 45/GT/2016

Subject : Determination of generation tariff for Unit-I of Bongaigaon Thermal Power Station (3 x 250 MW) for the period from its COD (21.3.2016) to 31.3.2019.

Date of Hearing : **6.9.2016**

Coram : Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : NTPC Limited

Respondents : Assam Power Distribution Company Ltd. and 6 others

Parties present: Shri Ajay Dua, NTPC
Shri M.K.Sharma, NTPC
Shri Nishant Gupta, NTPC
Shri K. Goswami, APDCL

Record of Proceedings

This petition has been filed by the petitioner, NTPC for determination of generation tariff in respect of Unit-I of Bongaigaon Thermal Power Station (3 x 250 MW) (the generating station) from COD of the said unit till 31.3.2019 in terms of the provisions of the 2014 Tariff Regulations.

2. During the hearing, the representative of the petitioner made detailed submissions in the matter and prayed that tariff of the generating station may be determined as claimed in the petition. He also submitted that detailed reasons for time overrun has been submitted for consideration of the Commission. The representative also prayed that the increase of 3.1016% in Auxiliary Power Consumption and 10% additional O&M expenses over and above the normative O&M expenses may be allowed for the generating station under Regulation 54 of the 2014 Tariff Regulations, i.e Power to Relax' on account of installation of FGD from 2017-18. He further submitted that the additional information as sought for by the Commission has been filed and copies have been served on the respondents.

3. The representative of the respondent, APDCL submitted that the Commission may examine the submissions of the petitioner on time and cost overrun and in case time overrun is attributable to the petitioner or its suppliers/contractors, then the cost overrun due to time overrun may be excluded from the purview of tariff. He also submitted that the cost of Flue Gas Desulphurisation (FGD) may be considered for tariff only after it is put into service. The representative further submitted that the claims of the petitioner for additional capitalisation may be allowed on prudence check



after verification as to whether they are within the original scope of work and as per provisions of the 2014 Tariff Regulations. He also added that the reply filed in the matter may be considered at the time of determination of tariff.

4. During the hearing, one Sri Saurabh Gandhi appeared in the matter based on the authorisation letter given by one Ms. Mallika Sharma Bezbaruah (c/o Sri. A.K.Dutta) to represent her in the matter. The representative of the petitioner objected to the same and submitted that the Consumer representative may be directed to make submissions on his *locus standi* to appear in the matter.

5. On a specific query by the Commission as regards the validity of the authorisation letter and the absence of details of the representative authorised to appear in the matter, the Consumer representative could not submit any clarification. The Commission however observed that instead of seeking impleadment in the matter, the consumer could participate by filing its objections/ comments in the matter. Accordingly, the Commission directed the petitioner to serve copies of the petition on the said consumer, if not already done, by 3.10.2016. The consumer representative shall file his written objections, if any, on or before 10.10.2016, with advance copy to the petitioner, who shall file its response by 17.10.2016.

6. The Commission also directed the petitioner to submit on affidavit, the basis for the increase of 3.1016% in Auxiliary Power Consumption and 10% additional O&M expenses claimed, by 17.10.2016.

7. Subject to the above order in the petition was reserved. The parties shall complete their pleadings prior to the due date mentioned above and no extension of time shall be granted for any reason. In case the information sought for is not filed within the due date, the petition shall be disposed of on the basis of the information available on record.

By order of the Commission

-Sd/-

B. Sreekumar
Dy. Chief (Law)

