

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 207/GT/2014**

Subject : Revision of tariff for Talcher Super Thermal Power Station Stage-I, (1000 MW) from 1.4.2009 to 31.3.2014

Date of Hearing : 20.5.2016

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

Petitioner : NTPC Limited

Respondents : West Bengal State Electricity Distribution Company Limited (WBSEDCL) and 18 others

Parties present: Shri Bhupinder Kumar, NTPC  
Shri Rajeev Chaudhary, NTPC  
Shri T. Vinodh Kumar, NTPC  
Shri Shailendra Singh, NTPC  
Shri R. B. Sharma, Advocate, GRIDCO and BRPL  
Shri Jaya Prakash R, Advocate, TANGEDCO  
Shri S Vallinayagam, Advocate, TANGEDCO

**Record of Proceedings**

The representative of the petitioner submitted that the instant petition has been filed for revision of tariff of Talcher Super Thermal Power Station Stage-I, (1000 MW) for 1.4.2009 to 31.3.2014 after the trueing up exercise. He requested to allow tariff as claimed in the petition.

2. The representative of the petitioner submitted that the increase in additional capital expenditure is due to replacement of MS pipe for ash slurry, township cost, R&M, Ash dry work for safety, etc.

3. The learned counsel of GRIDCO and BRPL submitted that the instant petition was filed after the true-up period on 1.8.2014. Additional capital expenditure of ₹4411.81 lakh was allowed vide order dated 21.12.2015 on the basis of actual add-cap upto 2011-12 and projected add-cap for 2012-13 and 2013-14, however the petitioner is now claiming add-cap of ₹10548.70 lakh for 2009-14 tariff period. The petitioner has submitted that proposed additional capitalization for 2012-13 and 2013-14 may only be allowed and the new claims made by the petitioner may not be allowed. He submitted that the reply already filed may be taken into consideration while allowing tariff for the 2009-14 tariff period.



4. The learned counsel for TANGEDCO submitted that the petitioner has claimed additional capital expenditure towards ash slurry pipes under “change in law” under Regulation 9(2)(ii) of the 2014 Tariff Regulations. He submitted that State Pollution Control Board, Orissa had issued a notification on 28.7.2010, in continuation of their letter dated 16.3.2010, directing the petitioner to replace the ash slurry pipes with high quality and durable pipes as the pipes were leaking. The State Pollution Control Board norms were already in place at the time of commissioning of the instant generating station and hence they cannot be categorised as change in law. He also submitted that reply to the petition was filed vide affidavit dated 8.5.2016 and requested to consider the same.

5. The Commission directed the petitioner submit the reasons for increase in additional capital expenditure and the following additional information on affidavit, by 20.6.2016, with advance copy to the respondents:-

- a) The justification, besides environmental concerns, for replacement of MS pipes with cast basalt pipes and instances of similar replacement carried out at other sites.
- b) Submit that all assets of the gross block as on 31.3.2013 and 31.3.2014 are in service. In case, any asset has been taken out from service, the same should be indicated along with the date of putting the asset in use, the date of taking out the asset from service, along with the depreciation recovered;
- c) Clarification/confirmation that all the actual expenditure incurred are the final payments made and no outstanding payment remain;

6. Subject to the above, order in the petition was reserved.

By order of the Commission

Sd/-  
V. Sreenivas  
Dy. Chief (Law)

