

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

**Shri A.S. Bakshi, Member  
Dr. M. K. Iyer, Member**

**Date of Hearing: 05.10.2016**

**Date of Order : 26.10.2016**

**Petition No. 108/TT/2016**

**In the matter of**

Approval under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 6 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for determination of transmission tariff for 2014-19 period for 400 kV D/C Teesta III–Rangpo Section upto LILO point at Rangpo in Eastern Region.

**And in the matter of**

Teestavalley Power Transmission Ltd.  
2<sup>nd</sup> Floor, Vijaya Building,  
17, Barakhamba Road, New Delhi-110001

**.....Petitioner**

**Vs**

1. PTC INDIA LTD.  
2nd Floor, NBCC Tower  
15, Bhikaji Cama Palace,  
New Delhi
2. Energy and Power Department  
Government of Sikkim  
Kazi Road, Gangtok-737101, Sikkim
3. Teesta Urja Ltd.  
2nd Floor, Vijaya Building  
17, Barakhamba Road, New Delhi — 110001
4. M/s Sneha Kinetic Power Projects Pvt. Ltd.  
Sonam Complex, Jeevan Theng Marg Development Area  
Near Little Pixel International School,



Gangtok — 737101, Sikkim

5. Powergrid Corporation of India Ltd Saudamini,  
Plot No.2, Sector 29, Near IFFCO Chowk  
Gurgaon 122001, Haryana
6. Punjab State Power Corporation Ltd. The Mall,  
Patiala — 147001, Punjab
7. Uttar Haryana Bijli Vitran Nigam Limited Vidyut Sadan,  
Plot No. C16, Sector-6 Panchkula — 134109, Haryana
8. Dakshin Haryana Bijli Vitran Nigam Limited,  
Vidyut Sadan, Vidyut Nagar,  
Hisar — 125005, Haryana
9. Haryana Power Purchase Centre  
Shakti Bhawan, Sector-6,  
Panchkula-134109, Haryana
10. Ajmer Vidyut Vitran Nigam Ltd  
Vidyut Bhawan, Panchsheel Nagar,  
Makarwali Road  
Ajmer-305004
11. Jaipur Vidyut Vitran Nigam Ltd  
Vidyut Bhawan, Janpath,  
Jaipur-302005, Rajasthan
12. Jodhpur Vidyut Vitran Nigam Ltd  
New Power House, Industrial Area  
Jodhpur-343003, Rajasthan
13. Rajasthan Urja Vikas Nigam Ltd.  
Vidyut Bhawan, Janpath  
Jyoti Nagar Jaipur-302005, Rajasthan
14. Uttar Pradesh Power Corporation Ltd.  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow-226001, Uttar Pradesh

...Respondent(s)

**For petitioner** : Shri S. K. Bhowmik, TPTL  
Shri S. Naresh Kumar, TPTL



**For respondents** :Shri Ashish Anand Bernard, Advocate, PTC India Ltd.  
Shri S. K. Agarwal, Advocate, Rajasthan Discoms  
Shri A. P. Sinha, Advocate, Rajasthan Discoms  
Shri S. P. Das, Advocate, Rajasthan Discoms

### ORDER

In this petition, the petitioner, Teesta Valley Power Transmission Ltd. (TPTL) has sought approval for transmission tariff for 400 kV D/C Teesta III-Rangpo Section upto LILO point at Rangpo in Eastern Region under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulation, 2014 (hereinafter referred to as "2014 Tariff Regulations") from the date of commercial operation to 31.3.2019. The petitioner has also prayed for allowing 90% of the Annual Fixed Charges claimed in terms of proviso (i) of Regulation 7(7) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations").

2. The details of the elements covered are as follows:-

<b>Sr. No.</b>	<b>Name of the Asset</b>	<b>Scheduled COD</b>	<b>Anticipated COD</b>	<b>Delay</b>
1.	400 kV D/C Teesta III-Rangpo Section upto LILO point at Rangpo	28.2.2013	1.11.2016	44 months

3. The petition was heard on 5.10.2016. The representative of the petitioner submitted that the out of total line of line 208 km of the scope, 36 km LILO is covered under instant petition. The petitioner has submitted that the instant asset was scheduled to be commissioned on 28.2.2013 however it is now expected to be commissioned on 1.11.2016. He further submitted that the time over-run is due to forest clearances,



compensation issues, a major earthquake in the region on 18.9.2011, collapse of Ranchang Khola Bridge, delay due to stay granted by the High court of Delhi and Sikkim, Blockage of NH 31A due to Gorkhaland Movement, delay in supply of materials and RoW issues. The representative of the petitioner further submitted that 98 towers and 98 foundations are ready and only 400 meter stretch is remaining due to ROW issues and subsequent to Hon'ble High Court`s order in this matter, the same will be implemented in next 10-15 days. He prayed for grant of interim tariff as Teesta-III will be synchronizing by 1.11.2016.

4. The learned counsel for the Rajasthan Discoms requested for three weeks time to file their reply.

5. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter State Transmission charges and losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7 (4) provides that such an application shall be filed as per Annexure-I of these regulations.

6. We have considered the submissions of the petitioner. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also



complied with the requirements of 2004 Regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc. After carrying out a preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time over-run and cost variation in case of the assets covered in this petition, which shall be looked into in detail at the time of issue of final tariff, the Commission has decided to allow tariff in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for the years 2016-17 and 2017-18 for inclusion in the PoC charges as per para 7 of this order.

7. The details of the tariff claimed by the petitioner and tariff awarded by the Commission are as follows:-

A. Annual transmission charges claimed by the petitioner are as follows:-

(₹ in lakh)		
2016-17	2017-18	2018-19
2906.06	5676.22	5473.08

B. Annual transmission charges allowed are as follows:-

(₹ in lakh)	
2016-17 (Pro-rata)	2017-18
1277.11	2494.50

8. The tariff allowed in this order shall be applicable from the date of commercial operation of the transmission system and the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as amended from time to time. Further, the transmission charges



allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

9. The petitioner is directed to submit the following information on affidavit by 18.11.2016, with a copy to the respondents:-

- a. Apportioned approved cost of the instant asset in the RCE dated 12.5.2016 ( i.e. breakup of capital cost for Teesta III-Rangpo section)
- b. Actual status of COD. If COD has taken place, then revised Auditors certificate and revised tariff forms based on actual COD.
- c. The RLDC trial run operation certificate of the asset.
- d. IDC, IEDC, FC, FERV discharged on cash basis as on scheduled COD, from scheduled COD to COD and COD onwards
- e. An undertaking mentioning the actual equity infused for the total capital cost as on COD is not less than 30% of the total cost submitted in the petition.
- f. Details of un-discharged liability, if any

10. The respondents are directed to submit the reply to the petition by 2.12.2016 and the petitioner to file the rejoinder, if any, by 9.12.2016. The parties are directed to submit the reply/rejoinder within the specified timeline and information received after the specified dates shall not be taken on record and the matter will be disposed on the basis of the information already available on record.

**sd/-**  
**(Dr. M. K. Iyer)**  
**Member**

**sd/-**  
**(A.S. Bakshi)**  
**Member**

