

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 125/TT/2016**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member**

**Date of Order : 6.10.2016**

**In the matter of:**

Determination of transmission tariff for Asset 1: Central Sector portion (2186.339 km) and Asset 2: BBMB (208.438 km) for establishment of fibre optic communication system in Northern Region from COD to 31.3.2019 under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

**And in the matter of:**

Power Grid Corporation of India Limited,  
"Saudamani", Plot No.2,  
Sector-29, Gurgaon -122 001

**.....Petitioner**

**Vs**

1. Rajasthan Rajya Vidyut Prasan Nigam Limited  
Vidyut Bhawan, Vidyut Marg,  
Jaipur - 302005
2. Ajmer Vidyut Vitran Nigam Limited  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur
3. Jaipur Vidyut Vitran Nigam Limited  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur.
4. Jodhpur Vidyut Vitran Nigam Limited  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur



5. Himachal Pradesh State Electricity Board  
Vidyut Bhawan  
Kumar House Complex Building II  
Shimla-171004
  6. Punjab State Power Corporation Limited  
Thermal Shed TIA,  
Near 22 Phatak, Patiala-147001
  7. Haryana Power Purchase Centre  
Shakti Bhawan, Sector-6  
Panchkula (Haryana) 134 109
  8. Power Development Department  
Government of Jammu & Kashmir  
Mini Secretariat, Jammu
  9. Uttar Pradesh Power Corporation Limited  
(Formerly Uttar Pradesh State Electricity Board)  
Shakti Bhawan, 14, Ashok Marg  
Lucknow - 226 001
  10. Delhi Transco Limited  
Shakti Sadan, Kotla Road,  
New Delhi-110002
  11. BSES Yamuna Power Ltd.  
BSES Bhawan, Nehru Place,  
New Delhi.
  12. BSES Rajdhani Power Ltd.  
BSES Bhawan, Nehru Place,  
New Delhi
  13. North Delhi Power Ltd.  
Power Trading and Load Dispatch Group  
Cennet Building, Adjacent to 66/11 kV Pitampura-3  
Grid Building, Near PP Jewellers  
Pitampura, New Delhi-110 034.
  14. Chandigarh Administration  
Sector -9, Chandigarh.
  15. Uttarakhand Power Corporation Ltd.
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UrjaBhawan, Kanwali Road,  
Dehradun.

16. North Central Railway,  
Allahabad.
17. New Delhi Municipal Council  
Palika Kendra, Sansad Marg,  
New Delhi-110002.
18. Bhakra Beas Management Board (BBMB)  
SLDC Complex, Industrial Area Phase-I  
Chandigarh-160002.

....Respondents

**For petitioner** : Shri V.P. Rastogi, PGCIL  
Shri M. M. Mondal, PGCIL  
Shri S.K. Venkatesan, PGCIL  
Shri S.S. Raju, PGCIL  
Shri Jasbir Singh, PGCIL  
Shri Narendra Meena, PGCIL

**For respondents** : Shri Manoj Kr Sharma, Advocate, Rajasthan Discoms  
Shri Pradeep Mishra, Advocate, Rajasthan Discoms  
Shri R. B. Sharma, Advocate, BRPL

### **ORDER**

The instant petition has been filed by Power Grid Corporation of India Limited (PGCIL) for approval of transmission tariff for Asset 1: Central Sector portion (2186.339 km) and Asset 2: BBMB (208.438 km) for establishment of fibre optic communication system in Northern Region from COD to 31.3.2019 under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "2014 Tariff Regulations").



2. During the hearing on 20.9.2016, the representative of the petitioner submitted that out of the 3425 km of OPGW, 1030 km were commissioned on 1.8.2016 and covered in Petition No.189/TT/2015 and the remaining 2394 km are covered in the instant petition. He submitted that as per the Investment Approval (I.A.) dated 27.3.2012, the instant assets were scheduled to be commissioned within 30 date of I.A. i.e. by 26.9.2014. The assets were commissioned on 1.4.2016 after a time over-run of 18 months. He submitted that OPGW was to be installed on Kashipur-Bareilly and Kashipur-Roorkee lines and delay in execution of these lines led to time over-run in case of OPGW. The representative of the petitioner submitted that the time over-run in case of the instant assets is due to execution of the said lines, delay in obtaining forest clearance, RoW issues, non-availability of shutdown and foggy conditions. He requested to condone the time over-run of 18 months. He also prayed for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations in respect of the instant assets.

3. Learned counsel for BRPL submitted that reply has been filed by it vide affidavit dated 19.9.2016. Learned counsel submitted that the petitioner has not filed any documents, including the certificate from Electrical Inspector, CEA, in support of the date of commercial operation of the instant assets. Learned counsel submitted that the timeline for execution of the assets was approved by the Board of Directors of the petitioner company and still there is time over-run. Learned counsel submitted that the petitioner has not filed the PERT chart and CPM analysis and the time over-run should not be condoned as he required statutory documents have not been filed by the



petitioner. Learned counsel also submitted that the cost of the earthwire has to be decapitalised and the revenue earned from usage of the instant assets from other purposes should be adjusted towards the transmission charges.

4. The learned counsel for Rajasthan Discoms sought time to file reply to the petition.

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), Regulations, 2010 (2010 Sharing Regulations). 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) of the 2014 Tariff Regulations 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. The issues raised by BRPL will be considered at the time of final hearing.

7. After carrying out preliminary prudence check of the AFC claimed by the petitioner, the Commission has decided to allow tariff for the instant assets in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in para 9 of this order for the years 2016-17 and 2017-18.

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

(₹ in lakh)				
Asset	DOCO	2016-17	2017-18	2018-19
<b>Asset I :Central Portion</b>	1.4.2016	1435.37	1521.19	1501.90
<b>Asset II : State Portion</b>		97.79	103.55	100.36

9. Annual transmission charges allowed in terms of Regulation 7(7) of the 2014 Tariff Regulations are as follows:-

(₹ in lakh)			
Asset	DOCO	2016-17	2017-18
<b>Asset I :Central Portion</b>	1.4.2016	1148.30	1216.95
<b>Asset II : State Portion</b>		78.23	82.84

10. The petitioner is directed to submit the following information on affidavit, with an advance copy to the respondents, by 15.10.2016:-

- (a) The break-up of scope of work of OPGW in Northern Region covered in various petitions.
- (b) The colored SLD of all the assets under the scheme, clearly identifying the assets covered in the instant petition.



(c) The information for delay against each activity for the assets covered under the instant petition in the format below:-

Asset	Activity	Period of activity				Reason(s) for delay along with reference of documentary evidence submitted
		Planned		Achieved		
		From	To	From	To	

The information for delay as given in above table is to be provided for every links covered under Asset-1 and Asset-2.

(d) Explain why it has attributed the total time over-run of 18 months and 5 days for 28 links of Asset-1 and 7 nos. of links of Asset-2 when the delay pertains only to 2 nos. links i.e. Kashipur-Roorkee and Kashipur-Bareilly.

(e) The detailed break-up of O&M Expenses covered in the instant petition.

(f) Whether the communication signal has been provided and whether the links are in commercial use? If yes, provide the details.

(g) Provide the details of asset which has been replaced by fibre optic alongwith petition nos. in which tariff of earlier assets have been claimed. Also provide the details such as gross block and cumulative depreciation till the date of replacement for decapitalisation of the asset which have been decapitalised.

11. The respondents are directed to submit their reply by 31.10.2016 and the petitioner to file rejoinder, if any, by 7.11.2016. The parties are directed to comply with the directions within the specified timeline and no extension of time will be granted.

12. The petition shall be listed on 8.11.2016 for final arguments.

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

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

sd/-  
**(A.K. Singhal)**  
Member

sd/-  
**(Gireesh B. Pradhan)**  
Chairperson

