

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

PETITION NO. 271/TT/2015

Coram:

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

**Date of Hearing : 29.04.2016
Date of Order : 11.05.2016**

In the matter of:

Determination of transmission tariff of Asset-I Kishenpur-New Wanpoh 400 kV D/C Line along with associated bays at Kishenpur and New Wanpoh under “Northern Region System Strengthening Scheme XVI” in Northern Region 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 Ltd,
SAUDAMINI, Plot No.-2, Sector-29,
Gurgaon-122001 (Haryana)

.....Petitioner

Versus

1. Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Vidyut Marg,
Jaipur-302 005
2. Ajmer Vidyut Vitran Nigam Ltd,
400 kV GSS Building (Ground Floor), Ajmer Road
Heerapura, Jaipur
3. Jaipur Vidyut Vitran Nigam Ltd,
400 kV GSS Building (Ground Floor), Ajmer Road
Heerapura, Jaipur



4. Jodhpur Vidyut Vitran Nigam Ltd,
400 kV GSS Building(Ground Floor) Ajmer Road,
Heerapaura, Jaipur
5. Himachal Pradesh State Electricity Board
Vidyut Bhawan,
Kumar House Complex Building II,
Shimla
6. Punjab State Power Corporation Ltd.,
Thermal Shed TIA,
Near 22 Phatak,
Patiala-147001
7. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6
Sector-6, Panchkula- 134 109,
Haryana
8. Power Development Dept.,
Government of Jammu & Kashmir,
Mini Secretariat, Jammu
9. Uttar Pradesh Power Corporation Ltd,
Shakti Bhawan, 14, Ashok Marg,
Lucknow-226 001
10. Delhi Transco Ltd.,
Shakti Sadan, Kotla Road,
New Delhi-110 002
11. BSES Yamuna Power Ltd.,
Shakti Kiran Building,
Karkardooma, Delhi- 110032
12. BSES Rajdhani Power Ltd.,
BSES Bhawan, 2nd Floor,
B-Block, Behind Nehru Place Bus Terminal,
Nehru Place, New Delhi
13. North Delhi Power Limited,
Power Trading & Load Despatch Group,
Cennet Building, Adjacent to 66/11 kV
Pitampura-3, Grid Building,
Pitampura, New Delhi-110034



14. Chandigarh Administration,
UTC- Chandigarh,
DIV-11, Opposite Transport Nagar,
Indl, PH-I, Chandigarh
15. Uttarakhand Power Corporation Ltd,
Urja Bhawan, Kanwali Road,
Near Balli Wala Chowk, Dehradun
16. North Central Railway,
Allahabad, UP
17. New Delhi Municipal Council
Palika Kendra, Sansad Marg,
New Delhi-110002

....Respondent(s)

The following were present:

For Petitioner: Ms. Sangeeta Edwards, PGCIL
Shri Subash C Taneja, PGCIL
Shri V.P. Rastogi, PGCIL
Shri Rakesh Prasad, PGCIL
Shri S.S. Raju, PGCIL
Shri M.M. Mondal, PGCIL

For Respondents: Shri S.K. Agarwal, Rajasthan Discom
Shri S.P. Das, Rajasthan Discom

ORDER

The petition has been filed by Power Grid Corporation of India Limited (hereinafter referred to as “the petitioner”) for determination of tariff of of Asset-I Kishenpur-New Wanpoh 400 kV D/C Line along with associated bays at Kishenpur and New Wanpoh under “Northern Region System Strengthening Scheme XVI” in Northern Region under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as “the 2009 Tariff Regulations”) for the period starting from COD to 31.3.2014.



2. The Investment Approval (IA) for the instant project was accorded by the Board of Directors of the petitioner vide Memorandum Ref: C/CP/RCE NRSS-16 dated 22.5.2011 at an estimated cost of ₹68903 lakh including IDC of ₹8709 lakh at the price level of third quarter of 2014. As per the IA, the instant assets were scheduled to be commissioned within 29 months from the date of IA. Accordingly, the instant assets were scheduled to be commissioned on 1.7.2013.

3. The instant petition was filed on 4.11.2015 and the assets were anticipated to be commissioned on 1.12.2015. However, during the hearing on 14.12.2015, the petitioner submitted that the instant asset was anticipated to be commissioned on 1.12.2015 and prayed for grant of Annual Fixed Cost (AFC) under Regulation 7(7) for inclusion in the PoC charges. Accordingly, AFC was allowed for instant asset under the said provision vide order dated 17.12.2015.

4. The petitioner vide affidavit dated 26.4.2016 submitted that instant asset is anticipated to be commissioned on 1.7.2016. In response to a query during the hearing on 29.4.2016, the representative of the petitioner submitted that the asset covered in the instant petition has not yet been commissioned and it will be commissioned only after June, 2016. The representative of the petitioner sought permission of the Commission to withdraw the instant petition and file a fresh petition after commissioning of the asset. He further requested that the filing fee paid in case of the instant petition be adjusted. He further prayed that the expenditure incurred towards publishing the notice in the instant case be reimbursed and the requirement of publication of notice at the time of filing fresh petition be waived.



5. The instant petition was filed on 4.11.2015 and the asset has not been commissioned even after passage of six months. We are of the view that no use full purpose will be served to award final tariff to the petitioner in respect of an asset where commercial operation is not certain. Accordingly, after taking into consideration the submission of the representative of the petitioner, we dispose of the petition as has withdrawn. The AFC allowed vide order dated 17.12.2015 shall be withdrawn from the computation of POC charges. We direct that the filing fees paid by the petitioner shall be adjusted against the filing fee payable for the instant asset when the petitioner approaches by way of a fresh petition. As regards petitioner's request to waive off the requirement of publication of notice in the newspapers, we are of the view that publication of notice is a mandatory requirement and it cannot be waived off. The publication expenses incurred for filing the instant petition shall be borne by the petitioner.

6. This order disposes of Petition No. 271/TT/2015.

Sd/-

(Dr. M.K. Iyer)
Member

Sd/-

(A.S. Bakshi)
Member

