

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. SM/014 /2014

Coram:

Shri Gireesh B. Pradhan, Chairperson

Shri A.K. Singhal, Member

Shri A.S. Bakshi, Member

Date of hearing: 12.5.2015

Date of Order: 20.5.2016

In the matter of

Non-compliance with the provisions of Clause (7) of Regulation 30 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014

AND

In the matter of

1. NTPC Ltd,
NTPC Bhawan
Core-7, Scope Complex-7
Institutional Area, Lodhi Road
New Delhi-110 003
2. Damodar Valley Corporation,
DVC Towers, First Floor, VIP Road,
Kolkatta-700054
3. Neyveli Lignite Corporation Ltd,
Neyveli House, 135, EVR Periyar Road,
Kilpauk, Chennai-600 010
4. North East Electric Power Company Ltd,
15, NBCC Tower, UG Floor
Bhikaji Cama Place
New Delhi-110066
5. Ratnagiri Gas and Power Private Ltd
2nd Floor, Block-2, IGL Complex,
Plot No.2B Sector, 126, Expressway
Noida-201304 (U.P),
6. Torrent Power Ltd,
Torrent House, Off Ashram Road,
Near Income Tax Circle,
Ahmedabad – 380009



7. ONGC-Tripura Power Company Ltd
6th Floor, A Wing, IFCI Tower-61
Nehru Place
New Delhi-110019

8. NTPC-SAIL Power Company Ltd
NBCC Tower (4th Floor)
15, Bhikaji Cama Place
New Delhi-110 066

9. Udipi Power Corporation Ltd,
2nd Floor, "Le Parc Richmond"
51, Richmond Road
Bengaluru-560025

10. Maithon Power Ltd
C-43, Sector-62
Noida-201301 (UP)

11. Pragati Power Corporation Limited
Himadri, Corporate Office
Rajghat Power House Complex
New Delhi-110 002

12. Aravalli Power Company Ltd
1st Floor, Pawan Hans Tower,
C-14, Sector-1, Noida-201301

13. NTPC-Tamil Nadu Energy Company Ltd,
NTPC Bhawan, Core-7, Scope Complex-7
Institutional Area, Lodhi Road
New Delhi-110 003

14. Kanti Bijlee Utpadan Nigam Ltd,
NTPC Bhawan, Core-7, Scope Complex-7
Institutional Area, Lodhi Road
New Delhi-110 003

....Respondents

ORDER

The Commission has notified the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter "2014 Tariff Regulations") on 21.2.2014 applicable for the period from 1.4.2014 to 31.3.2019. Clause (7) of Regulation 30 of the 2014 Tariff Regulations provides as under:



"The generating company shall provide to the beneficiaries of the generating station the details of parameters of GCV and price of fuel i.e. domestic coal, imported coal, e-auction coal, lignite, natural gas, RLNG, liquid fuel etc., as per the forms prescribed at Annexure-I to these regulations:

Provided that the details of blending ratio of the imported coal with domestic coal, proportion of e-auction coal and the weighted average GCV of the fuels as received shall also be provided separately, along with the bills of the respective month:

Provided further that copies of the bills and details of parameters of GCV and price of fuel i.e. domestic coal, imported coal, e-auction coal, lignite, natural gas, RLNG, liquid fuel etc., details of blending ratio of the imported coal with domestic coal, proportion of e-auction coal shall also be displayed on the website of the generating company. The details should be available on its website on monthly basis for a period of three months."

2. In terms of the above regulations, the generating companies whose tariffs are being determined by this Commission under Section 79(1)(a) and (b) of the Electricity Act, 2003 (Act) shall provide to their beneficiaries the details of parameters of GCV and price of fuel i.e. domestic coal, imported coal, e-auction coal, lignite, natural gas, RLNG, liquid fuel etc., as per the forms prescribed at Annexure-I to the said regulations. Also, the details of blending ratio of the imported coal with domestic coal, proportion of e-auction coal and the weighted average GCV of the fuels as received should be provided separately by the generating companies, along with the bills of the respective months. Further, the generating companies are required to display the said details in their website on monthly basis for a period of three months.

3. It was noticed that some of the generating companies have neither uploaded the details in their website, after March, 2014 nor updated the said details in respect of their generating stations in line with the above said regulations. Accordingly, the Commission decided to look into the compliance of the provisions of Regulation 30(7) of the 2014 Tariff Regulations by all the generating stations regulated by this Commission. In terms of this, the Commission by order dated 11.9.2014, directed the respondents to submit on affidavit that the provisions of Regulation 30(7) of the 2014 Tariff Regulations are complied with in respect of all generating stations under their control, accompanied by the documents downloaded from their web-sites for the period from April, 2014 to July, 2014.

4. In response to the directions contained in order dated 11.9.2014, all the above respondents have filed affidavits before this Commission indicating the status/details of their compliance to Regulation



30(7) of the 2014 Tariff Regulations. Thereafter, the petition was heard on 12.5.2015 and the Commission, after directing the respondents to submit the Form-15 furnished to the beneficiaries, reserved its order in the matter. The information submitted by the respondents is discussed as under:

NTPC Ltd

5. NTPC vide affidavit dated 5.11.2014 has submitted that it has uploaded the documents pertaining to all its generating stations as required under Regulation 30(7) of the 2014 Tariff Regulations, on its website under the link 'commercial'. Also, the print out of the documents comprising of monthly fuel details of its generating stations along with copies of the energy bills (invoice summary) of the beneficiaries, downloaded from its web-site for the period from April, 2014 to July, 2014 has been enclosed by NTPC. In response, to the directions of the Commission vide Record of the Proceedings dated 12.5.2015, NTPC vide affidavit dated 1.7.2015 has submitted Form -15 for the months of April, 2015 and May, 2015.

Damodar Valley Corporation (DVC)

6. DVC vide affidavit dated 13.11.2014 has submitted that it is providing the details of parameters of GCV and the price of domestic coal, imported coal etc., and also details of its imported coal as per the forms prescribed at Annexure-I of the regulations in respect of its generating stations and also displayed the same in its website on monthly basis as per the regulations. Similar submissions have been made by DVC in its affidavit dated 17.6.2015.

North Eastern Electric Power Corporation (NEEPCO)

7. NEEPCO vide affidavits dated 24.9.2015 has submitted that it has complied with the provisions of Regulation 30(7) of the 2014 Tariff Regulations in respect of all its thermal generating stations., viz Assam Gas Based Plant and Agartala Gas Based Plant. It has also submitted that the data is kept posted in the website for a minimum period of three months as specified under the said regulations. NEEPCO has further submitted that although the data pertaining to May, 2014 could not be uploaded on its website on time, the same was provided to all its beneficiaries along with monthly energy bills raised



on them for the said power generating stations. It has however clarified that the details of fuel for the month of April, 2014, June, 2014 and July, 2014 were uploaded on the website of NEEPCO in time. Accordingly, NEEPCO has enclosed the portal page displaying the data along with downloaded documents from website for the period April, 2014 to August, 2014.

Neyveli Lignite Corporation Ltd (NLC)

8. NLC vide affidavit dated 4.10.2014 has stated that the provisions of Regulation 30(7) of the 2014 Tariff Regulations are being complied with scrupulously. It has further submitted that NLC is priding the details regarding GCV & Price of lignite separately along with the bills of the respective months to the beneficiaries of all power plants under its control. NLC has also stated that it is hoisting all the above details in its website on monthly basis as is being retained for display for a period of three months. Accordingly, NLC has enclosed copies of the documents downloaded from its website for April, 2014 to July, 2014.

Torrent Power Limited (TPL)

9. TPL vide affidavit dated 30.9.2014 has confirmed that it has complied with the provisions of Regulation 30(7) of the 2014 Tariff Regulations and relevant information is hoisted in its website. Accordingly, TPL has downloaded copies of the information and enclosed as Annexure-A to the said affidavit. Similar submissions have been made by TPL vide affidavit dated 4.5.2015 and copies of the information for the period from August, 2014 to March, 2015 has been enclosed. Thereafter, in compliance with the directions contained in the ROP dated 12.5.2015, TPL vide affidavit dated 19.6.2015 has declared that details (in Form-15) covering (i) Natural gas (ii) R-LNG (iii) parameters of GCV and (iv) price of fuel for the period April, 2015 & May, 2015 in terms of Regulation 30(7) of the 2014 Tariff Regulations have been webhosted.

ONGC Tripura Power Corporation Ltd (OTPCL)

10. OTPCL vide affidavit dated 30.9.2014 has submitted that it is already complying and providing the details of parameters of GCV and price of fuel along with the bills of respective months and is also



displaying the information on its website as per provisions of Regulation 30(7) of the 2014 Tariff Regulations, on monthly basis, for a period of preceding three months as per Form-15 of Annexure-I of the 2014 Tariff Regulations along with the bill. OTPCL has further submitted that for the current month of September, 2014, it has uploaded the Form-15 containing the required details of previous three months, along with the gas bills of last three months (June, 2014, July, 2014 and August, 2014).

NTPC-SAIL Power Company Pvt Ltd (NSPCL)

11. NSPCL vide affidavit dated 7.11.2014 has submitted that it has uploaded the documents pertaining to all its generating stations as required under Regulation 30(7) of the 2014 Tariff Regulations, on its website under the link 'commercial'. Also, the print out of the documents comprising of monthly fuel details of its generating stations along with copies of the energy bills (invoice summary) of the beneficiaries, downloaded from its web-site for the period from April, 2014 to July, 2014 has been enclosed by NSPCL. Thereafter, vide affidavit dated 9.7.2015, NSPCL has submitted the details in Form-15 for the months of April, 2015 and May, 2015.

Udupi Power Corporation Ltd (UPCL)

12. UPCL vide affidavit dated 10.11.2014 has confirmed that it has complied with Regulation 30(7) of the 2014 Tariff Regulations for the period commencing from April, 2014 to July, 2014 and has enclosed copies of documents downloaded from its website. Thereafter, vide affidavit dated 18.6.2015, UPCL has submitted the details in Form -15 for the months of March, 2015 to May, 2015.

Pragati Power Corporation Ltd (PPCL)

13. PPCL vide affidavit dated 30.10.2014 has submitted that PPCL is continuously submitting the details of various gases i.e. Non-APM, Spot RLNG, diverted APM along with GCV & cost component of gas along with the monthly bills to various beneficiaries. Accordingly, copy of the monthly bill raised on Haryana Power Purchase Centre for May, 2014 and October, 2014 (for energy supply in April, 2014 and September, 2014) has been enclosed. PPCL has also submitted that it has also uploaded details of gas



consumed, GCV, total price etc., starting from April, 2013 on its website. PPCL has further stated that it has uploaded copies of Gas bills received from M/s GAIL since April, 2014. Accordingly, it has submitted that it has fully complied with the provisions of Regulation 30(7) of the 2014 Tariff Regulations and has prayed for removal of its name as respondent in this petition. Similar submissions have been made by PPCL vide affidavits dated 11.5.2015 and 17.6.2015.

Aravali Power Corporation Private Ltd (APCPL)

14. APCPL vide affidavit dated 28.10.2014 has downloaded the documents for the period from April, 2014 to July, 2014 from its website and submitted the same as Annexure-I of the said affidavit in respect of Indira Gandhi Super Thermal generating station. It has also submitted that in compliance with Regulation 30(7) of the 2014 Tariff Regulations, the petitioner has been providing to the beneficiaries since April, 2014, the details of the parameters of GCV and price of fuel etc., as per forms prescribed under the said regulations and shall display the said details in the website, on monthly basis, for a period of three months.

NTPC-Tamil Nadu Energy Company Ltd (NTECL)

15. NTECL vide affidavit dated 25.11.2014 has submitted that NTECL has provided to the beneficiaries the details of parameters of GCV and price of fuel i.e domestic coal & imported coal. It has also submitted that details of blending ratio of imported coal with domestic coal and weighted average GCV of fuel as received along with the bills of the respective months have been provided to the beneficiaries. NTECL has stated that it has published the said details in the website and shall ensure that it remains published for a period of three months. Accordingly, NTECL has attached documents downloaded from its website and has submitted that it has complied with the provisions of Regulation 30(7) of the 2014 Tariff Regulations.



Maithon Power Limited (MPL)

16. MPL vide affidavit dated 13.10.2014 has submitted copy of the documents i.e Coal bills and Form-15 as uploaded on its website and has submitted that it has complied with the provisions of Regulation 30(7) of the 2014 Tariff Regulations.

Kanti Bijli Utpadan Nigam Ltd (KBUNL)

17. KBUNL vide affidavit dated 23.4.2015 has submitted that GCV and landed price of coal for the months of June, 2014, July, 2014 and August, 2014 was uploaded on its website on 1.1.2014. It has further submitted that GCV and landed price of coal from September, 2014 to March, 2015 is uploaded on its website. Thereafter, vide affidavit dated 20.6.2015, KBUNL has submitted the details in Form-15 for the months of April, 2015 & May, 2015.

Ratnagiri Gas and Power Private Limited (RGPPL)

18. RGPPL vide affidavit dated 11.11.2014 has submitted that it has been complying with the provisions of Regulation 30(7) of the 2014 Tariff Regulations and submitting details of GCV & Fuel price along with respective monthly bills to all beneficiaries. Accordingly, details of GCV & Fuel submitted with the monthly bills for the month of September, 2014 has been enclosed by RGPPL. Subsequently RGPPL vide affidavit dated 11.11.2014 has furnished complete fuel details in FORM-15 for the month of September, 2014. It is also observed from its website that the generating company has uploaded fuel details and is available for three months at its website.

Analysis and Recommendations

19. Part-I, Form 15 of the 2014 Tariff Regulations requires the generating companies to give information on monthly basis in respect of their generating stations as under:



Details/Information to be submitted in respect of Fuel for Computation of Energy Charges¹

Name of the Company:

Name of the Power Station:

S. No	Month	Unit	For preceding	For preceding	For preceding
			3 rd month (from COD or from 1.4.2014 as the case may be)	2 nd month (from COD or from 1.4.2014 as the case may be)	1 st month (from COD or from 1.4.2014 as the case may be)
1	Quantity of Coal/Lignite supplied by Coal / Lignite Company	MMT			
2	Adjustment (+/-) in quantity supplied made by Coal/Lignite Company	MMT			
3	Coal supplied by Coal/Lignite Company (1+2)	MMT			
4	Normative Transit & Handling Losses (For coal/lignite based projects)	MMT			
5	Net coal/ lignite supplied (3-4)	MMT			
6	Amount charged by the Coal/Lignite Company	Rs			
7	Adjustment (+/-) in amount charged made by Coal/Lignite Company	Rs			
8	Total amount charged (6+7)	Rs			
9	Transportation charges by rail/ship/road transport	Rs			
10	Adjustment (+/-) in amount charged made by Railways/ Transport Company	Rs			
11	Demurrage Charges, if any	Rs			
12	Cost of diesel in transporting coal through MGR system, if applicable	Rs			
13	Total Transportation Charges (9+/- 10-11+12)	Rs			
14	Total amount charged for coal/lignite supplied including transportation (8+13)	Rs			
15	Landed cost of coal/Lignite	Rs/MT			
16	Blending ratio (Domestic / Imported)				
17	Weighted average cost of coal Lignite for preceding three months	Rs/MT			



18	GCV of domestic coal as per bill of Coal Company				
19	GCV of Imported coal as per bill of Coal Company				
20	Weighted average GCV of coal/Lignite as billed	kCal/Kg			
21	GCV of domestic coal as received at Station				
22	GCV of Imported coal as received at Station				
23	Weighted average GCV of coal/Lignite as Received				
	<p>1. Similar details to be furnished for natural gas/liquid fuel for CCGT station and secondary fuel oil for coal/lignite based thermal plants with appropriate units</p> <p>2. As billed and as received GCV, quantity of coal and price should be submitted as certified by statutory auditor.</p>				

20. Accordingly, in terms of the above provision, the generating companies are bound to provide the following information:

(a) Details of parameters of GCV and price of fuel (domestic coal, imported coal, e-auction coal, lignite, natural gas, RLNG, liquid fuel etc.) as per Form 15 of Part I of Appendix I to the 2014 Tariff Regulations;

(b) Details of blending ratio of the imported coal with domestic coal, proportion of e-auction coal and weighted average GCV of the fuels as received to be provided separately, along with the bills for the respective month;

(c) Copies of the bills and details of parameters of GCV and price of fuel, details of blending ratio of the imported coal with domestic coal and proportion of e auction coal to be displayed on the website of the generating companies on monthly basis for a period of three months.

21. Thus, the intention behind the above said provision of the regulation is to ensure transparency by making the generators provide information relating to the fuel including imported fuel to the beneficiaries as well as to post the said information on their web sites which would help the beneficiaries in taking informed decisions regarding scheduling of the power from the thermal generating stations. Therefore, the generating companies including the respondents herein are required to strictly comply with the above provisions and faithfully disclose the relevant information available with them. Without this, the purpose of bringing about transparency in the energy billing and energy accounting cannot be achieved. In this background, the submissions of the respondents have been examined and it has been observed as follows:



- (a) The respondents, namely, NEEPCO, NLC, OTPCL, PPCL have been furnishing fuel details as specified in Form-15 and have also displayed the said details in their websites, on monthly basis for a period of three months as specified under the 2014 Tariff Regulations. Accordingly, these generating companies have been complying with the provisions of Regulation 30(7) of the 2014 Tariff Regulations.
- (b) The respondents, UPCL and TPL have submitted details of fuel in terms of the provisions of Regulation 30(7) of the 2014 Tariff Regulations. However, the fuel details stated to have been uploaded could not be downloaded from their websites either on account of password protection or on account of not uploading the said details. TPL has vide affidavit dated 30.9.2014 and 4.5.2015 submitted the password and user id enabling the beneficiaries to download the fuel details (Form-15) from its website. UPCL is directed to upload the fuel details in respect of their units in terms of the provisions of the 2014 Tariff Regulations, in order to facilitate the beneficiaries to check the correctness of the Energy Charge Rate claimed.
- (c) The respondent, NTPC has furnished copies of fuel details for the period April, 2014 to July, 2014. It is observed that in respect of the generating stations namely, NCTPS Dadri TPS-I, BTPS, Farakka STPS I & II, Korba STPS I & II, Rihand STPS-I, the information regarding fuel details for the period from April, 2014 to July, 2014 etc. are incomplete in respect of GCV of coal on “as received basis” and GCV of coal “as billed” by the Coal company. It is further observed that in fuel details furnished for the months of April, 2015 and May, 2015, NTPC has mentioned that the samples for measurement of GCV of coal as on ‘as received’ basis have been taken after the secondary crusher in the generating stations. In this connection, it is pertinent to mention that the Hon’ble High Court of Delhi in its order dated 7.9.2015 had directed the Commission to consider the stage at which GCV of coal has to be measured on “as received” basis and pass appropriate order. The Commission after



considering the submissions of NTPC, Association of Power Producers, TANGEDCO, UPPCL, GUVNL, MPPMCL, GRIDCO and BRPL and going through the provisions of Indian Standards decided the issue vide order dated 25.1.2016 in Petition No. 283/GT/2014 as under:

“58. In view of the above discussions, the issues referred by the Hon'ble High Court of Delhi are decided as under:-

- (a) There is no basis in the Indian Standards and other documents relied upon by NTPC etc to support their claim that GCV of coal on as received basis should be measured by taking samples after the crusher set up inside the generating station, in terms of Regulation 30 (6) of the 2014 Tariff Regulations.*
- (b) The samples for the purpose of measurement of coal on as received basis should be collected from the loaded wagons at the generating stations either manually or through the Hydraulic Auger in accordance with provisions of IS 436 (Part1/Section1)- 1964 before the coal is unloaded. While collecting the samples, the safety of personnel and equipment as discussed in this order should be ensured. After collection of samples, the sample preparation and testing shall be carried out in the laboratory in accordance with the procedure prescribed in IS 436(Part-1/Section1)-1964 which has been elaborated in the CPRI Report to PSERC.”*

In the light of the above discussion, NTPC and all other generating companies who use coal as the fuel shall be required to measure GCV on as received basis by collecting samples from the loaded wagons at the generating station either manually or through the Hydraulic Auger in accordance with the provisions of IS 436(Part-1/Section1)-1964 before the coal is unloaded. The fuel details to be given in Form 15 should clearly reflect the GCV of coal based on the sampling and measurement made in accordance with the order dated 25.1.2016 in Petition No. 283/GT/2014.

- (d) The respondent, DVC has not furnished the weighted average GCV of domestic coal and GCV of coal as billed by Coal company, GCV of imported coal as per bill of Coal company & GCV of imported coal on 'as received basis'. Also, from the fuel details downloaded from DVC website for the months of April,2015 May,2015,June,2015 and July, 2015, it is observed that in respect of the generating stations viz. BTPS, CTPS (1-3), CTPS (7&8), DTPS, MTPS- (1-3), (5-6) & (7&8), DSTPS, Koderma TPS etc., DVC is stated to have



received mostly coking coal for these generating stations during the above months for which, the grade was decided based on ash percentage as against GCV of coal as billed by coal company. In our view, the gradation of coking coal based on ash percentage should have been furnished by DVC. It is further observed that the fuel details furnished in Form-15 are incomplete since DVC has not indicated the GCV of coal as per bill of the Coal Company. In our considered view, there has not been proper compliance with the provisions of Regulation 30(7) by DVC. Considering the fact that the cost and GCV of coking coal is higher than the power grade coal, we direct DVC to furnish the ash percentage in the coking coal i.e grade of coking coal received by the above generating stations during the period from April, 2014 to July, 2014. along with GCV of coal as billed by the coal company based on the ash percentage in the coking coal.

- (e) The respondent, RGPPL has not furnished details of fuel for the period from April, 2014 to July, 2014. However, it is noticed that complete fuel details have been furnished by RGPPL in Form-15 for the month of September, 2015. It is further noticed that RGPPL has been uploading fuel details (in Form-15) in its website as envisaged under the 2014 Tariff Regulations. Thus, RGPPL has now complied with the provisions of Regulation 30 (7) of the 2014 Tariff Regulations.
- (f) Other respondents namely, NTPC-SAIL, APCPL, NTECL, MPL and KBUNL have furnished incomplete fuel details, in Form-15 and have uploaded incomplete fuel details in their websites. These respondents are directed to upload the Form-15 giving complete fuel details as specified under Regulation 30(7) of the 2014 Tariff Regulations.

22. It is evident from the above that some of the generating stations whose tariff is regulated by the Commission have been furnishing fuel details and posting the same in their web-site in compliance of the provisions of Regulation 30(7) of the 2014 Tariff Regulations. Some of the generating stations who have not furnished complete fuel details are directed to furnish and upload complete fuel details (in



Form-15) in terms of the provisions of Regulation 30(7) of the 2014 Tariff Regulations. In this connection, it is pointed out that in Petition No. 33/MP/2014 (TPDDL v NTPC & ors), the Commission had dealt with the dispute arising out of non furnishing of details by NTPC & DVC in terms of Regulation 21 of the 2009 Tariff Regulations and by order dated 19.2.2016 had issued the following directions:

“Directions to the Generating Companies

45. In the light of the various issues discussed in this order, the following directions are issued for compliance by all generating companies whose tariff is determined by the Commission for strict compliance:

(a) The generating companies shall provide the required information to their respective beneficiaries in accordance with Regulation 30(7) of the 2014 Tariff Regulations and the first proviso thereunder

(b) The details as required in terms of second proviso under Regulation 30(7) of 2014 Tariff Regulations shall be displayed on the website of the concerned generating companies for a period of three months.

(c) In case any of the information as required under the Regulation 30(7) is not provided, the reasons for not furnishing the information, if any, shall be furnished and posted on the website by the generating companies.

(d) The benefits of third party sampling at the loading end shall be furnished to the Commission by the generating companies and the same shall be posted on their website.

(e) The generating companies are advised to take up the matter with Ministry of Power/Ministry of Coal and CIL to address the issue of grade slippage in GCV of coal between the loading point at the mine’s end and unloading point at the generating station. The outcome of the decision of the Government of India and coal companies with regard to wide variation between coal as billed and coal as received on account of grade slippage be placed on record of the Commission.

(f) Efforts may be made by the generating companies with the Ministry of Coal / CIL or its subsidiaries to introduce third party sampling of coal on as received basis at the unloading point in the generating stations in order to minimise the effect of loss of GCV on account of grade slippage.

(g) As per the 2014 Tariff Regulations, energy charge shall be charged by the generating companies from the beneficiaries based on the computation of GCV at the unloading point at the generating station. Therefore, as per the extant regulations, the grade slippage between the loading point at the mines’ end and unloading point at the generating stations is passed on through tariff. The beneficiaries are required to pay on the basis of the GCV of coal on as received basis. All generating companies shall institute the mechanism and install the facilities for measurement of GCV of coal on as received basis if not already done and take measurement of GCV on as received basis and share the same with the beneficiaries in terms of Regulation 30(7) of 2014 Tariff Regulations.

(h) Billing to the beneficiaries shall be done strictly in accordance with GCV on as received basis. This is subject to the outcome of the writ petitions pending in the High Court of Delhi.

(i) The respondents shall introduce help desk to attend to the queries and concerns of the beneficiaries with regard to the energy charges. The contentious issues regarding the energy charges should be sorted out with the beneficiaries at the senior management level, preferably at the level of Executive Directors.

(j) The beneficiaries are directed to strictly confine their queries within the parameters of the regulations.



(k) The above procedure shall be applicable to all thermal generating stations regulated by this Commission and their beneficiaries.

(l) Non-compliance of the above directions by any party shall be viewed seriously and the contravening party will be proceeded against accordingly.”

23. We therefore hold that the directions contained in the order dated 19.2.2016 and order dated 25.1.2016 in Petition No. 283/GT/2014 as above are applicable to the present case and shall be complied with by the respondents. Accordingly, the respondents are directed to furnish all relevant details of fuel in Form -15 and upload the same in terms of the provisions of Regulation 30(7) of the 2014 Tariff Regulations. Any failure on the part of the respondents to furnish the information as per provisions of the said regulations will be viewed as non-compliance of the 2014 Tariff Regulations and would attract appropriate action under the Electricity Act, 2003.

24. Petition No.SM/14/2014 is disposed of in terms of the above.

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

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

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

