

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 47/GT/2015

Coram:

Shri A.S. Bakshi, Member

Dr. M.K Iyer, Member

Date of Hearing: 11.07.2016

Date of Order: 15.07.2016

In the matter of

Approval of generation tariff of Koteshwar Hydroelectric Project (400 MW) for the period from 1.4.2014 to 31.3.2019

And

In the matter of

THDC India Limited,
Core-7, Scope Complex,
Pragatipuram, Bypass Road,
Uttarakhand Rishikesh -110003

...Petitioner

Vs

1. Punjab State Power Corporation Limited
The Mall, Patiala-147 001
2. Haryana Power Utilities (DHBVNL & UHBVNL)
Shakti Bhawan, Sector-VI,
Panchkula, Haryana-134109
3. Uttar Pradesh Power Corporation Limited
Shakti Bhawan, 14 Ashok Marg
Lucknow-226001,
4. Delhi Transco Ltd.
Shakti Sadan. Kotla Road
New Delhi-110019
5. BSES Rajdhani Power Ltd
BSES Bhawan, Nehru Place,
New Delhi 110019
6. BSES Yamuna Power Ltd
Shakti Kiran Building
Karkardooma, Delhi 110092
7. Tata Power Delhi Distribution Ltd
33 kV Substation Hudson Line, Kingsway Camp,
Delhi-110009
8. Engineering Department
Chandigarh Administration



1st Floor, UT Secretariat,
Sector 9-D,
Chandigarh-160009

9. Uttrakhand Power Corporation Ltd.,
Urja Bhawan, Kanwali Road
Dehradun -248 001

10. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171 004

11. Jaipur Vidyut Vitran Nigam Ltd
Vidyut Bhawan,
Janpath, Joytinagar, Jaipur, 302005

12. Ajmer Vidyut Vitran Nigam Ltd
Old Power House, Hathi Bhata,
Jaipur Road, Ajmer, 305001

13. Jodhpur Vidyut Vitran Nigam Ltd
New Power House, Industrial Area
Jodhpur, Rajasthan

14. Power Development Department,
Govt. of Jammu and Kashmir, Secretariat,
Srinagar

...Respondents

Parties present:

For Petitioner:

Shri M.G.Ramachandran, Advocate, THDC
Ms.Poorva Saigal, Advocate, THDC
Shri Mukesh Kumar Verma, THDC

For Respondent:

Shri R. B. Sharma, Advocate, BRPL
Shri Manish Garg, UPPCL

ORDER

This petition has been filed by the petitioner, THDC for approval of tariff of Koteswar Hydroelectric Power Project (400 MW) (hereinafter referred to as “the generating station”) for the period from 1.4.2014 to 31.3.2019 in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (“the 2014 Tariff Regulations”).

2. The Commission vide order dated 15.5.2014 in Petition No.116/GT/2013 had granted provisional tariff for the generating station for the period from 1.4.2011 to 31.3.2014 in terms of the 2009 Tariff Regulations, based on 85% of the actual capital expenditure of ₹236405.71 lakh



incurred as per audited balance sheet as on 31.3.2012. The provisional annual fixed charges granted by order dated 15.5.2014 is as under:

	(₹ in lakh)				2013-14 (all Unit)
	2011-12			2012-13	
	1.4.2011 to 20.10.2011 (Unit – I)	26.10.2011 to 12.2.2012 (Unit – I & II)	13.2.2012 to 31.3.2012 (Unit – I to III)	1.4.2012 to 31.3.2013 (Unit – I to IV)	
Return on equity	1159.85	1226.76	802.97	8163.55	8163.55
Interest on loan	2405.14	2519.99	1647.27	16276.71	15190.91
Depreciation	1346.20	1423.86	931.98	9650.24	9791.22
Interest on Working Capital	125.01	131.74	86.19	1002.95	993.69
O & M Expenses	561.33	593.72	388.61	3950.91	4176.90
Total	5597.52	5896.08	3857.03	39044.37	38316.27

3. The provisional tariff granted as above was subject to adjustment after determination of final tariff of the generating station based on the Revised Cost Estimate (RCE) approved by the Central Government.

4. Thereafter, the petitioner filed Petition No. 49/GT/2015 during January, 2015 praying for revision of tariff in respect of the generating station for the period 2009-14 based on truing-up exercise, considering the actual additional capital expenditure incurred during the period 2009-14 in accordance with Regulation 6(1) of the 2009 Tariff Regulations. However, in terms of the prayer of the petitioner during the hearing, the said petition along with Petition No.116/GT/2013 was disposed of by the Commission vide order dated 7.3.2016 as under:

“8.....Keeping in view that there will be revision of the capital cost of the generating station after approval of RCE by the Central Government, we find no reason to keep these petitions pending. Hence, we are inclined to dispose of these petitions, with liberty to the petitioner to approach the Commission with fresh tariff petition in respect of the generating station after approval of RCE by the Central Government. We direct accordingly.

9. We also direct that the provisional tariff granted by order dated 15.5.2014 shall continue to be in operation till the tariff of the generating station is determined based on the approved RCE. The filing fees deposited by the petitioner shall however be adjusted against the fresh petition to be filed in terms of the liberty granted above.”

5. While so, Petition No. 47/GT/2015 was heard on 11.7.2016. On a specific query as regards the submission of approved RCE, the learned counsel for the petitioner submitted that RCE is under approval of the Central Government and the same is expected to be finalized by August, 2016. He further submitted that since the tariff petition is required to be amended after receipt of approved RCE, the petitioner may be permitted to withdraw the petition with liberty to file fresh



petition. The learned counsel however prayed that the provisional tariff granted vide Commission's order dated 15.5.2014 in Petition No. 116/GT/2013 may be allowed to continue till such time.

6. Considering the fact that RCE is yet to be approved and that there will be revision in the capital cost of the generating station after approval of RCE by the Central Government, we find no reason to keep this petition pending. Hence, in line with the decision in Commission's order dated 7.3.2016, we are inclined to dispose of this petition, with liberty to the petitioner to approach the Commission with fresh tariff petition in respect of the generating station after approval of RCE by the Central Government. We direct accordingly. We also direct that the provisional tariff granted by order dated 15.5.2014 in Petition No.116/GT/2013 shall however continue to be in operation till the tariff of the generating station is determined based on the approved RCE. The filing fees deposited by the petitioner shall be adjusted against the fresh petition to be filed in terms of the liberty granted above.

7. Petition No 47/GT/2015 is disposed of in terms of the above.

Sd/-
(Dr. M. K. Iyer)
Member

Sd/-
(A. S. Bakshi)
Member

