

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 10/RP/2017

**In
Petition No. 384/TT/2014**

Coram:

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

Date of Order : 18.05.2017

In the matter of:

Review petition under Section 94(1)(f) of the Electricity Act, 2003 and Regulation 103 of Central Electricity Regulatory Commission (Conduct of business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014, seeking review of the order dated 16.1.2017 in Petition No. 384/TT/2014

And in the matter of:

Parbati Koldam Transmission Company Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi 110 016.....**Petitioner**

Vs

1. Rajasthan Rajya Vidyut Prasaran Nigam Ltd.,
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, Heerapura, Jaipur



5. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II
Shimla-171 004
6. Punjab State Power Corporation Limited,
Thermal Shed Tia, Near 22 Phatak,
Patiala-147 001.
7. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula (Haryana)-134 109
8. Power Development Department,
Government of Jammu and 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-110 092.
12. BSES Rajdhani Power Ltd.,
BSES Bhawan,
Nehru Place, New Delhi.
13. Tata Power Delhi Distribution Limited,
Cennet Building, Adjacent to 66/11kV
Pitampura-3Grid Building, Near PP Jewellers,
Pitampura, New Delhi-110 034
14. Chandigarh Administration,
Sector-9, Chandigarh.
15. Uttarakhand Power Corporation Ltd.,
UrjaBhawan, Kanwali Road, Dehradun.
16. North Central Railway,
Allahabad



17. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110 002.
18. Northern Region Electricity Board
18-A, Shaheed Jeet Singh Marg,
Katwaria Sarai, New Delhi-110016.
19. Power Grid Corporation of India Limited "Saudamini",
Plot No.2, Sector-29,Gurgaon -122 001.
20. NTPC Ltd.,
NTPC Bhawan, Scope Complex,
Institutional Area,
Lodi Road New Delhi 110003.

.....Respondents

For Petitioner: Shri Amit Kapur, Advocate PKTCL
Shri Lokendra Singh, PKTCL

For Respondents: None

Parbati Koldam Transmission Company Limited (hereinafter referred to "Review Petitioner") has filed the instant review petition under Section 94(1)(f) of the Electricity Act, 2003 (the Act) seeking review of the order dated 16.1.2017 in Petition No. 384/TT/2015, wherein the tariff was allowed for section of 400 kV (Quad) 2xS/C Parbati-Koldam Transmission Line (starting from LLO point of Parbati (Banala) Pooling Station to Koldam HEP) in Northern Region for 2014-19 period under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

2. Review Petitioner has filed the review petition on the ground that there are apparent errors in the impugned order and sought review with respect to the following:-



a) In order dated 16.1.2017, the cut-off date of the instant asset has been declared as 31.3.2017, whereas the cut-off dated as per Regulation 3(13) of the 2014 Tariff Regulations should be 31.3.2018, as the asset was commissioned in the last quarter of 2015-16.

b) Ckt II of the Parbati-Koldam Transmission Line was completed and idle charged on 4.10.2014 but was prevented from getting charged and commissioned due to non-commissioning of the Koldam switchyard of NTPC. Accordingly, the COD of Ckt II was approved as 4.10.2014 under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations. Ckt II was put to use on 21.3.2015. The Commission allowed only IDC and IEDC for the period starting from 4.10.2014 to 20.3.2015. As a result, Review Petitioner is able to recover only about ₹7 cr. against full transmission charges of ₹15 cr. and it has been put into financial difficulties. The Review Petitioner has been deprived of the other components of transmission charges viz Return on Equity, Depreciation and Interest on Working Capital, whereas in similar petitions full transmission charges were allowed. The Review Petitioner has prayed that full transmission charges should be allowed for Ckt II from 4.10.2014 to 20.3.2015.

c) In the footnote in para 38 of the impugned order, it should be "PKTCL" and not "PGCIL" and in para no. 56, it should be "Total Time: 93 months 15 Days" and not "Total Delay: 93 months 15 Days".

3. The review petitioner has also filed an Interlocutory Application No.16/IA/2017 seeking directions to CTU for not recovering any amount on account of provisional tariff received by the Review Petitioner for the period from claimed



COD (4.10.2014) to tariff COD (20.3.2015) till disposal of the present proceedings. We are of the view that no direction on the IA can be issued without hearing the parties.

4. We direct issue of notice on the admissibility of the Review Petitioner as well as on IA.

5. The Review Petitioner is directed to serve a copy of the petition and IA on the respondents by 22.5.2017 and respondents to file their reply by 16.6.2017 on admissibility as well as on merit and the petitioner to file rejoinder, if any, by 5.7.2017. No extension of time shall be granted.

6. The review petition shall be listed on 11.7.2017 for final hearing.

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

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(A.S. Bakshi)
Member

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(A.K. Singhal)
Member

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(Gireesh B. Pradhan)
Chairperson

