

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 108/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 : 12.5.2017

In the matter of:

Determination of transmission tariff for 400 kV D/C Teesta III-Rangpo Section upto LILO Point at Rangpo for 2014-19 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:

Teestavalley Power Transmission Limited
2nd Floor, Vijaya Building,
17, Barakhamba Road, New Delhi -110001

.....Petitioner

Vs

1. PTC INDIA Limited,
15, Bhikaji Cama Place,
New Delhi 110066
2. Energy and Power Department Government of Sikkim
Kazi Road, Gangtok-737101, Sikkim
3. Teesta Urja Ltd.
2nd Floor, Vijaya Building
17, Barakhamba Road, New Delhi — 110001



4. Sneha Kinetic Power Projects Pvt. Ltd.
Sonam Complex, Jeevan Development Area
Near Little Pixel International School, Gangtok-737101, Sikkim
5. Powergrid Corporation of India Ltd., Saudamini,
Plot No.2, Sector 29, Near IFFCO Chowk,
Gurgaon 122001, Haryana
6. Punjab State Power Corporation Ltd.,
The Mall, Patiala-147001, Punjab
7. Uttar Haryana Bijli Vitran Nigam Limited Vidyut Sadan,
Plot No. C16, Sector-6 Panchkula-134109, Haryana
8. Dakshin Haryana Bijli Vitran Nigam Limited,
Vidyut Sadan, Vidyut Nagar, Hisar- 125005, Haryana
9. Haryana Power Purchase Centre
Shakti Bhawan, Sector-6,
Panchkula-134109, Haryana
10. Ajmer Vidyut Vitran Nigam Ltd
Vidyut Bhawan, Panchsheel Nagar,
Makarwali Road, Ajmer-305004
11. Jaipur Vidyut Vitran Nigam Ltd
Vidyut Bhawan, Janpath,
Jaipur-302005, Rajasthan
12. Jodhpur Vidyut Vitran Nigam Ltd
New Power House, Industrial Area
Jodhpur-343003, Rajasthan
13. Rajasthan Urja Vikas Nigam Ltd.
Vidyut Bhawan, Janpath
Jyoti Nagar Jaipur-302005, Rajasthan
14. Uttar Pradesh Power Corporation Ltd.
Shakti Bhawan, 14, Ashok Marg,
Lucknow-226001, Uttar Pradesh...

.....Respondents



- For petitioner** : Shri Tarun Johri, Advocate, TPTL
Shri S.K. Bhowmik, Advocate, TPTL
Shri Javed, TPTL
Shri Jaideep, TPTL
Shri Varun, TPTL
Ms. Swati, TPTL
- For respondents** : Shri S. K. Agarwal, Advocate, Rajasthan Discoms
Shri A. P. Sinha, Advocate, Rajasthan Discoms
Shri Abhinav Anand, Rajasthan Discoms
Shri Shashi Kumar Jain, Rajasthan Discoms
Shri Tarun Ahuja, Rajasthan Discoms
Shri Ashish Anand Bernard, Advocate, PTC India Ltd.
Shri S.K. Venkatesh, PGCIL
Shri S.S. Raju, PGCIL

ORDER

The petitioner, Teesta Valley Power Transmission Ltd. (TPTL) has filed the present petition for determination of transmission tariff for 400 kV D/C Teesta III HEP–Rangpo Section upto LILO Point at Rangpo in Eastern Region under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulation, 2014 (hereinafter referred to as "2014 Tariff Regulations"). TPTL has also prayed for grant of AFC under Regulation 7(7) of the 2014 Tariff Regulations. Accordingly, AFC was granted for the entire 400 kV D/C Teesta III HEP-Rangpo Section upto LILO in Eastern Region vide order dated 26.10.2016.

2. The petitioner vide affidavit dated 6.3.2017 has submitted that Circuit 2 of the Teesta III-Rangpo Section was charged on “no load condition” from Rangpo Sub-station on 24.11.2016 upto gantry terminal of Teesta III HEP. As the generating units of Teesta



III HEP were not ready, the trial run could not be carried out. Circuit 2 was charged for 24 hours and was declared under commercial operation on 26.11.2016. The petitioner has submitted the Certificate of Completion dated 15.12.2016 from ERLDC and sought approval of COD under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations as the generating units of Teesta III were not commissioned. The petitioner has further submitted that one unit of Teesta III was synchronized on 14.1.2017 and since then the Circuit has been successfully evacuating power of 200 MW of Teesta III HEP. The petitioner has also submitted that the requirement of Regulation 4(3) of the 2014 Tariff Regulations of being in regular service after successful trial operation and communication signal from sending to receiving end was fulfilled and has also enclosed copy of the Trial Operation Certificate dated 16.1.2017.

3. The petitioner has submitted that a part of Circuit 1 from Dikchu HEP to Teesta III (Circuit 1(a)) was completed on 24.11.2016, however the requirements of Regulation 4(3) could not be met as the 96 MW Dikchu HEP was not ready. The energy proposed to be generated by 96 MW Dikchu HEP can be evacuated through Circuit 1(a) by Dikchu-Teesta III and Teesta III-Rangpo Circuit 2. Dikchu HEP is anticipated to be commissioned in February, 2017 and the trial run of Circuit 1(a) will be carried out after the commissioning of Dikchu HEP. The transmission charges for Circuit 1(a) for the period when the Circuit 1(a) could not be charged due to delay in commissioning of Dikchu HEP which will be claimed from Dikchu HEP in terms of Implementation Agreement dated 11.3.2016 between the petitioner and Dikchu HEP. A part of Circuit 1,



i.e. Circuit 1(b) is yet to be energized due to RoW issues and as such the power from Dikchu HEP is proposed to be evacuated through Dikchu-Teesta III, i.e. Circuit 1(a) and Teesta III-Rangpo, i.e. Circuit 2.

4. The petitioner has submitted that the Teesta III-Rangpo has been split into three sections, viz. Circuit 2 - Teesta III-Rangpo, Circuit 1(a) - Dikchu-Teesta III and Circuit 1(b) - Rangpo-Dikchu, as shown in the Schematic Line Diagram in Annexure. The circuit-wise details of Teesta III-Rangpo Section of 400 kV D/C Teesta III-Kishanganj Transmission line are as under:-

Sr. No.	Particulars	Ckt Length	Status Details
1	Circuit No. 2: Teesta III- Rangpo Section	36 km	<ul style="list-style-type: none"> • Declared under commercial operation on 26.11.2016 on no load condition • Power being evacuated from Teesta III HEP since 14.1.2017 • Completion of trial run and communication on 16.1.2017
2	Circuit No. 1(a) : Dikchu- Teesta III Section	14 km	Successful trial operation shall be concluded on commissioning of 96 MW Dikchu HEP
3	Circuit No. 1(b): Rangpo- Dikchu Section	22 km	Yet to be energized due to ROW issue

5. The petitioner has submitted that it was advised by the Validation Committee held on 21.2.2017 to obtain tariff separately for Circuit 2 - Teesta III-Rangpo and Circuit 1(a) – Dikchu HEP –Teesta III for inclusion in the computation of PoC charges. Accordingly, the petitioner has submitted the combined revised tariff forms for Circuit 2 and Circuit



1(a) and has prayed for grant of AFC under Regulation 7(7) of the 2014 Tariff Regulations.

6. During the hearing on 13.4.2017, learned counsel for the petitioner submitted that though one of the circuits has been commissioned on 24.11.2016 and evacuating power from 16.2.2017, the petitioner has not been getting any transmission charges and requested for grant of AFC for Circuit 2 and Circuit 1(a) from 26.11.2016 and 31.3.2017 respectively in terms of proviso (i) of Regulation 7(7) read with proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations. In response to a query of the Commission regarding the change in the configuration of the instant assets, learned counsel for the petitioner submitted that the 400 kV D/C Teesta III-Rangpo Section upto LILO Point at Rangpo has been split into three parts and that there is no change in the configuration of the instant asset and with the commissioning of Circuit 1(b), the asset will be fully commissioned and it will be in place within six months as envisaged initially.

7. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.



8. We have considered the submissions of the petitioner. After carrying out preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time and cost over-run, which will be considered at the time of grant of final tariff, the Commission has decided to allow revised in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. The petitioner has prayed to approve the COD of Circuit 2 and Circuit 1(a) as 26.11.2016 and 31.3.2017 respectively under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations. The Commission will go into this issue at the time of final determination of tariff after the hearing the beneficiaries and Dikchu HEP. The petitioner is directed to implead Dikchu HEP as a party to the proceedings and place on record the status of Dikchu HEP. For the purpose of approval of tariff under Regulation 7(7) of the 2014 Tariff Regulations, we provisionally approve the COD of Circuit 2 and 1(a) from 31.3.2017 and 17.1.2017 respectively (taking into consideration the RLDC certificate dated 16.2.2017). The petitioner has not claimed any tariff for Circuit 1(a) for 2016-17, in affidavit dated 6.3.2017 accordingly, the transmission charges are allowed from 1.4.2017. The transmission charges allowed for Circuits 2 and 1(a) from 17.1.2017 and 1.4.2017 respectively shall be included in the PoC.

9. The details of the tariff claimed by the petitioner and tariff allowed by the Commission are as under:-



A. Annual transmission charges claimed by the petitioner areas under:-

(₹ in lakh)			
Asset	2016-17 (Pro-rata)	2017-18	2018-19
CKt-2	1346.55	3041.73	2786.33
Ckt-1(a)	0.00	1051.90	977.73

B. Annual transmission charges allowed areas under:-

(₹ in lakh)			
Asset	2016-17 (Pro-rata)	2017-18	2018-19
CKt-2	586.87	2257.25	2067.72
Ckt-1(a)	0.00	841.52	782.18

10. The billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as amended from time to time. Further, the transmission charges allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

11. The petitioner is directed to submit the following information on affidavit by 31.5.2017, with a copy to the respondents:-

- a) Status of Commissioning of Assets: Ckt-1(a) and Ckt-1(b). Also, submit the separate Tariff Forms for each of the assets i.e. Ckt-1(a), Ckt-1(b) and Ckt-2. Submit 'No Load' trial operation certificate for Ckt-1(a), as it has been informed that the asset was 'ready' to be charged on 24.11.2016.
- b) Auditor's Certificate clearly mentioning the capital costs incurred/ projected to be incurred under different heads like: Freehold Land, Leasehold Land, Building and Other Civil Works, Transmission Line, Substation and PLCC, for each of the circuits i.e. Ckt-1(a) and Ckt-2 separately and not combined, for control period 2014-19.



- c) Year-wise break-up of the additional capitalization incurred or projected to be incurred, in case of all the assets i.e. Ckt-1(a) and Ckt-2, in their respective Auditor's Certificates.
- d) Year wise discharge of "Liabilities included in Actual Expenditure up to 25.11.2016", mentioned in the Auditor's Certificate dated 14.02.2017, for both the circuits i.e. Ckt-1(a) and Ckt-2.
- e) Form 5B by mentioning all individual assets covered under the scope of the Project i.e. Ckt-1(a), Ckt-1(b) & Ckt-2 and also the assets not covered in the instant petition i.e. 400 kV D/C Rangpo LILLO-Kishanganj. Also indicate the RCE of individual assets and the corresponding estimated project cost.
- f) Form-6 with correct submission of the "Financial package as approved" and "Financial package as on COD" for each of the circuits i.e. Ckt-1(a) and Ckt-2 separately, in their respective tariff forms.
- g) Form-9C mentioning the actual loans drawn for the instant asset i.e. Ckt-1(a) and Ckt-2 instead of that for the complete project.
- h) Date of drawl, amount drawn, and repayment schedule for all the loans mentioned in Form-9C, for the instant asset i.e. Ckt-1(a) and Ckt-2. Also inform if there is any default in the interest payment of any loan, with complete details.
- i) In Form-9C, the petitioner has mentioned in the Footnote that: "This amount pertains to entire line considering repayment will start after completion of the entire line". This may be clarified.
- j) Reconcile the IDC mentioned in the Auditor's Certificate and documents submitted, for the instant assets. Submit the computation of interest during construction (IDC) on cash basis along with the editable soft copy in Excel format with links, for the following periods:
 - i) From the date of infusion of debt fund up to Scheduled COD as per Regulation 11 (A) of Tariff Regulation, 2014.
 - ii) From Scheduled COD to Actual COD of the Asset.
- k) Reconcile the IEDC mentioned in the Auditor's Certificate and documents submitted, for the instant assets. Inform, if whole of IEDC is discharged as on COD, if not, provide year-wise details of IEDC discharged after COD for the instant asset i.e. Ckt-1(a) and Ckt-2.



- l) Clarify whether entire liability pertaining to initial spares has been completely discharged as on COD, if no, year wise detail of discharging of the same, for the instant assets i.e. Ckt-1(a) and Ckt-2.

12. The respondents are directed to submit the reply to the petition by 16.6.2017 and the petitioner to file the rejoinder, if any, by 26.6.2017. The parties are directed to submit the reply/rejoinder within the specified timeline and information received after the specified dates shall not be taken on record.

13. The petition shall be listed on 4.7.2017 for final hearing.

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

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson



Power Evacuation Arrangement of Teesta III HEP

ANNEXURE

