

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 10/RP/2018**

**in**

**Petition No. 39/TT/2015**

**Coram:**

**Shri P.K. Pujari, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member**

**Date of Order : 12 .06.2018**

**In the matter of:**

Petition for review and modification of the order dated 12.12.2017 in Petition No. 39/TT/2015 under section 94(1)(f) of the Electricity Act, 2003

**And in the matter of:**

Power Grid Corporation of India Limited  
"Saudamini", Plot No.2,  
Sector-29, Gurgaon -122 001

**...Review Petitioner**

**Vs**

1. NTPC Limited,  
Thorough its General Manager (Commercial)  
NTPC Bhawan, Core-7, Scope Complex,  
7, Institutional Area, Lodhi Road,  
New Delhi-110 003.
2. Farakka Super Thermal Power Plant,  
Through General Manager  
NTPC Farakka, P.O.-Nabarun,  
Dist.-Murshidabad, Farakka-742236  
West Bengal
3. Kahalgaon Super Thermal Power Plant-I,  
Through its General Manager  
NTPC Kahalgaon, Kahalgaon,



Bhagalpur -813 214, Bihar

4. Kahalgaon Super Thermal Power Plant-II,  
Through its General Manager  
NTPC Kahalgaon, Kahalgaon,  
Bhagalpur -813 214, Bihar
5. Talcher Super Thermal Power Plant Stage-II,  
Through its Executive Director  
Kaniha, Angul, Odisha-759 147  
NTPC, Talcher
6. NHPC Limited  
(Formerly National Hydro Power Corporation Limited)  
Through its General Manager  
NHPC Office Complex,  
Sector-33, Faridabad, Haryana-121 003
7. Teesta-V Hydro Electric Project  
Through its Chief Engineer,  
NHPC, Singtam, East Sikkim-737 134  
Sikkim
8. Rangeet Hydro Electric Project  
Through its Chief Engineer,  
NHPC, P.O. Rangit Nagar,  
South Sikkim-737 111
9. Orissa Hydro Power Corporation Ltd.  
Through its Chief Engineer,  
Burla Power House,  
Dist. Samabalpur, Burla-768017  
Odisha
10. Meijia Thermal Power Station, DVC,  
Through its Chief Engineer,  
P.O.-MTPS, Dist. Bankura-722183  
West Bengal
11. West Bengal State Electricity Distribution Co. Ltd.  
Through its Chief Engineer (Commercial)  
Bidyut Bhawan, 8th Floor (A Block)  
Block DJ, Salt Lake City,  
Calcutta-700 091, West Bengal
12. Bihar State Power (Holding Company Limited



(Formerly Bihar State Electricity Board)  
Through its Managing Director  
Vidyut Bhawan, Bailey Road,  
Patna-800 001, Bihar

13. GRIDCO Limited  
(Formerly Grid Corporation of Orissa Ltd.)  
Through its Managing Director,  
Vidyut Bhawan, Janpath,  
Bhubaneshwar-751007, Odisha
14. Power Department  
Government of Sikkim,  
Through its P.C.E. cum Secretary (Power),  
Gangtok-727102
15. Jharkhand Urja Vikas Nigam Limited  
(Formerly Jharkhand State Electricity Board)  
Through its Managing Director,  
Engineering Building  
HEC Township, Dhurwa, Ranchi-834004  
Jharkhand
16. Damodar Valley Corporation  
Through its Director (Technical)  
DVC Tower, VIP Road,  
Calcutta-700 054, West Bengal
17. Powerlinks Transmission Limited  
Through its General Manager,  
Vidyut Nagar, P.O. Satellite Township,  
Siliguri-734 015, West Bengal

.....Respondents

**For petitioner:** Shri M.G. Ramachandran, Advocate, PGCIL  
Shri Pulkit Aggarwal, Advocate, PGCIL

**Respondents:** None

### **ORDER**

Power Grid Corporation of India Limited (PGCIL) has filed the instant Review Petition No. 10/RP/2018 seeking review and modification of order dated 12.12.2017 in



Petition No. 39/TT/2015.

**Background of the case**

2. The Unified Load Despatch and Communication (ULDC) Scheme in Eastern Region was put under commercial operation w.e.f. 1.9.2005. The Commission vide orders dated 31.12.2013 in Petition No. 56/TT/2012 had approved the fee and charges for the period 2009-14 for the ULDC assets retained by the Review Petitioner after formation of POSOCO in Western Region. Subsequently, in Petition No. 39/TT/2015 the Commission vide its order dated 12.12.2017 trued up the annual fees and charges of the ULDC assets of the 2009-14 period based on the actual expenditure for the period 1.4.2009 to 31.3.2014 and determined the final tariff for 1.4.2014 to 31.3.2019 period.

3. The Review Petitioner has submitted that the Commission in order dated 2.3.2017 in Petition No.188/MP/2017 held that the unrecovered charges towards the replaced SCADA/EMS system shall be recovered as accelerated depreciation matching with the COD of the new SCADA system. However, in the impugned order the accelerated depreciation was not considered in case of replaced SCADA/EMS State Portion. The Review Petitioner has submitted that the additional capitalisation during 2009-11 was not considered which was contrary to the order dated 31.12.2013 in Petition No. 56/TT/2012, which allowed additional capitalisation during 2009-11. The Review Petitioner has submitted that additional capitalisation during 2011-13 was rejected on the ground that the Review Petitioner did not submit the justification for the same. However, the Commission did not consider the explanation and justification for the



additional capitalisation during 2011-13 given in affidavit dated 29.11.2017. The Review Petitioner has further submitted that the fibre leasing charges and FERV were excluded from the O&M Expenses allowed in the impugned order. The Review Petitioner has submitted that disallowance of accelerated depreciation, additional capitalisation, fibre lease charges and FERV are errors apparent on the face of the record which require to be rectified.

4. We have heard learned counsel for the Review Petitioner and have perused the record. The review petition is admitted. Issue notice to the Respondents.

5. The Review Petitioner is directed to serve a copy of the petition on the respondents by 12.6.2018 and the parties are directed to complete the pleadings by 29.6.2018. No extension of time shall be granted.

6. The review petition shall be listed on 3.7.2018 for final hearing.

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

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

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

sd/-  
**(P.K. Pujari)**  
**Chairperson**

