

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 158/TT/2018**

**Coram:**

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

**Date of Order : 20.08.2018**

**In the matter of:**

Approval of transmission tariff from anticipated COD to 31.3.2019 for **Asset 1:** 400/220 kV, 3 X 105 MVA ICT alongwith associated bays at Hamirpur Sub-station, **Asset 2:** 220 kV, 2 Nos Line Bays at Hamirpur Sub-station, **Asset 3:** 220 kV, 2 Nos Line bays at Jalandhar Sub-station and **Asset 4:** 1 X 500 MVA, 400/220 kV ICT-IV at GIS Gurgaon Sub-station Under "Augmentation of Transformers in Northern Region-Part B" in Northern Region 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:**

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

**.....Petitioner**

**Vs**

1. Rajasthan Raja Vidyut Prasaran Nigam Limited  
Vidyut Bhawan, Vidyut Marg,  
Jaipur - 302005
2. Ajmer Vidyut Vitran Nigam Limited  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur
3. Jaipur Vidyut Vitran Nigam Limited



- 400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur.
4. Jodhpur Vidyut Vitran Nigam Limited  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur
  5. Himachal Pradesh State Electricity Board  
Vidyut Bhawan  
Kumar House Complex Building II  
Shimla-171004
  6. Punjab State Electricity Board  
The Mall, Patiala-147001
  7. Haryana Power Purchase Centre  
Shakti Bhawan, Sector-6  
Panchkula (Haryana) 134109
  8. Power Development Department  
Government of Jammu & Kashmir  
Mini Secretariat, Jammu
  9. Uttar Pradesh Power Corporation Limited  
(Formerly Uttar Pradesh State Electricity Board)  
Shakti Bhawan, 14, Ashok Marg  
Lucknow - 226001
  10. Delhi Transco Ltd.  
Shakti Sadan, Kotla Road,  
New Delhi-110002
  11. BSES Yamuna Power Ltd.  
BSES Bhawan, Nehru Place,  
New Delhi.
  12. BSES Rajdhani Power Ltd.  
BSES Bhawan, Nehru Place,  
New Delhi
  13. North Delhi Power Ltd.  
Power Trading and Load Dispatch Group



Cennet Building, Adjacent to 66/11 kV Pitampura-3  
Grid 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-110002.

....Respondents

**For petitioner** : Shri Vivek Kumar Singh, PGCIL  
Shri S. K. Venkatesan, PGCIL  
Shri S. S. Raju, PGCIL  
Shri V. P. Rastogi, PGCIL  
Shri Rakesh Prasad, PGCIL

**For respondents** : Shri R. B. Sharma, Advocate, BRPL  
Shri Mohit Mudgal, Advocate, BYPL

### **ORDER**

Power Grid Corporation of India Limited (PGCIL) has filed the instant petition for determination of transmission tariff from anticipated COD to 31.3.2019 for **Asset 1:** 400/220 kV, 3 X 105 MVA ICT alongwith associated bays at Hamirpur Sub-station, **Asset 2:** 220 kV, 2 Nos. Line Bays at Hamirpur Sub-station, **Asset 3:** 220 kV, 2 Nos. Line bays at Jalandhar Sub-station and **Asset 4:** 1 X 500 MVA, 400/220 kV ICT-IV at GIS Gurgaon Sub-station Under "Augmentation of Transformers in Northern



Region- Part B” in Northern Region in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations"). The petitioner has also prayed for grant of 90% of the Annual Fixed Charges (AFC) claimed, in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for inclusion in PoC mechanism.

2. The petitioner in the petition has submitted that the scheduled COD of the instant assets was 16.5.2016 and the COD of Asset-4 was 31.12.2017. Assets-1, 2 and 3 were anticipated to be put into commercial operation on 1.6.2018. Later, in its rejoinder to BRPL’s reply dated 27.7.2018 has submitted that the anticipated COD of Assets-1, 2 and 3 has been revised to 1.9.2018. The details of assets and their COD/anticipated COD are as follows:-

<b>Assets</b>	<b>Scheduled COD as per IA</b>	<b>Anticipated / Actual COD as in petition</b>	<b>Revised COD</b>
Asset-1	16.5.2016	1.6.2018 (Anti)	1.9.2018 (Anti)
Asset-2:		1.6.2018 (Anti)	1.9.2018 (Anti)
Asset-3:		1.6.2018 (Anti)	1.9.2018 (Anti)
Asset-4:		31.12.2017 (Actual)	-

3. During the hearing on 31.7.2018, the representative of the petitioner submitted that the time over-run in case of Assets-1 and 2 is due to delay in COD of downstream assets under the scope of HPPTCL and in case of Asset-3 it is due to assets under the scope of PSPTCL. He requested to grant Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. The learned counsel for BRPL has submitted that there is huge cost over-run of 24.3% and there is delay in



award of contract leading to extension of the construction period. The reasons for cost over-run are attributable to the petitioner and hence it should not be allowed. He submitted that IDC and IEDC should be allowed only on cash basis. As regards the coordination under Section 38(2)(b) of the Electricity Act, 2003, learned counsel submitted that the petitioner's commercial interest gets preference over the statutory obligation of coordination with the parties connected with the transmission system. Learned counsel submitted that the TSA filed is incomplete and the TSA is dated 19.8.2011, whereas the Investment Approval was given on 16.5.2014. The petitioner should submit the TSA clearly mentioning the instant assets. He further submitted that the PERT chart and CPM does not give the clear picture for the reasons of time over-run as it is incomplete and the petitioner may be directed to give the complete PERT chart and CPM analysis.

4. We have considered the submissions of the petitioner and BRPL. The issues raised by the respondent will be dealt in the final order. The petitioner is directed to implead HPPTCL and PSPTCL as respondents in the matter, serve a copy of the petition on them and file amended memo of parties. HPPTCL and PSPTCL are directed to file their reply especially with regard to the COD of the associated downstream assets under their scope. The petitioner is also directed to submit a detailed rejoinder to the issues raised by BRPL and file the correct and complete TSA and PERT chart and CPM analysis clearly showing the reasons for time over-run with a copy to the respondents by 31.8.2018.



5. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7(4) of the 2014 Tariff Regulations provides that such an application shall be filed as per Annexure-I of these regulations.

6. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of 2004 Regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

7. After carrying out preliminary prudence check of the AFC claimed by the petitioner, the Commission has decided to allow tariff in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for Asset-4 as given in para-8 of this order, for inclusion in the PoC computation. The tariff for Assets-1, 2 and 3 will be considered after their COD.



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

**(₹ in lakh)**

<b>Assets</b>	<b>Tariff claimed</b>		<b>Tariff allowed</b>	
	<b>2017-18 (pro-rata)</b>	<b>2018-19</b>	<b>2017-18 (pro-rata)</b>	<b>2018-19</b>
Asset-1	-	830.13	-	-
Asset-2	-	306.53	-	-
Asset-3	-	140.83	-	-
Asset-4	186.79	811.20	149.43	648.96

9. The tariff allowed in this order shall be applicable from the actual CODs of instant assets and 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.

10. The petitioner is directed to submit the following information on affidavit with an advance copy to the beneficiaries by 31.8.2018:-

- a) As the anticipated COD of the assets has elapsed, the revised status of the assets and Auditor's certificates along with the revised tariff forms based on actual COD of Assets-1, 2 and 3;
- b) RLDC certificate, CMD certificate and COD certificate of Assets-1, 2 and 3;
- c) Documents in support of Rate of Interest, Date of Drawl and Repayment Schedules (as per Form-9C) of Proposed Loans, SBI Loans and HDFC Loan deployed for the assets. If there is any default in interest payment on loan, provide the details of the same;
- d) The computation of Interest During Construction (IDC) along with editable soft copy in Excel format with links for all the Assets for the following periods:-



- From the date of infusion of debt fund up to Scheduled COD as per Regulation 11 (A) (1) of the 2014 Tariff Regulations.
  - If there is any delay in completion of the Asset/s, from Scheduled COD to actual COD of the Asset/s.
- e) Statement of discharge of Interest During Construction (IDC) during the period for Assets-1, 2 and 3;
- f) The reasons for time over-run in case of Assets-1, 2 and 3 alongwith documentary evidence in the following format:-

Item	Schedule		Actual		Reason
	From	to	From	to	
Forest clearance					
Award of Tower Supply and erection package					
Tower supply					
Supply of conductor					
Supply of Insulators					
Supply of hardware and accessories					
Tower foundation and erection					
Stringing					
Testing and commissioning					

- g) Statement of year wise discharge of the initial spares, if any, during the period for all the assets;
- h) The details of incidental expenditure incurred (IEDC) during the period of time over-run of the instant assets (i.e. from scheduled COD to actual COD) along with the liquidated damages recovered or recoverable, if any.

11. The respondents are directed to file their reply by 7.9.2018 with an advance copy to the petitioner who shall file its rejoinder, if any by 14.9.2018. The parties shall comply





with the above directions within the due date mentioned above and no extension of time shall be granted.

12. The date of final hearing will be intimated in due course of time.

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

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

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

