

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 244/TT/2018

Coram:

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

Date of Order : 31.12.2018

In the matter of:

Approval of transmission tariff from COD to 31.3.2019 of Chittorgarh-Ajmer 765 kV D/C line along with associated bays and 240 MVAR Switchable Line reactors at both end under "Green Energy Corridors: Inter-State Transmission Scheme (ISTS)-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 Rajya Vidyut Prasaran Nigam Limited
Vidyut Bhawan, Vidyut Marg,
Jaipur - 302005
2. Ajmer Vidyut Vitran Nigam Limited
132 kV, GSS RVPNL Sub-station Building,
Caligiri Road, Malviya Nagar, Jaipur-302017
3. Jaipur Vidyut Vitran Nigam Limited
132 kV, GSS RVPNL Sub-station Building,
Caligiri Road, Malviya Nagar, Jaipur-302017



4. Jodhpur Vidyut Vitran Nigam Limited
132 kV, GSS RVPNL Sub-station Building,
Caligiri Road, Malviya Nagar, Jaipur-302017
5. Himachal Pradesh State Electricity Board
Vidyut Bhawan
Kumar House Complex Building II
Shimla-171004
6. Punjab State Electricity Board
Thermal Shed TIA
Near 22 Phatak, 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 Zafrul Khan, PGCIL
Shri S. S. Raju, PGCIL

For Respondents : Shri R.B Sharma, Advocate, BRPL
Shri Mohit Mudgal, Advocate, BRPL

ORDER

Power Grid Corporation of India Limited (PGCIL) has filed the instant petition for determination of transmission tariff from COD to 31.3.2019 of Chittorgarh-Ajmer 765 kV D/C line along with associated bays and 240 MVAR Switchable Line reactors at both end under “Green Energy Corridors: Inter State Transmission Scheme (ISTS)-Part-B” (hereinafter referred to as “asset”) 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. As per the investment approval dated 17.4.2015, the instant asset was scheduled to put into commercial operation on 16.4.2018 and the asset was put into commercial operation on 30.12.2017. Hence, there is no time over-run in case of instant asset. The details of the capital cost claimed by the petitioner are as follows:-

(₹ in lakh)				
Apportioned approved cost (FR)	Estimated expenditure up to COD	Estimated expenditure		Total estimated completion cost up to 31.3.2019
		2017-18	2018-19	
138577.14	98755.24	9384.74	9193.62	117333.61

3. During the hearing on 13.12.2018, the representative of the petitioner submitted that all the relevant documents/information required to be filed under 2014 Tariff Regulations have been furnished and requested for grant Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. Learned counsel for BRPL, Respondent No. 12 submitted that the petitioner has not submitted the TSA and hence it is difficult to find out who are the beneficiaries of the instant asset. He submitted that the petitioner has not given any information about the OPGW links. Learned counsel further submitted that the petitioner's claim for additional return of 0.5% on equity for early COD is not maintainable as RoE is applicable only on the completion of the whole project within a specified time period and in the instant case, the petitioner has not completed all the elements of the scheme contained in the investment approval.



4. 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.

5. 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.

6. After carrying out preliminary prudence check of the AFC claimed by the petitioner and there being no time and cost over-run, the Commission has decided to allow tariff in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in paragraph 7 of this order. The issues raised by BRPL will be considered at the time of final order.



7. The details of the tariff claimed by the petitioner and tariff awarded are as under:-

A. Annual transmission charges claimed are as follows:-

(₹ in lakh)	
2017-18 (pro-rata)	2018-19
3872.32	16360.09

B. Annual transmission charges allowed are given below:-

(₹ in lakh)	
2017-18 (pro-rata)	2018-19
3291.47	13906.08

8. The tariff allowed in this order shall be applicable from the actual COD of instant asset 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.

9. The petitioner is directed to submit the detailed calculation of IDC on affidavit with an advance copy to the beneficiaries by 28.12.2018.

10. The respondents are directed to file their reply by 11.1.2019 with an advance copy to the petitioner who shall file its rejoinder, if any by 21.1.2019. The parties shall comply with the above directions within the due date mentioned above and no extension of time shall be granted.



11. The next date of hearing will be intimated to the parties in due course of time.

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

sd/-
(P. K. Pujari)
Chairperson

