

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 130/GT/2014

Subject : Petition for determination of tariff of Barh Super Thermal Power Station, Stage-II (2 x 660 MW) from the anticipated COD of first unit [Unit-IV] (30.6.2014) till 31.3.2019

Petitioner : NTPC Limited

Respondent : South Bihar Power Distribution Company Limited & ors

Date of hearing : **25.7.2019**

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri M.G.Ramachandran, Senior Advocate, NTPC
Shri Shubham Arya, Advocate, NTPC
Ms. Poorva Saigal, Advocate, NTPC
Shri Rohit Chhabra, NTPC
Shri Shailendra Singh, NTPC
Shri Rajkumar Mehta, Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Shri R.B.Sharma, Advocate, BSPHCL
Shri Mohit Mudgal, Advocate, BSPHCL
Shri Himanshu Shekhar, Advocate, JUVNL
Shri Jamnesh Kumar, Advocate, JUVNL
Shri Aabhas Parimal, Advocate, JUVNL

Record of Proceedings

During the hearing, the learned counsel for the Respondent, GRIDCO submitted that it has filed Appeal No. 113/2019 before APTEL challenging the Commission's interim order dated 18.3.2019. Accordingly, the learned counsel prayed that the hearing of the petition may be deferred till disposal of the said appeal as the same has a substantial bearing in the present petition.

2. In response, the learned senior counsel for the Petitioner, NTPC submitted that no stay has been granted by APTEL in the said appeal and therefore the matter may be heard, subject to final outcome of the appeal.

3. On a specific observation by the Commission that it would proceed with the hearing of the petition subject to decision of the APTEL in the appeal, the learned counsel for GRIDCO sought time to file its reply in the matter.

4. The learned counsels for Respondents, BSPHCL and JUVNL prayed for grant of time to file their replies.



5. The Commission after hearing the parties directed the Petitioner to file the following additional information, on affidavit, with copy to the Respondents, on or before **26.8.2019**:

(a) *Copy of investment approval along with the details of package wise break of the project cost of Rs 7834.53 crore;*

(b) *Reasons and justification for time and cost overrun along with supporting documents namely, the detailed project report, CPM analysis, PERT chart and Bar chart. PERT/Bar chart shall indicate the critical activities/ milestones which were affected along with the period of delay on each and every activity/ milestone with proper justification. Also, the parallel activities which were simultaneously affected thereby resulting in loss of number of days along with the detailed reasons and justification. CPM/ PERT chart (format attached) indicating the schedule/ actual start and completion of all activities/ milestones with parallel activities. Moreover, reasons for delay to be explained with PERT chart giving details of working days/ months lost with relevant documentary evidence, wherever necessary. The exact date and period of delay from date to date affected by each reason furnished for time overrun;*

(c) *Break-up of the project cost, reasons for increase in hard cost, if so, along with variation in scope of work for each package. The actual cost incurred under different packages as on COD of the station in comparison to the awarded cost as per investment approval;*

(d) *Revised Forms 5B & 5E(i), furnishing variation analysis between original approved cost (Rs 7854.53 crore) and actual capital cost as on COD of the station;*

(e) *Details of expenditure claimed under other charges mentioned in Form-15;*

(f) *Details of the earnings from infirm power from start-up to synchronization and from synchronization to COD, LD recovered, if any, and the initial spares capitalized till actual COD of the generating station;*

(g) *Details in respect of water charges such as type of cooling water system, water consumption, rate of water charges along with actual water consumption from COD till date (year wise) along with water agreement with the State Govt. agency and detailed calculation of water charges. Detail of water agreement along with rate of water charges and copy of agreement of contracted quantum of water and allocated quantity;*

(h) *Reconciliation statement showing movement of IDC, FERV and short-term FERV between 15.11.2014 to 8.3.2016 and its treatment for the purpose of tariff;*

(i) *Detailed calculation/workings in respect of additional infirm power adjusted in the claimed capital cost due to shifting of COD from 15.11.2014 to 8.3.2016;*

(j) *CWIP pertaining to common facilities as on respective COD's booked with Barh Stage-I;*

(k) *IDC and FERV details corresponding to common facilities;*

(l) *Certificate in respect of inter-unit transfer out of assets that these assets have not been claimed as additional capital expenditure at the transferee station. Further, the petitioner should also specify the duration by which these assets are expected to be received back to the instant station;*



(m) Break-up of corporate center (CC) cost allocated to the instant station;

(n) Certify that the relevant accounting standards provides for capitalization of IDC and FERV for the extended period due to shifting of COD date; and

(o) List of balance scope of work within original scope of work, as on COD, consisting of relevant details like cost, quantity etc. pertaining to each item of work.

6. The Respondents shall file their replies on or before **16.9.2019** with advance copy to the Petitioner, who may file its rejoinder, if any, by **30.9.2019**. Pleadings shall be completed by the parties within the due dates mentioned.

7. Matter shall be listed in due course for which notice will be issued to the parties.

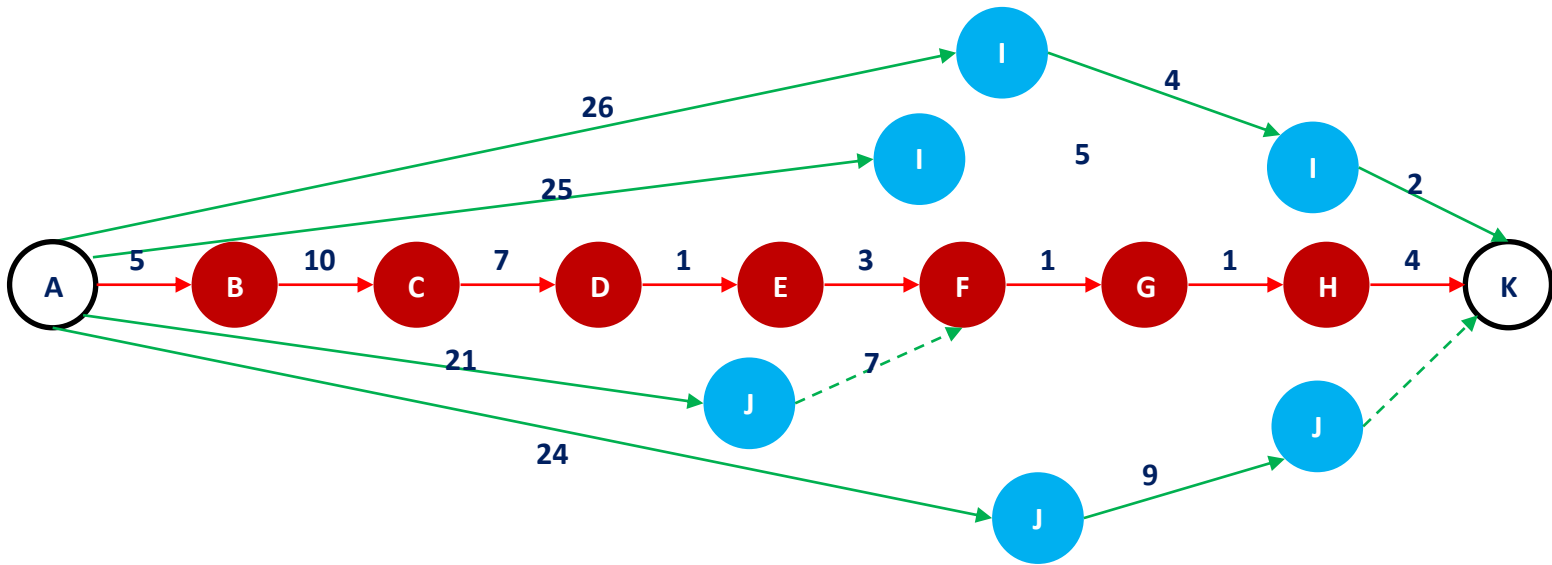
By order of the Commission

**Sd/-
(B.Sreekumar)
Dy. Chief (Law)**



Sample CPM chart for Time Overrun

Annexure-1



Process	Milestone	Schedule Completion Date	Actual Completion Date	Schedule Duration (Month)	Actual Duration (Month)	Delay (Days/ Month)	Reasons of delay with individual delay (Start and End date)
A	Investment Approval (Zero Date)						
B	Boiler Foundation						
C	Boiler Drum Lifting						
D	Boiler Hydro Test						
E	Turbine Box -Up						
F	Boiler Light- up						
G	Steam Blowing						
H	Synchronisation & Trial						
I1	MGR						
I2	Track hopper/Wagon Tripler						
I3	Coal Handling Plant						
J1	ESP						
J2	Chimney						
J3	Ash Handling System						

K	Make-up water system						
L	COD						
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Note: This is a sample format. Milestone may change from case to case basis.