

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 152/MP/2019

- Subject : Petition under Regulations 11 and 20 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 read with other relevant provisions and the Commission's directions in the order dated 20.3.2017 in Petition No. 72/MP/2016.
- Petitioner : Maithon Power Limited (MPL)
- Respondents : Tata Power Delhi Distribution Limited (TPDDL) and Ors.
- Date of Hearing : 17.10.2019
- Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member
- Parties Present : Shri M. G. Ramachandran, Sr. Advocate, MPL
Ms. Pooja Priyadarshini, Advocate, MPL
Shri Nived V., Advocate, MPL
Shri Pankaj Prakash, MPL
Shri Nitin Kala, Advocate, TPDDL
Ms. Shefali Sobti, TPDDL

Record of Proceedings

Learned senior counsel for the Petitioner handed over a copy of the note of argument and submitted that the instant Petition has been filed, *inter alia*, seeking in-principle approval of the expenditure proposed to be incurred by the Petitioner in order to comply with SO₂ norms prescribed under the Environment (Protection) Amendment Rules, 2015. Learned senior counsel submitted that for the purpose of bidding, the Petitioner divided the proposed installation of Flue Gas Desulphurisation into 4 packages, namely, FGD main system (Package 1), Electrical Power System Arrangement (Package 2), FGD waste water treatment (Package 3) and Fire-fighting system (Package 4). The Petitioner has carried out two-part open competitive bidding process for award of two critical Packages i.e. Package 1 and 2, whereas Package 3 and 4, being dependent on Package 1 and 2, will be firmed up after the Package 1 and 2 are awarded. All the details pertaining to bidding process carried out by the Petitioner has been filed vide affidavit dated 11.9.2019 and the Petitioner has also submitted its proposal to the beneficiaries for their views/comments. Learned senior counsel further submitted that the total cost towards the proposed limestone based FGD implementation comes to around Rs. 777.14 crore i.e. 0.74 crore/MW which is inclusive of IDC and the other statutory duties/taxes. The indicative per MW cost as per the CEA report is Rs.0.42 crore which is exclusive of IDC and statutory taxes. Learned senior counsel requested the Commission to grant in-principle approval.



2. Learned counsel for the Respondent 1, Tata Power Delhi Distribution Company Limited, submitted that the installation, testing and commissioning of the FGD system should be done during the period when the plant is under shut down on account of annual overhauling so that the beneficiaries are not burdened with the extra costs. Learned counsel submitted that Capex and Opex should not be disbursed as a one-time payment to avoid tariff shock and may be annualized over a period.

3. After hearing the learned senior counsel for the Petitioner and the learned counsel for the Respondent, the Commission reserved order in the Petition.

By order of the Commission

**sd/-
(T.D. Pant)
Deputy Chief (Law)**

