

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.219/GT/2019

Subject : Petition for determination of tariff for the period from the date of anticipated COD till 31.3.2024.

Petitioner : NLC India ltd.

Respondent : TANGEDCO & ors

Date of hearing : **12.9.2019**

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

Parties present : Shri M.G.Ramachandran, Senior Advocate, NLC
Ms. Anushree Bardhan, Advocate, NLC
Shri J. Dhanasekaran, NLC
Shri S.Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

This Petition has been filed by the Petitioner, NLCIL for determination of tariff of Neyveli New Thermal Power Project (1000 MW) (hereinafter called “project/ the generating station”) for the period from the anticipated COD of Units I and II till 31.3.2024, in terms of the provisions of the 2019 Tariff Regulations.

2. During the hearing, the learned Senior counsel for the Petitioner submitted that the investment cost of the project was ₹5907.11 crore, whereas the completed cost is ₹7800 crore (approx.). He further submitted that even though there has been a delay in the completion of the project the same has no impact on the cost overrun. The learned Senior counsel also prayed that pending final determination of tariff, the Commission may consider the grant of interim tariff, keeping in view that Unit- I would achieve COD by end of September 2019.

3. The learned counsel for the Respondent, TANGEDCO referred to the letter dated 20.8.2019 of the Petitioner and submitted that the Petition is not in accordance with Regulation 9.1 of the 2019 Tariff Regulations, which provide for filing of tariff petition within 60 days of the anticipated COD of the project. In response, the learned Senior Counsel of the Petitioner clarified that Unit-I is to achieve COD on 29.9.2019 and Unit-II by December, 2019.

4. On a specific query by the Commission as to the likely date of commercial operation of the Units of the project, the learned Senior counsel for the Petitioner reiterated that Unit-I is likely to achieve COD on 29.9.2019 and Unit-II is expected



to achieve COD by December 2019. The Commission accordingly directed the Petitioner to file affidavit in this regard on or before **24.9.2019**.

5. The Commission further directed the Petitioner to file additional information, on affidavit on or before **30.9.2019** with advance copy to Respondents, as under:

- I. *The contracted quantum and water agreement with the state government agency;*
- II. *Detailed bifurcation of consent fee, pumping charges and other charges along with detail of other charges;*
- III. *The moisture content in lignite along with basis of moisture percent in lignite,*
- IV. *Latest status of COD of both the units.*
- V. *The position of actual liabilities as on each COD along with Form 18 i.e. liability Flow statement properly filled in.*
- VI. *Revised Form-13 based on the format applicable for tariff period 2019-24;*
- VII. *The status of lignite transfer price for the period 2019-24 following MOC guidelines.*
- VIII. *Copy of Loan agreements with respect to all the loans.*
- IX. *The detailed calculation of IDC including the date of drawls and repayments, amount and rate of interest along with documentary evidences.*
- X. *Basis of rates applied in the calculation of Normative IDC along with documentary evidences.*
- XI. *Audited Balance Sheet as on 31st March of every year since 1st infusion of funds and as on each COD.*

6. The Respondents shall file their replies by **28.9.2019** with advance copy to the Petitioner, who may, file its rejoinder, if any on or before **4.11.2019**. Pleadings shall be completed by the parties within the due dates mentioned.

7. The prayer of the Petitioner for grant of tariff for the interim period, will be considered after submission of the affidavit as stated in para 4 above.

By order of the Commission

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

