

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No.38/RP/2018 in Petition No. 116/TT/2017

Subject : Review Petition No. 38/RP/2018 seeking review of order dated 20.7.2018 in Petition No. 116/TT/2017.

Date of Hearing : 6.11.2019

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

Petitioner : Power Grid Corporation Ltd. (PGCIL)

Respondents : Rajasthan RajyaVidyutPrasaran Nigam Ltd.
and 17 Ors.

Parties present : Shri M.G Ramachandran, Senior Advocate, PGCIL
Shri Aryaman Saxena, Advocate, PGCIL
Shri Karan Arora, Advocate, PGCIL
Shri R. B. Sharma, Advocate, BRPL and BYPL
Shri Mohit Mudgal, Advocate, BRPL and BYPL
Ms. Sanya Sood, Advocate, BRPL and BYPL
Ms. Ritu Apurva, Advocate, HPPTCL
Shri Ved Prakash Rastogi, PGCIL
Shri A.K Verma, PGCIL
Shri I.P Singh, HPPTCL

Record of Proceedings

Learned senior counsel for the Review Petitioner, Power Grid Corporation of India Limited (PGCIL), submitted that the Commission in order dated 20.7.2018 has erroneously held that recovery of tariff of Assets-II and III, i.e. Augmentation of transformation capacity at 400/220 kV Ballabhargh Sub-station by installing 500 MVA ICT-III and IV respectively, is subject to discontinuation of tariff allowed for the 315 MVA ICTs vide orders dated 28.1.2016 in Petition No. 133/TT/2015 and dated 15.2.2016 in Petition No. 189/TT/2014 respectively and at the same time decapitalized the value of these transmission elements in the impugned order. Resultantly, the tariff is discontinued for the 315 MVA ICTs and their cost is decapitalised from the cost of the 500 MVA ICTs in the instant petition and the Review Petitioner is not recovering any charges for the new 500 MVA ICTs. He submitted that in violation of Regulation 2(v) of Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2010, the Commission disallowed the capital cost of the 7th transformer covered in Asset-V, which is kept as a spare as agreed by the beneficiaries and the



date of commercial operation of Asset-V was approved as 31.12.2017 instead of 30.12.2017. He further submitted that there is erroneous disallowance of IDC by computing the IDC from the date of infusion of fund and upto SCOD plus the period of delay condoned.

2. In response, the learned counsel for BRPL submitted that capitalization and de-capitalization should be done in accordance with 2014 Tariff Regulations. On the issue of disallowance of IDC, he submitted that there is no error apparent in the impugned order. Regarding disallowance of capital cost for 7th 105 MVA ICT with respect to Asset V, he submitted that the same is in line with Regulation 9(6)(a) of 2014 Tariff Regulations.

3. The representative of HPPTCL submitted that they have already challenged the impugned order before Appellate Tribunal on the issue of bearing the transmission charges of Asset-V from its COD till the execution of the downstream assets of HPPTCL. Besides this, he also raised the issues of de-capitalization of Assets-II and III, disallowance of IDC, disallowance of Asset-V kept as spares ICT, COD of Asset V approved as 31.12.2017 instead of 30.12.2017 and submitted that the review petition be dismissed being devoid of merits.

4. After hearing the parties, the Commission reserved order in the matter.

By order of the Commission

sd/-
(V. Sreenivas)
Dy.Chief (Legal)

