

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 96/TT/2019  
alongwith  
I.A. No.33/IA/2019**

**Coram:**

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

**Date of Order: 25.04.2019**

**In the matter of:**

Petition under Sections 62 and 79(1)(d) of the Electricity Act, 2003 read with Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for determination of transmission tariff of the 400 kV D/C Rangpo-Kishanganj Section, 2 nos. of line bays and 2 nos. of 63 MVAR reactors of 400 kV Teesta III - Kishanganj Transmission System for the control period 2014-19 under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

**And in the matter of:**

Teestavalley Power Ltd.,  
2<sup>nd</sup> Floor, Vijaya Building,  
17, Barakhamba Road,  
New Delhi-110001.

.....**Petitioner**

**Vs**

1. PTC India Ltd.,  
2<sup>nd</sup> Floor, NBCC Tower  
15, Bhikaji Cama Place, New Delhi – 110066.
  
2. Energy and Power Department  
Government of Sikkim  
Kazi Road, Gangtok – 737101, Sikkim



3. Teesta Urja Ltd.  
2<sup>nd</sup> Floor, Vijaya Building  
17, Barakhamba Road, New Delhi – 110001.
4. Sneha Kinetic Power Projects Pvt. Ltd.,  
Sonam Complex, Jeevan Theng Marg Development Area  
Near Little Pixel International School,  
Gangtok – 737101, Sikkim
5. Powergrid Corporation of India Ltd.,  
Saudamini, Plot No.2, Sector 29,  
Near IFFCO Chowk  
Gurgaon – 122001,  
Haryana.
6. Punjab State Power Corporation Ltd.,  
The Mall, Patiala – 147001,  
Punjab.
7. Uttar Haryana Bijli Vitran Nigam Ltd.,  
Vidyut Sadan, Plot No. C16, Sector-6,  
Panchkula – 134109,  
Haryana.
8. Dakshin Haryana Bijli Vitran Nigam Ltd.,  
Vidyut Sadan, Vidyut Nagar,  
Hisar – 125005, Haryana.
9. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6  
Panchkula – 134109, Haryana.
10. Ajmer Vidyut Vitran Nigam Ltd.,  
Vidyut Bhawan, Panchsheel Nagar,  
Makarwali Road,  
Ajmer– 305004, Rajasthan



11. Jaipur Vidyut Vitran Nigam Ltd.,  
Vidyut Bhawan, Janpath,  
Jaipur - 302005, Rajasthan
12. Jodhpur Vidyut Vitran Nigam Ltd.,  
New Power House, Industrial Area,  
Jodhpur – 342003, Rajasthan.
13. Rajasthan Urja Vikas Nigam Ltd.,  
Vidyut Bhawan, Janpath,  
Jyoti Nagar Jaipur – 302005, Rajasthan.
14. Uttar Pradesh Power Corporation Ltd.,  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow – 226001,  
Uttar Pradesh.

.... **Respondents**

For Petitioner : Shri Piyush Shandilya, Advocate for TPTL  
Shri Abhishek Vats, TPTL  
Shri S.K. Bhowmick, TPTL  
Shri Jaideep Lakhtakia, TPTL

For Respondents : None

### **ORDER**

The petitioner, Teestavalley Power Transmission Ltd. (TPTL) has filed the instant petition for determination of transmission tariff from COD to 31.3.2019 for Asset-I : Ckt-2(a) – Rangpo LILO Point- Kishanganj D/C transmission line and 1 no. of line bays and 1 no. of 63 MVAR reactor at Kishanganj Sub-station and Asset-II: Ckt 1(c)-Rangpo LILO Point-Kishanganj D/C transmission line at 1 no. of line bays at 1 no. of 63 MVAR reactor at Kishanganj Sub-station under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (for short, “the 2014 Tariff Regulations”) for



tariff block 2014-19. The petitioner has also prayed for grant of the Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for inclusion in PoC mechanism. The petitioner has also filed I.A. No. 33/IA/2019 for early hearing of the petition.

2. As per the Investment Approval dated 9.11.2009, the instant assets were scheduled to be put into commercial operation within a period of 35 months from the date of financial closure. The project achieved financial closure on 31.3.2010. As such, the scheduled COD of the project was 28.2.2013. The Assets-I and II were put into commercial operation on 6.1.2019 and 13.2.2019 respectively. Thus, there is time over-run of 71 and 72 months in case of Assets I and II respectively.

3. The petitioner has claimed the tariff based on expenditure incurred up to COD and additional capitalization projected to be incurred from COD to 31.3.2019 in respect of the instant assets. The details of the capital cost claimed by the petitioner are as follows:-

(₹ in lakh)				
Assets	FR approved apportioned cost	RCE IV approved apportioned cost	Expenditure up to COD	Estimated completion cost upto 31.3.2019
Asset-I	30311.63	69025.98	68961.47	68961.47
Asset-II	30311.63	71787.05	71722.62	71722.62



The petitioner has submitted that RCE-IV approved apportioned cost has been submitted vide affidavit dated 28.3.2019 in response to Commission's order dated 14.3.2019 in Petition No. 368/TT/2018.

4. The matter was heard on 9.4.2019. Learned counsel for the petitioner has submitted that COD of Assets-I and II is on 6.1.2019 and 13.2.2109 respectively. He submitted that there is time over-run in case of the instant assets and there is no cost over-run as per RCE-IV. Learned counsel also requested for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations. He further submitted that all the information as required under the 2014 Tariff Regulations has been furnished.

5. 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. 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. We have considered the submissions of the petitioner. After carrying out preliminary prudence check of the AFC claimed by the petitioner for Assets-I and II, the Commission has decided to allow tariff in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for the said assets for inclusion in the computation of PoC charges.

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)	
Asset	2018-19
Asset-I	3061.20
Asset-II	1762.70

B. Annual transmission charges allowed are given below:-

(₹ in lakh)	
Asset	2018-19
Asset-I	2448.96
Asset-II	1410.16

8. The tariff allowed in this order shall be applicable from the actual CODs of instant assets 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 respondents are directed to file their reply by 15.5.2019 with an advance copy to the petitioner who shall file its rejoinder, if any by 25.5.2019. The parties shall comply with the above directions within the due date mentioned above and no extension of time shall be granted.

10. I.A. No.33/IA/2019 is disposed of. The next date of hearing will be intimated in due course of time.

Sd/-  
**(I.S. Jha)**  
Member

Sd/-  
**(Dr. M. K. Iyer)**  
Member

Sd/-  
**(P. K. Pujari)**  
Chairperson

