

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 389/GT/2020

Subject : Petition for approval of tariff of Barauni Thermal Power Station Stage-I for the period from the date of takeover i.e. 15.12.2018 to 31.3.2019.

Petitioner : NTPC Limited

Respondent : North Bihar Power Distribution Company Ltd. & Anr

Date of hearing : **27.7.2020**

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member

Parties present : Shri Venkatesh, Advocate, NTPC
Shri Shashwat Kumar, Advocate, BSPHCL

Record of Proceedings

The matter was taken up for hearing through Video Conferencing.

2. During the hearing, the learned counsel for the Petitioner submitted that the present petition has been filed for approval of tariff of Barauni Thermal Power Station Stage-I from the date of the takeover of the project on 15.12.2018. He further submitted that the Petitioner has sought the recovery of Interest on loan and O&M expenses only during the period of shut down of the plant for R&M i.e. from 15.12.2018 to 31.3.2019 in terms of the proviso to Regulation 30(2) of the 2014 Tariff Regulations. The learned counsel for the Petitioner added that no reply has been received from the Respondents.

3. On a specific query by the Commission as to whether Return on Equity has been claimed by the Petitioner, the learned counsel replied in the negative.

4. The learned counsel for the Respondent discoms prayed for grant of time to file reply in the matter.

5. The Commission directed the Petitioner to file additional information on the following, on or before **14.9.2020**, with advance copy to the Respondents:

(i) *Audited details with respect to actual O&M expenses incurred under different heads from the date of take over i.e. 15.12.2018 till 31.3.2019;*

(ii) *Clause 1 (a) of 'The Bihar power generation Undertaking transfer scheme, 2018' states that the R&M of Stage-I is being carried out through grant from Central/State Government, the unutilized grant (by Niti Aayog and other sources, if any) will be transferred to NTPC to complete the balance R&M work; alternatively the payment will be released by BSPHCL. NTPC may further retain an additional amount for adjusting any contingency payment for utilizing towards completion of activities for Stage - I (details given in point D, Part- II, Schedule A*



of the Scheme). The Petitioner shall clarify the claim with reference to the above said provision of the Transfer scheme. Also, the basis for the claim of Return on Equity for the period of shutdown shall be clarified indicating the relevant regulations;

- (iii) Furnish the comparative statement of the amount as mentioned in Fair Valuation Report and transfer value of Assets as mentioned in para 10 of the present petition clearly indicating the reasons for the difference in the amount of transfer value of each Asset-head depicted in the table provided under para 10 of the petition vis -a -vis the Asset-head depicted in the 'Summary of valuation of Assets of Stage-I' submitted vide the Fair Valuation Report;
- (iv) The plant was taken over on 15.12.2018 and a loan of ₹15000 lakh was drawn on 21.12.2018. The opening loan of ₹15000 lakh as mentioned in Form 13 (i.e. as on 15.12.2018) is contrary to the submission made in the present petition. Hence, revised Form-13 (Calculation of Weighted Average Rate of Interest on Actual Loans) together with documentary evidence in respect of interest rates used for calculation of WAROI in respect of SBI Loan (in Form 13) to be furnished;
- (v) The information contained in "Statement showing reconciliation of Additional Capital Expenditure claimed with the capital additions as per books" duly certified by Auditor;
- (vi) Reconciliation statement of IDC (Form 14) with Cumulative IDC in CWIP (Form 9E) as attached in Annexure-I.

5. The Respondents shall file their replies, on or before **28.9.2020**, with advance copy to the Petitioner, who may file its rejoinder, if any, by **12.10.2020**. Pleadings shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

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

By order of the Commission

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



Annexure- I

Reconciliation statement of IDC with Cumulative IDC in CWIP												
Year	IDC domestic Loan	IDC Bonds	IDC Foreign Loan	Financial Charges capitalized	ERV Treated as BC	Total	Amor. Exp. Vendor Discounting IND AS	Total IDC incl IND AS ADJ	Charged to P&L	IDC taken to CWIP	Capitalised out of CWIP	Cumulative IDC in CWIP
	A	B	C	D	E	F= (A+B+C +D+E)	G	H= (F+G)	I	J= (H-I)	K	L= (J-K)
2018-19												
Total												

