

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 94/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 14 (3)(ii) and Regulation 8(3)(ii) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for approval of expenditure on installation of various Emission Control Systems as detailed in this Petition for compliance of Ministry of Environment, Forest and Climate Change, Government of India Notification dated 7.12.2015.

Petitioner : Damodar Valley Corporation (DVC)

Respondents : Punjab State Power Corporation Limited (PSPCL) and Ors.

Date of Hearing : 27.2.2020

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

Parties present : Shri S. Venkatesh, Advocate, DVC
Shri Suhael Buttani, Advocate, DVC
Shri Subrata Goshal, DVC
Shri Rakesh Ranjan, DVC
Shri S. P. Patra, DVC
Ms. Swapna Seshadri, Advocate, PSPCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking in-principle approval of additional capital expenditure to be incurred for its Durgapur Steel Thermal Power Plant to comply with the revised emission norms specified in the Notification dated 7.12.2015 issued by the Ministry of Environment, Forest and Climate Change, Government of India as per the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014. Learned counsel submitted that subsequent to filing of the present Petition, the Commission notified the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 (2019 Tariff Regulations), wherein the 'in-principle' approval of additional capitalization and requirement of additional capitalization on account of Revised Emission Standards have been recognized. Learned counsel submitted that the Petitioner has also undertaken competitive bidding process for installation of Emission Control System and has awarded the contracts by placing Lols on 15.7.2019. Accordingly, learned counsel for the Petitioner sought liberty to file additional affidavit to rely upon the 2019 Tariff Regulations and to place on record the bidding details.

2. Based on the request by the learned counsel for the Petitioner, the Commission directed the Petitioner to file the additional affidavit by 11.3.2020. The Respondents were directed to file their response on the additional affidavit by



30.3.2020 with an advance copy to the Petitioner who may file its response thereon, if any, by 13.4.2020.

3. The Commission directed the Petitioner to file the following information by 11.3.2020:

(a) Certificate to the effect that FGD technology adopted would meet the evaluation criteria as indicated by CEA in its advisory dated 7.2.2020 and would also meet the SO₂ emission norms as stipulated by MoEF&CC; and

(b) Detailed note with regard to selection of technology for the Plant based on the evaluation criteria as indicated by CEA in its advisory dated 7.2.2020.

4. The due date of filing of additional affidavit, response and information shall be strictly complied with.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Legal)**

