

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. **Shri Ashok Basu, Chairman**
2. **Shri K.N. Sinha, Member**

Petition No.2/2002

In the matter of

Tariff for Simhadri Thermal Power Project (2x500 MW)

And in the matter of

National Thermal Power Corporation Ltd. **Petitioner**

Vs

Transmission Corporation of Andhra Pradesh **Respondent**

The following were present:

1. Shri V.B.K. Jain, GM(Comml.), NTPC
2. Ms. Rachna Mehta, Manager (Comml.), NTPC
3. Shri Balaji Dubey, Senior Law Officer, NTPC
4. Shri A.K. Juneja, NTPC
5. Shri Manoj Mathur, NTPC
6. Shri S.K. Samvi, SM(C), NTPC
7. Shri D.G. Salpekar, NTPC
8. Shri S.K. Aggarwal, Sr. Engr. NTPC
9. Ms Alka Saigal, NTPC
10. Shri G. Venkateswara Rao, Divisional Engineer, APTRANSCO

**ORDER
(DATE OF HEARING: 14.11.2003)**

In our order dated 30.9.2003, we had directed the petitioner to file certain additional information. The additional information to be filed included cost break-up in Form 5 annexed to the petition, with suitable explanation in the form of foot notes to enable the Commission to take a view on the actual expenditure on various packages.

2. An affidavit has been filed on behalf of the petitioner on 7.11.2003, placing on record some of the additional information called for vide order 30.9.2003. As regards submission of the details of the cost break-up, it has been stated that some more time was needed for the purpose.

3. In the absence of these details, it is not possible to take a reasonable view on the project cost on the date of commercial operation of the generating station. Therefore, in view of the failure of the petitioner to comply with the directions, we had decided to dispose of the petition without determining the tariff. However, Shri V.B.K. Jain, who appeared for the petitioner, pleaded for another three weeks' time for submission of the necessary data.

4. As a special case we had agreed to allow time up to 5.12.2003 for the purpose. The petition was ordered to be listed on 9.12.2003. The copy of the affidavit to file the requisite information shall be furnished to the respondent in advance.

5. The petitioner in its petition had originally claimed capacity charges of Rs.532 crore for the first year of operation effective from 1.3.2003. In its order of 28.1.2003, the Commission had allowed the petitioner, on provisional basis, to bill the respondent the capacity charges of Rs.479.655 crore for the first year of operation, which represented 90% of the capacity charges of Rs.532 crore claimed in the petition. The petitioner has now filed a revised petition in which he has claimed capacity charges of Rs.474 crore from the date of commercial operation of Unit II, that is, 1.3.2003. In view of the reduced claim of the petitioner for capacity charges, we direct that the petitioner will charge Rs.426.6 crore as the capacity charges for the first year, being

90% of the capacity charges now claimed by the petitioner in the revised petition. The revised capacity charges being approved by us in this order shall be applicable from 1.3.2003. The excess amount, if any, recovered from the respondent based on the earlier order dated 28.1.2003 shall be adjusted against the revised fixed charges now being approved. The provisional energy charges approved by the Commission in its order 28.1.2003 shall, however, remain unaltered.

6. List the petition on 9.12.2003 as already directed.

Sd/-
(K.N. SINHA)
MEMBER

Sd/-
(ASHOK BASU)
CHAIRMAN

New Delhi dated the 19th November, 2003