

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

1. Shri D.P. Sinha, Member
2. Shri G.S. Rajamani, Member
3. Shri K.N.Sinha, Member

Petition No.51/2001

In the matter of

Transmission Tariff for 315 MVA ICT-II at Malerkotla, 400 KV Hisar-Jaipur Line with associated bays, 400 KV Bawana-Hisar Line (part) and 400 KV Bawana - Bhiwani Line with associated bays, covered under Nathpa Jhakri Transmission System in Northern Region.

And in the matter of

Power Grid Corporation of India Ltd.

.... Petitioner

VS

Rajasthan Rajya Vidyut Prasaran Nigam Ltd. & Others

.... Respondents

The following were present:

1. Shri R.K. Vohra, GM, PGCIL
2. Shri S.S. Sharma, AGM, PGCIL
3. Shri P.C. Pankaj, DGM, PGCIL
4. Shri Rakesh Prasad, PGCIL
5. Shri C. Kannan, Sr. Mgr (Accts), PGCIL
6. Shri S. Mehrotra, PGCIL
7. Shri Ajay Holani, PGCIL
8. Shri S.K. Jain, Manager (Law), PGCIL
9. Shri V.K. Gupta, SE/ISP, RVPNL
10. Shri T.P. S. Bawa, Chief Engr. PSEB
11. Shri D.D.Chopra, Advocate, UPPCL
12. Shri Mahendra Kumar, UPPCL
13. Shri R.K. Arora, XEN/Tariff, HVPNL

ORDER
(DATE OF HEARING 19-3-2002)

We last considered the case on 28-8-2001 and ordered the petitioner to implead Uttaranchal State Electricity Board and serve a copy of the petition on it. The petitioner has complied with the order.

2. The brief background of the case is that the PGCIL filed this petition initially on 22-6-2001 and the amended petition on 9-8-2001, in respect of part of Nathpa Jhakri Transmission System being implemented by the Petitioner for evacuation of power from Nathpa Jhakri HE Project in Northern Region. Approval to the Nathpa Jhakri Transmission scheme at an estimated cost of Rs. 889.95 crores including IDC of Rs.95.59 crores was accorded by the Government of India vide letter dated 5-4-1989. Subsequently, several changes were made in the structure and scope of this project with approval/clearance by Central Electricity Authority (CEA). The revised cost estimate for the revised scope of Nathpa Jhakri Transmission scheme has been worked out as Rs.1561.63 crores including IDC of Rs.353.58 crores and Ministry of Power has accorded the investment approval to the said revised cost estimate vide letter dated 25-5-2001.

3. The present petition covers the following elements of Nathpa Jhakri Transmission System which were declared under commercial operation as under:

| <u>Sl. No.</u> | <u>Name of Asset</u> | <u>D.O.C.O.</u> |
|----------------|--|-----------------|
| (i) | 315 MVA, ICT-II at Malerkotla with associated bays | 01-04-1996 |
| (ii) | 400 KV Hisar-Jaipur with associated bays | 01-08-1997 |
| (iii) | 400 KV Bawana-Hisar with associated bays (part covered under NJTL system) | 01-02-1998 |
| (iv) | 400 KV Bawana-Bhiwani with associated bays (Part covered under NJTL system) | 01-09-1997 |

4. The petitioner has submitted that the respondents have agreed to share the transmission charges provisionally at 83% of the tariff calculation furnished by the petitioner. The provisional transmission tariff for the asset at Sl. No. (i) above was worked out by the petitioner as per terms and conditions provided in the Government of India Notification No.2/3/PTB/POWERGRID/96 dated 14-6-1996. For the period from 1-4-1997 onwards, tariff for the assets covered under the petition has been calculated by the petitioner as per Govt. of India Notification dated 16-12-1997. The petitioner has been billing the transmission tariff for these assets as per the concurrence of respondents for provisional tariff in Commercial Committee meeting of NREB. The billing is being continued in line with Commission's order dated 01.10.99 in Petition No. 3/99. The Petitioner has prayed for approval of final transmission tariff for these assets upto 31.03.2002.

6. Rajasthan Rajya Vidyut Prasaran Nigam Ltd., (RVPNL), Respondent No.1, in its reply has submitted that final tariff should not be approved till Hon'ble High Court of Delhi gives its final decision in FAO NO. 145 filed by the petitioner against orders of the Commission on transmission tariff norms. It has also been

submitted that the petitioner should work out the tariff in two parts i.e. one up to 3/2001 and thereafter for three years block. RVPNL has also requested that generating company should be impleaded in the petition and the payment of transmission charges for this transmission system completed ahead of commissioning of generating station, should be area of concern between generating and transmission companies.

7. Haryana Vidyut Prasaran Nigam Ltd.,(HVPNL) Respondent No.4, in reply to the petition has submitted that the petitioner has taken debt equity ratio unilaterally and arbitrarily which is not in conformity with the approved package which may result in higher levelised tariff to HVPNL. It has also been submitted that the petitioner may be directed to work out the incremental cost of O&M charges and spares as per GOI Notification dated 16-12-1997 and the benefit of depreciation holiday be included in the tariff proposed for other assets covered under the petition as has been done by the petitioner for ICT-II at Malerkotla.

8. In the present petition tariff has been claimed for the period up to 31-3-2002. In terms of the Commission's composite order dated 21-12-2000 in petitions No.4/2000, 31/2000, 34/2000, 85/2000, 86/2000 and 88/2000, the norms, terms and conditions of transmission tariff contained in Ministry of Power notification dated 16-12-1997 are applicable up to 31-3-2001. For tariff beyond the period from 1-4-2001, the utilities have been directed to file fresh petitions based on norms notified by the Commission. In appeal filed by the petitioner in High Court of Delhi (FAO 145/2001), the High Court in its order dated 26-3-2001

has directed that the order issued by the Commission shall be observed in letter and spirit in all respects excepting that the petitioner shall continue to charge tariff on the basis of the pre-existing norms only as long as the arrears up to 31-3-2001 due against the SEBs, etc. are not adjusted. In keeping with the Commission's order dated 21-12-2000 read with High Court's order dated 26-3-2001 in FAO 145/2001, the petitioner may file fresh petition for tariff for the period from 1-4-2001. In the present petition, determination of tariff shall be restricted to period up to 31-3-2001.

9. The petitioner is also directed to submit the following information.

- a) Componentwise apportionment of RCE of entire Nathpa Jhakri Transmission system.
- b) Basis of allocation of cost of 400 KV Bawana-Hisar and 400 KV Bawana-Bhiwani line between Nathpa Jhakri & Moga-Bhiwani Transmission Systems, in view of the fact that the former is not covered under scope of NJTS while latter is part of NJTS.

10. We have observed that Nathpa-Jhakri Transmission System is yet to be completed fully and the final cost is still to be determined . The petitioner has also not filed petitions for fixation of tariff for Jhakri-Abdullapur and Jhakri-Nalagarh Lines of this system. Hence the final tariff can be considered only after completion of the entire Nathpa-Jhakri Transmission System. We therefore direct that this petition be listed accordingly for hearing along with all other petitions related to entire Nathpa-Jhakri Transmission System.

Sd/-
(K.N. Sinha)
Member

Sd/-
(G.S. Rajamani)
Member

Sd/-
(D.P. Sinha)
Member

New Delhi dated: 16th May, 2002.