

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

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

Petition No. 41/2001
& IA No.34/2003

In the matter of

Approval of Tariff for FGUTPS for the period 1.4.2001 to 31.3.2004

And in the matter of

Petition No. 44/2001
& IA No.33/2003

And In the matter of

Approval of Tariff for Dadri GPS for the period 1.4.2001 to 31.3.2004

Petition No. 45/2001
& IA No.31/2003

And In the matter of

Approval of Tariff for Anta GPS for the period 1.4.2001 to 31.3.2004

Petition No. 46/2001
& IA No.32/2003

And In the matter of

Approval of Tariff for Auraiya GPS for the period 1.4.2001 to 31.3.2004

National Thermal Power Corporation Ltd.

....Petitioner

Vs

1. Uttar Pradesh Power Corporation Ltd., Lucknow
2. Rajasthan Rajya Vidyut Prasaran Nigam Ltd, Jaipur
3. Delhi Vidyut Board, New Delhi
4. Haryana Vidyut Prasaran Nigam Ltd, Panchkula
5. Punjab State Electricity Board, Patiala

6. Himachal Pradesh State Electricity Board, Shimla
7. Power Development Department, Govt. of J&K, Srinagar
8. Power Department, Union Territory of Chandigarh, Chandigarh
9. Uttaranchal Power Corporation Ltd., Dehradun ..Respondents

The following were present:

1. Shri K.K. Garg, GM (C), NTPC
2. Shri V.B.K. Jain, GM (Comml), NTPC
3. Shri M.S. Chawla, AGM (Comml), NTPC
4. Shri R.Singhal, Mgr (C), NTPC
5. Shri A.K. Poddar, NTPC
6. Shri T.R. Sohal, NTPC
7. Shri Ajay Dua, Mgr (C), NTPC
8. Shri S.D. Jha, NTPC
9. Shri M.G. Ramachandran, Advocate, NTPC
10. Shri J.S. Bhargava, AEN (JSP) RRVPNL
11. Shri K.K. Mittal XEN (ISP), RRVPNL
12. Shri T.P.S. Bawa, Superintending Engineer, PSEB
13. Shri V.K. Gupta, PSEB
14. Shri D.D. Chopra, Advocate, UPPCL
15. Shri T.K. Srivastava, UPPCL
16. Shri R.K. Arora, HVPN

ORDER

(DATE OF HEARING : 28.8.2003)

We have heard the representatives of the parties present at the hearing.

2. The staff of the Commission has pointed out certain discrepancies, particularly on the issue of O&M charges and Interest on Loan components of tariff claimed by the petitioner. The representatives of the respondents have also argued that certain details/information directed by the Commission had not been filed by the petitioner. The submission was made particularly by the representatives of UPPCL and HVPN. After hearing we had directed the representatives of the petitioner and the respondents to discuss the issues with the Commission staff on 2.9.2003 at 3 P.M. in the office of the Commission so that discrepancies are resolved. Thereafter, in the light of discussion, the petitioner shall file an appropriate affidavit, latest by 9.9.2003 to clarify the issues raised on the discrepancies pointed out by the Commission's staff and the respondents. It was

agreed by the representatives of the parties that no fresh hearing need be held on these petitions and the tariff order may be passed by the Commission on receipt and considerations of clarifications as above from the petitioner. Accordingly, subject to above, order reserved. It is made clear that in case the affidavits in respective petitions are not filed by the petitioner by the above mentioned date, the Commission will decide tariff based on available records and raising presumptions as deemed appropriate in the facts and circumstances.

IA No.34/2003 in Petition No.41/2001, IA No.33/2003 in Petition No.44/2001, IA No.31/2003 in Petition No.45/2001 and IA No.32/2003 in Petition No.46/2001

3. These IAs have been filed by UPPCL seeking direction to the petitioner to charge tariff at the reduced rate of 80% of the fixed cost on the average for the stations in question, based on details of calculations contained in the respective IAs. We have heard Shri DD Chopra, Learned Counsel for UPPCL and Shri MG Ramachandran on behalf of NTPC. Since we propose to issue final tariff orders in these petitions in due course of time, no separate order need be passed on these IAs at this stage. These IAs will be considered along with main petitions.

Sd/-
(K.N. SINHA)
MEMBER

Sd/-
(ASHOK BASU)
CHAIRMAN

New Delhi dated the 2nd September, 2003