

CENTRAL ELECTRICITY REGULATORY COMMISSION

Record of Proceedings

Petition No. 93/2010

Sub:- Approval of transmission tariff for Hathidah River Crossing section of 220 kV D/C Biharshariff-Begusarai Transmission line in Eastern Region for the period 1.4.2009 to 31.31.3.2014

Date of hearing : 22.6.2010

Coram : Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : Power Grid Corporation of India Ltd., Gurgaon

Respondents : 1. Bihar State Electricity Board, Patna
2. West Bengal State Electricity Board, Kolkata
3. Grid Corporation of Orissa Ltd., Bhubaneswar
4. Damodar Valley Corporation, Kolkata
5. Power Department, Govt. of Sikkim, Gangtok
6. Jharkhand State Electricity Board, Ranchi

Parties present : Shri U.K.Tyagi, PGCIL
Shri M.M.Mondal, PGCIL
Shri Rakesh Prasad, PGCIL
Shri R.B.Sharma, Advocate, BSEB

This petition has been filed for approval of transmission tariff in respect of Hathidah River Crossing section of 220 kV D/C Biharshariff-Begusarai Transmission line in Eastern Region for the period 1.4.2009 to 31.31.3.2014, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (herein after referred to as` the 2009 regulations).

2. Learned counsel for the BSEB stated that he would file reply shortly.

3. Learned counsel for the BSEB pointed out that the petitioner had sought relaxation under regulation 44 of the 2009 regulations for considering the revised rate of MAT as per Finance Act, 2009 but the 2009 regulations were very clear in this regard. He further added that the petitioner was engaged in the infrastructure development, therefore, he was entitled to tax holiday but the petitioner in the present had not highlighted this issue. The petitioner should clarify this issue. He further submitted that tax holiday was available from the date of the commercial operation of the project and it was to be utilized within the period of 15 years. Learned counsel further submitted that tax has become integral part of the 2009 regulations. Learned counsel also submitted that petitioner should file affidavit to the effect that it was not entitled to tax benefit.

4. The Commission directed the BSEB to file its reply containing the said issues latest by 30.6.2010, with an advance copy to the petitioner, who may file its rejoinder by 9.7.2010.

5. Subject to above, order in the petition was reserved.

Sd/-
(T.Rout)
Joint Chief (Law)