

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

RECORD OF PROCEEDINGS

Petition No.269/2009

Subject: Approval of tariff for Talcher Super Thermal Power Station, Stage-II (2000 MW) for the period from 1.4.2009 to 31.3.2014.

Date of hearing: 13.5.2010

Coram: Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner: NTPC Ltd

Respondents: APTRANSCO, APEPDCL, APSPDCL, APNPDCL, APCPDCL, TNEB, KPTCL, BESCOM, MESCOM, CESC Mysore, GESCOM, HESCOM, KSEB, Electricity Dept, Puducherry and GRIDCO.

Parties present: Shri V.K.Padha, NTPC
Shri S.K.Mandal, NTPC
Shri A.K.Juneja, NTPC
Shri S.K.Samui, NTPC
Shri S.Saran, NTPC
Shri R.Krishnaswami, TNEB
Shri S.Balaguru, TNEB
Shri Bhanu Prasad, APTRANSCO
Shri R.B.Sharma, Advocate, GRIDCO

This petition has been filed by the petitioner, NTPC for approval of tariff for Talcher Super Thermal Power Station, Stage-II (2000 MW) for the period from 1.4.2009 to 31.3.2014 (hereinafter referred to as "the generating station") based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as "the 2009 regulations").

2. The representative of the petitioner submitted that the capital expenditure of different nature is incurred for the efficient operation of the generating station during its life time and no generating station could operate on a sustainable basis to achieve the level of performance specified by the Commission without incurring the capital expenditure from time to time. He submitted that the additional expenditure incurred from time to time towards replacement/refurbishment of old assets was necessary to maintain the higher level of performance and in the interest of the public. The representative further submitted that the additional expenditure claimed by the

petitioner, in addition to the expenditure covered under Regulations 9(1), 9(2) and 19(e) of the 2009 regulations may be permitted by the Commission, subject to prudence check, as envisaged under Regulations 5 and 6 of the 2009 regulations. The representative added that the additional information sought for by the Commission had been filed and copy served on the respondents.

3. The learned counsel for the respondent GRIDCO, made preliminary objection to the petition and submitted that the petitioner has not taken into consideration the orders of the Commission in Petition No.146/2008 and Petition No.139/2009, pertaining to additional capitalization of the generating station, while working out the tariff in the petition. He also submitted that the calculations relating to tariff for the period 2009-14 was not in accordance with the provisions of the 2009 regulations. The learned counsel also pointed out that it has filed its reply to the additional information submitted by the petitioner and has served copies on the petitioner.

4. The representative of the petitioner submitted that it had not received the copy of the reply filed by the respondent GRIDCO, and prayed that it may be granted some time to file its rejoinder, after receipt of the same.

5. The representative of the respondent, APTRANSCO submitted that it has filed its reply in the matter.

6. The representative of the respondent, TNEB prayed for some time to file its detailed reply in the matter.

7. The petitioner was directed to file details on affidavit, as per Form 9A and 9B, as on 1.4.2009, latest by 25.5.2010.

8. The Commission directed the respondent, TNEB to file its reply, with copy to the petitioner, latest by 25.5.2010. The petitioner was also directed to file its rejoinder, by 4.6.2010.

9. Matter shall be re-notified for hearing on 10.6.2010.

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