

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 149 of 2009

Subject: Approval of revised fixed charges for the period 2004-09, after considering the impact of additional capital expenditure incurred during 2006-07, 2007-08 and 2008-09 for Simhadri STPS (1000 MW) - Pursuant to Judgment dated 28.7.2011 in Appeal No.75/2010 to consider the issue of cut-off date for additional capital expenditure in exercise of the power to relax, in terms of the Judgment of the Tribunal dated 18.08.2010 in Appeal No.66/2008 (Talcher TPS).

Date of hearing: 17.11.2011

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

Petitioner: NTPC

Respondent: Transmission Corporation of Andhra Pradesh and others

Parties present: Shri Sameer Aggarwal, NTPC Shri
Naresh Anand, NTPC Shri Ajay Dua,
NTPC Shri A.K.Chaudhary, NTPC

Record of Proceedings

Pursuant to the directions contained in the judgment of Appellate Tribunal for Electricity (the Tribunal) dated 28.7.2011 in Appeal No.75/2010, the matter was listed for hearing the parties, on the question of relaxation of 'cut-off date of the generating station, for additional capital expenditure for the period 2006-09, in exercise of 'Power to relax' under Regulations 13 of the 2004 Tariff regulations, by the Commission.

2. None appeared on behalf of the respondents. The representative of the petitioner submitted that the 'cut-off date for the generating station may be relaxed by the Commission in exercise of its 'Power to relax', under Regulation 13 of the 2004 regulations, for the purpose of additional capital expenditure for the period 2006-09 in Petition No. 149/2009, keeping in view the observations

of the Tribunal contained in the judgment of the Tribunal dated 18.8.2010 in Appeal No.66/2008, and the tariff for the generating station may be revised accordingly.

3. The Commission reserved its order in the petition.

(T. Rout)

Joint Chief
(Law)