

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 261/2009**

Subject : Approval of tariff of Rihand Super Thermal Power Station, Stage-I (1000MV) for the period from 1.4.2009 to 31.3.2014.

Date of hearing : 3.11.2011

Coram : Dr. Pramod Deo, Chairperson  
Shri M. Deena Dayalan, Member

Petitioner : NTPC Ltd

Respondents : UPPCL & 12 others.

Parties present : Shri V.K Padha, NTPC  
Shri Naresh Anand, NTPC  
Shri Shankar Saran, NTPC  
Shri S.Jain, NTPC  
Shri Manish Garg, UPPCL  
Shri Dushyant Manocha, Advocate, BYPL

**Record of Proceedings**

The representative of the petitioner submitted as under:

- (a) As per record of the proceedings held on 6.9.2011, the petitioner was directed to submit proposal regarding the period over which the expenditure on ESP's was to be recovered and the petitioner by affidavit dated 13.10.2011 has submitted the same and copy served on the respondents.
- (b) The modification of ESP's is undertaken to meet the required statutory norms of emission without any consideration of life extension.
- (c) The life of ESPs after commissioning may be considered as 8 years commensurate with the loan repayment period of the loan currently offered to the petitioner.
- (d) Notwithstanding the above, the Commission may in its discretion consider allowing the expenditure as deemed fit, keeping in view the requirement of the petitioner to meet the statutory obligation and to prevent closure of the generating station.

- (e) The reconciliation statement of gross block and liabilities have been submitted vide affidavit dated 5.9.2011.
2. The representative of the respondent, UPPCL submitted as under:
- (a) Copy of the affidavit dated 5.9.2011 containing reconciliation of gross block and liabilities has not been received.
- (b) Regulation 10(3) of the 2009 regulations provides for consideration of expenditure for R&M and life extension. The Commission may consider at its discretion, to extend this provision to cases where any expenditure is to be incurred during the last five years of the residual life of the generating station.
3. The learned counsel for the respondent, BYPL submitted that it has filed its response in the matter which may be considered by the Commission.
4. In response to the above, the representative of the petitioner clarified as under:
- (a) Copy of the affidavit dated 5.9.2011 has been served on the respondents. However, one more copy will be handed over to the respondent, UPPCL.
- (b) The submission of the respondent, UPPCL to extend Regulation 10(3) is not in consonance with the 2009 regulations, and is not permissible.
5. The Commission reserved its order on the petition.

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