

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 135/GT/2013

Subject: Approval of tariff of Kahalgaon Super Thermal Power Station, Stage-I (840 MW) from 1.4.2009 to 31.3.2014 after truing up exercise.

Date of hearing: 27.8.2013

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

Petitioner: NTPC Limited,

Respondents: WBSEDCL & 18 others

Parties present: Shri Ajay Dua, NTPC
Shri I.Uppal, NTPC
Shri Rohit Chabbra, NTPC
Shri Bhupinder Kumar, NTPC
Shri R.B. Sharma, Advocate, GRIDCO & JSEB

Record of Proceedings

During the hearing, the representative of the petitioner, NTPC made submissions in the matter and prayed that the tariff of the generating station may be revised as claimed in the petition.

2. In response, the learned counsel for the respondent, GRIDCO & JSEB referred to the reply filed and mainly submitted as under:

(a) The details of the additional capital expenditure incurred for the period 2009-10 to 2011-12 duly audited and certified by the auditors as per requirements of Regulation 6(3) of the 2009 Tariff Regulations, may be directed to be submitted.

(b) The petitioner shall be directed to furnish the actual tax rate paid against this generating station on the Return on Equity as per provisions under Regulation 15(3) of the 2009 Tariff Regulations.

(c) The petition relates to truing up of tariff determined by order dated 23.5.2013 in Petition No. 245/2009 and not against order dated 15.6.2010. Since compensation allowance was admissible to the generating station, the damaged /condemned 10 nos of wagons were not de-capitalized/capitalized by the Commission. Since the balance 9 nos Wagons in question are not in use, the same shall be taken out of the capital cost as per proviso under Regulation 7(1)(c) of the 2009 Tariff Regulations.

(d) The contention of the petitioner to allow old assets of MBOA and spares under exclusion is not in accordance with the provisions of the 2009 Tariff Regulations.

(e) Since the scheme towards implementation of supply of electricity within 5 Km radius as notified by the Govt. of India has been withdrawn, the expenditure claimed under this head shall be disallowed.

(f) Reply filed in the matter may be considered.

3. In response to the above, the representative of the petitioner clarified as under:

(a) The DPR work for strengthening infrastructure within 5 kms area has been awarded and the same is under implementation and is expected to be completed during 2013-14. Hence, the expenditure incurred towards this may be allowed under Regulation 9(2)(ix) of the 2009 Tariff Regulations.

(b) The exclusion of de-capitalization of one wagon was allowed in 2008-09. The Commission in its order dated 3.5.2013 in Petition No.19/RP/2012 had *suo motu* rectified an error by de-capitalization of `171.80 lakh for 9 nos wagons which were part of the capital base on the ground that these were unserviceable and not rendering any useful service to the generating station.

4. The Commission directed the petitioner to file audited certificate of the additional capital expenditure, on affidavit, on or before 13.9.2013, with copy to the respondents. Subject to this, order in the petition was reserved.

By order of the Commission

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