

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 205/GT/2013**

Subject : Approval of tariff in respect Rihand STPS Stage-III (1000 MW) for the period from anticipated date of commercial operation to 31.3.2014.

Date of hearing : 25.11.2014

Coram : Shri Gireesh B Pradhan, Chairperson  
Shri M.Deena Dayalan, Member  
Shri A.K.Singhal, Member  
Shri A.S. Bakshi, Member

Petitioner : NTPC Limited

Respondents : Uttar Pradesh Power Corporation Limited & 12 Ors.

Parties present : Shri Ajay Dua, NTPC  
Shri A K Bishoi, NTPC  
Shri Neeraj Kumar, NTPC  
Shri Vivek Kumar, NTPC  
Shri Ajay Mehta, NTPC  
Shri Manish Garg, UPPCL  
Shri R B Sharma, Advocate, BRPL

**Record of Proceedings**

This petition has been filed by the petitioner, NTPC for approval of tariff in respect Rihand STPS Stage-III (1000 MW) (the generating station) for the period from anticipated date of commercial operation till 31.3.2014 based on the provisions of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (the 2009 Tariff Regulations).

2. The representative of the petitioner made submissions in the matter and pointed out that the matter has been listed for hearing the respondent, BRPL and other respondents who were not heard on 13.10.2014. The representative of the petitioner however prayed for grant of time to file its rejoinder to the reply filed by BRPL.

3. The representative of the respondent, UPPCL prayed for grant of time to file its reply on the additional information submitted by the petitioner, pursuant to the directions of the Commission during the hearing on 13.10.2014.

4. The learned counsel for the respondent, BRPL mainly submitted as under:

(i) The complete details of capital expenditure and additional capital expenditure incurred duly audited and certified by auditors may be directed to be submitted in terms of Regulation 5(2) of the 2009 Tariff Regulations.

(ii) The Investment Approval dated 24.1.2009 do not mention the commissioning schedule and the debt-equity ratio applicable for the generating station. There is time over run in the COD of the units and the reasons submitted by the petitioner for the delay in the commissioning of the plant are

problems/difficulties of a casual nature, which were well known to the petitioner prior to the execution of the project. Hence, the delay is for reasons which are attributable to the petitioner.

(iii) In respect of the additional capital expenditure claimed towards liability discharged, the details of work included in the original scope of work along with estimates of expenditure in accordance with the proviso under Regulation 9(1)(v) of the 2009 Tariff Regulations may be directed to be filed.

(v) No regulation has been cited by the petitioner under which the expenditure for electrification of village within 5 km radius of the project under the scheme of Govt. of India has been claimed. Moreover, the said scheme, which had been withdrawn by the Central Government earlier, does not form part of the original scope of work of this generating station. Hence, the same cannot be permitted under Regulation 9(1) of the 2009 Tariff Regulations. The amount incurred may be met from the funds under Corporate Social Responsibility.

(vi) Reply filed in the matter may be considered at the time of determination of tariff.

5. The Commission after hearing the parties directed that the petitioner to submit the following information, on affidavit, with advance copies to the respondents, on or before 19.12.2014.

(i) *The reconciliation of the gross block, especially with regard to liability flow which inter-alia, includes the position of liability as on COD of Unit-I & Unit-II as well as 31.3.2013 and 31.3.2014, do not have the required details with regard to discharge of liability during the above periods. Moreover the position of the liability as on 26.3.2014 according to liability flow is ₹91.56 crore, whereas the position of liability as on 27.3.2014 as per the said statement is ₹336.02 crore. This shall be clarified.*

(ii) *The details of the liability discharged from 19.11.2012 to 31.3.2013 (₹175.91 crore), from 1.4.2013 to 26.3.2014 (₹1.93 crore) and from 27.3.2014 and 31.3.2014 (₹16.56 crore) shall be furnished. Also, the revised audited statement showing reconciliation of the gross block (page-138 of petition) shall be submitted.*

(iii) *Documentary evidence with respect to interest reset (as sought vide Sl No. (iii) of RoP dated 31.10.2014). In the absence of this, the details as furnished in Annexure-II of affidavit dated 20.11.2014 shall be duly certified by the auditor.*

(iv) *The additional information as sought for at Sl. No. 5(viii) of ROP dated 13.10.2014. Also, the detailed break-up of time overrun as per proforma enclosed at Annexure-A shall be filed.*

6. The above information shall be filed by the petitioner within the due date mentioned and the parties are directed to complete the pleadings within the said date. In case no information/ reply / rejoinder is filed within the due date mentioned, the matter shall be decided based on available records. Subject to the above, order in the petition was reserved.

By Order of the Commission

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

