

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 6/RP/2016 in
Petition No. 135/TT/2012**

Subject : Review of the Commission's order dated 18.12.2015 in Petition No. 135/TT/2012 in the matter of approval of transmission tariff for the licensed transmission business for the financial years 2011-12,2012-13 and 2013-14 on the limited aspects of Debt :Equity ratio and consequent interest on normative loan.

Date of Hearing : 26.7.2016.

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

Petitioner : Jindal Power Limited (JPL)

Respondents : Jindal Power Limited and 27 others

Parties present : Shri M.G.Ramachandran, Advocate, JPL
Ms. Divya Chaturvedi, Advocate, JPL
Shri Siddharth Barik, JPL
Shri K.K.Agarwal, JPL
Shri Shivranjan, JPL

Record of Proceedings

The learned counsel for the petitioner submitted that the instant review petition is filed seeking review of the Commission's order dated 18.12.2015 in Petition No. 135/TT/2015 as there are errors apparent on the face of the record in the said order. The learned counsel submitted that Return on Equity was disallowed on the basis that the petitioner has not earmarked or infused share capital against the licensed business and entire funding has been treated as debt. He further submitted that interest on loan was also disallowed on the plea that the actual loan has been repaid prior to inception



of transmission business, though the interest on loan has to be allowed on normative basis as per the 2009 Tariff Regulations. The learned counsel submitted that the review petitioner is thus getting neither the return on equity nor servicing of normative debt. Learned counsel submitted that the basis of Commission's order dated 18.12.2015 was that petitioner has not submitted segregated accounts of the licensed transmission business and generation business at the time of filing of petition and the review petitioner was granted liberty to submit the segregated accounts at the time of true up. The learned counsel submitted that the segregated accounts have been filed.

2. The learned counsel further submitted that tariff for the period 2011-12 to 2013-14 was allowed vide order dated 18.12.2015. He submitted that the petitioner has filed Petition No. 313/TT/2014 for trueing up the tariff for 2009-14 tariff period and tariff for 2014-19 period and the decision in Petition No. 313/TT/2014 is likely to take some time. He submitted that segregated accounts have been submitted showing the Shareholders' fund apportioned for the transmission business and requested to allow 'Return on Equity' and 'Servicing of Normative Debt' admissible to the Petitioner, as further delay in grant of the same will affect them irreparably.

3. None of the respondents were present.

4. The Commission admitted the Review Petition and directed to issue notice to the respondents. The respondents were directed to file their reply by 31.8.2016 and the petitioner to file rejoinder, if any, by 9.9.2016. The Commission further directed to list the petition on 14.9.2016.

By order of the Commission

(T. Rout)
Chief (Law)

