

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 115/MP/2016

- Subject : Petition for determination of excess income tax reimbursed by beneficiaries, accrued on account of calculating income tax on the total profit instead of tax on ROE for the period 2005-09 and subsequently in respect of NLC's Power Station, namely NLC TPS-I (600 MW), NLC TPS-II Stage-I (3X210 MW), NLC TPC-II, Stage-II (4X210MW) NLC TPC-I Expansion (2X210 MW under Regulation 10 of Tariff Regulations, 2004) in pursuance of the Commission's order dated 12.5.2015 in Petition No. 65/MP/2013.
- Date of hearing : 6.7.2017
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
- Petitioner : Tamil Nadu Generation and Distribution Corporation Limited .
- Respondents : Neyveli Lignite Corporation Limited (NLC) & Others.
- Parties present : Shri S. Vallinayagam, Advocate, TANGEDCO
Ms. Anushree Bardhan, Advocate, NLC
Shri K.Nambirajan, NLC

Record of Proceedings

Learned counsel for NLC submitted that in compliance of the Commission's directions dated 19.1.2017, the meetings were convened between the Directors (Finance) of NLC and the petitioner on 28.2.2017, 29.4.2017 and 11.5.2017 to discuss and deliberate on the matter relating to income tax reimbursement and adjustments. However, no amicable solution could be found on the issue. Learned counsel requested for two weeks' time to file reply to the additional submissions filed by the petitioner.

2. Learned counsel for the petitioner pointed out that NLC has not filed the accounts related to income and split up details of the tax paid on ROE of all its mines and split up details of tax paid as directed by the Commission in Para 4 of the RoP for the hearing dated 22.9.2016.

3. After hearing the learned counsel for the parties, the Commission directed NLC to file by 26.7.2017, its reply to the additional submissions filed by the petitioner along with the information sought by the Commission in Para 4 of the RoP for the hearing dated 22.9.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, by 7.8.2017. The Commission directed the parties that due date of filing the reply, rejoinder and information should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 22.8.2017.

By order of the Commission

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