

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 123/TT/2017

Coram:

**Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M. K. Iyer, Member**

Date of Order: 05.10.2017

In the matter of:

Determination of transmission tariff from COD to 31.3.2019 for LILO of one Ckt. of 400 kV D/C Teesta III-Kishanganj line (LILO-I) at Rangpo and associated bays at Rangpo Sub-station (Invoked COD: 26.11.2016) under Sikkim Generation Projects-Part-B in Eastern Region under Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

And in the matter of:

Power Grid Corporation of India Limited
"Saudamini", Plot No.2,
Sector-29, Gurgaon -122 001

.....Petitioner

Vs

1. Gati Infrastructure Chuzachen Limited,
1-7-293, MG Road, 268, Udyog Vihar, Phase-IV,
Secunderabad, Andhra Pradesh-500 003
2. Gati Infrastructure Bhasmay Power Limited,
1-7-293, MG Road, 268, Udyog Vihar, Phase-IV,
Secunderabad, Andhra Pradesh-500 003
3. PTC India Limited,
2nd Floor, NBCC Tower
15, Bhikaji Cama Palace, New Delhi
4. Lanco Energy Private Limited,
Plot No. 397, 2nd Floor, Udyog Vihar, Phase III,
Gurgaon, Haryana-122 016



5. Dans Energy Private Limited,
5th Floor, DLF Building No. 8, Tower C,
DLF Cyber City Phase- II,
Gurgaon, Haryana-122 002
6. Jal Power Corporation Limited,
405-406, Raja House, 30-31,
Nehru Place, New Delhi- 110 019
7. Madhya Bharat Power Corporation Limited,
Nh-31-A, Golitar, Singtam,
Gangtok -737 134, Sikkim
8. Bihar State Power (Holding) Company Limited,
(Formerly Bihar State Electricity Board -BSEB)
Vidyut Bhavan, Bailey Road,
Patna-800 001
9. West Bengal State Electricity Distribution Company
Bidyut Bhawan, Bidhan Nagar,
Block DJ, Sector-II, Salt Lake City,
Calcutta-700 091
10. Grid Corporation of Orissa Limited,
Shahid Nagar, Bhubaneswar-751 007
11. Damodar Valley Corporation
DVC Tower, Maniktala,
Civic Centre, VIP Road,
Calcutta-700 054
12. Power Department
Government of Sikkim,
Gangtok-737 101
13. Jharkhand State Electricity Board
In Front Of Main Secretariat
Doranda, Ranchi-834 002
14. Teesta Valley Power Transmission Limited,
2nd Floor, Vijaya Building,
Barakhamba Road, CP,
New Delhi-110 001



15. Teesta Urja Limited
2nd Floor, Vijaya Building
17 Barakhamba Road, Connaught Place
New Delhi-110 001

....**Respondents**

For petitioner : Shri S.S. Raju, PGCIL
Shri Rakesh Prasad, PGCIL
Shri B. Dash, PGCIL

For respondents : None

ORDER

The present petition has been filed by Power Grid Corporation of India Limited ('the petitioner'), for determination of tariff for LILO of one Ckt. of 400 kV D/C Teesta III-Kishanganj line (LILO-I) at Rangpo and associated bays at Rangpo Sub-station (hereinafter referred as "transmission asset") under Sikkim Generation Projects-Part-B in Eastern Region in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations"). The petitioner has also prayed for grant of 90% of the Annual Fixed Charges (AFC) claimed, in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations for inclusion in PoC mechanism.

2. The petitioner has claimed the tariff based on actual expenditure incurred up to COD and estimated additional capitalization incurred from COD to 31.3.2019 in respect of the instant asset. The capital cost claimed by the petitioner is as follows:-



(₹ in lakh)

Approved apportioned cost (FR)	Expenditure incurred upto COD	Additional Capital Expenditure		Total estimated completion cost
		2015-16	2016-17	
9952.66	11130.83	327.00	200.00	11657.83

3. Therefore, the estimated completion cost is ₹11657.83 lakh as against the total approved apportioned cost of ₹9952.66 lakh. Thus, there is cost over-run in respect of the instant asset.

4. The instant asset was scheduled to be commissioned on 1.12.2013 as per the Investment Approval dated 11.3.2011. However, the asset was commissioned on 26.11.2016 i.e. after a time over-run of 36 months, but were not utilised due to delay in the commissioning of the generation/dedicated network under the scope of the concerned generator. However, the actual power flow started w.e.f. 15.1.2017, as per RLDC charging certificate certifying the power flow, submitted by the petitioner.

5. The matter was heard on 26.9.2017, the representative of the petitioner prayed for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations in respect of the instant asset.

6. We have considered the submissions of the petitioner. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter State Transmission charges and losses), Regulation,



2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7 (4) provides that such an application shall be filed as per Annexure-I of these regulations.

7. The petitioner has made the application as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of 2004 Regulations, such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

8. After carrying out preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time over-run and cost over-run, which will be considered at the time of grant of final tariff, the Commission has decided to allow tariff in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in para-9 of this order.

9. The details of the tariff claimed by the petitioner and tariff awarded by the Commission are as under:-

A. Annual transmission charges claimed by the petitioner are as below:-

(₹ in lakh)		
2016-17	2017-18	2018-19
724.83	2114.27	2092.30



B. Annual transmission charges allowed are as below:-

(₹ in lakh)		
2016-17	2017-18	2018-19
495.05	1444.02	1429.01

10. The tariff allowed in this order shall be applicable from 15.1.2017 and the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time. Further, the transmission charges allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

11. The petitioner is directed to submit by 30.10.2017, the following:-

- i. CMD certificate as required under Grid Code; and
- ii. Details of time over-run by 30.10.2017 along with documentary evidence and chronology of the activities asset-wise as per the format below:-

Assets	Activity	Period of activity				Reason(s) for delay along with reference to supporting documents
		Planned		Achieved		
		From	To	From	To	

12. The respondents are directed to file their reply by 18.11.2017 and the petitioner to file its rejoinder, if any, by 30.11.2017. The parties shall comply with these directions within the due dates mentioned and no extension of time shall be granted.



13. The petition shall be listed for final hearing on 7.12.2017.

sd/-
(M.K. Iyer)
Member

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

