

**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 (3 x 210 MW), NLC TPC-II, Stage-II (4 x 210 MW) NLC TPC-I Expansion (2 x 210 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.

Petitioner : TANGEDCO

Respondent : NLC & others

Date of hearing : 26.7.2018

Coram : Shri P.K. Pujari, Chairperson
Shri A.K. Singhal, Member
Dr. M.K. Iyer, Member

Parties present : Shri G.Umapathy, Advocate, TANGEDCO
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri R. Jayaprakash, TANGEDCO
Shri M.G.Ramachandran, Advocate, NLC
Ms. Ranjitha Ramachandran, Advocate, NLC
Ms. Anushree Bardhan, Advocate, NLC
Shri A.Ganesan Pradeep, NLC

Record of Proceedings

During the hearing, the learned counsel for the Petitioner, TANGEDCO submitted that pursuant to the directions of the Commission, meeting had taken place between the Finance Directors of both the parties, but no amicable solution could be arrived at in the matter.

2. The learned counsel for the Respondent, NLC clarified that the issue of grossing up of income tax had been decided by the Commission and the orders of the Commission had been affirmed by APTEL. Against the judgment of APTEL, the Petitioner has filed appeal before Hon'ble Supreme Court and the matter is pending.



3. Since the parties could not mutually resolve the issues, the Commission, after hearing the parties, reserved its order in the matter. Parties were also directed to file their written submissions on or before **20.8.2018**.

By order of the Commission

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

