

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.165/GT/2017

Subject : Petition for approval of generation tariff of Koteshwar Hydroelectric project (KHEP) (4 x 100 MW) for the period from 1.4.2011 to 31.3.2014

Petitioner : THDC India Limited

Respondent : PSPCL & Ors.

Date of hearing : **20.2.2018**

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

Parties present : Shri M.G.Ramachandran, Advocate, THDC
Ms. Anushree Bardhan, Advocate, THDC
Shri Sarosh Majid, THDC
Shri Rajeev jain, THDC
Shri Abhishek Upadhyay, Advocate, TPDDL
Shri R.B.Sharma, Advocate, BRPL
Shri S.K.Agarwal, Advocate, Rajasthan discoms

Record of Proceedings

This petition has been filed by the petitioner, THDC India Ltd. for approval of generation tariff of Koteshwar hydroelectric Project (KHEP) (4 x 100 MW) ('the generating station') for the period from 1.4.2011 to 31.3.2014.

2. During the hearing, the learned counsel for Respondent, BRPL submitted that the petitioner has not furnished DIA report in terms of the guidelines specified by the Commission. The learned counsel while pointing out that there is huge time and cost overrun in the project, submitted that the issue of flooding of the generating station was examined by the CVC and a complaint against top officials of the petitioner was referred to CEA. Referring to the CEA / CWC Committee report, the learned counsel submitted that the flooding was not beyond the control of the petitioner and hence expenses incurred on this count should not be passed on to the beneficiaries. He also prayed that the reply filed in the matter may be considered at the time of determination of tariff of the generating station.

3. In response, the learned counsel for the petitioner clarified that the submissions of the learned counsel of the respondent, BRPL deserves no merit



since the CCEA after considering various aspects as regards time and cost overrun, had approved the Revised Cost Estimate (RCE) of the project and the same has been furnished by the petitioner. Accordingly, the learned counsel prayed that the Commission may determine the tariff of the generating station.

4. The learned counsel for Respondents, TPDDL and Rajasthan Discoms prayed for grant of time to file their replies in the matter.

5. The Commission accepted the prayer of the Respondents and adjourned the hearing. The Commission also directed the petitioner to file the following additional information, on affidavit, with copy to the respondents, on or before 16.3.2018

- (i) Liability flow statement as on each COD and 31st March and their reconciliation with the balance sheet duly certified by auditor;
- (ii) Adjustment of infirm power with capital cost and reconciliation thereof with balance sheet duly certified by auditor;
- (iii) Details of initial spares included in the capital cost;
- (iv) Editable soft copy of all the forms with calculation of IDC with complete details of each drawal, rate of interest and repayment;
- (v) Documents in support of rate of interest used in the calculation of IDC and interest on loan from first drawal till 31.3.2014;
- (vi) Forms 9A, 9B and 14A to be submitted as on COD of each unit of the station up to 2013-14;
- (vii) Advances and CWIP as on COD of each unit and their settlement, if any;
- (viii) Details of liquidated damages, if any, recovered / recoverable from the contractor.
- (ix) Details of insurance claims, if any;
- (x) Copy of CCEA report, original sanction dated 10.4.2000 of project, Standing Committee Report and PIB Report along with annexures, if any;
- (xi) Copy of loan agreements;
- (xii) Year- wise project balance sheets since first infusion of funds;
- (xiii) Reasons for gap of one year in between COD of Unit-I (1.4.2011) and COD of Unit-4 i.e station COD (1.4.2012). Unit-wise (activity-wise) reason for delay in achieving COD;
- (xiv) Detailed reasons for time overrun of 84 months;
- (xv) Reconciliation of claimed capital cost with books (hard cost and soft cost);



- (xvi) Un-discharged liability as on COD of each unit, if any;
- (xvii) Reasons of cost overrun of Rs 1415.78 crore (head wise variation);
- (xviii) To certify that Additional Capital Expenditure claimed under Regulation 9.1 (ii) during 2012-13 & 2013-14 are deferred works, which are part of original scope;
- (xix) Details regarding de-capitalization of assets claimed and year of capitalization of these assets (Items: sl. No. 2 pg no. 66, sl. No. 8 pg no. 69, sl. No. 33 pg no. 70 and sl. No. 51 pg no. 71 of the petition);
- (xx) Details regarding asset claimed at sl. No. 4 page no. 66 of the petition;
- (xxi) Actuals details of NAPAF for the period 2011-12 to 2013-14; and
- (xxii) Recommendations of the DIA, if engaged, on vetting of capital cost of the project

6. The respondents shall file their replies on or before 26.3.2018 with advance copy to the petitioner, who shall file its rejoinder, if any, by 2.4.2018. Pleadings shall be completed by the parties within the due dates mentioned. No extension of time shall be granted for any reason whatsoever.

7. Based on the submissions of the parties, the Commission shall take a view as to whether the matter is to be listed for hearing.

By order of the Commission

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

