

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 29/RP/2017

in

Petition No. 45/GT/2015

Coram:

Shri A.S. Bakshi, Member

Shri M. K. Iyer, Member

Date of Order: 23.1.2018

In the matter of

Review of Commission's order dated 22.5.2017 in Petition No. 45/GT/2016 in the matter of approval of tariff of Bongaigaon Thermal Power Station of Unit- I (250 MW) for the period from 1.4.2016 to 31.3.2019

And

In the matter of

NTPC Ltd
NTPC Bhawan, Core-7, Scope Complex,
7, Institutional Area, Lodhi Road,
New Delhi-110003

....Petitioner

Vs.

1. Assam Power Distribution Company Limited
Bijulee Bhawan, Paltan Bazar
Guwahati- 782001
2. Meghalaya Energy Corporation Limited
Short Round Road,
Shilling- 793001
3. Department of Power
Government of Arunachal Pradesh
Itanagar
4. Power And Electricity Department
Government of Mizoram
Aizwal- 796001
5. Manipur State Power Distribution Company Ltd.
Khwai Bazar, Keishampat,
Imphal, 795001
6. Department of Power
Government of Nagaland
Kohima



7. Tripura State Electricity Corporation Limited
Bidyut Bhawan, North Banamalipur,
Agartala- 700001

8. Bangalore Electricity Supply Company Ltd
Krishna Rajendra Circle
Bangalore – 560001

9. Mallika Sharma Bezbaruah
C/O Mr. A.K.Dutta, 222, Pocket-E
Mayor Vihar, Phase-II, New Delhi- 110091

10. Saurabh Gandhi,
C/O Mr. A.K.Dutta, 222, Pocket-E
Mayur Vihar, Phase-II, New Delhi- 110091

.....Respondents

Parties Present:

Ms. Swapna Seshadri, Advocate, NTPC
Ms. Rhea Luthra, Advocate, NTPC
Ms. Parichita Chowdhary, Advocate, NTPC
Shri Vivek Agarwal, NTPC
Shri Prashant Chaturvedi, NTPC
Shri Shankar Saran, NTPC
Ms. Pranav Kapoor, NTPC
Shri H.M.Sharma, Objector / Consumer

INTERIM ORDER

This petition has been filed by the petitioner, NTPC Ltd. for review of Commission's order dated 22.5.2017 in Petition No 45/GT/2015 wherein the Commission had determined the tariff of Unit- I (250 MW) of Bongaigaon Thermal Power Station for the period from 1.4.2016 to 31.3.2019 (the generating station) in terms of the provisions of the Central Electricity Regulatory Commission (Terms & Conditions of Tariff) Regulations, 2014.

2. Aggrieved by the said order dated 22.5.2017, the petitioner has sought review on the following issues:

- (a) *To admit the review petition;*
- (b) *To revise the IDC & normative IDC disallowed to the Petitioner and re-compute the same on proportionate basis; and*
- (c) *To condone the delay and allow the IDC/IEDC for the period April 2013 to January 2015 (Bandh / Strikes / Section 144 etc), Non- availability of RCC bridge to support heavy consignment & change in course of Champamati river.*



3. The matter was heard on 'admission'. During the hearing, the learned counsel for the petitioner submitted that there is error apparent on the face of the order as regards the deduction of IDC and normative IDC, since the same should have been on proportionate basis as claimed by the petitioner. In addition to this, the learned counsel submitted that some of the documents filed on record had not been considered by the Commission while deciding the question of condonation of delay with regard to time overrun in the commissioning of the project. Accordingly, the learned counsel prayed that the petition may be admitted and the reliefs prayed for may be granted.

4. One Shri H.M.Sharma, Objector based on the authorization given by Ms. Mallika Sharma Bezbaruah, Consumer appeared in the matter and prayed that the Commission may direct the petitioner to serve copy of the petition. Accordingly, Shri Sharma prayed for grant of time to file its reply in the matter.

5. The Commission admitted the Petition on the issues raised in para 2 above and directed to issue notice to the respondents including the objector.

6. The petitioner is directed to serve the copy of the review petition along with this order on the respondents by 23.1.2018. The respondents / objector shall file their replies by 9.2.2018, with copy to the petitioner, who shall file its rejoinder, if any, by 16.2.2018. The parties shall ensure the completion of the pleadings within the dates mentioned above.

7. Petition shall be listed for hearing on 6.3.2018.

-Sd/-
(M.K.Iyer)
Member

-Sd/-
(A.S.Bakshi)
Member

