

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Review Petition No. 41/RP/2018**

**in**

**Petition No. 165/GT/2017**

**Coram:**

**Shri P.K.Pujari, Chairperson  
Dr. M.K. Iyer, Member**

**Date of order: 21<sup>st</sup> December, 2018**

**In the matter of**

Petition seeking review of order dated 5.9.2018 in Petition No. 165/GT/2017 regarding approval of tariff of Koteswar Hydroelectric project (400 MW) for the period from 1.4.2011 to 31.3.2014

**AND**

**In the matter of**

THDC India Limited,  
(A Joint Venture of Govt. of India & Govt. of U.P),  
Pragatipuram, Bypass Road,  
Rishikesh - 110003 (Uttrakhand)

**...Petitioner**

**Vs.**

1. Punjab State Power Corporation Limited  
The Mall, Patiala-147 001
2. Haryana Power Utilities (DHBVNL & UHBVNL)  
Shakti Bhawan, Sector-VI, Panchkula, Haryana-134109
3. Uttar Pradesh Power Corporation Limited  
Shakti Bhawan, 14 Ashok Marg, Lucknow-226001,
4. BSES Rajdhani Power Ltd  
BSES Bhawan, Nehru Place, New Delhi- 110019
5. BSES Yamuna Power Ltd  
Shakti Kiran Building, Karkardooma, Delhi- 110092
6. Tata Power Delhi Distribution Ltd  
33 kV Substation, Hudson Line,  
Kingsway Camp, Delhi-110009



7. Engineering Department  
Chandigarh Administration, 1st Floor, UT Secretariat,  
Sector 9-D, Chandigarh-160009

8. Uttrakhand Power Corporation Ltd.,  
Urja Bhawan, Kanwali Road, Dehradun -248 001

9. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan, Kumar House Complex Building II,  
Shimla-171004

10. Jaipur Vidyut Vitran Nigam Ltd  
Vidyut Bhawan, Janpath, Joytinagar,  
Jaipur- 302005

11. Ajmer Vidyut Vitran Nigam Ltd  
Old Power House, Hathi Bhata, Jaipur Road,  
Ajmer- 305001

12. Jodhpur Vidyut Vitran Nigam Ltd  
New Power House, Industrial Area, Jodhpur-342003

13. Power Development Department,  
Govt. of Jammu and Kashmir,  
Civil Secretariat, Jammu-180001

.....Respondents

**Parties present:**

Shri M.G.Ramachandran, Advocate, THDC  
Ms. Poorva Saigal, Advocate, THDC  
Shri Mukesh Kr. Verma, Advocate, THDC

**INTERIM ORDER**

The Petitioner, THDC India Ltd. has filed this Review Petition against the Commission's order dated 5.9.2018 in Petition No. 165/GT/2017, wherein the Commission had determined the tariff of Koteswar Hydroelectric Power Project (4 x 100 MW) (hereinafter 'the generating station') for the period from 1.4.2011 (COD of Unit -I) to 31.3.2014 in terms of the CERC (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as 'the 2009 Tariff Regulations').



2. Aggrieved by the said order dated 5.9.2018, the Petitioner has sought review on the ground that there are errors apparent on the face of record on the following:

*i) O&M expenses not computed in terms of Regulation 19(f)(v) of the 2009 Tariff Regulations;*

*ii) Non-consideration of additional capital expenditure funded through internal resources of the company after the COD towards the equity component (21.7%) and instead considering the debt equity ratio of 70:30 for the additional capitalization expenditure; and*

*iii) Computational error in total IDC allowed.*

3. Heard the learned counsel for the Petitioner on 'admission'. Admit and issue notice to the Respondents.

4. The Petitioner is directed to serve the copy of the Review Petition along with this order on the Respondents by **31.12.2018**. The Respondents shall file their replies by **14.1.2019**, with advance copy to the Petitioner, who shall file its rejoinder, if any, by **21.1.2019**. The parties shall ensure the completion of pleadings within the due date mentioned above.

5. Matter shall be listed for hearing in due course for which separate notice shall be issue to the parties.

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

*Sd/-*  
**(P.K.Pujari)**  
Chairperson

