

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 239/TT/2018

Subject : Approval of transmission tariff from COD to 31.3.2019 of six OPGW links under the project fibre optical communication system in lieu of existing Unified Load Dispatch and Communication (ULDC) Microwave links in Eastern Region.

Date of Hearing : 19.2.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I.S. Jha, Member

Petitioner : Power Grid Corporation of India Limited (PGCIL)

Respondents : NTPC Ltd. and 9 others

Parties present : Shri S. K. Venkatesan, PGCIL
Shri S. K. Niranjan, PGCIL
Shri S. S. Raju, PGCIL
Shri B.Dosh, PGCIL
Shri Anshul Garg, PGCIL
Shri Zafrul Hasan, PGCIL
Shri Amit Yadav, PGCIL
Shri R.B.Sharma, Advocate, BSP(H)CL

Record of Proceeding

The representative of the Petitioner submitted that the instant petition is filed for determination of tariff for Asset I: 01 No of OPGW link under Central Sector; Asset-II: 05 No's of OPGW link under DVC Sector portion; Asset-III: 04 No's of OPGW link under WBSETCL Sector; Asset-IV: 01 No's of OPGW link under BSP(H)CL Sector; Asset-V: 02 No's of OPGW link under OPTCL Sector and Asset-VI: 01 No's of OPGW link under DVC Sector under the project fibre optical communication system in lieu of existing Unified Load Dispatch and Communication (ULDC) Microwave links in Eastern Region. He submitted that the Asset-I is under the Central Sector and the tariff allowed for it will be included in the PoC charges. Asset-II, III, IV, V and VI are for DVC, WBSETCL, BSP(H)CL, OPTCL and DVC respectively and the charges will be borne by them. The scheduled COD of the links was 14.8.2013 and Assets-I to V were put into commercial operation on 1.7.2017 after a time over-run of 46 months. The revised anticipated COD of Asset VI is 31.3.2019. He submitted that RLDC certificate in support of completion in



case of Asset I and SLDC certificates issued in case of Assets-II, III and V have been submitted. BSP(H)CL has not issued the certificate in case of Asset-IV regarding completion and the petitioner is pursuing with BSP(H)CL for the past one year and sought some time to file the same.

2. The representative of the Petitioner further submitted that additional capitalization claimed is within the cut-off dates and is covered under Regulation 14(1)(i) of the 2014 tariff Regulations. The O&M Expenses claimed in respect of Asset-I is in line with order of the Commission dated 17.12.2013 in Petition No. 59/TT/2012.

3. Learned counsel for the BSP(H)CL submitted the basic statutory documents for determination of tariff, Electrical Inspector certificate of CEA and CMD certificate and the de-capitalization details of replacing earth wire with OPGW have not been furnished by the petitioner. He submitted that some of the links may have been leased out to third parties and those details have also not been furnished by the Petitioner. There is time over-run of around 4 years and the purpose of installing the OPGW links is defeated by this time over-run. The time over-run may not be condoned as the reasons for time over-run clearly falls within the controllable factors as provided under Regulation 12 of the 2014 Tariff Regulations, 2014. As such, the IDC and IEDC claimed for the period of time over-run may be rejected. The revision in O&M charges on the ground of wage revision ought to be rejected as increase in the employee cost, etc. due to wage revision is Petitioners responsibility and the beneficiaries should not be burdened by it.

4. The representative for the Petitioner submitted that certificate regarding completion of Asset-I belonging to BSP(H)CL shall be submitted shortly and CMD/CEO/MD certificate is not required in case of the other assets as per the Commission's order in in Petition No.53/TT/2017. As regards CEA's Electrical Inspector certificate, the same is required only in case of transmission assets above 650 Volts and the instant OPGW links are only 24/48 Volts and hence CEA certification is not required in case of instant assets.

5. The Commission directed the Petitioner to submit the actual COD of the Assets-I and II on affidavit by 11.3.2019 with an advance copy to the respondents. The Commission further observed that not extension of time shall be granted.

6. Subject to above, the Commission reserved order in the Petition.

By order of the Commission

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

