

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 309/GT/2015**

Subject : Revision of tariff after truing up exercise in respect of Pragati - III Combined Cycle Power Station power plant (1371.2 MW) for the period from COD of Unit- I to 31.3.2014.

Petitioner : Pragati Power Corporation Limited

Respondents : BSES Yamuna Power Limited & Others

**Petition 221/GT/2015**

Subject : Determination of tariff for of Pragati -III Combined Cycle Power Station power plant (1371.2 MW) for the period 2014-19.

Petitioner : Pragati Power Corporation Limited

Respondents : BSES Yamuna Power Limited & Others

Date of hearing : **20.3.2019**

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

Parties present : Shri M.G.Ramachandran, Advocate, PPCL  
Ms. Poorva Saigal, Advocate, PPCL  
Ms Anushree Bardhan, Advocate, PPCL  
Ms Tanya Sareen, Advocate, PPCL  
Shri Surendra Kumar, PPCL  
Shri S. Prakash, PPCL  
Shri R.K.Yadav, PPCL  
Shri Buddy A. Ranganadhan, Advocate, BRPL & BYPL  
Shri Rahul Kinra, Advocate, BRPL, BYPL & TPDDL  
Shri Anivesh Bharadwaj, Advocate, BRPL, BYPL & TPDDL  
Shri Sanjay Srivastava, BRPL  
Shri Kanishk, BRPL  
Shri Gurmeet Singh, BRPL  
Ms. Vasudha Sen, TPDDL  
Shri Chaitanya Mathur, TPDDL

**Record of Proceedings**

These petitions were taken up for hearing today.

2. The learned counsel for the Respondents, BRPL & BYPL submitted the following:
  - (a) The non availability of gas for declaration of availability (85%) since COD and the contrary submissions thereof made by the Petitioner before Appellate Tribunal and this Commission, may be considered by this Commission during the truing up exercise.
  - (b) The Petitioner at this stage cannot seek the additional capitalization of the expenditure relating to headquarters, HR and Finance Deptt., which according to it



was 'inadvertently left out during submissions' in Petition No. 257 of 2010. Accordingly, the Petitioner cannot seek additional capitalization of the expenditure incurred by the Petitioner and which was not brought to the knowledge of the Commission during pendency of Petition No. 257 of 2010, when it has declared all the figures as per actuals.

(c) The discrepancies noticed in the audited financial statement of the Petitioner for 2011-12 may be verified by the Commission and expenditure may be allowed only after prudence check by the Commission.

(d) Reply filed in the matter may be considered.

3. The learned counsel for the Respondent, TPDDL, adopted the above submissions of the Respondents, BRPL & BYPL.

4. In response, the learned counsel for the Petitioner stated that the issues relating to diversion/ non availability of gas made by the respondents were considered and rejected by the Commission in the order dated 2.11.2017 in Petition No. 89/MP/2016 and order dated 5.2.2019 in 17/RP/2018, filled by the Respondents. The submissions of the Petitioner may be considered while determining the tariff of the generating station.

5. The Commission after hearing the parties, reserved order in the Petitions.

By order of the Commission  
Sd/-  
(B. Sreekumar)  
Deputy Chief (Law)

