

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 338/TT/2018

- Subject** : Determination of transmission tariff from COD to 31.3.2019 for **Assets I**: Combined assets: 1) LILO of both circuits of Bamnauli-Samaypur 400 kV line at Tughlakabad along with associated bays; 2) 400/220 kV, 2x500 MVA ICT-I & II at 400 /220 kV GIS at Tughlakabad Sub-station along with associated bays; 3) 400 kV, 125 MVAR Bus reactor at GIS Tughlakabad Sub-station along with associated bays and **Asset-II**: 400/220 kV, 2x500 MVA ICT-III & IV at 400 /220 kV GIS at Tughlakabad Sub-station along with associated bays under "Creation of 400/220 kV Substations in NCT of Delhi during 12th plan period (Part-B1) in Northern Region." under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.
- Date of Hearing** : 11.7.2019
- Coram** : Shri P.K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri Indu Shekar Jha, Member
- Petitioner** : Power Grid Corporation of India Limited (PGCIL)
- Respondents** : Uttar Pradesh Power Corporation Limited & 16 Ors.
- Parties present** : Shri R. B. Sharma, Advocate, BRPL & BYPL
Shri Mohit Mudgal, Advocate BRPL & BYPL
Ms. Sanya Sood, Advocate, BRPL & BYPL
Shri S. S Raju, PGCIL
Shri A.K Verma, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri Sanjay Srivastav, BRPL

Record of Proceedings

The representative of the petitioner submitted that the instant petition has been filed for determination of tariff from COD to 31.3.2019 in respect of subject



assets under “Creation of 400/220 kV Sub-stations in NCT of Delhi during 12th plan period (Part-B1) in Northern Region”. Thereafter, the petitioner vide affidavit dated 5.4.2019, submitted that the instant asset have been spilt into **Asset-I: Combined assets**: 1) LILO of both ckts. of Bamnauli-Samaypur 400 kV line at Tughlakabad along with associated bays; 2) 400/220 kV, 2x500 MVA ICT-I & II at 400/220 kV GIS at Tughlakabad Sub-station along with associated bays; 3) 400 kV, 125 MVAR Bus reactor at GIS Tughlakabad Sub-station along with associated bay, **Asset-II(a)**: 400/220 kV, 500 MVA ICT-III at 400 /220 kV GIS at Tughlakabad Sub-station along with associated Bays and **Asset-II(b)**: 400/220 kV, 500 MVA ICT-IV at 400 /220 kV GIS at Tughlakabad Sub-station along with associated bays.

2. He further submitted that as per investment approval dated 15.5.2015, the assets were scheduled to be put into commercial operation within 26 months to be reckoned from the date of receipt of confirmation from Government of NCT of Delhi regarding allotment of land for Tughlakabad Sub-station. The land was allotted for construction of 400 kV Tughlakabad Sub-station on 27.7.2016. Accordingly, schedule COD for the subject assets was 26.9.2018. However, as submitted vide affidavit dated 5.4.2019, the assets were put into commercial operation on 14.10.2018, 28.11.2018 and 20.10.2018 respectively. There is a time over-run of 17 days, 62 days and 23 days respectively in declaring the commercial operations of the subject assets. He submitted that the delay of 17 to 62 days was due to delay in getting forest clearance approvals and prayed that the time over-run be condoned. He further submitted that the scope of the project has been revised and the same was discussed in 42nd NRPC meeting held on 27.6.2018. He prayed that additional ROE of 0.5% may also be granted as the assets have been commissioned within 30 months as specified in the 2014 Tariff Regulations. The same was discussed in 38th TCC and 41st NRPC meeting held on 28.2.2018, wherein it was informed to the committee that petitioner will get additional ROE of 0.5% and members agreed to the same. He further submitted that all the information required for tariff determination of the assets is available on record and prayed that the tariff may be determined and additional ROE of 0.5% be granted.

3. Learned counsel for BRPL, submitted that the claim of additional ROE is based on the time line calculated from 27.7.2016 i.e. date on which Tughlakabad Sub-station was allotted/handed over to the petitioner by the Government of NCT Delhi and not from the date of Investment Approval. Hence, the claim of the additional ROE is not maintainable. Further, the scope of the project has been revised for which the recommendation of NRPC has been obtained. However, the matter being directly related to tariff determination or incidental thereto is within the domain of this Commission and not the NRPC. He also submitted that the respondent's submissions on additional capitalization and accrual IDC, Transmission Service Agreement, effective tax rate, etc. as covered in the reply may also be considered.



4. After hearing the parties, the Commission reserved the order in the Petition.

By order of the Commission

sd/-
(V. Sreenivas)
Dy. Chief (Law)

