

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.354/GT/2018

Subject : Petition for determination of tariff in respect of Teesta Low Dam Power station, Stage-IV for the period from 11.3.2016 (COD of first unit) to 31.3.2019.

Petitioner : NHPC Ltd.

Respondent : WBSEDCL

Date of hearing : **14.5.2019**

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

Parties present : Shri Piyush Kumar, NHPC
Shri Prashant Kaul, NHPC
Shri A.K.Pandey, NHPC
Shri Jitender Kumar, NHPC
Shri V.N.Tripathi, NHPC
Shri M.G.Ramachandran, Senior Advocate, WBSEDCL
Ms. Tanya Sareen, Advocate, WBSEDCL
Ms. Anushree Bardhan, Advocate, WBSEDCL
Ms. Poorva Saigal, Advocate, WBSEDCL
Shri S. Choudhury, WBSEDCL
Shri Debsarma Biswas, WBSEDCL

Record of Proceedings

The representative of the Petitioner submitted that the Commission by order dated 8.11.2016 in Petition No. 107/GT/2016 had allowed interim tariff pending DIA report on vetting of capital cost and submission of approved RCE from the Central Govt. He submitted that the Designated Independent Agency (DIA) submitted its appraisal reports vide its letter dated 13.11.2018. The representative also submitted that RCE for ₹2404.95 crore was approved for the project by the NHPC Board on 10.8.2018. He further submitted that CEA has vetted the hard cost of the project for ₹1410.12 crore. The representative of the Petitioner pointed out that though the project was to be completed within 48 months from the date of CCEA approval, for reasons beyond the control of the Petitioner, the project was completed in August, 2016 with a total cost of ₹2404.95 crore and cost overrun of ₹1343.58 crore and time overrun of 83 months. Accordingly, the representative prayed that the Commission may, on prudence check, allow tariff as prayed for in the petition.

2. The learned senior counsel for the Respondent submitted that the Petitioner has not yet furnished the documents as sought for by the Respondent and directed as such by the Commission's order dated 3.1.2017 in Petition No. 107/GT/2016. He pointed out that some of the figures mentioned by the Petitioner in Petition No.



107/GT/2016 differ from the figures shown in the present petition. Accordingly, the learned senior counsel prayed that the Commission may direct the Petitioner to furnish the documents and also clarify the discrepancy in the figures mentioned by the Petitioner, in order to have an effective adjudication in the matter.

3. In response to the above, the representative of the Petitioner submitted that some of the documents which were not available could not be furnished to the respondent. He however requested for time to ensure that the documents were available, before production of the same to the Respondent. As regards discrepancy in the figures, the representative submitted that the Petitioner would rectify the same after verification on records.

4. The Commission after hearing the parties directed the Petitioner to make available all relevant documents as sought for by the Respondent. The Commission also directed the Respondent to submit, on affidavit, the following additional information, with copy to the Respondents, by **17.6.2019**:

- (i) *Audited Balance Sheet as on each COD;*
- (ii) *Item-wise break-up alongwith documentary evidences in respect of financing charges claimed in the capital cost and indicated in form-14;*
- (iii) *Details of additional capital expenditure with relevant regulations, clause & sub-clauses; and*

5. The Respondents shall file their replies on or before **8.7.2019** with advance copy to the Petitioner, who shall file its rejoinder, if any, by **15.7.2019**. Pleadings shall be completed by the parties within the dates mentioned.

6. Matter shall be listed for hearing in due course for which separate notice will be issued to the parties.

By order of the Commission

Sd/-
(B.Sreekumar)
Dy. Chief (Law)

