

**CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI**

**Review Petition Nos.10 /RP/2017alongwith  
I.A No. 16 of 2017 and 16/RP/2017  
in Petition No. 384/TT/2014**

**Coram**

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

**Date of Order: 19.08.2019**

**Review Petition No. 10/RP/2017 alongwith IA No. 16/IA/2017**

**In the matter of:**

Review Petition under section 94(1)(f) of the Electricity Act, 2003 read with Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014, seeking review of order dated 16.1.2017 in Petition No. 384/TT/2014.

**And in the matter of:**

Parbati Koldam Transmission Company Limited,  
B-9, Qutub Institutional Area,  
Katwaria Sarai, New Delhi-110 016.

**...Review Petitioner**

**Vs.**

1. Rajasthan Rajya Vidyut Prasaran Nigam Limited,  
Vidyut Bhawan, Vidyut Marg, Jaipur - 302005.
2. Ajmer Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
3. Jaipur Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.



4. Jodhpur Vidyut Vitran Nigam Ltd.,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
5. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan,  
Kumar House Complex Building,  
Shimla-171004.
6. Punjab State Power Corporation Limited,  
Thermal Shed Tia,  
Near 22 Phatak, Patiala-147001.
7. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6,  
Panchkula (Haryana) 134109.
8. Power Development Department,  
Government of Jammu & Kashmir,  
Mini Secretariat, Jammu.
9. Uttar Pradesh Power Corporation Ltd.,  
(Formerly Uttar Pradesh State Electricity Board),  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow - 226001.
10. Delhi Transco Ltd.  
Shakti Sadan, Kotla Road,  
New Delhi-110002.
11. BSES Yamuna Power Ltd,  
BSES Bhawan,  
Nehru Place, New Delhi.
12. BSES Rajdhani Power Ltd,  
BSES Bhawan,  
Nehru Place, New Delhi.
13. Tata Power Delhi Distribution Ltd.  
Cennet Building, Adjacent to 66/11 kV Pitampura-3  
Grid Building, Near PP Jewellers,  
Pitampura, New Delhi – 110034.



14. Chandigarh Administration  
Sector -9D, Chandigarh,
15. Uttarakhand Power Corporation Ltd.  
Urja Bhawan, Kanwali Road, Dehradun,
16. North Central Railway,  
Allahabad.
17. New Delhi Municipal Council  
Palika Kendra, Sansad Marg,  
New Delhi-110002,
18. Northern Region Electricity Board,  
18-A, Shaheed Jeet Singh Marg,  
Katwaria Sarai, New Delhi – 110016,
19. Power Grid Corporation of India Limited  
Saudamini, Plot No.-2, Sector-29,  
Gurgaon-122001 (Haryana).
20. National Thermal Power Corporation Limited  
NTPC Bhawan, Scope Complex,  
Institutional Area, Lodhi Road,  
New Delhi-11003.

....Respondents

**Review Petition No. 16/RP/2017 in Petition No. 384/TT/2014**

**In the matter of:**

Review Petition under section 94(1)(f) of the Electricity Act, 2003 read with Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014, seeking review of order dated 16.1.2017 in Petition No. 384/TT/2014.

**And in the matter of:**

NTPC,  
Scope Complex, Institutional Area,  
Lodhi Road, Pragati Vihar,  
New Delhi-110 016

...Review Petitioner



**Vs**

1. Parbati Koldam Transmission Company Limited,  
B-9, Qutab Institutional Area,  
Katwaria Sarai, NewDelhi-110016.
2. Rajasthan Rajya Vidyut Prasaran Nigam Limited,  
Vidyut Bhawan, Vidyut Marg, Jaipur- 3020052.
3. Ajmer Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
4. Jaipur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur.
5. Jodhpur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor),  
Ajmer Road, Heerapura, Jaipur.
6. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan, Kumar House Complex Building II,  
Shimla-171 004.
7. Punjab State Power Corporation Limited,  
Thermal Shed TIA, Near 22 Phatak,  
Patiala-147 001.
8. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6, Panchkula  
(Haryana)-134 109.
9. Power Development Department,  
Government of Jammu & Kashmir,  
Mini Secretariat, Jammu.
10. Uttar Pradesh Power Corporation Limited,  
(Formerly Uttar Pradesh State Electricity Board),  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow-226 001.



11. Delhi Transco Limited,  
Shakti Sadan, Kotla Road,  
New Delhi-110 002.
  12. BSES Yamuna Power Limited,  
BSES Bhawan, Nehru Place,  
New Delhi.
  13. BSES Rajdhani Power Limited,  
BSES Bhawan, Nehru Place,  
New Delhi.
  14. Tata Power Delhi Distribution Limited,  
Cennet Building, Adjacent to 66/11kV Pitampura-3 Grid Building,  
Near PP Jewellers, Pitampura,  
New Delhi-110 034.
  15. Chandigarh Administration,  
Sector-9, Chandigarh.
  16. Uttarakhand Power Corporation Limited,  
Urja Bhawan, Kanwali Road,  
Dehradun.
  17. North Central Railway,  
Allahabad.
  18. New Delhi Municipal Council,  
Palika Kendra, Sansad Marg,  
New Delhi-110002
  19. Northern Region Electricity Board,  
18-A, Shaheed Jeet Singh Marg,  
Katwaria Sarai, New Delhi -110016.
  20. Power Grid Corporation of India Limited,  
Saudamini, Plot No.2,  
Sector-29, Gurgaon-122001 (Haryana).
- ....Respondents**



**For Petitioner** : Shri M.G. Ramachandran, Advocate, NTPC  
Ms. Poorva Saigal, Advocate, NTPC  
Ms. Anushree Bardhan, Advocate, NTPC  
Shri Nishant Gupta, NTPC  
Shri M.K. Malviya, NTPC

**For Respondents** : Shri Divyanshu Bhatt, Advocate, PGCIL  
Shri Deep Rao, Advocate, PGCIL  
Ms. Jyoti Prasad, PGCIL  
Shri Amit Kapur, Advocate, PKTCL  
Ms. Aparajita Upadhyay, Advocate, PKTCL  
Shri Lokendra Singh, PKTCL

### **Order**

Parbati Koldam Transmission Company Limited (hereinafter referred to as “PKTCL”) and NTPC have filed Review Petition Nos. 10/RP/2017 and 16/RP/2017 respectively seeking review of the Commission’s order dated 16.1.2017 in Petition No. 384/TT/2014. As both the Review Petitions are against the order dated 16.1.2017 and the relief sought are inter-related, they are taken up together.

### **Background**

2. PKTCL filed Petition No. 384/TT/2014 for determination of transmission tariff of 400 kV (Quad) 2 x S/C Parbati-Koldam Transmission Line (starting from LILO point of Parbati (Banala) Polling Station to Koldam HEP) in Northern Region for 2014-19 period under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as the “2014 Tariff Regulations”). The tariff for the said assets was allowed by the Commission vide order dated 16.1.2017 against which PKTCL and NTPC have filed the instant Review Petitions.



3. In Review Petition No. 10/RP/2017, PKTCL has sought review of the impugned order mainly on the following issues (a) approval of COD of Ckt-II of Parbati-Koldam line as 4.10.2014 under Regulation 4(3) of 2014 Tariff Regulations and allow complete transmission charges w.e.f. 4.10.2014 which holds NTPC liable for payment of IDC and IEDC for the period from 4.10.2014 to the date of usage of the Parbati-Koldam line i.e. 20.3.2015 and (b) the cut-off date of the instant assets should have been declared as 31.3.2018 instead of 31.3.2017. PKTCL has also pointed out certain typographical errors in the impugned order and prayed that the same may be corrected. In Interlocutory Application No. 16 of 2017, PKTCL has submitted that due to change in the approval of COD of Ckt-II from 4.10.2014 in provisional order dated 22.12.2014 to 21.3.2015 in the final order dated 16.1.2017, it has to refund an amount of `13 crore along with interest to CTU and requested to issue directions to CTU not to recover the same till disposal of Review Petition No. 10/RP/2017.

4. In Review Petition No. 16/RP/2017, NTPC prayed for setting aside the order dated 16.1.2017 which holds NTPC liable for payment of IDC and IEDC for the period from 4.10.2014 to 20.3.2015.

#### **Submissions of PKTCL in Review Petition No. 10/RP/2017**

5. PKTCL in Review Petition No. 10/RP/2017 has made the following submissions:-  
(a) The Commission has wrongly declared the cut-off date of the assets as 31.3.2017 whereas the cut-off date as per Regulation 3(13) of the 2014 Tariff Regulations under para 71 of the impugned order should be 31.3.2018 as the date



of commercial operation of the instant asset was declared as 21.3.2015 in the impugned order.

(b) Ckt-II of the Parbati-Koldam transmission line was completed and idle charged on 4.10.2014 but was prevented from getting charged and put into commercial operation due to non-execution of Koldam Switchyard of NTPC. PKTCL sought approval of COD of Ckt-II as 4.10.2014. However, the Commission in the impugned order approved the COD of Asset-II as 21.3.2015 as the power started flowing in it from 21.3.2015 and allowed the tariff for the asset to be included in the PoC charges from 21.3.2015. In the order dated 22.12.2014, while allowing tariff under Regulation 7(7) of the 2014 Tariff Regulations for inclusion in the PoC computation, the Commission observed that the transmission line was not charged as NTPC failed to make the available switchyard at Koldam HEP at rated voltage level.

(c) The Commission observed that the period of delay from 4.10.2014 to 20.3.2015 in respect of Asset-II was attributable to NTPC and accordingly NTPC was held liable for payment of IDC and IEDC for the said duration as it delayed execution of 400 kV bays in its Koldam Switchyard. By this observation of the Commission, PKTCL is deprived of the other components of the tariff such as return on equity (ROE), depreciation and interest on working capital (IWC) for the aforesaid period.

(d) The impugned order permits PKTCL to recover only about `7 crore against full transmission charges of about `15 crore for the aforesaid period. Referring to orders in Petition Nos. 11/SM/2014, 19/RP/2015 in Petition No. 91/TT/2012 and 236/MP/2015, PKTCL contended that the Commission in the past in similar matters granted full transmission charges.





(e) Refusal to allow the full transmission charges for the duration from 4.10.2014 to 20.3.2015 in the present case has placed PKTCL in financial difficulties due to which it is unable to meet its financial obligations. PKTCL has urged that it should be allowed recovery of full transmission charges from NTPC for the duration from 4.10.2014 to 20.3.2015 instead of IDC and IEDC.

(f) The impugned order makes PKTCL liable to refund the collected tariff of ₹13 crore for Banala-Koldam section of transmission line while the collection of IEDC and IDC from NTPC for the above duration comes to ₹7crore. In a related Petition No. 312/TT/2014 owing to the Commission's order dated 19.12.2016, PKTCL has to return about ₹46 crore received under PoC mechanism on the basis of provisional tariff order dated 23.12.2014 for 400 kV D/C Koldam-Ludhiana transmission line while the recovery of amount from NTPC is only ₹32 crore due to non-readiness of Koldam switchyard by NTPC and the total recovery from PKTCL under PoC mechanism comes to ₹59 crore.

(g) Pursuant to the impugned order, the overall quarterly revenue for all the transmission line elements under the project comes to ₹38 crore against which PKTCL is required to refund ₹59 crore under POC and the same is not possible without first receiving the amount from NTPC. PKTCL has urged that the Commission should evolve a mechanism for differential tariff.

(h) In the table under para 38 of the impugned order, the Commission has recorded that "The capital cost is stated to be verified from the Audited statement of accounts of PGCIL up to 31.3.2014 by the Auditors" whereas the statement should mention as "The capital cost is stated to be verified from the Audited statement of accounts of PKTCL up to 31.3.2014 by the Auditors." In the table under para 56 of the impugned order, it should be "Total Time: 93 months 15 days" instead of "Total Delay: 93 months 15 days".



6. After hearing, the Commission directed the respondents to file their reply on admissibility as well as on merits. The respondent, NTPC has filed its reply vide affidavit dated 15.6.2017 and PKTCL has submitted its rejoinder to the reply filed by NTPC vide affidavit dated 5.7.2017.

**Submissions of NTPC, Respondent No.1 in Review Petition No. 10/RP/2017**

7. NTPC, vide its affidavit dated 15.6.2017, has made the following submissions: -
- (a) NTPC is a generating company and is, inter alia, engaged in the generation and supply of electricity from its power project Koldam Hydro Electric Project ('Koldam HEP') situated in the State of Himachal Pradesh. As a part of the generating assets, NTPC has constructed a switchyard at the above project. The switchyard of the said project was also to be used for connectivity to the 400 kV Parbati-Koldam Transmission Line constructed by PKTCL.
  - (b) PKTCL is not entitled to claim transmission charges from NTPC for the period prior to COD i.e. 20.3.2015 as it did not approach the Commission by way of an application before actually putting the asset into commercial operation on 20.3.2015, and in an application filed subsequently for tariff, no such approval can be granted under proviso (ii) to Regulation 4(3) of the 2014 Tariff Regulation.
  - (c) On one hand, PKTCL has sought cut-off date of Asset-II as 31.3.2018 in terms of Regulation 3(13) of the 2014 Tariff Regulations on the basis of tariff COD as 20.3.2015, while on the other hand it is claiming transmission charges on the basis of deemed COD from 4.10.2014. This is not permissible.
  - (d) The transmission assets laid down by PKTCL was with reference to the generating station of NHPC, namely, Parbati-II. The Parbati-II generating station was not ready till 20.3.2015. The proviso (ii) to Regulation 4(3) as well as proviso



to Regulation 12 in the context of the transmission line is to be considered with reference to NHPC. The claim of PKTCL, if any, has to be against NHPC for non-execution of Parbati-II Power Station for the matters relating to the delay in the execution of the assets, namely, from Parbati to Banala and from Banala to Koldam.

(e) The decision to use the transmission asset for alternative purposes was taken by the Standing Committee in its meeting on 8.8.2014. There is no reason for NTPC for charging of the bay at 400 kV prior to 8.8.2014 when Parbati-II station was nowhere near the execution stage and the NTPC bay was not envisaged for any other purpose.

(f) PKTCL's reliance on Commission's orders dated 27.6.2016 in Petition Nos. 236/MP/2015 and 19/RP/2015 dated 7.9.2016 and 11/SM/2014 dated 5.8.2015 is misplaced and they do not apply to the facts of the present case.

(g) The claim of PKTCL for transmission tariff or for IDC and IEDC for the aforesaid duration is incorrect as PKTCL has filed Review Petition No. 16/RP/2017 against the same impugned order for review of payment of IDC and IEDC.

8. In response, PKTCL vide its affidavit dated 5.7.2017 reiterated the submissions made in the Review Petition. PKTCL has submitted that NTPC was well aware of the fact that its switchyard will be used for connectivity of Koldam-Ludhiana line as was agreed by NTPC in 30<sup>th</sup> Standing Committee meeting held on 19.12.2011. PKTCL has further submitted that in 25<sup>th</sup> Technical Coordination Sub-Committee ("TCC") meeting and 28<sup>th</sup> North Region Power Committee ("NPRC") meeting held on 25.4.2013 and 26.4.2013 respectively, NTPC was informed that PKTCL will complete all lines by the last quarter of 2013 and as such it was required to make the switchyard available

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accordingly. PKTCL submitted that the same was reiterated in 34<sup>th</sup> SCM dated 8.8.2014. Therefore, NTPC cannot claim that it was not aware of execution schedule of Koldam-Ludhiana Transmission Line. PKTCL has denied all other submissions of NTPC.

### **Submissions of NTPC in Review Petition No. 16/RP/2017**

9. NTPC in its Review Petition No. 16/RP/2017 has made the following submissions: -

(a) In the impugned order dated 16.1.2017, the Commission did not take into consideration the contents of para 6 of NTPC's affidavit dated 14.7.2016, which categorically shows that NTPC had completed the switchyard in July 2008. During 34<sup>th</sup> SCM dated 8.8.2014, it was informed that transmission lines from Parbati Pooling point-Banala to Koldam are near completion and would be charged at the earliest to enhance power transmission reliability of Parbati-III by charging Koldam switchyard as a pooling sub-station. NTPC after completing the re-commissioning activities requested for CEA clearance on 18.8.2014. PKTCL informed NTPC through letter dated 25.9.2014, about the probable charging of Parbati (Banala) to Koldam Ckt-II as 30.9.2014. NRLDC subsequently informed NTPC about charging of Ckt-II Banala to Koldam on 2.10.2014. CEA inspected the Koldam Switchyard on 25.9.2014 and granted approval for charging on 17.10.2014. CTU gave Con-5 to NTPC on 20.8.2014 based on its application of August 2012 and letter dated 16.10.2013. NTPC gave Con-6 Connection Agreement to PGCIL on 6.9.2014, as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium Term Open Access in inter-State transmission and related matters) Regulations, 2009 (hereinafter referred to as "2009 Connectivity Regulations"). As per provision of Con-6, Special Energy Meters were installed by PGCIL at Koldam on 26.9.2014 for line and generator bays. After rigorous follow



up for signing Con-6, it was signed on 2.1.2015 and as such Koldam Switchyard was charged on 6.2.2015, through Koldam-Nalagarh line after completion of required jumper connection activities.

(b) Non-consideration of above facts has made NTPC solely liable for not connecting the Parbati-Koldam 400 kV line Ckt-II with the switchyard till 20.3.2015.

(c) The charging of the switchyard at 400 kV was required to be done only when the 400 kV transmission line to be connected to the switchyard is ready either for using the switchyard as a pooling station or for the purpose of evacuation of power from Koldam HEP of NTPC.

(d) No agreement was entered between NTPC and PKTCL specifying timeline for execution of Koldam Switchyard at 400 KV level and any consequential liabilities thereto. There was no need for charging the switchyard at 400 kV till 8.8.2014. In the 34<sup>th</sup> SCM of the Northern Region held on 8.8.2014, it was decided to enhance the power transmission reliability of Parbati-III by charging the Koldam switchyard as a pooling sub-station.

(e) Pursuant to the decision in SCM held on 8.8.2014, NTPC sought CEA clearance for charging of the switchyard at 400 kV and CEA after its inspection on 25.9.2014 and granted approval for charging on 17.10.2014.

(f) The Connection Agreement between NTPC and CTU was agreed on 31.12.2014 and was signed on 2.1.2015 and NTPC Koldam Switchyard was charged at 400 kV on 6.2.2015.

(g) The delay between 8.8.2014 till 6.2.2015 was due to necessary formalities to be completed for charging of the line at 400 kV which included the approval of CEA till 17.10.2014 and signing and execution of Connection Agreement by PGCIL. Though charging of the line at 400 kV level was undertaken by NTPC on



6.2.2015, Parbati (Banala)-Koldam 400 kV line Ckt-II was put into commercial operation on 21.3.2015 when power flow on the said line commenced. In these circumstances, the commercial operation of Parbati-Koldam line Ckt-II was not in any manner affected by charging of the switchyard of Koldam HEP at 400 kV on 6.2.2015.

(h) During the period from 8.8.2014 till 6.2.2015, NTPC did not add or remove any capital equipment from the switchyard.

(i) Placing reliance on Commission's order dated 27.6.2016 in Petition No. 236/MP/2015 in the matter of Kudgi Transmission Limited, NTPC contended that its responsibility in the case at hand is limited to arranging CEA clearance for facilitating inter-connection of other transmission licensee. NTPC facilitated PKTCL for charging of switchyard by re-testing and re-inspection of switchyard by CEA as per CEA technical standards and CEA granted its approval for charging on 17.10.2014 as such observation of the Commission in attributing delay from 4.10.2014 to 20.3.2015 is not correct.

10. After hearing the parties, the Commission directed the respondents to file their reply on admissibility as well as on merits. The respondents, PKTCL and PGCIL vide affidavits dated 12.6.2017 and 4.9.2018 respectively filed their reply. The Review Petitioner, NTPC vide affidavits dated 4.7.2017 and 15.10.2018, filed rejoinders to the reply of PKTCL and PGCIL respectively.

#### **Reply of PKTCL, Respondent No.1 in Review Petition No. 16/RP/2017**

11. PKTCL vide its affidavit dated 12.6.2017 has made the following submissions: -

(a) The Commission in order dated 22.12.2014 in Petition No. 384/TT/2014 gave a categorical finding that NTPC did not make available its switchyard at Koldam



HEP at rated voltage of 400 kV and provisionally approved the COD of the assets under proviso (ii) of Regulation 4(3) of 2014 Tariff Regulations for the purpose of granting tariff under proviso (i) of Regulation 7 (7) of 2014 Tariff Regulations leaving the issue to be decided at the time of determination of final tariff. The aforesaid order of the Commission has attained finality and NTPC is precluded from contending or alleging otherwise. All the submissions of NTPC filed vide affidavit dated 14.7.2016 in Petition No. 384/TT/2014 and response thereto were considered in the order dated 16.1.2017 in paragraphs 26-36.

(b) The Commission in the order dated 22.12.2014 observed that the switchyard of Koldam HEP was not ready at rated voltage of 400 kV in October 2014. NTPC in its affidavit dated 14.7.2016 has admitted that CEA granted approval on 17.10.2014 and Koldam Switchyard was charged on 6.2.2015 which belies the contention of NTPC that its switchyard was ready in July 2008.

(c) PKTCL has refuted the contention of NTPC that the switchyard of NTPC was required to be charged along with the charging of the transmission lines or that NTPC was informed only in the 34<sup>th</sup> SCM regarding the probable time of charging of the transmission lines. In the said meeting, NTPC informed that its switchyard would be ready in one month but when PKTCL approached NTPC through CTU regarding the status of switchyard, NTPC vide email dated 3.10.2014 informed that its switchyard was not ready.

(d) 26<sup>th</sup> SCM on Power System Planning for NR dated 13.10.2008 clarified that there was no requirement of entering into agreement between the PKTCL and NTPC. In the 30<sup>th</sup> Standing Committee Meeting on Power System Planning for Northern Region dated 19.12.2011, NTPC was informed that its switchyard will be used for connectivity of Koldam-Ludhiana Transmission Line and the same was reiterated in the 34<sup>th</sup> Standing Committee Meeting dated 8.8.2014. In the 28<sup>th</sup> NRPC meeting and 25<sup>th</sup> TCC meeting held on 26.4.2013 and 25.4.2013



respectively, it was informed that PKTCL would be able to complete all lines by the last quarter of 2013 and as such the contention of NTPC regarding the fact that there was no requirement to charge its switchyard at 400 kV till 8.8.2014 is incorrect.

(e) PKTCL connected its section of transmission line (Banala-Koldam section and Banala-Nalagarh section) to Ckt-I of 400 kV D/C Koldam-Nalagarh transmission line of PGCIL at tower 9E and 9C respectively as planned. The Koldam-Nalagarh transmission line was idle charged till the dead end tower near Koldam Switchyard but the associated bays at Koldam Switchyard were not charged at rated voltage. NTPC is misrepresenting that PKTCL did not inform NTPC about the COD of this line.

(f) PKTCL through CTU approached NTPC and in response NTPC through its email dated 3.10.2014 informed the CTU regarding the non-readiness of Koldam Switchyard which falsifies the stand of NTPC that it was not aware of the execution of PKTCL transmission line.

(g) NTPC's email dated 3.10.2014 mentions categorically that its switchyard was nowhere near completion and it would require some more time for completion. This belies the version of NTPC that it requested CEA on 18.8.2014 to carry out inspection of the Koldam Switchyard at rated voltage. NTPC commissioned and charged the Koldam Switchyard on 6.2.2015. Thereafter, on 21.3.2015, switchyard was put into commercial operation after completion of PLCC work along with Banala-Koldam section of Parbati-Koldam lines. NTPC in its reply dated 14.7.2016, acknowledged that substantial quantum of work was pending in the Koldam Switchyard due to (a) NTPC filed revised application to CEA for inspection of switchyard on 18.8.2014, (b) CEA inspection was done on 25.9.2014, (c) NTPC informed CTU on 3.10.2014, regarding non-readiness of sub-station and that it required some more time, (d) approval for charging was given by CEA on





17.10.2014, and (e) after charging clearance, the switchyard of NTPC could be finally charged on 6.2.2015, after issuance of CEA clearance.

(h) NTPC's reliance on Commission's order dated 27.6.2016 in Petition No. 236/MP/2015 is misplaced as same is based on entirely different facts.

### **Replies of NTPC**

12. In response, NTPC vide its affidavit dated 4.7.2017, reiterated the submissions made by it in the Review Petition. NTPC contended that the Review Petition is maintainable as the order dated 22.12.2014 was provisional. The transmission line laid by PKTCL was with reference to the generating station of NHPC Parbati-II and Parbati-III which were not ready till 30.3.2015, and as such there was no reason for NTPC to start the activities for charging of the bay in its switchyard for connecting the transmission line until such time the generating station at Parbati-II of NHPC is ready to generate and supply electricity. In the 25<sup>th</sup> TCC meeting and 28<sup>th</sup> meeting of the Northern Regional Power Committee held on 25.4.2013 and 26.4.2013 respectively, the representation by PKTCL that it would complete the line by the last quarter of 2013 was with reference to the evacuation of power from Parbati-II HEP of NHPC and not for any other alternate use. PKTCL itself did not complete the line by the end of 2013 or within the first quarter of 2014. The completion of the line was taken note of only in the 34<sup>th</sup> Standing Committee Meeting held in August 2014 and in the said meeting it was decided that the said line can be used for alternative purpose, pending the commissioning of Parbati-II Hydro Project of NHPC. NTPC has submitted that the



Commission's order dated 27.6.2015 in Petition No. 236/MP/2015 is relevant in the present case. NTPC has denied all other submissions of PKTCL.

### **Submissions of PGCIL**

13. PGCIL, Respondent No. 20, in its reply filed vide affidavit dated 4.9.2018, has submitted that during the 34<sup>th</sup> SCM of NR held on 8.8.2014, NTPC stated that pre-commissioning activities at Koldam Switchyard are being carried out and thereafter clearance of the Electrical Inspectorate shall be taken. PGCIL has further submitted that NTPC applied for CEA clearance on 18.8.2014, and it was factually incorrect that NTPC completed the Koldam Switchyard in July 2008. PGCIL has corroborated the submissions of PKTCL on all material issues regarding 26<sup>th</sup> SCM of NR held on 13.10.2008, 30<sup>th</sup> SCM of NR held on 19.12.2011, 28<sup>th</sup> Northern Regional Power Committee and 25<sup>th</sup> Technical Coordination Committee meeting held on 26.4.2013.

14. As regards the delay in signing Connection Agreement, PGCIL has submitted that the data submitted by NTPC was inadequate in several material respects due to which Connection Agreement could not be signed till 2.1.2015. NTPC applied for the Connection Agreement on 9.8.2012 for Koldam HEP (800 MW) with COD as March 2013. In other words, the application for Connection Agreement was submitted 8 months prior to anticipated COD as against the two years period as prescribed in the procedure for making application for grant of connectivity under 2009 Connectivity Regulations.



15. PGCIL has submitted that in view of the fact that Koldam-Nalagarh and Koldam-Parbati Pooling Station lines being quad lines, NTPC was informed that the capacity of the switchgear should of 3150 Amp against which NTPC submitted that Koldam Hydro generation switchyard was designed with one and half breaker switching scheme with main bus rating of 3000 Amp but the rating of 400 kV line bay equipment is only 2000 Amp. Since the terminal bay equipment provided by NTPC was of lower rating in comparison to line rating, in the 33rd SCM on Power System Planning of NR held on 23.12.2013 it was decided that line bay equipment rating of 2000 Amp provided at Koldam Switchyard should be retained and upgradation of bay equipment rating in line with evacuation lines shall be taken up by NTPC at its own cost as and when need for the same arise in future. PGCIL has further submitted that as agreed in the 33<sup>rd</sup> SCM for NR, NTPC neither approached PGCIL with revised Con-4 to capture the modifications as suggested nor did it approach the site office for signing of Connection Agreement (Con-6). PGCIL has submitted that on 19.8.2014, NTPC revised the execution schedule of Koldam HEP to February 2015. Accordingly, on 20.8.2014, PGCIL issued revised Con-5 incorporating the revised COD of Koldam HEP as February 2015 incorporating the modifications agreed in the 33<sup>rd</sup> SCM of NR. The agreement was eventually signed on 2.1.2015, and the generation was put online in July 2015, after about six months of signing the Connection Agreement. PGCIL has submitted that there has been consistent and repetitive shift and delay in the construction of generation project on the part of NTPC and the same is evident from 16<sup>th</sup> SCM dated 24.3.2004, 10<sup>th</sup> NRPC meeting dated 29.9.2008, 26<sup>th</sup> SCM Standing



Committee on Power System Planning in Northern Region dated 13.10.2008, 30<sup>th</sup> Standing Committee on Power System Planning in Northern Region held on 19.12.2011 which show that Koldam HEP which was initially expected in 2008-09 but was ultimately revised to February 2015.

### **Replies of NTPC**

16. In response, NTPC vide its affidavit dated 15.10.2018, reiterated its contentions made in the Review Petition. NTPC has submitted that the timeline envisaged in the 26<sup>th</sup> Standing Committee Meeting on 13.10.2008 and 30<sup>th</sup> SCM on 19.12.2011, were not adhered to by PKTCL and/or NHPC in relation to execution of Parbati-II and as such there was no requirement for NTPC to charge its switchyard at 400 kV prior to the transmission lines being ready. Regarding delay in signing the Connection Agreement, NTPC submitted that in terms of clause 5.3 of the Detailed Procedure issued by the Commission, NTPC was required to furnish additional details to CTU two years prior to the physical inter-connection for obtaining Con-4 Agreement and NTPC did so on 9.8.2012 i.e. more than two and half years prior to the physical inter-connection in February, 2015. No such stipulation in the Detailed Procedure is there that Con-4 Agreement had to be furnished two years prior to the scheduled/ anticipated COD. NTPC has further submitted that PGCIL has failed to indicate the reasons or causes for the delay in issuing/ entering into the Con-6 Agreement. NTPC has further submitted that PGCIL has given extensive details relating to the alleged delay on the part of NTPC in applying for Con-4 and Con-5 Agreements, but it has not addressed the period of



delay between 20.8.2014 (Date of issuing of Con-5 Agreement by PGCIL) till 2.1.2015 (date of signing of Con-6 Agreement). NTPC specifically sought the Con-6 Agreement on 6.9.2014, which was ultimately granted by PGCIL on 2.1.2015. This is particularly in light of clause 5.4 of the Detailed Procedure which provides that Con-6 Agreement shall be signed pursuant to the connection details provided under Con-5.

17. NTPC has submitted that the time taken by it to furnish the data to PGCIL in respect of Con-4 including in respect of the governor and exciter block etc. was on account of the fact that tender for Koldam Switchyard was awarded much prior to 31.12.2009 i.e. prior to notifying the Detailed Procedures of Central Transmission Utility under Regulation 27(1) of 2009 Connectivity Regulations. It was in terms of the said Detailed Procedure, that the requirement to furnish the exciter block, governor etc. data to PGCIL, was incorporated for the first time in the Regulations. All tenders prior to such Detailed Procedure did not require the Original Equipment Manufacturer (OEM) to furnish the said information to NTPC and as such time was taken to procure data from the OEM and submit it to PGCIL. Further, PGCIL did not direct NTPC to re-apply or to approach PGCIL with a fresh application for signing of a Con-6 Agreement in respect of the rating of the switchgear equipment.

### **Analysis and Decision**

18. We have considered the submissions of the parties. As the issues raised by NTPC and PKTCL are inter-related, hence they are dealt together. NTPC, in Review Petition No. 16/RP/2017 has contended that it is not liable to bear the IDC and IEDC for



Ckt-II for the period starting from 4.10.2014 to 20.3.2015, as its Koldam Switchyard was ready since July 2008 and it was not responsible for the delay in COD of Ckt-II. The basic contentions of PKTCL are that COD of Ckt-II should be allowed as 4.10.2014 under proviso (ii) to Regulation 4(3) of 2014 Tariff Regulations on account of delay in execution of the 400 kV bays of Koldam switchyard of NTPC and it is eligible for full transmission charges for the period from 4.10.2014 to 20.3.2015 instead of just IDC and IEDC in Review Petition No.10/RP/2017. The issues raised by PKTCL and NTPC are examined in the following paragraphs.

19. NTPC, in Review Petition No. 16/RP/2017, has submitted that it is not liable to pay the IDC and IEDC for Ckt-II as its switchyard at Koldam HEP was ready and charged at 11 kV level since July 2008. NTPC has contended that charging of the switchyard at 400 kV was required to be done only when transmission line to be connected to the switchyard is ready either for the purpose of using the switchyard as a pooling sub-station or for the purpose of evacuation of power from Koldam HEP. NTPC also contended that no agreement was signed between NTPC and PKTCL specifying timeline for commissioning of Koldam Switchyard at 400 kV level and consequential liabilities thereto. NTPC has contended that there was no requirement for charging the switchyard till 8.8.2014 when in the 34<sup>th</sup> SCM held on 8.8.2014, it was decided to enhance the power transmission reliability of Parbati-II by charging Koldam Switchyard as a pooling sub-station.



20. We observe that there is no dispute over the fact that NTPC switchyard at Koldam HEP was ready and charged at 11 kV since July 2008. The 400 kV bays for Ckt-II of Parbati-Koldam-II were in the scope of NTPC and were to be matched with the COD of Parbati-Koldam-II line for regular service of the transmission line. In this regard, as pointed out by PKTCL and PGCIL, it is observed that the issue was discussed in the 30<sup>th</sup> Standing Committee Meeting (SCM) on Northern Region Planning held on 19.12.2011 that the instant transmission lines would emanate from Koldam HEP of NTPC. The meeting was attended by the representatives of NTPC. The relevant portion of the minutes of the 30<sup>th</sup> SCM is extracted hereunder: -

*“13. Evacuation of Power from Parbati-III HEP*

*Powergrid representative stated that a composite transmission scheme was evolved for Parbati-II, Parbati-III and Koldam HEPs. During the 26<sup>th</sup> Standing Committee Meeting the implementation schedule of Koldam-Ludhiana 400 D/C line was discussed and it was decided that the commercial operation date (COD) of 400 kV Koldam-Ludhiana D/C line would be nine months after the commissioning schedule of Koldam HEP. Subsequently, it was informed by CEA that the time frame of Koldam-Ludhiana 400 kV D/C line would be matching with the time frame of Parbati-II HEP.*

*NTPC representative stated that as per CEA, 400 kV Koldam-Ludhiana D/C line was part of ATS for Parbati-II HEP and therefore this line should not be considered as a part of ATS for Koldam HEP. However, NTPC did not have any objection for the commissioning of 400 kV Koldam-Ludhiana D/C line matching with the time frame of Koldam HEP. On a query from Member (PS), CEA, NTPC representative informed that the Koldam HEP was expected by March, 2013.”*

21. Further, in the 25<sup>th</sup> TCC meeting and 28<sup>th</sup> NRPC meeting dated 25<sup>th</sup> April 2013 and 26<sup>th</sup> April, 2013 respectively, it was discussed that PKTCL was to make all efforts to complete one circuit of the section of Parbati-II-Koldam 400 kV Quad line (from LILO point of Parbati-III to Koldam) by July 2012 and complete the other section of Parbati-II-Koldam 400 kV Quad line (from LILO point of Parbati-III to Koldam) in next 4 to 5



months. It was also agreed and approved in the said meeting that PKTCL would make all efforts to complete the 400 kV D/C Koldam-Ludhiana Transmission Line by March 2013. The relevant minutes of the 25<sup>th</sup> TCC and 28<sup>th</sup> NRPC Meetings are extracted hereunder: -

***“25<sup>th</sup> TCC and 28<sup>th</sup> NRPC Meeting (25<sup>th</sup> and 26<sup>th</sup> April, 2013)-Minutes***

*B-16. Revision of COD for Parbati-Koldam and Koldam-Ludhiana 400 kV lines of PKTCL*

*B.16.1 Representative of Powergrid intimated that in the 30<sup>th</sup> Standing Committee Meeting on Power System Planning of Northern Region held on 19.12.2011 and in 25<sup>th</sup> NRPC meeting held on 24.2.2012 following was approved:-*

- It was approved that PKTCL would make all efforts to complete one circuit of the section of Parbati-II-Koldam 400 kV Quad line (from LILO point of Parbati-III to Koldam) by July, 2012 and complete the other section of Parbati-II-Koldam 400 kV Quad line (from LILO point of Parbati-III to Koldam) in next 4-5 months.*
- It was also approved that PKTCL would make all efforts to complete 400 kV D/C Koldam-Ludhiana Transmission line by March, 2013.”*

22. Therefore, it is clear that it was in the knowledge of NTPC that PKTCL was to complete 400 kV D/C Koldam-Ludhiana Transmission line by March 2013. Thus, we are not able to agree with the contention of NTPC that the requirement of charging the switchyard at 400 kV was to be done only when transmission line to be connected to the switchyard is ready either for the purpose of using the switchyard as a pooling sub-station or for the purpose of evacuation of power from Koldam HEP. We are further unable to agree with the contention of NTPC that it was only in the 34<sup>th</sup> SCM dated 8.8.2014 that it was decided to enhance the power transmission reliability of Parbati-III by charging the Koldam Switchyard as a pooling sub-station. Accordingly, NTPC should have taken steps to match the COD of its Koldam Switchyard with the COD of the





instant transmission asset of PKTCL. As the Koldam Switchyard was not ready, Ckt-II of Koldam-Ludhiana line was idle charged on 4.10.2014 and it was not put into service. Though NTPC provided the bays for terminating the instant transmission assets at the Koldam Switchyard in July 2008 and charged the Koldam Switchyard at 11 kV, the Switchyard was charged at required voltage of 400 kV only on 6.2.2015 through Koldam-Nalagarh line after completion of required jumper connection activities. The flow of power in the line started on 21.3.2015, after commissioning of PLCC and Ckt-II of Parbati-Koldam-II line was put into use only on 21.3.2015.

23. As regards the submission of NTPC regarding re-commissioning activities post 34<sup>th</sup> Standing Committee Meeting of 8.8.2014, involving the issue of CEA clearance for charging of switchyard at 400 kV level and signing of Connection Agreement between NTPC and Powergrid including PLCC system, it is observed that the same was duly considered by us in the order dated 16.1.2017, particularly in paragraphs 30-34. We do not see any reason to deviate from our earlier observations regarding this issue. Accordingly, we affirm our observations on this issue.

24. As Ckt-II of Koldam-Ludhiana line was idle charged on 4.10.2014 due to non-availability of NTPC Koldam Switchyard at 400 kV level and was put to use from 21.3.2015, the Commission held NTPC responsible for the delay. We do not find any error apparent in the impugned order as regards delay and the same being attributable to NTPC.



25. PKTCL in Review Petition No.10/RP/2017 has sought approval of COD of Ckt-II of Parbati-Koldam line as 4.10.2014 under proviso (ii) of Regulation 4(3) of 2014 Tariff Regulations after completion and idle charging from one end as the 400 kV bays in Koldam Switchyard of NTPC was not ready at 400 kV level. PKTCL has contended that the Commission's direction to NTPC to bear only the IDC and IEDC for Ckt-II of Parbati-Koldam line from 4.10.2014 till the date of usage of the Parbati-Koldam line i.e. 20.3.2015, instead of transmission charges, is an apparent error on the face of the record. PKTCL has contended that the Commission's decision has deprived PKTCL of receiving the other components of tariff such as Return on Equity (ROE), depreciation and interest on working capital (IWC) for the aforesaid period. In similar cases, the Commission earlier approved the COD of the assets under proviso (ii) of Regulation 4(3) of the 2014 Tariff Regulations and allowed recovery of full transmission charges in case a transmission system or an element thereof is prevented from regular service for reasons not attributable to the transmission licensee or its supplier or contractors but on account of the delay in commissioning of the concerned generating station or in COD of the upstream/ downstream transmission system.

26. NTPC has contended that it is not liable to pay either IDC and IEDC or full transmission charges from 4.10.2014 to 20.3.2015 in respect of Ckt-II of Parbati-Koldam line. NTPC has contended that the instant transmission assets were built by PKTCL with reference to Parbati-II of NHPC, which was not ready till 20.3.2015, and therefore provisions of proviso (ii) to Regulation 4(3) as well as Regulation 12 of the 2014 Tariff



Regulations has to be considered with reference to the generating company NHPC. There is no agreement between NTPC and PKTCL specifying timeline for execution of Koldam Switchyard of NTPC at 400 kV level and any consequential liabilities thereto. NTPC has contended that the charging of the switchyard at 400 kV was required to be done only when the 400 kV transmission line to be connected to the switchyard is ready either for using the switchyard as a pooling station or for the purpose of evacuation of power. NTPC has contended that the decision to use transmission asset for alternative purposes was taken in the 34<sup>th</sup> SCM held on 8.8.2014 and as such there was no requirement for NTPC for charging the bay at 400 kV prior to 8.8.2014 as Parbati-II was nowhere near the stage of execution and NTPC bay was not envisaged for any other purpose.

27. We have considered the submissions of the parties and perused the impugned order and documents on record. The relevant portion of the impugned order is as under:-

*“35. It is observed that Ckt.-I of Parbati-Koldam line was put into service on 10.10.2014, therefore we allow the COD of Asset-I as 10.10.2014. However, we are not inclined to approve the petitioner’s prayer for approval of COD of Ckt-II of Parbati-Koldam line as 4.10.2014 under Regulation 4(3) of the 2014 Tariff Regulations, as Ckt-II of Koldam-Ludhiana line though was idle charged on 4.10.2014 it was not put into service. The Ckt.-II was put into use only on 21.3.2015 on account of the delay in commissioning of the 400 kV bays in Koldam switchyard of NTPC.*

*36. Accordingly, the COD of the Ckt.-I and Ckt.-II of Parbati-Koldam line shall be reckoned as 10.10.2014 and 21.3.2015 respectively. However, IDC and IEDC for Ckt-II of Parbati-Koldam line from 4.10.2014 to the date of usage of the Parbati-Koldam Line i.e. 20.3.2015 would be borne by NTPC. The IDC and IEDC borne by NTPC shall not be capitalized in its book of accounts for the purpose of claiming tariff for its generation from Koldam HEP NTPC as well as for transmission services by the petitioner.”*



28. From the perusal of impugned order, it is clear that Ckt-II of Parbati-Koldam line could not be put into regular service on 4.10.2014 and the request of PKTCL for approval of COD of Ckt-II as 4.10.2014 under Regulation 4(3) of 2014 Tariff Regulations was disallowed by us. We have, however, in the impugned order recorded a categorical finding that on account of time over-run in COD of 400 kV bays in Koldam HEP switchyard of NTPC, Ckt-II of PKTCL was put to regular use only on 21.3.2015. We have also observed that the IDC and IEDC from 4.10.2014 to 20.3.2015 in case of Ckt-II till the date of usage of Parbati-Koldam line i.e. 20.3.2015 would be borne by NTPC.

29. We agree with the contention of PKTCL that the Commission in its earlier orders in similar circumstances has approved the COD under proviso (ii) of Regulation 4(3) of 2014 Tariff Regulations and held that the defaulting party is liable to pay the transmission charges. We further agree with the contention of PKTCL that impugned order is a deviation from the settled practice which was consistently followed by the Commission in its various orders including order dated 24.2.2017 in Petition No. 85/TT/2017. We do not find any force in the contention of NTPC that no agreement was entered into between NTPC and PKTCL specifying timeline for execution of Koldam-Switchyard of NTPC at 400 kV level and any consequential liabilities thereto. We are not convinced with the contention of NTPC that Regulation 4(3) of 2014 Tariff Regulations as well as proviso to Regulation 12 in the context of the transmission line has to be considered with reference to generating Company/ NHPC. All these



submissions have already been dealt by us in detail in para 26-36 of the impugned order.

30. We are, therefore, of the view that allowing IDC and IEDC of Ckt-II from 4.10.2014 to 20.3.2015 is an error apparent in the present case. Ckt-II was ready on 4.10.2014 but could be put to use only on 21.3.2015 on account of delay in commissioning of the 400 kV bays in Koldam Switchyard of NTPC and as such Ckt-II qualify for approval of COD under proviso (ii) to Regulation 4(3) of the 2014 Tariff Regulations which provides that if a transmission system or an element thereof is prevented from regular service for reasons not attributable to the transmission licensee or its supplier or its contractors but is on account of the delay in commissioning of the concerned generating station or in COD of the upstream or downstream transmission system.

31. In view of above discussions, we hereby approve the COD of Ckt-II as 4.10.2014 under proviso (ii) of Regulation 4(3) of 2014 Tariff Regulations as PKTCL has not been able to put the instant asset into commercial operation due to delay in completion of the 400 kV bays in Koldam switchyard under the scope of NTPC. We further direct NTPC to pay full transmission charges to PKTCL from 4.10.2014 to 20.3.2015 (till the date of usage of Parbati-Koldam line) and thereafter it will be included in the POC. The impugned order is modified to that extent.



32. As we have approved the COD of Ckt-II as 4.10.2014, the cut-off date in case of the subject assets covered in the present petition in terms of Regulation 3(13) of 2014 Tariff Regulations comes to 31.3.2017 and the same is not required to be changed to 31.3.2018 as prayed for by PKTCL. Accordingly, PKTCL's prayer to allow the cut-off of the instant assets as 31.3.2018, which was based on the tariff COD of 20.3.2015, has become infructuous.

33. PKTCL in its Review Petition No. 10/RP/2017 has pointed out certain clerical errors in paragraphs 38 and 56 of the order dated 16.1.2017. These errors stand corrected. Accordingly, para 38 which mentions "The capital cost is stated to be verified from the audited statement of accounts of PGCIL upto 31.3.2014 by the Auditors." shall now be read as "The capital cost is stated to be verified from the audited statement of accounts of PKTCL upto 31.3.2014 by the Auditors" and para 56 which mentions "Total delay: 93 months 15 days" shall be read as "Total Time: 93 months 15 days".

34. In view of the above discussion, the tariff allowed for a section of 400 kV D/C Parbati-Koldam transmission line for Ckt-II in order dated 16.1.2017 in Petition No.384/TT/2014 is revised as under: -

a. The table under Para 38 of the said order is revised as under: -

<b>( in lakh)</b>				
Asset	Approved apportioned cost as per RCE	Capital cost as on COD	Projected Additional Capital Expenditure	Total estimated completion cost as on 31.3.2019
Asset-I	20651.12	16353.13	3346.74	19699.87
Asset-II	19485.99	15430.54	2937.23	18367.77
Total	40137.11	31783.67	6283.97	38067.64



b. The table under Para 74 of the said order is revised as under: -

(₹ in lakh)

Asset-II	Capital cost as on COD		Capital cost as on 1.4.2019	
	Amount	%	Amount	%
Debt	10801.38	70.00	12857.44	70.00
Equity	4629.16	30.00	5510.33	30.00
<b>Total</b>	<b>15430.54</b>	<b>100.00</b>	<b>18367.77</b>	<b>100.00</b>

c. The table under Para 78 of the said order is revised as under: -

(₹ in lakh)

Asset-II	2014-15 (pro-rata)	2015-16	2016-17	2017-18	2018-19
Opening Equity	4629.16	4869.16	5169.16	5510.33	5510.33
Addition due to Additional Capitalization	240.00	300.00	341.17	0.00	0.00
Closing Equity	4869.16	5169.16	5510.33	5510.33	5510.33
Average Equity	4749.16	5019.16	5339.74	5510.33	5510.33
Return on Equity (Base Rate)	15.50%	15.50%	15.50%	15.50%	15.50%
Tax rate for the year 2013-14 (MAT)	20.961%	20.961%	20.961%	20.961%	20.961%
Rate of Return on Equity (Pre-Tax)	19.610%	19.610%	19.610%	19.610%	19.610%
<b>Return on Equity (Pre-Tax)</b>	<b>456.72</b>	<b>984.26</b>	<b>1047.12</b>	<b>1080.58</b>	<b>1080.58</b>

d. The table under Para 83 of the said order is revised as under: -

(₹ in lakh)

Asset – II	2014-15 (pro-rata)	2015-16	2016-17	2017-18	2018-19
Gross Normative Loan	10801.38	11361.38	12061.38	12857.44	12857.44
Cumulative Repayment upto Previous Year	0.00	408.64	1286.56	2216.68	3175.46
Net Loan-Opening	10801.38	10952.74	10774.82	10640.76	9681.99
Addition due to Additional Capitalisation	560.00	700.00	796.06	0.00	0.00
Repayment during the year	408.64	877.92	930.12	958.78	958.78
Net Loan-Closing	10952.74	10774.82	10640.76	9681.99	8723.21
Average Loan	10877.06	10863.78	10707.79	10161.37	9202.60



Weighted Average Rate of Interest on Loan	13.0717%	13.0717%	13.0717%	13.0716%	13.0716%
<b>Interest</b>	<b>697.27</b>	<b>1420.08</b>	<b>1399.68</b>	<b>1328.26</b>	<b>1202.93</b>

e. The table under Para 88 of the said order is revised as under: -

(₹ in lakh)

Asset – II	2014-15 (pro-rata)	2015-16	2016-17	2017-18	2018-19
Opening Gross Block	15430.54	16230.54	17230.54	18367.77	18367.77
Additional Capital expenditure	800.00	1000.00	1137.23	0.00	0.00
Closing Gross Block	16230.54	17230.54	18367.77	18367.77	18367.77
Average Gross Block	15830.54	16730.54	17799.16	18367.77	18367.77
Rate of Depreciation	5.2637%	5.2474%	5.2256%	5.2199%	5.2199%
Depreciable Value	14247.49	15012.78	15929.82	16441.58	16441.58
Remaining Depreciable Value	14247.49	14604.14	14643.26	14224.90	13266.12
<b>Depreciation</b>	<b>408.64</b>	<b>877.92</b>	<b>930.12</b>	<b>958.78</b>	<b>958.78</b>

f. The table under Para 90 of the said order is revised as under: -

(₹ in lakh)

Particulars	2014-15 (Pro-rata)	2015-16	2016-17	2017-18	2018-19
O & M Expenses	17.66	37.24	38.44	39.74	41.05

g. The table under Para 94 of the said order is revised as under: -

(₹ in lakh)

Asset-II	2014-15 (pro-rata)	2015-16	2016-17	2017-18	2018-19
Maintenance Spares	5.40	5.59	5.77	5.96	6.16
O & M expenses	3.00	3.10	3.20	3.31	3.42
Receivables	549.62	566.18	582.54	581.18	560.04
<b>Total</b>	<b>558.03</b>	<b>574.87</b>	<b>591.51</b>	<b>590.45</b>	<b>569.62</b>
Rate of Interest	<b>13.50</b>	<b>13.50</b>	<b>13.50</b>	<b>13.50</b>	<b>13.50</b>
<b>Interest</b>	<b>36.94</b>	<b>77.61</b>	<b>79.85</b>	<b>79.71</b>	<b>76.90</b>

h. The table under Para 95 of the said order is revised as under: -

(₹ in lakh)

Asset - II	2014-15 (pro-rata)	2015-16	2016-17	2017-18	2018-19
Depreciation	408.64	877.92	930.12	958.78	958.78





Interest on Loan	697.27	1420.08	1399.68	1328.26	1202.93
Return on equity	456.72	984.26	1047.12	1080.58	1080.58
Interest on Working Capital	36.94	77.61	79.85	79.71	76.90
O & M Expenses	17.66	37.24	38.44	39.74	41.05
<b>Total</b>	<b>1617.25</b>	<b>3397.10</b>	<b>3495.22</b>	<b>3487.06</b>	<b>3360.23</b>

- i. Annexure II of the order dated 16.1.2017 is revised as under: -



**Annexure-II****CALCULATION OF WEIGHTED AVERAGE RATE OF INTEREST ON LOAN**

(₹ in lakh)

	Details of Loan	2014-15	2015-16	2016-17	2017-18	2018-19
<b>1</b>	<b>PFC Loan</b>					
	Gross loan opening	6302.84	6710.13	7118.59	7583.11	7583.11
	Cumulative Repayment upto DOCO/previous year	0.00	0.00	464.26	1083.27	1742.67
	Net Loan-Opening	6302.84	6710.13	6654.33	6499.84	5840.44
	Additions during the year	407.29	408.46	464.52	0.00	0.00
	Repayment during the year	0.00	464.26	619.01	659.40	659.40
	Net Loan-Closing	6710.13	6654.33	6499.84	5840.44	5181.04
	Average Loan	6506.49	6682.23	6577.09	6170.14	5510.74
	Rate of Interest	13.08%	13.08%	13.08%	13.08%	13.08%
	Interest	851.05	874.04	860.28	807.05	720.80
	Rep Schedule	46 Quarters installments from 15.7.2015				
<b>2</b>	<b>REC Loan</b>					
	Gross loan opening	4498.54	4789.23	5080.77	5412.31	5412.31
	Cumulative Repayment upto DOCO/previous year	0.00	0.00	312.34	754.15	1224.79
	Net Loan-Opening	4498.54	4789.23	4768.43	4658.16	4187.52
	Additions during the year	290.69	291.54	331.54	0.00	0.00
	Repayment during the year	0.00	312.34	441.81	470.64	470.64
	Net Loan-Closing	4789.23	4768.43	4658.16	4187.52	3716.88
	Average Loan	4643.89	4778.83	4713.30	4422.84	3952.20
	Rate of Interest	13.06%	13.06%	13.06%	13.06%	13.06%
	Interest	606.49	624.12	615.56	577.62	516.16
	Rep Schedule	46 Quarters installments from 30.9.2015				
	<b>Total Loan</b>					
	Gross loan opening	10801.38	11499.36	12199.36	12995.42	12995.42
	Cumulative Repayment upto DOCO/previous year	0.00	0.00	776.60	1837.42	2967.46
	Net Loan-Opening	10801.38	11499.36	11422.76	11158.00	10027.96
	Additions during the year	697.98	700.00	796.06	0.00	0.00
	Repayment during the year	0.00	776.60	1060.82	1130.04	1130.04
	Net Loan-Closing	11499.36	11422.76	11158.00	10027.96	8897.92
	Average Loan	11150.37	11461.06	11290.38	10592.98	9462.94
	Rate of Interest	13.0717%	13.0717%	13.0717%	13.0716%	13.0716%
	<b>Interest</b>	<b>1457.54</b>	<b>1498.15</b>	<b>1475.84</b>	<b>1384.68</b>	<b>1236.96</b>



35. PKTCL is directed to submit the details of the IDC and IEDC as per the directions in para 60, 61 and 65 of the order dated 16.1.2017 in Petition No.384/TT/2014 at the time of truing up.

36. In terms of above discussions, the Review Petition No. 10/RP/2017 along with IA No. 16 of 2017 and Review Petition No. 16/RP/2017 are disposed of. All other terms of the order dated 16.1.2017 shall remain unchanged.

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

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

