

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 368/TT/2018**

**Coram:**

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

**Date of Order : 30.04.2019**

**In the matter of:**

Approval under Sections 62 and 79(1)(d) of the Electricity Act, 2003 read with Regulation 86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for determination of transmission tariff for circuit 1(b) of 400 kV D/C Teesta III-Rangpo Section upto LILO point at Rangpo for control period 2014-19 under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014.

**And in the matter of:**

Teestavalley Power Ltd.,  
2<sup>nd</sup> Floor, Vijaya Building,  
17, Barakhamba Road,  
New Delhi-110001.

**.....Petitioner**

**Vs**

1. PTC India Ltd.,  
2<sup>nd</sup> Floor, NBCC Tower  
15, Bhikaji Cama Place, New Delhi – 110066.
  
2. Energy and Power Department  
Government of Sikkim  
Kazi Road, Gangtok – 737101, Sikkim



3. Teesta Urja Ltd.  
2<sup>nd</sup> Floor, Vijaya Building  
17, Barakhamba Road, New Delhi – 110001.
4. Sneha Kinetic Power Projects Pvt. Ltd.,  
Sonam Complex, Jeevan Theng Marg Development Area  
Near Little Pixel International School,  
Gangtok – 737101, Sikkim
5. Powergrid Corporation of India Ltd.,  
Saudamini, Plot No.2, Sector 29,  
Near IFFCO Chowk  
Gurgaon – 122001,  
Haryana.
6. Punjab State Power Corporation Ltd.,  
The Mall, Patiala – 147001,  
Punjab.
7. Uttar Haryana Bijli Vitran Nigam Ltd.,  
Vidyut Sadan, Plot No. C16, Sector-6,  
Panchkula – 134109,  
Haryana.
8. Dakshin Haryana Bijli Vitran Nigam Ltd.,  
Vidyut Sadan, Vidyut Nagar,  
Hisar – 125005, Haryana.
9. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6  
Panchkula – 134109, Haryana.
10. Ajmer Vidyut Vitran Nigam Ltd.,  
Vidyut Bhawan, Panchsheel Nagar,  
Makarwali Road,  
Ajmer– 305004,  
Rajasthan



11. Jaipur Vidyut Vitran Nigam Ltd.,  
Vidyut Bhawan, Janpath,  
Jaipur - 302005, Rajasthan
12. Jodhpur Vidyut Vitran Nigam Ltd.,  
New Power House, Industrial Area,  
Jodhpur – 342003,  
Rajasthan.
13. Rajasthan Urja Vikas Nigam Ltd.,  
Vidyut Bhawan, Janpath,  
Jyoti Nagar Jaipur – 302005,  
Rajasthan.
14. Uttar Pradesh Power Corporation Ltd.,  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow – 226001,  
Uttar Pradesh.

.... Respondents

For Petitioner : Shri Piyush Shandilya, Advocate for TPTL  
Shri Abhishek Vats, TPTL  
Shri S.K. Bhowmick, TPTL  
Shri Jaideep Lakhtakia, TPTL

For Respondents : None

### **ORDER**

Teestavalley Power Transmission Ltd. (TPTL) was granted AFC vide order dated 14.3.2019 for circuit 1(b) of 400 kV D/C Teesta III-Rangpo Section upto LILO point at Rangpo in terms of proviso (i) of Regulation 7(7) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations") for inclusion in PoC computation. However, the AFC was restricted to FR apportioned cost as the details of apportionment of RCE III were



not submitted by TPTL. Further, TPTL was directed to submit the details of apportionment of RCE-I, RCE-II, and RCE-III.

2. In compliance of the aforesaid direction of the Commission, TPTL vide affidavit dated 28.3.2019 has furnished Management Certificate specifying the basis of apportionment and details of RCE-IV apportioned cost. TPTL has submitted that at the time of filing the instant petition, RCE-IV was not approved and that the same was approved with revised project cost of ₹1746.29 crore. TPTL has also submitted that apportionment of the cost could not be done at the time of approval of the RCE-I and RCE-II as the asset was not envisaged to be bifurcated and that the bifurcation took place pursuant to the order of the Commission vide order dated 3.12.2014 in Petition No.157/MP/2014. At the time of approval of RCE-III, only Ckt.2 was put into commercial operation. The instant petition was filed on the basis of FR apportioned cost as TPTL then did not have the revised cost estimate.

3. During the hearing on 9.4.2019, learned counsel for TPTL requested to revise the AFC granted in order dated 14.3.2019 taking into account the RCE-IV apportioned cost as it is facing financial constraints and in the absence of revised provisional tariff it will not be able to service its debts on time and will become a Non-Performing Asset (NPA).

4. Keeping in mind the submissions of TPTL coupled with peculiar circumstance of TPTL, we deem it necessary, as a special case, to revise our order dated 14.3.2019 in



the light of information submitted vide affidavit dated 28.3.2019. We further make it clear that the present case should not be quoted as precedent in future petitions.

5. Accordingly, the tariff allowed for the instant asset in order dated 14.3.2019 is revised to ₹1208.19 lakh.

6. All other terms of order dated 14.3.2019 shall remain unchanged.

7. The next date of hearing will be intimated in due course of time.

Sd/-  
**(I.S. Jha)**  
Member

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

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

