

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.376/GT/2018

Coram:

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

Date of Order: 30th of April, 2019

In the matter of

Petition for approval of tariff of Gadarwara Super Thermal Power Station (2 x 800 MW) for the period from anticipated date of commercial operation of Unit-I (i.e. 10.12.2018) to 31.3.2019

And

In the matter of

NTPC Limited
NTPC Bhawan Core-7, Scope Complex,
7, Institutional Area, Lodhi Road,
New Delhi - 110 003

.....Petitioner

Vs

1. Madhya Pradesh Power Management Company Ltd.
Shakti Bhawan, Vidyut Nagar, Rampur,
Jabalpur - 482008
2. Maharashtra State Electricity Distribution Company Limited
Prakashgad, 4th Floor, Bandra (East),
Mumbai- 400051
3. Gujarat Urja Vikas Nigam Ltd.
Vidhyut Bhawan, Race Course,
Vadodara - 390007
4. Chhattisgarh State Power State Distribution Co Ltd.
P.O Sunder Nagar, Dangania, Raipur - 492013
5. Electricity Department,
Government of Goa, Vidyut Bhawan, Panaji
6. Electricity Department
Administration of Daman & Diu, Daman- 396210



ORDER

The Petitioner, NTPC has filed this petition for approval of tariff of Gadawara Super Thermal Power Station (2 x 800 MW) (hereinafter referred to as ‘the generating station’) for the period from anticipated COD of Unit-I (i.e. 10.12.2018) to 31.3.2019 in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as “the 2014 Tariff Regulations”).

2. The Petitioner has submitted that Unit-I of the generating station was test synchronized on 30.8.2018 and the same is expected to be declared under commercial operation with effect from 10.12.2018. It has also submitted that Unit-II was expected to be declared under commercial operation during the year 2019-20 and tariff petition for the same would be filed in terms of the prevailing regulations. The Petitioner has entered into PPAs with the Respondents and power from the generating station has been allocated vide MOP, GOI letter dated 11.7.2017.

3. During the pendency of the petition, the Petitioner vide its letter dated 16.4.2019 has submitted that due to certain uncontrollable factors, Unit-I of the generating station could not achieve COD on or before 31.3.2019 and the said unit is expected to achieve COD during the period 2019-24. Accordingly, the Petitioner has submitted that it may be permitted to file fresh petition for determination of tariff of Unit-I of the generating station from its anticipated



COD till 31.3.2024 in terms of the provisions of the CERC (Terms and Conditions of Tariff) Regulations, 2019. It has also sought adjustment of the filing fees already deposited for this petition towards the tariff petition to be filed in respect Unit-I of the generating station for the period 2019-24.

4. We have considered the matter. It is evident from the letter of the Petitioner that Unit-I of the generating station is expected to achieve COD during the tariff period 2019-24. Regulation 9 (1) of the 2019 Tariff Regulations provide as under:

“9. Application for determination of tariff (1) The generating company or the transmission licensee may make an application for determination of tariff for new generating station or unit thereof or transmission system or element thereof in accordance with the Procedure Regulations within 60 days of the anticipated date of commercial operation.....”

5. The above provision provides that a generating company can file an application for determination of tariff for the new generating station or units thereof which are expected to achieve commercial operation within 60 days of the filing of such application.

6. It has been given to understand that Unit-I is expected to achieve COD by 30.4.2019. In view of this, this petition filed by the Petitioner in terms of the provisions of the 2014 Tariff Regulations would be rendered infructuous. We therefore find no reason to keep this petition pending. Accordingly, the petition is disposed of as infructuous. The Petitioner is however granted liberty to file fresh tariff petition in accordance with the CERC (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004, for determination of tariff from the anticipated COD of Unit-I of the generating station till 31.3.2024 in terms of the provisions of the 2019 Tariff Regulations. The filing fees of ₹1080110/- deposited



by the Petitioner in respect of this petition shall be adjusted against the tariff petition to be filed by the Petitioner in terms of the liberty granted above.

7. Petition No. 376/GT/2018 is disposed of in terms of the above.

sd/-
(I.S. Jha)
Member

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

sd/-
(P.K. Pujari)
Chairperson

