

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 12/RP/2020**

**in**

**Petition No. 249/GT/2016**

Subject : Review of Commission's order dated 9.1.2020 in Petition No. 249/GT/2016 with regard to the determination of tariff of Teesta-III Hydro Electric Project (1200 MW) for the period from the actual COD (28.2.2017) to 31.3.2019.

Petitioner : Teesta Urja Limited

Respondents : PTC India Limited & 10 ors

Date of Hearing : **18.6.2021**

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

Parties present : Shri Tarun Johri, Advocate, TUL  
Ms. Swati Jindal, TUL  
Shri Anand K. Ganesan, Advocate, HPPC  
Ms. Swapna Seshadri, Advocate, HPPC  
Ms. Ritu Apurva, Advocate, HPPC  
Shri Brijesh Kumar Saxena, UPPCL

**Record of Proceedings**

Case was called out for virtual hearing.

2. With regard to the issue of 'error in the calculation of depreciation' the learned counsel for the Petitioner submitted that it related to the depreciable value of 90% (in place of 100%) of the capital cost of the project with 10% salvage value (in place of 'nil') of the asset, as allowed in Commission's order dated 9.1.2020. He also submitted that in terms of the implementation agreement entered into between the Government of Sikkim and the Petitioner on 18.7.2005, the Petitioner is to develop the project for a period of 35 years from its COD, whereafter, the project, including all its assets and works, shall be transferred to the State Government free of cost and in good operating condition. Accordingly, the learned counsel submitted that in terms of the first proviso to Regulation 27(3) of the 2014 Tariff Regulations, 100% depreciation may be allowed, as otherwise, 10% salvage value of the project cost will remain unrecoverable over the 35 year period allowed to the project developer.

3. The representative of the Respondent UPPCL referred to the reply and made detailed submissions on merits. He accordingly prayed that since there is no error apparent on the face of the order, the review petition may be rejected.

4. The learned counsel for the Respondent HPPC pointed out that since the PPA provides for a depreciable value of 90% and as there has been delay in the completion of the project by the Petitioner, the prayer of the Petitioner may not be allowed.



5. The Commission after hearing the parties reserved its order on 'maintainability' of the review petition.

**By order of the Commission**

**Sd/-**  
B. Sreekumar  
Joint Chief (Law)

