

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 150/TT/2020**

- Subject** : Petition for truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019-24 tariff period for LILO of existing Neyveli TS-II-Pondicherry 400 kV S/c at NNTPS Generation Switchyard under Transmission System for evacuation of power from 2X500 MW Neyveli Lignite Corporation Ltd. TS-1 (Replacement) (NNTPS) in Southern Region.
- Date of Hearing** : 8.6.2021
- Coram** : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Pravas Kumar Singh, Member
- Petitioner** : Power Grid Corporation of India Ltd.
- Respondents** : Karnataka Power Transmission Corporation Ltd. & 17 Others
- Parties Present:** : Shri B. Vinodh Kanna, Advocate, TANGEDCO  
Shri S. S. Raju, PGCIL  
Shri D. K. Biswal, PGCIL  
Shri Ved Prakash Rastogi, PGCIL  
Shri A. K. Verma, PGCIL  
Ms. R. Ramalakshmi, TANGEDCO  
Shri. R. Srinivasan, TANGEDCO

**Record of Proceedings**

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:
- a. The instant petition has been filed for truing up of transmission tariff of 2014-19 tariff period and determination of transmission tariff of 2019-24 tariff period for LILO of existing Neyveli TS-II-Pondicherry 400 kV S/C at NNTPS Generation Switchyard under the captioned Transmission System in Southern Region;
  - b. The date of commercial operation (COD) of the transmission asset was 26.6.2018;
  - c. The transmission tariff of the asset from anticipated COD to 31.3.2019 was allowed by the Commission vide order dated 12.4.2019 in Petition No. 233/TT/2018;
  - d. The details of FR cost, expenditure and capital cost as on COD, Additional Capital Expenditure (ACE) during 2018-19 period, estimated completion cost as allowed by the Commission vide order dated 12.4.2019 in Petition No. 233/TT/2018 have been mentioned in the petition;



- e. The time over-run of 16 days was not condoned by the Commission in order dated 12.4.2019 in Petition No. 233/TT/2018 as no justification was given for the same;
- f. The time over-run of 16 days was due to non-readiness of bays by Neyveli Lignite Corporation Ltd. (NLC) at NNTPS Generation Switchyard and detailed justification has been filed vide affidavit dated 23.9.2020.
- g. Details pertaining to actual cost as on 31.3.2019, ACE incurred during 2018-19 period, marginal ACE projected for 2019-20 period are submitted in the petition;
- h. Details of estimated completion cost vis-à-vis apportioned approved cost (FR) coupled with major reasons of cost variations with respect to FR, copy of Revised Cost Estimate (RCE) have filed vide affidavit dated 23.9.2020;
- i. Requested the Commission to:
  - i. Condone the delay of 16 days which was beyond the control of the Petitioner and tariff claimed may be allowed accordingly; and
  - ii. Allow the capital cost claimed as on 31.3.2019 taking into consideration the RCE.
- j. The information sought through Technical Validation letter was filed vide affidavit dated 23.9.2020; and

3. Learned counsel for TANGEDCO submitted that reply in the matter has been e-mailed to the Petitioner but the same could not be uploaded on the Commission's e-filing portal and requested for Commission's leave to upload the same and made the following submissions during the hearing:

- a. The estimated completion capital cost is higher than the FR approved apportioned cost as pointed out by the Commission in order dated 12.4.2019 in Petition No. 233/TT/2018 and the same was to be reviewed at the time of true up subject to the Petitioner's filing RCE and justification for cost over-run;
- b. The Petitioner has failed to comply with the directions given by the Commission vide order dated 12.4.2019 in Petition No. 233/TT/2018, as no RCE and justification for cost over-run has been submitted, in the absence of which, the excess amount over and above FR cost may be dis-allowed;
- c. Appropriate directions may be given to the Petitioner to diligently prepare estimates so as to remove the chances of abnormal variation between the completion cost and FR cost;
- d. Petitioner may be directed to clarify as to whether ACE claimed for the 2014-19 and 2019-24 periods is on account of balance and retention work to be executed (as per Form 7) or is on account of un-discharged liability and un-executed works (as per petition);
- e. Petitioner is not entitled to claim ACE by simply mentioning the amount or filing the Auditor's certificate. In terms of Regulation 14 of the 2014 Tariff Regulations, claim of ACE may be allowed on submission of clarifications and justifications but the



Petitioner has not disclosed reasons for withholding the payment and name of contractors in detail and list of un-executed works; and

- f. The arguments extended by TANGEDCO in earlier petitions pertaining to Petitioner's claim of GST and sharing of transmission charges may be considered in this petition also.

4. In response to a query of the Commission, the representative of the Petitioner submitted that the bays and LIL0 portion of the Transmission System are under the scope of NLC and Petitioner respectively.

5. The Commission observed that the issue of time over-run has already been dealt by the Commission in order dated 12.4.2019 in Petition No. 233/TT/2018 and need not be deliberated upon by the Petitioner at true-up stage.

6. The Commission permitted TANGEDCO to submit its reply by 14.6.2021 and directed the Petitioner to file its rejoinder, if any, by 28.6.2021 and observed that no extension of time shall be granted.

7. Subject to above, the Commission reserved the order in the matter.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Deputy Chief (Law)

