

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

IA No. 58/2021 in Petition No. 243/GT/2017

Subject: Petition Under Section 62 and 79(1)(a) of the Electricity Act, 2003 read with Chapter V of the CERC (Conduct of Business) Regulation 1999 for approval of the tariff of Bongaigaon Thermal Power Station (750 MW) for the period from COD of Unit-1 (i.e 1.4.2016 to 31.3.2019 (IA has been filed seeking directions for re-listing the petition)

Petitioner: NTPC Ltd.

Respondents: Assam Power Distribution Company Limited and 6 others.

Date of Hearing: **16.7.2021**

Coram: Shri P. K Pujari, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties present: Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Harini Subramani, Advocate, NTPC
Shri Indrajit Tahbildar, APDCL
Shri Nil Madhab Deb, APDCL
Shri Parinay Deep Shah, Advocate, Objector, FINER
Shri Ritika Singhal, Advocate, Objector, FINER

Record of Proceedings

The application (IA No.58/2021) was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted the IA has been filed seeking directions for re-listing Petition No.243/GT/2017, due to certain developments which had taken place pursuant to order being reserved in the matter on 2.6.2020. She also submitted that on 1.3.2021, the Minister of State (IC) for Power, New & Renewable Energy & Skill Development had conducted a meeting with representatives of the Petitioner, the beneficiaries as well as Coal India Limited to primarily discuss the reduction of tariff for sale of electricity from the Bongaigaon Thermal Power Station (in short 'the generating station') and one such issue related to depreciation. The learned counsel further submitted that in order to lower the fixed cost in terms of the recommendations of MOP, GOI, in the MoM dated 23.3.2021, the Petitioner, had proposed, as a special dispensation, to charge uniform depreciation spread over the 25 years life of the generating station (as against the depreciation under the Tariff Regulations notified by this Commission) and in response, four beneficiaries have accepted the said proposal. She added that since the decision on depreciation cannot be unilaterally implemented by the Petitioner and will also require the revised tariff filing forms to be taken on record, the Commission may issue notice



in IA and re-list this petition for hearing, along with Petition No.409/GT/2020 (tariff of the generating station for the 2019-24 tariff period).

3. The representative of the Respondent APDCL submitted that the respondent has given its consent to the said proposal. He, however, pointed out that in terms of the recommendations dated 23.3.2021, the reduction in the rate of Return on Equity is required to be examined by the Petitioner and to submit analysis to MOP, GOI.

4. The learned counsel for the Objector, FINER submitted that the Petitioner may be directed to serve copy of the IA on them, in order to file its response.

5. The Commission after hearing the parties directed the Petitioner to serve copy of the IA on the Objector, FINER, immediately, if not already done. The Commission also directed the Respondents, including the Objector, to file their replies/ responses to the IA on or before 14.8.2021 and serve copy of the same to the Petitioner, who may file its rejoinder/response, if any, by 21.8.2021.

6. The petition along with IA shall be listed for hearing along with Petition No.409/GT2020, in due course, for which notice will be issued to the parties. Meanwhile, the parties are directed to complete the pleadings in the matter within the due dates mentioned and no extension of time shall be granted.

By order of the Commission

Sd/-
B. Sreekumar
Joint Chief (Law)

