

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 474/TT/2020**

**Subject** : Petition for truing up of Fees and Charges of 2014-19 period and determination of Fee and Charges of 2019-24 period for 2 nos. of assets covered under Fibre Optic Communication System under Expansion of Wideband Communication Network under Eastern Region.

**And**

Approval of truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period in respect of Assets- 3, 4, 5, 6 and 7 under "Fibre Optic Communication System under Expansion of Wideband Communication Network Scheme" in the Eastern Region.

**Date of Hearing** : 6.7.2021

**Coram** : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

**Petitioner** : Power Grid Corporation of India Ltd.

**Respondents** : Bihar State Power (Holding) Company Ltd.  
& 10 Others

**Parties present** : Ms. Shruti Singh, Advocate, JSEB  
Shri Manish Kumar Choudhary, Advocate, BSPHCL  
Shri S. S. Raju, PGCIL  
Shri D.K. Biswal, PGCIL  
Shri Ved Prakash Rastogi, PGCIL  
Shri Amit Yadav, PGCIL

**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 fees and charges for 2014-19 period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 and determination of fees and charges for 2019-24 period under the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 in respect of:

Asset-1: 02 Nos. OPGW links under Central Sector,

Asset-2: 03 Nos. OPGW links under Central Sector.

b. Assets-1 and 2 were declared under commercial operation on 1.11.2013 and 1.3.2014 respectively.

c. In addition to this, the instant petition is filed for truing up of transmission tariff of 2014-19 period and determination of transmission tariff of 2019-24 period in respect of the following assets under “Fibre Optic Communication System under Expansion of Wideband Communication Network” Scheme in Eastern Region:

Asset-3: 11 Nos. of OPGW link under Central Sector,

Asset-4: 03 Nos. OPGW links under Central Sector,

Asset-5: 05 Nos. links under Central Sector,

Asset-6: 06 Nos. links under Central Sector, and

Asset-7: 07 Nos. links under Central Sector

d. Assets-3, 4 and 5 were put into commercial operation on 1.10.2014, 20.4.2015 and 5.1.2016 respectively. Assets-6 and 7 were put under commercial operation on 31.3.2016 and 1.3.2017 respectively.

e. Levelized tariff (fees and charges) in respect of Assets-1 and 2 for 2014-19 period was allowed vide order dated 20.9.2018 in Petition No. 213/TT/2017 read with vide order dated 2.4.2019 in Review Petition No. 45/RP/2018. Transmission tariff for Assets-3, 4 and 5 from COD to 31.3.2019 was approved by vide order dated 27.1.2017 in Petition No. 53/TT/2016 read with corrigendum dated 7.7.2017 in Petition No. 53/TT/2016. Transmission tariff for Assets-6 and 7 was determined by the Commission vide order dated 8.1.2019 in Petition No. 53/TT/2018.

f. The assets have not been combined as levelized tariff is being claimed for the assets put under commercial operation upto 31.3.2014. Transmission tariff as per the 2019 Tariff Regulations is being claimed for the assets declared under commercial operation after 1.4.2014.

g. Decapitalisation of the instant assets for the amount received from telecom sharing of these links has been done based on the approved formula of sharing of OPGW links as per the details given in the petition. Details of the same have been provided in the Auditor’s Certificate.



h. Details of Additional Capital Expenditure (ACE) for 2014-19 and 2019-24 tariff periods have been submitted in the petition.

i. Actual O&M Expenses have been claimed for 2014-19 tariff period while for 2019-24 tariff period, 2% of the capital cost has been claimed as O&M Expenses as per the 2019 Tariff Regulations. Auditor's Certificate for the same has been submitted with the petition.

3. In response to a query of the Commission, the representative for the Petitioner submitted that the claim of 2% of capital cost as O&M Expenses is subject to actual O&M expenses.

4. Learned counsel for BSPHCL sought 3 weeks' time to file reply to the petition.

5. The Commission directed the Respondents, including BSPHCL, to submit their reply, by 31.7.2021 with an advance copy to the Petitioner who may file its rejoinder, if any, by 7.8.2021. The Commission directed the parties to comply with due dates for completion of pleadings and observed that no extension of time shall be granted.

6. After hearing the parties, the Commission reserved order in the matter.

**By order of the Commission**

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

