

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. : 522/MP/2020

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 29 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019 for approval of additional expenditure on account of installation of various Emission Control Systems at Kahalgaon Super Thermal Power Station Stage I (4x 210 MW) in compliance with the Ministry of Environment and Forests and Climate Change, Government of India notification dated 7.12.2015.

Date of Hearing : 31.3.2021

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

Petitioner : NTPC Ltd.

Respondents : AP Eastern Power Distribution Company Limited & Ors.

Parties present : Shri Venkatesh, Advocate, NTPC
Shri Abhiprav Singh, Advocate, NTPC
Shri Abhishek Nangia, Advocate, NTPC
Shri Anant Singh, Advocate, NTPC
Shri Sidhant Kumar, Advocate, APEPDCL & APSPDCL
Shri Rohit Chhabra, NTPC
Shri A. S. Pandey, NTPC
Shri V. K. Garg, NTPC
Shri Ishpaul Uppal, NTPC

Record of Proceedings

The matters were called out for virtual hearing.

2. The learned counsel for the Petitioner requested the Commission to adopt the arguments made by him during the day on this issue in Petition No. 335/MP/2020 and eight other petitions.

3. The Commission after having heard the Petitioner, admitted the instant petition and directed NTPC to submit the following information, on affidavit by 9.4.2021 with an



advance copy to the Respondents/ beneficiaries, with respect to the generating stations/ units covered in the instant petition:

- a) Certificate from the competent authority to the effect that the ECS technology selected is as per the recommendations made by CEA and is the best suited cost-effective technology in terms of CEA's advisory dated 7.2.2020, that would meet the ECS norms as specified in the MoEFCC Notification.
- b) Copy of the decision by NTPC with resolution and date to issue NIT to procure FGD installation.
- c) Copy of NIT along with bid opening/closing dates.
- d) Copy of the recommendations of the Bid Evaluation Committee, if any and approval of the competent authority to award the work.
- e) Certificate from the competent authority that bidding and award of the work has been carried out in a fair and transparent manner as per the applicable GOI/ NTPC guidelines.
- f) A note on the process of bidding for award of different packages of ECS, with names of the bidders who participated in the bid and name of the successful bidder, with a copy of the Letter of Award/Letter of Intent issued to the successful bidder.
- g) The present status of implementation of FGD. If commissioned, the date of commissioning.
- h) Studies, if any, conducted to show that the adopted FGD technology would meet the evaluation criteria indicated by CEA in its advisory dated 7.2.2020 and is the best suited cost-effective technology.
- i) Station-wise/ unit-wise break-up of the capital cost claimed for FGD as per the following table:

Unit No.	Capacity (MW)	CEA's indicative hard cost (₹ lakh per MW)	Hard cost claimed (₹ lakh per MW)	Total IDC claimed (₹ lakh)	Total IEDC claimed (₹ lakh)	Total FERV claimed (₹ lakh)	Total taxes & duties claimed (₹ lakh)	Total of Other costs claimed (₹ lakh)	Total cost claimed (₹ lakh)
1									
2									
3									
4									
5									
6									



- j) Reasons for deviation from CEA's indicative hard cost, if applicable.
- k) If any contract for NOx reduction at the generating station has also been awarded, the cost of the same is to be segregated and the capital cost for FGD is to be provided separately and distinctly.
- l) Any other information considered appropriate by the Petitioner.

4. The learned counsel for APEPDCL and APSPDCL requested for two weeks' time to file their reply. The Commission while highlighting the need for speedy disposal of the instant petitions for implementation of the ECS within the specified timeline directed the beneficiaries, including APEPDCL and APSPDCL, to submit their reply by 23.4.2021 with a copy to NTPC who may file its rejoinder, if any, by 28.4.2021. The Commission further directed the parties to adhere to the timeline specified and observed that no extension of time shall be granted.

5. The matter shall be listed for final hearing on 29.4.2021.

By order of the Commission

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

