

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.** : **597/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 installation of various Emission Control Systems at NSPCL Bhilai Expansion Plant (2x250 MW) in compliance of Ministry of Environment and Forests and Climate Change, Government of India notification dated 07.12.2015.

**Date of Hearing** : 29.4.2021

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

**Petitioner** : NTPC SAIL Power Company Ltd. (NTPC SAIL)

**Respondents** : DNH Power Distribution Corporation Ltd. (DNHPDCL) and 3 others

**Parties present** : Ms. Poorva Saigal, Advocate, NTPC SAIL  
Ms. Tanya Sareen, Advocate, NTPC SAIL  
Shri Nirnay Gupta Advocate, CSPDCL  
Shri Dilip Tiwari, NTPC SAIL

**Record of Proceedings**

The matter was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the information sought vide Record of Proceedings dated 31.3.2021 has been filed by NSPCL vide affidavit dated 9.4.2021. She further submitted that none of the Respondents have filed their reply/comments to the information filed by the Petitioner.

3. The learned counsel for CSPDCL submitted that the copy of the information filed by the Petitioner has not been received by them and requested the Commission to direct the Petitioner to furnish the same to CSPDCL. He further sought time to file reply in the matter. The Commission observed that the Petitioner has submitted the information in the e-filing portal of the Commission and it can be easily accessed by all the Respondents from there and also directed the Petitioner to provide a copy of the same.



4. In response to a query of the Commission regarding high per MW capital cost claimed by the Petitioner for installation of Emission Control System (ECS), the learned counsel for the Petitioner submitted that the Board of Directors of the Petitioner in its 165<sup>th</sup> Meeting held on 21.3.2018 gave their approval for planning and tendering of ECS to comply with the MoEF&CC Notification dated 7.12.2015. She further submitted that in the year 2019 the proposal to award the contracts for the FGD package was approved by the Board of Directors of the Petitioner and the price of the ECS was discovered through competitive bidding. The submission of the learned counsel was taken on record.

5. The Commission directed the learned counsel for the Petitioner to furnish the reasons/ justifications for deviation in the capital cost from the CEA benchmark cost along with the due diligence conducted by the Petitioner while incurring such capital expenditure

6. The Commission directed the beneficiaries/ Respondents to submit their reply by 12.5.2021 after serving a copy to NSPCL who may file its rejoinder, if any, by 24.5.2021.

7. The instant petition will be listed for final hearing in due course for which a separate notice shall be issued.

**By order of the Commission**

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

