

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 674/TT/2020

Subject : Petition for determination of transmission tariff of 2019-24 period for one asset under “Powergrid work associated with common transmission system for Phase-II generation projects in Odisha” in Eastern Region.

Date of Hearing : 26.10.2021

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

Petitioner : Power Grid Corporation of India Ltd.

Respondents : Bihar State Power (Holding) Company Ltd.
& 5 Others

Parties present : Ms. Rohini Prasad, Advocate, BSPHCL
Shri S. S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri A.K. Verma, 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 determination of transmission tariff of 2019-24 period for 2X1500 MVA 765/400 kV ICTs along with associated bays and split bus arrangement at 765 kV Bus at Jharsugura (Sundargarh) GIS under “Powergrid work associated with common transmission system for Phase-II generation projects in Odisha” in Eastern Region.
 - b. The instant asset was put under commercial operation on 30.11.2019.
 - c. Other assets covered in the scope of work of the instant project were put under commercial operation during 2014-19 tariff period and were covered in Petition No. 54/TT/2020.



d. As per the discussions in the 18th and 19th SCM, the following elements were deleted from the scope of work of the present project:

(i) 2x1500 MVA, 765/400 kV ICTs at Angul Sub-station alongwith associated bays,

(ii) Split Bus Arrangement at Angul Sub-station at 765 kV and 400 kV buses, and

(iii) 500 MVA, 765/400 kV Single Phase spare ICT unit each at Angul and Sundargah (Jharsuguda) Sub-stations.

e. Entire scope of the project is now complete.

f. COD letter, RLDC certificate, CEA certificate and CMD certificate regarding the instant asset have been submitted along with the present petition.

g. There is time over-run of 8 months in case of the transmission asset which is attributable to delay in getting clearance for shut-down at Jharsugura Sub-station, unseasonal rains/ natural calamity and extended rainy season in Odisha. Due to delay in getting clearance for shut-down at Jharsugura Sub-station, the Petitioner had to wait from December 2018 to January 2019. Thereafter, due to unseasonal rains, progress of the work was hampered and the same is substantiated by the IMD reports submitted along with the present petition. Subsequently, due to cyclones in Odisha, the work was again hampered.

h. There is no cost over-run and completion cost is within the approved apportioned cost.

i. Initial Spares are within the norms.

j. No reply has been received from any of the Respondents.

3. Learned counsel for BSPHCL prayed for a week's time to file reply in the matter and made the following submissions:

a. The energization certificate submitted by the Petitioner does not match with the transmission asset covered in the instant petition. Hence, the Petitioner may be asked to clarify the same.

b. The inspection report mentioned in the energization certificate dated 24.4.2019 is of 18.3.2019 while compliance was done by the Petitioner on 15.4.2019. Similarly, CEA letter shows inspection report of 14.6.2019 while the compliance is of 10.7.2019. Accordingly, the delay is required to be clarified by the Petitioner.

c. Further, trial operation certificate shows that energization was done on 7.11.2019 and 9.11.2019, whereas the approval for energization was of 24.4.2019 only. Therefore, there is large unexplained gap between the approval for



energization and successful energization, which is required to be explained by the Petitioner.

d. The Petitioner's own admission shows that it was not affected by any natural calamity till March 2019 as it admits of successfully completing the GIS work to a large extent.

e. IMD reports do not support the claim made in the petition as it predicts mostly dry weather.

f. Extended rainy season on account of cyclone does not qualify as *force majeure* in terms of Regulation 3(25) of the 2019 Tariff Regulations.

g. Chronological details of requests for shut-down have not been provided by the Petitioner.

h. The Petitioner's claim for GST is pre-mature.

i. There is nothing in the 2019 Tariff Regulations which permits the Petitioner to claim floating rate of interest.

j. If time over-run is not condoned, IDC and IEDC may be disallowed.

4. The Commission directed the Respondents including BSPHCL to file its reply by 17.11.2021 with an advance copy to Petitioner who may file its rejoinder, if any, by 26.11.2021. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

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

By order of the Commission

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

