

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 687/TT/2020

- Subject** : Petition for determination of transmission tariff of 2019-24 tariff period for 400 kV Mandaula Bawana Double Ckt. and 400 kV Ballabgarh-Bamnauli Double Ckt. Transmission Lines
- Date of Hearing** : 15.6.2021
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Pravas Kumar Singh, Member
- Petitioner** : Delhi Transco Ltd. (DTL)
- Respondents** : Power Grid Corporation of India Ltd. & 16 Others
- Parties Present** : Shri R. B. Sharma, Advocate, BRPL
Shri Varun Anand, DTL
Shri K. M. Lal, DTL
Shri Y. P. Verma, DTL
Shri Ankur Jain, DTL
Ms. Anjalee Das, DTL
Ms. Neha Gupta, DTL
Ms. Megha Bajpeyi, BYPL

Record of Proceedings

Case was called out for virtual hearing.

2. The representative of the Petitioner made the following submissions:
- a. The instant petition is filed for determination of transmission tariff of 2019-24 tariff period of 400 kV Mandaula Bawana Double Ckt. and 400 kV Ballabgarh-Bamnauli Double Ckt. Transmission Lines;
 - b. The Commission had approved the tariff of the transmission lines for the period from 1.7.2011 to 31.3.2014 vide order dated 21.3.2016 in Petition No. 218/TT/2013 which was further revised (on account of capital cost) vide order dated 29.6.2018 in Petition No. 175/TT/2017;
 - c. The transmission charges reduced (in the form of carrying cost) by Delhi Electricity Regulatory Commission (DERC) vide order dated 31.7.2019 for the period from 2011-12 to 2017-18 may be allowed;
 - d. Besides the adjustment of transmission charges in ARR, DERC has also adjusted the carrying cost, which was allowed by the Commission. Subsequent to the



adjustment of carrying cost, the Petitioner has suffered an additional loss to the tune of ₹35.39 crore;

- e. Rejoinder to the reply of UPPCL dated 4.12.2020 has been filed vide affidavit dated 8.3.2021;
- f. An appeal has been filed by the Petitioner against the Commission's order dated 29.6.2018 in Petition No. 175/TT/2017 before APTEL and it is pending adjudication;
- g. Four weeks' time may be granted to file rejoinder to the reply filed by BRPL.

3. Learned counsel for BRPL made the following submissions:

- a. Reply in the matter has been filed on 14.6.2021.
- b. The Commission vide order dated 21.3.2016 in Petition No. 218/TT/2013 grossed-up Return on Equity (RoE) with tax despite the Petitioner not filing truing up petition for 2009-14 period. Further, the grossing up of RoE was expected to be trued-up in accordance with Regulation 6(1) of the 2009 Tariff Regulations;
- c. Petitioner in Form-3 has claimed effective tax rate without filing any document in support of the same. Perusal of the Balance Sheet as on 31.3.2019 and the Profit & Loss Account shows the current tax liability for the 2017-18 and 2018-19 periods and other income details besides operating income on transmission business, SLDC charges respectively;
- d. The income tax liability pertaining to the other income is the exclusive responsibility of the Petitioner against which not even 1% of the tax is being paid, as could be derived from the other income details furnished by the Petitioner;
- e. Guidelines pertaining to annual truing up by the transmission licensee may be laid down by the Commission so that truing up exercise is done properly; and
- f. Petitioner has not made any submissions pertaining to additional capitalization.

4. The Commission permitted the Petitioner to file rejoinder to the reply of BRPL by 29.6.2021. The Commission also directed the Petitioner to file the rejoinder within the specified time and observed that no extension of time shall be granted.

5. Subject to above, the Commission reserved the order in the matter.

By order of the Commission

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

