

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**New Delhi**

**Petition No. 710/TT/2020**

- Subject** : Petition for truing up of transmission tariff of 2009-14 and 2014-19 tariff periods and determination of transmission tariff of 2019-24 tariff period of five transmission assets covered under 765 kV System for Central Part of Northern Grid Part-I in Northern Region (NR)
- 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** : Himachal Pradesh State Electricity Board & 16 Others
- Parties Present** : Shri Brijesh Kumar Saxena, Advocate, UPPCL  
Shri S. S. Raju, PGCIL  
Shri D. K. Biswal, PGCIL  
Shri V. P. 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. Instant petition is filed for truing up of transmission tariff of 2009-14 and 2014-19 tariff periods and determination of transmission tariff of 2019-24 tariff period in respect of the following transmission assets forming part of the Combined Asset-A (Asset-1 and Asset-2) and Combined Asset-B (Asset-3, Asset-4 and Asset-5) covered under 765 kV System for Central Part of Northern Grid Part-I in NR:
    - i. Asset-1: 765 kV S/C Moga-Bhiwani Transmission Line;
    - ii. Asset-2: 765 kV S/C Jattikalan-Bhiwani Transmission Line associated with 765 kV System;
    - iii. Asset-3: LILO of both circuits of 400 kV D/C Bamnauli-Mundka/ Bawana at Jattikalan 765/400 kV Sub-station;
    - iv. Asset-4: Agra-Jattikalan 765 kV S/C Transmission Line; and
    - v. Asset-5: Agra-Meerut 765 kV S/C Transmission Line.
  - b. The date of commercial operation of Asset-1, Asset-2, Asset-3, Asset-4 and Asset-5 was 1.6.2012, 1.10.2012, 1.10.2012, 1.5.2013 and 1.6.2013 respectively;



- c. The trued-up tariff of Asset-1 and Asset-2 for 2009-14 tariff period and tariff of 2014-19 tariff period was determined vide order dated 19.2.2016 in Petition No. 559/TT/2014. The trued-up tariff of Asset-3, Asset-4 and Asset-5 for 2009-14 tariff period and tariff of 2014-19 tariff period was determined vide order dated 23.5.2016 in Petition No. 313/TT/2015;
  - d. In the absence of RCE, the capital cost of Asset-3 and Asset-4 was restricted by the Commission vide order dated 23.5.2016 in Petition No. 313/TT/2015 against which a Review Petition No. 31/RP/2017 was filed wherein the Commission vide order dated 28.9.2017 granted liberty to the Petitioner to approach the Commission with RCE and cost variation details along with 2014-19 truing up petition;
  - e. Revised transmission tariff of Asset-3 and Asset-4 for 2009-14 period has been claimed in this petition after including the capital cost that was restricted in earlier order;
  - f. Petitioner has claimed the trued-up tariff of 2014-19 period and tariff of 2019-24 period in respect of Combined Asset-A (comprising of Asset-1 and Asset-2) and Combined Asset-B (comprising of Asset-3, Asset-4 and Asset-5) in this petition. The effective COD in respect of Combined Asset-A and Combined Asset-B is claimed as 16.1.2013;
  - g. A copy of RCE along with details and justification for capital cost variations in respect of Asset-3 and Asset-4 has been submitted;
  - h. Petitioner vide affidavit dated 12.2.2021 has submitted that Revised Auditor certificate is filed as there was an inadvertent error in previous Auditor certificate and wrong capital cost and ACE was claimed for Asset-4 and Asset-5. This anomaly was noticed during RCE-II preparation. Accordingly, revised tariff forms for Asset-4 and Asset-5 claiming revised trued-up tariff and tariff for respective tariff periods has been submitted. Asset-wise apportioned approved cost as per RCE-I, Liability Flow Statements with respect to the transmission assets justifying ACE claimed is also submitted.
  - i. Petitioner vide affidavit dated 2.7.2021 has submitted Form-5 for Asset-3 and Asset-4 giving justifications as to cost variations;
  - j. The capital cost claimed is within RCE approved cost; and
  - k. Requested to allow revised transmission tariff claimed for Asset-3 and Asset-4 and trued-up tariff and tariff for all the remaining assets for the respective tariff periods as claimed in this petition.
3. The learned counsel of UPPCL made the following submissions:
- a. The trued-up tariff of Asset-3 and Asset-4 for 2009-14 period may not be allowed to be claimed after expiry of 2014-19 period as 2009 Tariff Regulations had been repealed and the Petitioner in the guise of the liberty granted vide order dated 28.9.2017 in Review Petition No. 31/RP/2017 has filed the true up petition on 30.1.2020 with long delay;
  - b. The Petitioner may not be allowed to file combined petition claiming true up tariff for 2009-14, 2014-19 periods and tariff for 2019-24 period as the Tariff Regulations
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provides for filing of true up petition of previous control period prior to or with the tariff determination petition filed for next control period separately and accordingly may be directed to file separate petition for true up and determination of tariff under the applicable Tariff Regulations;

- c. The Petitioner may be directed to submit justification for delay in obtaining RCE approval after more than 3 years of the commissioning of the transmission assets;
- d. Petitioner may not be allowed to split the instant project into different set of elements with respective COD because under the Tariff Regulations, a project may be split into assets and sub-assets provided Investment Approval (I.A.) allows the project in parts and in this case particularly, I.A. does not stipulate splitting of the instant Project in the manner claimed by the Petitioner;
- e. Petitioner may be directed to clarify the methodology adopted for claiming the effective COD of 16.1.2013 for the Combined Asset-A and Combined Asset-B;
- f. Petitioner may not be allowed to split up the instant Project into assets/ sub-assets/ elements without Competent Authority's approval;
- g. Petitioner may be directed to furnish details with respect to Competitive Bidding as the cost of a transmission project discovered through Competitive Bidding is relevant to determine the transmission tariff rather than the cost as given in original I.A./ RCE of a transmission project; and
- h. Requested for two weeks' time to submit written reply in this petition;

4. In response to the submissions of the learned counsel of UPPCL, the representative of the Petitioner made the following submissions:

- i. Confirmed the fact that the tariff control period is over but this petition claiming the trued-up tariff of Asset-3 and Asset-4 for 2009-14 period has been filed in line with Commission's directions vide order dated 28.9.2017 in Review Petition No. 31/RP/2017;
- ii. Cost variation details for Asset-3 and Asset-4 have already been submitted vide affidavit dated 2.7.2021 and detailed justifications for the same will be submitted after receipt of UPPCL's written reply;
- iii. Regarding split of assets in the Project, the elements as mentioned in the petition are as per I.A., RPCs and SCMs approval which was already settled in earlier order. Earlier petitions including this petition has been filed mentioning the elements, which have already been approved in earlier orders received from the Commission;
- iv. Bidding details have already been filed in earlier petitions and considering the same, transmission tariff has been granted; and
- v. Rejoinder with respect to other clarifications sought by UPPCL will be filed after receipt of UPPCL's reply.

5. The Commission directed the Respondents including UPPCL to file its reply by 30.7.2021 with an advance copy of the same to the Petitioner and the Petitioner to file



rejoinder, if any, by 7.8.2021. The Commission directed the parties to adhere to the specified timeline and observed that no extension of time shall be granted.

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

**By order of the Commission**

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

