

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**I.A No. 48/2021**  
**in**  
**Petition No. 178/GT/2017**

**Coram:**

**Shri P.K. Pujari, Chairperson**  
**Shri I.S. Jha, Member**

**Date of Order: 14<sup>th</sup> August, 2021**

**In the matter of**

Interlocutory Application to rectify the arithmetical error/accidental slip which has crept in the Order dated 6.1.2020 in Petition No. 178/GT/2017

**And**

**In the matter of**

Petition for determination of tariff of Solapur Super Thermal Power Station (1320 MW) for the period from the actual date of commercial operation of Unit-I (25.9.2017) to 31.3.2019

**And**

**In the matter of**

NTPC Limited,  
Scope Complex, Institutional Area,  
Lodhi Road, Pragati Vihar,  
New Delhi-110 016

**....Applicant/Petitioner**

**Vs**

1. Madhya Pradesh Power Management Company Limited,  
Shakti Bhawan, Vidyut Nagar, Jabalpur 482 008
2. Maharashtra State Electricity Distribution Company Limited,  
Prakashgad, Bandra (East), Mumbai 400 051
3. Chhattisgarh State Power Distribution Company Limited,  
P.O. Sundar Nagar, Danganiya, Raipur – 492013
4. Electricity Department of Goa,  
Vidyut Bhawan, Panaji, Goa-403001
5. DNH Power Distribution Corporation Limited,  
UT of DNH, Silvassa-396230



6. Electricity Department,  
Administration of Daman & Diu, Daman-396210...**Respondents**

**Parties Present:**

Ms.Swapna Seshadri, Advocate, NTPC  
Shri Anand K. Ganesan, Advocate, NTPC  
Ms. Ritu Apurva, Advocate, NTPC  
Shri V.V. Sivakumar, NTPC  
Shri Parimal Piyush, NTPC  
Shri Anurag Naik, MPPMCL

**ORDER**

The Applicant, NTPC has filed this Interlocutory Application (IA) against the Commission's order dated 6.1.2020 in Petition No. 178/GT/2017, whereby the tariff of Solapur STPS (1320 MW) (in short 'the generating station') for the period from the actual date of commercial operation of Unit-I (25.9.2017) till 31.3.2019 was determined, in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (in short "the 2014 Tariff Regulations").

2. Aggrieved by the said order, the Petitioner has filed this IA seeking correction of certain calculation errors in the order dated 6.1.2020 in Petition No. 178/GT/2017 with the following prayers:

*(a) Rectify the arithmetical error / accidental slip which has crept in the order dated 6.1.2020 on the aspect of deduction of IDC and EDC;*

*(b) Rectify the order dated 6.1.2020 in Petition No.178/GT/2017 in regard to notional IDC;*

*(c) Correct the disallowance of IDC and restrict the disallowance to Rs.7427 lakhs instead of Rs.10739 lakhs; and*

*(d) Correct the disallowance of IEDC and restrict the disallowance to Rs.5525 lakhs instead of Rs.8707 lakh;*

3. The applicant has submitted that the IA is only limited to the correction of calculation errors in the order dated 6.1.2020 as regards IDC/notional IDC and the IEDC disallowed. The applicant has submitted that, without prejudice, even if the



non-condonation of time overrun of 110 days is accepted, the IDC deducted can only be Rs.7427 lakh, instead of Rs.10739 lakh. Similarly, the IEDC deducted can only be Rs.5525 lakh, instead of Rs.8707 lakh. The applicant has also submitted that these errors have probably occurred because the ratio of gross block and CWIP in total IDC incurred on cash expenditure up to COD of Unit-I may not have been considered for calculation. It has further submitted that while tariff was sought by the applicant for both units (Unit-I & Unit-II), the tariff has been allowed in order dated 6.1.2020 only for Unit-I. However, in IDC and IEDC disallowed, some portion of IDC and IEDC for Unit-II had been included. The applicant has stated that the calculation of IEDC disallowed was probably due to non-consideration of the figures of gross block, CWIP pertaining to Unit-I and Unit-II separately. Accordingly, the applicant has submitted that IEDC of Rs.322.55 lakh ought to be allowed. The applicant has also enclosed a calculation sheet showing the arithmetical errors in the computation of IDC & IEDC in Annexure-B & Annexure-C of this interlocutory application.

4. As regards notional IDC, the applicant has submitted that it had claimed notional IDC of Rs.4092.08 lakh as on COD of Unit-I and that the working of notional IDC furnished vide affidavit dated 20.9.2018 in Petition No.178/GT/2017 might have escaped the attention of the Commission, while allowing notional IDC of Rs.843.63 lakh in order dated 6.2.2020. The applicant has submitted that as the claim of notional IDC of Rs.4092.08 lakh is in accordance with Regulation 9(2)(b) of the 2014 Tariff Regulations, the same may be allowed.

5. During the hearing of the IA on 18.6.2021, the learned counsel for the Applicant reiterated the above submissions and prayed that the reliefs sought for in the application may be allowed, in exercise of the powers under Regulation 103A of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.



6. The submissions made by the learned counsel for the applicant have been considered and the documents available on record have been examined.

7. The prayer of the applicant in the IA is for rectification of errors based on two counts, namely, (i) disallowance of excess IDC and IEDC due to non-consideration of capitalisation ratio as on COD of Unit-I; and (ii) disallowance of notional IDC due to non-consideration of corresponding workings submitted in Petition No.178/GT/2017.

8. The applicant has submitted that the error in the deduction of Rs.10739 lakh and Rs.8707 lakh towards IDC and IEDC respectively may be due to the non-consideration of the ratio of gross block and CWIP in total IDC incurred on cash expenditure basis up to the COD of Unit-I, in the calculations. Accordingly, the applicant has submitted that the IDC of Rs.7427 lakh and IEDC of Rs.5525 lakh can only be disallowed, even if the non-condonation of the time overrun of 110 days is accepted.

9. We have examined the calculations with regard to IDC and IEDC allowed vide order dated 6.1.2020 with reference to the submissions of the applicant in Petition No.178/GT/2017 and, we find no arithmetical errors which require rectification as suggested by the applicant.

10. With regard to disallowance of notional IDC, we notice that the Commission, in paragraph 52(c) of the order dated 6.1.2020, had noted that there was no provision under the 2014 Tariff Regulations for allowing notional IDC. However, as Regulation 9(2)(b) of the 2014 Tariff Regulations provide for allowing normative IDC (over and above actual IDC), the Commission, considering the quarterly debt-equity



position and cumulative cash expenditure position, had allowed the normative IDC (over and above actual IDC) of Rs.843.63 lakh as on COD of Unit-I, based on the submissions of the applicant. We have examined the calculations and no arithmetical errors have been noticed as claimed by the Applicant, which warrant any correction or rectification of the order dated 6.1.2020 on this count.

11. Based on the above discussion, we find no reason to entertain the IA filed by the applicant for correction/rectification of the order dated 6.1.2020 in Petition No.178/GT/2017. Accordingly, the prayers of the applicant in the IA are not maintainable.

12. IA No.48/2021 in Petition No.178/GT/2017 is disposed of as above at the admission stage.

**Sd/-  
(I.S.Jha)  
Member**

**Sd/-  
(P.K. Pujari)  
Chairperson**

