

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 19/RP/2021 in
Petition No. 312/TT/2020**

Subject : Petition for review of order dated 2.2.2021 in Petition No. 312/TT/2020.

Date of Hearing : 29.3.2022

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member

Petitioner : Power Grid Corporation of India Limited

Respondents : Madhya Pradesh Power Management Company Limited & 11 Others

Parties present : Ms. Swapna Seshadri, Advocate, PGCIL
Shri Aditya H. Dubey, Advocate, PGCIL
Shri Manoj Dubey, Advocate, MPPMCL
Shri S.S. Raju, PGCIL
Shri D.K. Biswal, PGCIL
Shri A.K. Verma, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri Anindya Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Review Petitioner made the following submissions:
 - a. Instant Review Petition has been filed by the Review Petitioner seeking review of the Commission's order dated 2.2.2021 in Petition No. 312/TT/2020 wherein the Commission had trued-up the transmission tariff of the 2014-19 tariff period and determined the tariff of 2019-24 tariff period in respect of

Asset-I: 400 kV D/C Lara STPS-I to Raigarh (Kotra) Pooling Station Transmission Line along with associated bays at Raigarh (Kotra) Pooling Station and

Asset-II: 400 kV D/C (Quad) Lara STPS-I Champa Line along with associated bays at Champa Pooling Station (hereinafter referred to as "the transmission assets") under "Transmission System associated with



Lara STPS-I (2x800 MW) Generation Project of NTPC” in Western Region.

- b. While allowing the tariff for Asset-II from its COD to 31.3.2019 in order dated 20.7.2018 in Petition No. 125/TT/2017, the Commission disallowed IDC and IEDC on account of time over-run and reduced the ₹275.81 lakh from capital cost as on the date of commercial operation. Subsequently, an LD of ₹393.25 lakh was recovered from the contractor and the same was adjusted in the Additional Capital Expenditure in the year 2018-19. The details of capital cost were provided in the Auditors’ Certificate. However, the Commission in order dated 2.2.2021 observed that the LD recovered is more than IDC and IEDC disallowed on account of time over-run and erroneously failed to consider that the LD was deducted from the capital cost and was added back to the extent of disallowed IDC and IEDC. Therefore, when the Review Petitioner had already factored in the LD and the disallowed IDC and IEDC, any further deduction would amount to double deduction. Such a double deduction is an error apparent on the face of record and hence this review.
- c. Rejoinder to the reply of MPPMCL has already been filed vide affidavit dated 11.3.2022.

3. The representative of MPPMCL submitted that there is no double deduction as contended by the Review Petitioner. The Commission taking into consideration the Auditor’s certificate has rightly disallowed IDC and IEDC on account of computational differences and time over-run. The Auditor’s certificate has to be read as it is and it cannot be given a different interpretation by the Review Petitioner. He requested to consider the reply filed by MPPMCL in the matter.

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

By order of the Commission

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

