

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 216/GT/2019**

Subject : Petition for approval of tariff of Nabinagar STPS Stage-I (3x660 MW) from COD of Unit-1 (1.8.2019 to 31.3.2024).

Petitioner : Nabinagar Power Generating Company Limited

Respondents : BSPHCL & 5 ors.

Date of Hearing : **6.9.2022**

Coram : Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

Parties Present : Ms. Swapna Seshadri, Advocate, NPGCPL  
Ms. Ritu Apurva, Advocate, NPGCPL  
Shri Deepak Thakur, Advocate, NPGCPL  
Shri Prashant Chaturvedi, NPGCPL  
Shri U.S. Mohanta, NPGCPL  
Shri Saurav, NPGCPL  
Shri Shashwat Kumar, Advocate, BSPHCL  
Shri Rahul Chouhan, Advocate, BSPHCL  
Shri Amitanshu Saxena, Advocate, BSPHCL

**Record of Proceedings**

During the hearing, the learned counsel for the Petitioner circulated Written Submissions and made detailed oral submissions in the matter. She also submitted that NPGCPL, which was earlier a Joint venture company of NTPC and Bihar government, has been completely merged with NTPC. However the said merger will not have any effect on the present petition as the present petition relates only to Unit-I of the project.

2. Learned counsel for Respondent, BSPHCL referred to his reply and made oral submissions in the matter.

3. The Commission directed the Petitioner to submit the following additional information, after serving copy to the Respondents, on or before **27.9.2022**, who may file reply, if any on or before **13.10.2022**:

- i. Details of land pockets affected on account of land acquisition issues;
- ii. Chronological details of effect of flood in Sone River on completion of the project;



- iii. Board Approval and order of National Company Law Tribunal (NCLT) confirming the merger and amalgamation scheme;
  - iv. Capital structure / Shareholding pattern of the company before and after merger with NTPC along with Delegation of Power (DOP) including the financial powers vested with Board of Directors to approve RCE/capital expenditure ;
  - v. Whether before merger, the Board of Directors of the Petitioner company was competent to approve the Revised Cost Estimates;
  - vi. Details of effect of time over-run on IDC/IEDC;
  - vii. Details of IDC, FC, FERV and notional IDC in MS Excel;
  - viii. Reconciliation of IDC, FC, FERV claimed vis a vis Form B;
  - ix. Form S (Statement of Liability Flow) for all the years upto 31.3.2024.
4. The Petitioner may file its rejoinder, if any, on or before **27.10.2022**. The pleadings shall be completed within the due date mentioned and no extension of the time shall be granted for any reasons whatsoever.
5. Subject to the above, order in the petition was reserved.

**By order of the Commission**

**Sd/-**  
(Deepak Pandey)  
Assistant Chief (Law)

