

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 570/GT/2020

Subject : Petition for truing up of annual fixed charges for 2014-19 tariff period and for determination of tariff for the 2019-24 tariff period in respect of Unit - 7 & 8 of Chandrapura Thermal Power Station (3x250 MW)

Petitioner : Damodar Valley Corporation

Respondents : BRPL & others

Date of Hearing : **14.7.2022**

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

Parties present : Shri M.G. Ramachandran, Advocate, DVC
Ms Anushree Bardhan, Advocate, DVC
Shri Manik Rakshit, DVC
Shri Subrata Ghosal, DVC
Shri Samit Mandal, DVC
Shri Srikanta Pandit, DVC
Shri Mansoor Ali Shoket, Advocate, TPDDL
Shri Nitin Kala, Advocate, TPDDL
Shri Kunal Singh, Advocate, TPDDL
Shri Anurag Naik, Advocate, MPPMCL
Shri Aditya Ajay, Advocate, BYPL
Shri Rahul Kinra, Advocate, BYPL
Shri Hemant Khara, Advocate, BYPL
Shri Rajiv Yadav, Advocate for Objector, DVPCA

Record of Proceedings

The Part heard matter was called out for virtual hearing.

2. During the hearing, the learned Senior counsel for the Petitioner pointed out that the matter is part heard and the Respondents are to place their submissions. He also submitted that pleadings are complete and in case, any clarification/additional information is required, the Petitioner will furnish the same. He also submitted that the Petitioner may be permitted to upload the note of arguments.

3. The learned counsel for the Respondent, TPDDL referred to the written submissions and made detailed oral submissions in the matter. The Respondent BRPL and Respondent BYPL adopted the submissions of the learned counsel for the Respondent TPDDL.

4. The learned counsel for the Respondent MPPMCL submitted that the written submissions filed by the Respondent may be considered while determining the tariff of the generating station. The learned counsel for the Objectors, DVPCA referred to the



written submissions and made oral submissions in the matter.

5. The Commission after hearing the parties, directed the Petitioner to furnish additional information on the following, on or before **26.7.2022**, after serving copy to the Respondents/Objector:

For 2014-19 Tariff Period

- (i) *As regards replacement of damaged rotor, Petitioner to submit the contract terms and other communications held with the OEM regarding replacement or repair under mandatory warranty and/or liquidated damages, in the absence of fulfilling the warranty conditions, and also terms of insurance and other communications, with the Insurer regarding recovery of the insurance proceeds. In case the rotor is not covered under the above, justification as to why the same was left uncovered by the Petitioner under warranty and insurance.*
- (ii) *A substantial portion of the total additional capital expenditure during the 2014-19 tariff period has been claimed against transfer from CWIP to Fixed Assets post cut-off date. To substantiate, as to why the residual expenses of the works already executed within the cut-off date were continued under CWIP and continued to be transferred to Fixed Asset, even after expiry of up to 5 years of the cut-off date. Also, clarification as to how these items are covered under the provisions of Regulation 14(2)(iv) of the 2014 Tariff Regulations and to submit all information specified under the said provision.*

For 2019-24 Tariff Period

- (i) *A total projected additional capital expenditure of Rs. 10425.45 lakh towards 'Items to be procured as spares' is claimed under Regulation 25(2)(a) of 2019 Tariff Regulations. However, the information regarding original items being fully depreciated and also the information regarding necessary adjustments in the gross fixed assets and the cumulative depreciation is not furnished. The Petitioner is directed to furnish the same and also provide details regarding the original assets that have been fully depreciated.*
- (ii) *An amount of Rs. 2192.64 lakh has been claimed towards procurement of Rake wagons; Rs. 4600.00 lakh towards installation of Sewerage Treatment Plant at residential colony; and other items towards facilitation of testing and analyzing at Chemical Lab under Regulations 76 & 77 of 2019 Tariff Regulations. The Petitioner is directed to provide the specific additional capital expenditure related provisions with justifications, for all the items claimed under Regulations 76 & 77 of 2019 Tariff Regulations.*

6. The Respondents/Objector shall file their replies/objections by **5.8.2022** with copy to the Petitioner, who may file its rejoinder, if any, by **12.8.2022**. Pleadings shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

7. Subject to the above, order in the petition was reserved.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)

