

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.19/RP/2022**

**in**

**Petition No. 296/GT/2020**

**Coram:**

**Shri I.S. Jha, Member**

**Shri Arun Goyal, Member**

**Shri Pravas Kumar Singh, Member**

**Date of Order: 23<sup>rd</sup> August, 2022**

**IN THE MATTER OF**

Review of Commission's Order dated 30.4.2022 in Petition No. 296/GT/2020 in respect of revision of tariff of Loktak power station (105 MW) for the Period from 1.4.2014 to 31.3.2019

**AND**

**IN THE MATTER OF**

NHPC Ltd.  
(A Govt. of India Enterprise)  
NHPC Office Complex, Sector-33,  
Faridabad (Haryana) - 121003.

**...Review Petitioner**

Vs

1. Assam State Electricity Board,  
Bijuli Bhawan, Paltan Bazar  
Guwahati – 781 001
2. Department Of Power,  
Government of Arunachal Pradesh,  
C–Sector, Itanagar – 799 111,
3. Electricity Department,  
Government of Mizoram,  
Aizawal – 796 001
4. Tripura State Electricity Corporation Limited,  
Vidyut Bhawan, North Banamalipur,  
Agartala – 799 001
5. Meghalaya State Electricity Board,  
Meter Factory Area, Short Round Road,  
Shillong – 793 001



6. Electricity Department,  
Government of Manipur,  
Imphal – 795 001

7. Electricity Department,  
Government of Nagaland,  
Kohima – 797 001

....Respondents

**Parties Present:**

Shri Ved Jain, Advocate, NHPC  
Shri Deepak Kumar Garg, NHPC  
Shri Mohd. Faruque, NHPC  
Shri Piyush Kumar, NHPC

**ORDER**

The Review Petitioner, NHPC has filed this Review Petition against the Commission's order dated 30.4.2022 in Petition No. 296/GT/2020 (in short 'the impugned order') whereby, the generation tariff of Loktak Hydroelectric Power Station (3 x 35 MW) (hereinafter referred to as "the generating station" or "the Project") was revised for the period from 1.4.2014 to 31.3.2019 in accordance with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as 'the 2014 Tariff Regulations').

2. Aggrieved by the impugned order dated 30.4.2022, the Review Petitioner has filed this Review Petition on the ground that there is error apparent on the face of the record on the following issue:

(A) *Error in grossing up of Return on Equity with Minimum Alternate Tax (MAT) by the Commission instead of the Effective Tax Rate.*

**Hearing dated 12.8.2022**

3. The Review Petition was heard through virtual conferencing, on 12.8.2022. During the hearing, the learned counsel for the Review Petitioner made detailed submissions in the matter. Considering the submissions of the Petitioner, the Review



Petition is 'admitted' on the issue raised in paragraph 2 above. Notice shall be issued to the Respondents.

4. The Review Petitioner shall serve the copy of the review petition, along with this order, to the Respondents by **26.8.2022**. The Respondents are directed to file their replies on 'merits' on or before **7.9.2022**, after serving copy to the Review Petitioner, who may file its rejoinder, if any, by **14.9.2022**. The Petitioner is also directed to file the copies of income tax returns, for the relevant years. Pleadings shall be completed by the parties within the due date mentioned and no extension of time shall be granted for any reason.

5. Review Petition No. 19/RP/2022 shall be listed for hearing on **11.10.2022**.

**Sd/-**  
**(Pravas Kumar Singh)**  
**Member**

**Sd/-**  
**(Arun Goyal)**  
**Member**

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

