

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 25/RP/2022 in
Petition No. 88/TT/2020**

Subject : Petition for review of order dated 22.4.2022 in Petition No. 88/TT/2020.

Date of Hearing : 24.1.2023

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Power Grid Corporation of India Ltd.

Respondents : Madhya Pradesh Power Management Company Ltd.& 10 Others

Parties present : Ms. Swapna Seshadri, Advocate, PGCIL
Ms. Neha Garg, Advocate, PGCIL
Ms. Surbhi Gupta, Advocate, PGCIL
Shri Varun Chopra, Advocate, MPPMCL
Shri S.S. Raju, PGCIL
Shri Zafrul Hassan, PGCIL
Shri Ved Prakash Rastogi, PGCIL
Shri D.K. Biswal, PGCIL
Shri Anindya Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. Instant Review Petition is filed by Powergrid Corporation of India Ltd. seeking review of the order dated 22.4.2020 in Petition No. 88/TT/2020 whereby the Commission trued up the transmission tariff for 2014-19 period and determined the tariff for 2019-24 period in respect of the following transmission assets:

Asset-A: Combined Asset for Part of 400 kV Double Circuit (D/C) Vapi- Navi Mumbai Transmission Line (T/L) (from Vapi Gantry till 1st M/C point at Loc. AP-18) along with bay at Vapi and 220 kV Double Circuit (D/C) Vapi- Khadoli Transmission line along with associated bays;



Asset-B: 400 kV D/C Vapi-Navi Mumbai Transmission Line, WR1 portion from AP 18 to AP 38 (Part of 400 kV D/C Vapi-Navi Mumbai Transmission Line);

Asset-C1: Part of 400 kV D/C Navsari-Boisar T/L from AP 18 to AP 38/0 through LILO point of 400 kV D/C Navsari-Boisar at Magarwada GIS (23 B/0) (D/C portion strung on M/C Twin-Twin portion comprising of 400 kV D/C Navsari-Boisar and 400 kV D/C Vapi-Kudus) & Part of 400 kV D/C Vapi-Kudus T/L from AP 38/0 to AP 44; and

Asset-C2: Part of 400 kV D/C Vapi-Kudus T/L from 104/0 to Kudus (MSETCL) Sub-station and associated bays at Kudus (MSETCL) Sub- station.

3. The Commission vide order dated 22.4.2022 in Petition No.88/TT/2020 in paragraph nos. 17 and 18 restricted completion cost with respect to Asset-C2 to RCE-II. The Commission in the said order observed that the Review Petitioner has not submitted any justification for increase of about Rs.3252.66 lakh in the case of Asset-C2, and that RCE-III submitted by the Review Petitioner was approved by its Board of Directors on 12.3.2020 which is almost three years after COD of Asset-C2.

4. Learned counsel for the Review Petitioner submitted that there is an error apparent on record in paragraph nos. 17 and 18 of the order dated 22.4.2020 in Petition No. 88/TT/2020 in as much as the Commission has recorded that the Review Petitioner has not given any justification with respect to cost over-run of Asset-C2 and restricted the cost to the apportioned approved cost of RCE-II. She further submitted that justifications with reference to increase in the cost of Asset-C2 given by the Review Petitioner are available in the original petition in the form of an additional affidavit filed on 16.6.2021 as well as reply to the Technical Validation letter filed vide affidavit dated 14.7.2021. She also submitted that increase in the cost of Asset-C2 was also reflected in Form- 5 and Form-13 filed alongwith the petition. She prayed that increase in the cost of Asset-C2 as indicated in Form-5 and Form-13 filed in the original petition may be considered and the error crept in on record as recorded in paragraph nos. 17 and 18 may be corrected.

5. Learned counsel for the Respondent, Madhya Pradesh Power Management Company Ltd (MPPMCL) submitted that there are no grounds for review of the order dated 22.4.2022 and the Review Petitioner is asking for re-appreciation of the documents on record which amounts to an appeal in disguise.

6. On a specific query regarding the justification of cost variation from the Commission, the representative of the Review Petitioner pointed out that Form 5 filed alongwith the original petition shows item-wise cost variation between FR cost and actual estimated completion cost of Asset-C2. He further submitted that the majority of cost variation is under the heads of transmission, sub-station and Interest During Construction (IDC) due to long time over-run which occurred in the project and that has already been



condoned. He also pointed out that justification was available in the original petition. However, the Review Petitioner inadvertently failed to narrate the same in clear terms in the petition.

7. After hearing the parties, the Commission admitted the Review Petition. The Commission directed the Review Petitioner serve notice of petition on the Respondents by 14.2.2023, and the Respondents to file their reply on maintainability as well as on merits by 28.2.2023 with advance copy to the Review Petitioner who may file its rejoinder, if any, by 10.3.2023.

8. The matter shall be listed for hearing on 28.3.2023.

By order of the Commission

sd/-

(Rajendra Kumar Tewari)
Bench Officer

