

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 35/RP/2022 in
Petition No. 625/TT/2020**

Subject	:	Petition for review of order dated 31.5.2022 in Petition No. 625/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	:	Uttar Pradesh Power Corporation Ltd. & 18 Others
Parties present	:	Ms. Swapna Seshadri, Advocate, PGCIL Ms. Neha Garg, Advocate, PGCIL Ms. Surbhi Gupta, Advocate, PGCIL Shri S.S. Raju, PGCIL Shri Zafrul Hassan, PGCIL Shri Ved Prakash Rastogi, PGCIL Shri D.K. Biswal, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. Instant Review Petition is filed by Powergrid Corporation of India Limited seeking review of the order dated 31.5.2022 in Petition No. 625/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 33 number of transmission assets of the Review Petitioner under 765 kV System for Central Part of Northern Grid-Part-III in Northern Region.

3. Learned counsel for the Review Petitioner submitted that there are errors apparent on the face of record in the order dated 31.5.2022 in Petition No. 625/TT/2020 with respect to allowing the claim of Initial Spares on overall project cost basis being missed out for 2019-24 period, disallowance of additional capitalization, omission to allow annuity charges and errors in computation of transmission charges which are required to be modified. The detailed aspects on which review of the impugned order is sought are as follows:



- (a) In the impugned order, the Commission observed that Initial Spares for the transmission assets are allowed on the basis of cost of individual transmission assets in the 2009-14 period and 2014-19 period and the Initial Spares are allowed on the basis of overall project cost in the 2019-24 period. However, actual allowance of the same is inadvertently missed out in paragraph no. 50 of the impugned order for 2019-24 period while allowing the amount.
- (b) In the impugned order, the Commission did not deal fully with the claim of the Review Petitioner except for the colony construction under Regulation 24(1) (a) & (b) and Regulation 24(1) (a) & (d) of the 2019 Tariff Regulations. The Commission, in the impugned order, without any discussion has restricted Additional Capital Expenditure (ACE) to ₹1179.14 lakh as against the claim of ₹3030.77 lakh. Even taking into consideration disallowance of ₹592.42 lakh for quarter construction, ACE of ₹2438.35 lakh should have been allowed as full details of the claims with break-up of ACE, liability payment and deferred work payment of the transmission assets were given by the Review Petitioner vide affidavit dated 13.4.2021 as well as in Form-7 of the tariff petition.
- (c) In the impugned order in page nos. 111-112, with regard to Asset-17, annual fixed charges are computed on pro-rata basis for 75 days during FY 2014-15. However, due to inadvertent error pro-rata 85 days has been mentioned instead of 75 days.
- (d) There is an inadvertent error in page no. 113 of the impugned order in calculation/totalling of tariff for Asset-23A for the period 2015-19.
- (e) Annuity charges had already been allowed by the Commission vide order dated 26.2.2016 in Petition No.32/TT/2013 and the Review Petitioner was allowed to recover the amount paid by it towards annuity payments from the beneficiaries. However, in the impugned order, the Commission has inadvertently failed to give any observation with reference to recovery of the annuity payments.

4. After hearing learned counsel for the Petitioner, the Commission admitted the Review Petition and directed the Review Petitioner to serve copy of the Review Petition on the Respondents by 17.2.2023. The Respondents are directed to file their reply by 9.3.2023 with advance copy to the Review Petitioner, who may file its rejoinder, if any, by 24.3.2023. The Commission further observed that due date of filing reply and rejoinder should be strictly adhered to and no extension of time shall be granted.



5. The Review Petition shall be listed for hearing on 28.3.2023.

By order of the Commission

sd/-
(Rajendra Tewari)
Bench Officer

