

**CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**Petition No. 66/MP/2021**

- Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 29 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019 for approval of additional expenditure on account of installation of various Emission Control Systems at Nabinagar Thermal Power Station (4x250) in compliance with the Ministry of Environment, Forests and Climate Change (MOEF&CC), Government of India Notification dated 7.12.2015.
- Date of Hearing** : 10.5.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : Bhartiya Rail Bijlee Company Limited (BRBCL)
- Respondents** : North Bihar Power Distribution Company Limited (NBPDCCL) & 2 Others
- Parties present** : Shri Venkatesh, Advocate, BRBCL  
Shri Anant Singh Uleeja, Advocate, BRBCL  
Shri Abhishek Nangia, Advocate, BRBCL  
Shri Vijendra Singh, NTPC  
Shri Avinash Shukla, BRBCL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the instant petition is filed for approval of additional expenditure on account of installation of various Emission Control Systems at Nabinagar Thermal Power Station (4x250) in compliance with the Ministry of Environment, Forests and Climate Change (MOEF&CC), Government of India Notification dated 7.12.2015. He submitted that as per the amended norms, the TPPs are categorized into following three categories i) TPP's Units installed before 31.12.2003, ii) TPP's Units installed between 1.1.2004 to 31.12.2016, and iii) TPPs which are commissioned after 1<sup>st</sup> January, 2017 and the norms are different for each of the categories. The Unit-1, Unit-2 and Unit-3 of the Nabinagar TPS were commissioned on 20.3.2016, 3.4.2017 and 20.2.2019 respectively and Unit-4 is yet to be commissioned. Accordingly, as per the MOEF&CC Notification dated 7.12.2015, the first unit falls under category (ii) and two units fall under category (iii) of the revised



emission standards. He submitted that the contract for installation of WFGD was awarded to BHEL in December, 2020 and the same is expected to be installed in Unit-I by September, 2024 and in other three units by December, 2025. The hard cost of installation of WFGD is Rs.63.40 lakh/MW. The Petitioner does not intend to install any emission control system w.r.t NOx for the present.

2. The Commission directed the Petitioner to submit the following information on affidavit by 5.6.2023 with an advance copy to the Respondents:

- i. The copy of Environment Clearance (EC) issued by CPCB / MoEF&CC.
- ii. Unit wise OEM guaranteed values of SOx along with the PG test report of boiler.
- iii. Unit wise the actual SOx emission values, at 6% O<sub>2</sub> dry basis, along with Sulphur content in coal; and SOx emission values submitted to CPCB for last 5 years along with supporting documents.
- iv. The details of the communication made with Respondents after 1.4.2019 in compliance of 2019 Tariff Regulations.
- v. The reasons for selecting WFGD over DSI based or Ammonia based FGD, recommended by CEA for generating units of 200 MW, particularly, considering the balance useful life of each unit after installation of subject FGD, actual PLF of plant, revenue to be received from byproducts etc.
- vi. Detailed cost analysis comparison of lining of existing chimney and new chimney along with the specifications.

3. As a last opportunity, the Commission directed the Respondents to file their reply by 5.6.2023 and the Petitioner to file its rejoinder, if any, by 19.6.2023. The Commission further directed the parties to comply with the directions within the specified timeline and observed that no further extension of time will be allowed.

4. After hearing the Petitioner, the Commission reserved the order in the matter.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

