

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 42/RP/2022**  
in  
**Petition No. 284/GT/2020**

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

**Date of Order: 9<sup>th</sup> February, 2023**

**In the matter of**

Petition for review of the Commission's order dated 18.8.2022 in Petition No.284/GT/2020 (Truing up of tariff for the period 2014-19 and for determination of tariff for the period 2019-24 in respect of Dhauliganga Power Station)

**And**

**In the matter of**

NHPC Limited  
NHPC Office Complex, Sector-33,  
Faridabad (Haryana) - 121 003.

**.... Petitioner**

Vs

1. Punjab State Power Corporation Limited,  
The Mall, Near Kali Badi Mandir,  
Patiala - 147 001 (Punjab)
2. Haryana Power Purchase Centre  
Shakti Bhawan, Sector – 6  
Panchkula-134 109 (Haryana).
3. BSES Rajdhani Power Limited.,  
BSES Bhawan, Nehru Place,  
New Delhi-110 019.
4. BSES Yamuna Power Limited,  
Shakti Kiran Building, Karkardooma,  
Delhi- 110 072
5. Tata Power Delhi Distribution Limited,  
33 kV Sub-Station Building, Hudson Lane,  
Kingsway Camp, New Delhi-110 009.



6. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan, Kumar House,  
Shimla - 171 004 (Himachal Pradesh).
7. Uttar Pradesh Power Corporation Limited,  
Shakti Bhavan, 14, Ashok Marg,  
Lucknow - 226 001 (Uttar Pradesh).
8. Rajasthan Rajya Vidyut Prasaran Nigam Limited,  
Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur-302005
9. Ajmer Vidyut Vitaran Nigam Limited,  
Old Powerhouse, Hatthi Bhatta,  
Jaipur Road, Ajmer - 305 001 (Rajasthan)
10. Jaipur Vidyut Vitaran Nigam Limited,  
Vidyut Bhawan, Janpath, Jaipur - 302 005
11. Jodhpur Vidyut Vitaran Nigam Limited,  
New Power House, Industrial Area,  
Jodhpur - 342 003 (Rajasthan).
12. Uttaranchal Power Corporation Limited,  
Urja Bhawan, Kanwali Road,  
Dehradun – 248 001 (Uttarakhand).
13. Engineering Department,  
1<sup>st</sup> Floor, UT Secretariat, Sector 9-D,  
Chandigarh – 160 009.
14. Power Development Department,  
New Secretariat, Jammu- 180 001 (J&K)

...Respondents

**Parties Present:**

Shri Ved Jain, Advocate, NHPC  
Shri Ajay Shrivastava, NHPC  
Shri Mohd. Faruque, NHPC  
Shri Piyush Kumar, NHPC

**ORDER**

Petition No.284/GT/2020 was filed by the Review Petitioner, NHPC Limited for truing-up of tariff of Dhauliganga Power Station (280 MW) (in short ‘the generating station’) for the period 2014-19 in terms of Regulation 8(1) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (in short “the 2014 Tariff Regulations”) and for determination of tariff of the generating station



for the period 2019- 24, in accordance with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 (in short “the 2019 Tariff Regulations”) and the Commission vide its order dated 18.8.2022 (“the impugned order’) disposed of the same. Aggrieved by the impugned order, the Petitioner has sought review of the impugned order dated 18.8.2022, on the ground of error apparent on the face of the order, raising the following issues:

- (i) *To rectify the error in grossing up of return on equity during 2014-19 and allow the return on equity as mentioned in para-15;*
- (ii) *To revise the annual fixed charges for the period 2014-19 based on revised return on equity;*

### **Hearing dated 24.1.2023**

2. The Review Petition was heard on 'admission' on 24.1.2023. During the hearing, the learned counsel for the Review Petitioner made detailed oral submissions in the matter and prayed that the review on the aforesaid issues may be allowed. He also submitted that the Petitioner may be permitted to file its short submissions on the aspect of 'effective tax', which was permitted.

3. The Commission, after hearing the learned counsel for the Petitioner, directed as under:

(a) Admit and Issue Notice.

(b) The Review Petitioner is directed to serve the copy of the Review Petition, along with this order and short submissions (as in para 1 above), on the Respondents by **17.2.2023**. The Respondents shall file their replies on or before **3.3.2023**, after serving copy to the Review Petitioner, who may file its rejoinder, if any, by **10.3.2023**. Pleadings shall be completed by the parties within the due date mentioned and no extension of time shall be granted for any reason.

4. Review Petition shall be listed for hearing on **16.3.2023**.

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

**Sd/  
(Arun Goyal)  
Member**

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

