

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.44/RP/2022
in
Petition No.143/GT/2020

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

Date of Order: 17th February, 2023

In the matter of

Petition for review of the Commission's order dated 14.8.2022 in Petition No.282/GT/2020 (Truing up of tariff for the period 2014-19 in respect of Bairasiul Hydroelectric Power Station (180 MW).

And

In the matter of

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

.... Review 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).

...Respondents

Parties Present:

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

ORDER

Petition No.143/GT/2020 was filed by the Review Petitioner, NHPC Limited for truing-up of tariff of Bairasiul Hydroelectric Power Station (180 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 the Commission vide its order dated 29.8.2022 (in short 'the impugned order') disposed of the same. Aggrieved by the impugned order, the Petitioner has sought review of the impugned order dated 29.8.2022 on the ground of error apparent on the face of the order, raising the following issues:

- (a) *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**.*
- (b) *To revise the AFC 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. Accordingly, 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 **21.2.2023**. The Respondents shall file their replies on or before **7.3.2023**, after serving copy to the Review Petitioner, who may file its rejoinder, if any, by **13.3.2023**. 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 No.44/RP/2022 shall be listed for hearing on **16.3.2023**.

Sd/-
(Pravas Kumar Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member

