

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 49/RP/2022
in
Petition No. 365/GT/2020

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

Date of Order: 20th February, 2023

In the matter of

Review of Order dated 30.9.2022 in Petition No. 365/GT/2020 for Truing up of Annual fixed charges for control period 2014-19 of NLCIL Thermal Power Station-I Expansion Units I & II.

And

In the matter of

NLC India Ltd.,
135, EVR Periyar High Road
Kilpauk, Chennai -600010

.... Review Petitioner

Vs

1. Tamil Nadu Generation and Distribution Corporation Limited,
NPKRR Maaligai, 144, Anna Salai,
Chennai – 600002
2. Power Company of Karnataka Limited,
KPTCL Complex, Kaveri Bhavan,
Bangalore – 560009
3. Bangalore Electricity Supply Company Limited,
Krishna Rajendra Circle, Bangalore – 560001
4. Mangalore Electricity Supply Company Limited
Corporate Office, MESCOM Bhavana, Bejai,
Kavoor Cross Road, Mangalore 575004
5. Chamundeshwari Electricity Supply Company Limited,
Corporate Office No. CA 29, Vijayanagar 2nd stage
Hinakal, Mysore



6. Gulbarga Electricity Supply Company Limited,
Station Main road, Gulbarga, Gulbarga – 585102,
Karnataka
 7. Hubli Electricity Supply Company Limited, Corporate office
P.B Road, Navanagar, Hubli – 580025
 8. Kerala State Electricity Board Limited,
Vaidyuthi Bhavanam, Pattom,
Thiruvananthapuram – 695004
 9. Puducherry Electricity Department,
137, NSC Bose Salai, Puducherry – 605001
-Respondents

Parties present:

Shri K Biswal, Advocate, NLC
Shri Rakesh Pandey, Advocate, NLC
Shri A Srinivasan, NLC
Ms. Akansha, NLC
Shri S. Vallinayagam, TANGEDCO
Dr. R. Katihraivan, TANGEDCO
Shri I Sudhakar, TANGEDCO

ORDER

Petition No. 365/GT/2020 was filed by the Review Petitioner, NLC for the truing-up of tariff for NLCIL Thermal Power Station-I Expansion Units I & II (420 MW) (in short 'the generating station') for the period 2014-19 in terms of the 2014 Tariff Regulations and the Commission vide Order dated 30.09.2022 (in short 'the impugned order) had disposed of the same. Aggrieved by the impugned order, Review Petitioner has filed this Review Petition seeking review on the grounds that there is error apparent on the face of record, on the following issues:

- (a) Non-consideration of landed price of Lignite for computation of interest on working capital;
- (b) Disallowance of Personnel charges in water charges; and
- (c) Disallowance of additional capitalization for:
 - i. High-Pressure heater;
 - ii. EMS Monitoring System;



- iii. Fire Extinguisher;
- iv. RCC Sewage Treatment Plant;
- v. IR HD fixed camera/Surveillance camera; and
- vi. RCC road from fire station to silo.

(d) Linking Compensatory Allowance in the evaluation of additional capitalization.

Hearing dated 16.2.2023

2. The Review Petitioner was heard on 'admission' on 16.2.2023. During the hearing, the learned counsel for the Review Petitioner made detailed oral submissions in support of its prayers for review of the impugned order on the grounds mentioned above.

3. The learned counsel for Respondent TANGEDCO, pointed out that the issues raised by the Review Petitioner, are on merit and the review cannot be an appeal in disguise. The learned counsel prayed that the Review Petition is therefore not maintainable.

4. The Commission, after hearing the parties, directed the Respondent TANGEDCO to file reply on 'maintainability as well as on merits' on or before **31.3.2023**, after serving copy to the Review Petitioner, who may, file its rejoinder, if any, by **14.4.2023**. The parties shall complete pleadings within the due dates mentioned and no extension of time shall be granted.

5. Review Petition shall be listed for hearing on **25.4.2023**.

Sd/-
(Pravas Kumar Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member

