

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 111/MP/2021 with IA No. 38/2021**

Subject : Petition under Section 79 of the Electricity Act, 2003 challenging the repeated revision in energy charges claimed by NTPC in relation to supply of power from the Farakka Super Thermal Power Station.

Petitioner : WBSEDCL

Respondent : NTPC

Date of Hearing : **21.2.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

Parties Present : Ms. Aesha Salwan, Advocate, WBSEDCL  
Shri Amit Kumar, Advocate, WBSEDCL  
Shri Anand K. Ganesan, Advocate, NTPC

**Record of Proceedings**

At the outset, the learned counsel for the Respondent requested for an adjournment on the ground that the arguing counsel was not available due to some personal difficulty. This request was not opposed by the learned counsel for the Petitioner. Based on the consent of the parties, the hearing of the matter was adjourned.

2. The Commission, while adjourning the matter, directed the Respondent to file the following additional information on or before **3.5.2024**. after serving a copy to the Petitioner:

- (a) *Detailed procedure followed in the sampling of coal taken from the wagon top and the point of coal sampling collected for analysis w.r.t.. domestic coal and imported coal at plant end for Stages-I, II and III.*
- (b) *Detailed procedure followed, and the analysis carried out on the sample taken from wagon top in arriving at the GCV on 'as received (EM basis)', 'GCV on 'as received (TM basis)', 'Equilibrated Moisture' and 'Total Moisture'.*
- (c) *The methodology followed in arriving at the monthly 'GCV on 'as received (EM basis)', 'GCV on as received (TM basis)', 'Equilibrated Moisture' and 'Total Moisture' for domestic coal and imported coal from third party sampling reports, furnished by the CIMFR, on daily basis.*
- (d) *Reasons along with supporting documents to substantiate the claim made that each of the following factors impacted the GCV on 'as received' basis of the coal sampling taken from wagon top at the unloading end:*
  - i. *'consumption pattern' and 'operating parameters' of the plant*
  - ii. *outcome of the referee sample at the loading end*
  - iii. *opening stock*



- (e) As the 'GCV on 'as received' of domestic coal at unloading end is arrived on the basis of CIMFR reports, the reason for submission of the Petitioner (vide affidavit dated 28.12.2023) that 'for August, 2018, the GCV of domestic coal on 'as received' at the generating station (TM basis) was inadvertently mentioned as 3838 kCal/kg instead of 3801 kCal / kg'. The detailed calculation (excel sheet along with links and formulae) for arriving at 3801 kcal/kg from CIMFR report shall be furnished along with supporting document. Further, soft copy of Form 15 (excel sheet along with links and formulae) considering the, GCV as received of domestic coal, as 3838 kcal/kg and 3801 kcal/kg.
- (f) Reasons for not providing the GCV on 'as billed' and GCV on 'as received' basis for domestic coal as well as imported coal, but claiming the weighted average GCV on 'as received' for the coal received (as in Form 15) for the various months, in contrast to Regulation 30 (6) of the 2014 Tariff Regulations or Regulation 40 (2) of the 2019 Tariff Regulations, as applicable.
- (g) Detailed computation (excel sheet with formulae and links) in arriving at 'GCV on as received' (TM basis) for domestic coal from CIMFR sampling reports along with copy of these reports for the months of August, 2018 to December, 2018.
- (h) Despite the amount being reflected as 'adjustment in the amount charged by Coal Company' in the revised Form 15 in 2021 for the period from April, 2015 to March, 2017 w.r.t.. domestic coal, the reasons for not considering the same in the 'total amount charged' and its impact on the landed cost of domestic coal thereof, for Stage-III of the plant.
- (i) Reasons for the upward revision in 'Other charges' in the revised Form 15 in 2021 in respect of the period from April, 2018 to March, 2019 in comparison to the original Form 15.
- (j) As per reconciliation between the Coal company and the Respondent, the coal supplied to the Respondent had average GCV of around 6000 kcal / kg for a few months. Despite this, the Respondent has claimed the GCV billed as around 4500 kCal / kg and GCV received as around 3500 kCal/kg for the same months. The reasons for difference in reconciled GCV billed at mine end (of 6000 kcal/kg) and GCV billed at mine end (of 4500 kCal / kg) as claimed in Form 15 along with supporting documents. Further, the reason for difference between GCV (of 4500 kCal / kg) as billed and GCV (of 3500 kCal / kg) as received claimed the Form 15 along with supporting documents.

3. The Petitioner is permitted to file its reply to the additional information filed by the Respondent on or before **17.5.2024**, after serving a copy to the Respondent, who may file its response, if any, by **27.5.2024**. The parties shall complete their submissions within the due dates mentioned and no extension of time shall be granted for any reason.

4. The Petition along with IA will be listed for hearing on **13.6.2024**.

**By order of the Commission**

Sd/-  
**(B. Sreekumar)**  
**Joint Chief (Law)**

