

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 181/GT/2019**

Subject : Petition for approval of tariff of Gadawara Super Thermal Power Station (2x800 MW) for the period from anticipated date of commercial operation of Unit-I (i.e., 30.4.2019 to 31.3.2024).

Petitioner : NTPC Ltd.

Respondents : MPPMCL and 4 ors.

Date of Hearing : **6.2.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P.K. Singh, Member

Parties Present : Shri Venkatesh, Advocate, NTPC  
Shri Nikunj Bhardwaj, Advocate, NTPC  
Shri Suhael Button, Advocate, NTPC  
Shri Sameer Aggarwal, NTPC  
Shri Suraj Kumar, NTPC  
Shri Harsh V. Kabra, NTPC  
Shri Ravi Sharma, Advocate, MPPMCL

**Record of Proceedings**

Since the order in the Petition (which was reserved on 6.9.2022) could not be issued prior to one Member, who formed part of the Coram, demitting office, the matter has been re-listed for hearing.

2. At the outset, the learned counsel for the Petitioner submitted that since the pleadings and arguments have been completed, the Commission may reserve its order in the Petition. He, however, submitted that in case any other clarification/additional information is required, the Petitioner will furnish the same. The learned counsel for the Respondents, while stating that orders may be reserved in the matter, prayed that time may be granted to the Respondents to file their replies in case any additional information is filed by the Petitioner.

3. The Commission, after hearing the parties, directed the Petitioner to file the following additional information after serving copy to the Respondents on or before **1.3.2024**:

- (a) *The delay claimed on account of each factor from zero date to actual COD of Unit I and Unit II in the following format:*



Period	Total No. of Days in period	Delay claimed					
		Factor 1	Factor 2	...	Factor n	Overlapping Days	Total no. of days claimed for Delay
Zero date – end of the month							
Month 2							
....							
Start of Month m to COD of Unit 1							
COD of Unit 1 to end of the month							
Month m+1							
...							
Start Month n to COD of Unit 2							

- (b) *Details of First time Synchronization and Trial Run for Unit-I and Unit-II along with supporting documents.*
- (c) *The Petitioner has claimed additional capitalization of Rs. 758.47 lakhs during FY 2021-22 and Rs. 84.27 Lakh during FY 2022-23 pertaining to the Switch Yard Package. The Petitioner is required to explain why the additional capitalization for the Switch Yard Package is being claimed after the COD of the units when the COD of Unit I was achieved on 1.6.2019 and the COD of Unit II was achieved on 1.3.2021.*
- (d) *Head-wise details of decapitalization claimed for Rs. 28.85 Lakh during FY 2019-20 and Rs. 223.62 Lakh during FY 2020-21.*
- (e) *Certify whether any penal expenses have been included in Capital Cost as on COD of Unit-I and Unit-II. Petitioner to provide details of the same, if any.*
- (f) *The year-wise details pertaining to water charges, including such as quantum of water allocated, actual water consumption, actual water charges paid, interest/penalty paid, if any, minimum quantity of water to be consumed as per agreement, etc. Further, detailed computation for arriving at the Water Charges claimed in the Petition is to be submitted by the Petitioner.*
- (g) *Reconcile the mismatch in IEDC claimed under Form P and Form Q as on the actual COD of Unit-I, along with revised Form P and Q.*



- (h) *Provide details of initial spares capitalized up to actual COD of Unit-I (both on Accrual and Cash Basis) and details of initial spares capitalized up to COD of Unit-II (both on Accrual and Cash Basis).*
- (i) *Details of delay in package-wise execution along with the details of liquidated damages and insurance proceeds, if any, recovered for the delay under the contracts executed for different packages.*
- (j) *Details of the infirm Power and the revenue adjusted on account of the same.*
- (k) *Detailed computation of IDC, FC, FERV and notional IDC with formula and linkages considering actual COD of the Unit-I and Unit-II in Excel Format. Auditor certified detailed calculation of FERV reconciled capital expenditure as per balance sheet, reconciled liabilities as on COD as per Audited Accounts, reconciled IDC/FC claimed as on COD as per Form-B and Form-14(B) along with the quarterly interest rates considered thereof.*
- (l) *Submit revised Form S (Statement of Liability Flow) from COD of Unit-I to FY 2023-24 and COD of Unit-II to FY 2023-24.*
- (m) *The details in respect of foreign loans are applicable as per the format below:*

Date of Drawl	Lender Name	Drawl			Repayment			ROI*	ER (considered on the date of interest payment)	Closing ER	Applicable withholding Tax rate	ER (considered for withholding tax)
		Foreign Currency	ER	INR	Foreign Currency	ER	INR					

\* Details of interest resets since the date of drawl shall also be included.

- (n) *The details in respect of domestic loans as per format below:*

Date of Drawl	Lender Name	Drawl	Repayment	ROI*

\* Details of interest resets since the date of drawl shall also be included.

- (o) *Provide head-wise and year-wise detailed break-up of Power Charges claimed under IEDC till CoD of Unit I and Unit II. Further, year-wise energy consumed from the grid, energy charges paid for such energy consumption (Start-up power charges), Transmission charges paid to CTU, RLDC charges paid till COD of Unit-I and Unit II, etc., along with supporting documents.*
- (p) *Submit an undertaking confirming that none of the expenditures associated with Flue Gas Desulfurization (FGD) have been incorporated within the Capital Cost as on COD of Unit I and Unit II. Further, the Petitioner is required to provide year-wise expenditure of FGD from the date of inception of the project, if any.*
- (q) *Update on the FGD with regard to the following:*
  - i. *Award of the Contract along with documentary support*



- ii. *Award Cost of the FGD System*
- iii. *Physical and Financial Progress of the FGD system*
- iv. *Unit-wise dates of operation of the FGD system*
- v. *Capital Cost and Add Cap as on the dates of operation of each unit of the FGD system*
- vi. *Details of Shutdown for the installation*
- vii. *Details of funding of the FGD system*
- viii. *Details regarding scheduled milestones in implementation of FGD for each unit, and actually achieved milestones for each unit along with supporting documents and justification for delay and cost overrun w.r.t. investment approval, if any.*
- ix. *Scope of works exclusively associated with Units 1 & 2 and common facilities associated with both units.*
- x. *Unit-wise detailed break up for FGD works i.e., Plant & Machinery (component-wise cost), Civil Works, Buildings, Pre-Commissioning, Initial Spares, IDC, IEDC, Financial Charges etc viz-a-viz Investment Approval.*
- xi. *Details of unit-wise quantity of limestone consumed and expenditure incurred thereof; and Gypsum produced and revenue realized, if any. Methodology of disposal of gypsum, if any.*
- xii. *Details of unit wise actual operational parameters such as SHR, Aux. Consumption, O & M expenses, Plant Availability Factor, SOx at 6 % O2 level prior (for last 5 years) and post to installation of FGD.*
- xiii. *Details of month-wise availability and running hours of FGD since its commissioning, the information furnished to concerned authority and reasons for the shortfall, if any.*

4. The Respondents are allowed to file their reply by **12.3.2024** after serving a copy to the Petitioner, who may file its rejoinder, if any, by **19.3.2024**.

5. Subject to the above, order in the petition was reserved.

**By order of the Commission**

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

