

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 223/MP/2022**

Subject : Petition seeking approval for lignite input price for the period 1.4.2019 to 31.3.2024 in respect of Pooled Neyveli Mines as per CERC (Terms and Conditions of Tariff) Second Amendment, Regulations 2021.

Petitioner : NLC India Limited

Respondents : TANGEDCO and 15 others

Date of Hearing : **22.8.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member

Parties Present : Shri Kulamani Biswal, Advocate, NLCIL  
Shri Rakesh Pandey, Advocate, NLCIL  
Ms. Ratna, NLCIL  
Shri Narendra K., NLCIL  
Shri S. Vallinayagam, Advocate, TANGEDCO

**Record of Proceedings**

Since the orders in Petition (which was reserved on 18.3.2024) could not be issued prior to one Member of this Commission, who formed part of the Coram, demitting office, the matter has been re-listed for hearing.

2. During the hearing, the learned counsels appearing for the Petitioner submitted that since the pleadings and arguments have been completed, the Commission may reserve its orders in the Petition.

3. The learned counsel for the Respondent submitted that there has been a recent development wherein the APTEL has issued an order date 3.7.2024 in Appeal No. 49 of 2019 filed against the Commission order dated 21.1.2016 in the Review Petition No. 9 of 2015 (in Petition No. 68 of 2013) wherein the said order of the Commission has been set aside and the matter has been remanded back to the Commission. He further requested for time to file his written submissions on the impact of said APTEL order in the present petition as input price on the basis of pooling of mines may be required to be calculated again.

4. The learned counsel for the Petitioner requested time to seek instructions on the recent development mentioned by the learned counsel for the Respondent and further sought permission to file a reply to the written submissions of the Respondent.



5. The Commission, after hearing the parties, directed the Petitioner to submit following additional information, on or before **16.9.2024**, after serving a copy to the Respondents:

(a) *The reasons for mentioning different dates of Commercial Operation in the Petition and forms annexed with the Petition. Further, if incorrectly written, the Petitioner shall provide the correct COD.*

<i>Mine</i>	<i>COD / SCOD as per Main Petition</i>	<i>COD / SCOD as per Form 3 in the petition</i>
<i>Mine 1</i>	<i>May 1962</i>	<i>1961-62</i>
<i>Mine 1 expansion</i>	<i>24-03-2003</i>	
<i>Mine 1A</i>	<i>31-03-2003</i>	<i>2015-16</i>
<i>Mine 2</i>	<i>April 1981</i>	<i>1981</i>
<i>Mine 2 expansion</i>	<i>12-03-2010</i>	

(b) *The life and the date of end of life in respect of each mine.*

(c) *Mine-wise and year-wise calculation of depreciation of Rs. 592 crore calculated upto 31.3.2020 and its rate of depreciation considered for calculation.*

(d) *Mine-wise impact analysis showing the difference in Lignite Input Price for the period 2019-24, if the depreciation on Freehold Land was granted since COD.*

(e) *Mine-wise impact analysis on Lignite Input Price if the depreciation on subject Land is provided from the date of applicability of CERC (Terms and Conditions of Tariff) (Second Amendment) Regulations, 2021 upto remaining life of mine.*

(f) *Estimated realizable value at the end of life of the subject Land.*

6. The Respondents are allowed to file their reply to the above, including a written submission on the APTEL order dated 3.7.2024 in Appeal No. 49 of 2019 and its consequential impact in the present petition by **30.9.2024**, after serving a copy to the Petitioner, who may, thereafter file its rejoinder, if any, by **11.10.2024**.

7. The petition shall be listed for hearing on **22.10.2024**.

**By order of the Commission**

**Sd/-  
(Deepak Pandey)  
Assistant Chief (Law)**

