

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 266/MP/2024

Subject : Petition under Regulation 9(4) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 seeking approval of input price of coal supplied from Chatti-Bariatu Coal Mine to end use generating station i.e., Barh-II STPS for the period from Commercial Operation Date i.e., 01.04.2024 to 31.03.2029.

Petitioner : NTPC

Respondent : North Bihar Power Distribution Company Limited & ors.

Date of Hearing : **26.11.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Harish Dudani, Member

Parties Present : Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Karthikeyan Murugan, Advocate, NTPC

Record of Proceedings

The case was heard through a virtual hearing.

During the hearing on 'admission', the learned counsel for the Petitioner submitted that the present petition had been filed seeking approval of the input price of coal supplied from Chatti-Bariatu Coal Mines to the end-use generating station, i.e., Barh-II STPS for the period from commercial operation date, i.e., 1.4.2024 till 31.3.2029.

2. The Commission, after hearing the learned counsel for the Petitioner, directed as under:

- (a) Admit. Issue notice to the respondents;
- (b) The Petitioner shall furnish the following additional information, on affidavit, after serving a copy on the Respondents, on or before **6.1.2025**:
 - i) *The scheduled date vis-vis-actual date of completion of milestone activities associated with the instant integrated mine, along with the supporting documents;*
 - ii) *The Scheduled CoD of the integrated mine as per the Investment Approval/Mine Plan. The scheduled date of achieving 25% of the Peak Rated Capacity as per the Mining Plan vis-a-vis the actual date of achieving 25% of the Peak Rated Capacity;*
 - iii) *Approved mine plan clearing indicating the year-wise ATQ;*



- iv) Copy of allotment agreement executed between the President of India and the Petitioner vide dated 30.3.2015;
- v) The amount of upfront fee deposited to the Nominated Authority, MOC, by the Petitioner along with supporting documents as mentioned under Form B on Page No. 176 of the Petition;
- vi) Furnish all forms duly signed and audited by the auditor, in terms of regulations 3(9) and 8(1)(5) of the Tariff Regulations 2024;
- vii) Soft copy (excel with links and formulae) of the detailed computation of month-wise escalation factor and mining fee claimed;
- viii) The month-wise Quantity of coal supplied, GCV billed, and GCV as per MDO agreement, the amount charged and adjustment made thereof;
- ix) Details of the supply of coal and revenue earned prior to the CoD of the integrated mine clearly indicating the estimated price available in the investment approval and the notified price of Coal India Limited for the corresponding grade of coal supplied to the power sector in terms of Regulation 7 of the Tariff Regulations, 2024;
- x) Copy of an agreement executed with MDO for the integrated coal mine. Also, a soft copy (MS Word) of the same may be provided;
- xi) Detailed information regarding the scope of works under the Petitioner, works assigned to MDO, the facilities provided by the Petitioner, and the facilities created by MDO;
- xii) The auditor certified year-wise payment made to MDO, particularly mentioning the escalation rate considered, the LD recovered from MDO, if any, on account of shortfall in production of coal and the adjustment of such charges;
- xiii) The year-wise envisaged stripping ratio as per mining plan, actual OB removal, revised coal production targets, actual coal production, actual stripping ratio associated with integrated coal mine from the date of CoD;
- xiv) Scheduled CoD of the Coal Handling Plant (CHP) and status of commissioning of the CHP;
- xv) Reason for not submitting 'Form 15 Non-Tariff Income', Form-18 'Details for GCV Adjustment', Form-D 'Details of Assets De-capitalized during the period' and Form-F Statements showing details of items/assets/works/claimed under Exclusions', as specified in the 2024 Tariff Regulations.
- xvi) Details of total land identified for mining, land acquired as on COD of mine, and year-wise land acquired since COD of the integrated mine;
- xvii) Break-up of cost (Hard Cost, IDC and IEDC) of the integrated mine for the period from SCOD to COD, duly certified by the auditor, along with supporting documents. The soft copy (excel with links and formulae) shall also be provided in this regard, and
- xviii) Detailed computation (soft copy in excel with links and formulae) of surface transportation charges claimed as Rs. 549.27, Rs. 642.15, Rs. 859.81, Rs. 904.94 and Rs. 952.45 per ton during the financial year 2024-25, 2025-26, 2026-27, 2027-28 and 2028-29 respectively.



(c) The Respondents shall file their replies in the matter on or before 24.1.2025 after serving a copy to the Petitioner, who may file its rejoinder, if any, by **10.2.2025**.

3. The Petition shall be listed for hearing on **20.2.2025**.

By order of the Commission

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

