

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 78/MP/2024

Subject : Petition under Section 62 and 79(1)(a) of the Electricity Act, 2003 read with Regulation 29 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019 for determination of tariff on installation of various Emission Control Systems in RTPS U#1&2 (2x600 MW) of Damodar Valley Corporation (DVC) in compliance of Revised Emission Standards.

Petitioner : DVC

Respondent : PSPCL & 7 ors.

Date of Hearing : **17.5.2024**

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

Parties Present : Shri Venkatesh, Advocate, DVC

Record of Proceedings

During the hearing, 'on admission', the learned counsel for the Petitioner submitted that the present petition is for the determination and the approval of the tariff of RTPS Units 1&2 (1200 MW) of DVC from the date of operationalization (ODe) of the Emission Control Systems, in compliance with the Revised Emission norms.

2. The Commission, after hearing the parties, directed as under:

- i) Admit. Issue notice.
- ii) The Petitioner is directed to file the following additional information on or before **18.6.2024** after serving a copy to the Respondents:
 - a) *Completion status of works for each of the major heads, along with percentage and expenditure incurred thereof, associated with WFGD of each unit as on SCOD and end of 2021-22, 2022-23, and 2023-24 i.e., 14.10.2021, 14.1.2022, 31.3.2022, 31.3.2023, 31.1.2024 and 31.3.2024;*
 - b) *The PG test report of WFGD and CMS associated with each unit and the conditions considered thereof;*



- c) *Completion status of works for each of the major heads, along with percentage and expenditure incurred thereon, associated with CMS of each unit as on SCOD and end of 2020 – 21, 2021 – 22, 2022 – 23, and 2023 – 24 i.e., 16.10.2020, 31.3.2021, 31.03.2022, 31.03.2023 and 31.03.2024;*
- d) *Detailed Project Report (DPR) / Feasibility Report (FR) prepared for implementation ECS, i.e. WFGD and Combustion Modification (CM);*
- e) *The original cost approved by the board, along with supporting documents, including head-wise detailed cost estimates made for WFGD of the present station, out of the Rs. 2410 Cr approved in February 2019 for various stations, i.e. MTPS (2 x 500 MW), RTPS 1 & 2 (2 x 600 MW), KTPS (2 x 500 MW) and BTPS A (1 x 500 MW). Further, the Petitioner shall furnish Revised Cost Estimates (RCE), if any, along with the approval of the board for the same;*
- f) *The detailed break up of capital cost claimed as on ODe of ECS for unit 1 and unit 2 as per the following format:*

| | <i>ODe of FGD for Unit 1</i> | <i>ODe of FGD for Unit 2</i> | <i>ODe of CMS for Unit 1</i> | <i>ODe of CMS for Unit 2</i> |
|--------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| <i>Awarded Cost</i> | | | | |
| <i>Price Variation</i> | | | | |
| <i>Financial Charges</i> | | | | |
| <i>IDC</i> | | | | |
| <i>IEDC</i> | | | | |
| <i>Total</i> | | | | |

- g) *As regards to FGD works, the scope of works envisaged and completed under ‘Others’ where an amount of Rs. 20747.38 lakh has been claimed, ‘Other enabling works inclusive of roads / drains’ where an amount of Rs. 1242.65 lakh has been claimed and ‘Pre-Commissioning’ wherein an amount of Rs. 7864.42 lakh has been claimed;*
- h) *The original cost approved by the board, along with supporting documents, for CMS of the present station, out of the Rs. 124.55 Cr approved in February, 2019 for various stations, i.e. DSTPS (2 x 500 MW), Mejia 7 & 8 (2 x 500 MW); RTPS 1 & 2 (2 x 600 MW), KTPS (2 x 500 MW) and BTPS A (1 x 500 MW);*
- i) *With regards to CM System, the scope of works / items envisaged under ‘Plant & Machinery’ claimed for Rs. 1385.65 lakh;*
- j) *The detailed computation and break up of IEDC claimed under ‘form P’ of the 2019 Tariff Regulations as on installation of CMS as well as WFGD, along with reasons for claiming IEDC over and above the*



normative O&M allowed to the generating station under relevant regulations;

- k) The scope of works exclusively associated with individual units and scope of works, which are common facilities for both units;
- l) The list of spares supplied by the vendor under the contract package awarded for the implementation of ECS;
- m) The list of all items such as wind box, burners, dampers, piping, duct, Chimney, etc, removed or dismantled or replaced along with their cost, on implementation of the subject ECS system;
- n) The details of actual timelines achieved, i.e., duration (start date and end date) in the execution of each of the works listed in L1 Schedule in respect of WFGD of each unit, delay attributable to Petitioner, delay attributable to Contractor, delay beyond the control of petitioner as well as contractor, etc., in the following format along with bar chart:

| Task | As per L1 schedule | | | As per actual | | | Reasons for delay, if any and indicate the controllable/uncontrollable |
|--|--------------------|------------|------------|-----------------|------------|----------|--|
| | Duration (Days) | Start Date | End Date | Duration (Days) | Start date | End date | |
| Design engineering Unit # 1 & 2 and Common facilities | 244 | 15.7.2019 | 14.3.2020 | | | | |
| Manufacturing, Supply & Receipt at site for Unit – 1 and Common facilities | 428 | 15.7.2019 | 14.9.2020 | | | | |
| Civil & Structural Work for Unit 1 & Common facilities | 397 | 20.11.2019 | 20.12.2020 | | | | |
| Installation of Equipment for Unit 1 and Common facilities | 285 | 3.8.2020 | 14.5.2021 | | | | |
| Completion of facilities of Unit 1 and Common facilities | 92 | 15.7.2021 | 14.10.2021 | | | | |
| Manufacturing, Supply & Receipt at site for Unit – 2 | 429 | 13.10.2019 | 14.12.2020 | | | | |
| Civil & Structural Work for Unit 2 | 397 | 18.2.2020 | 20.3.2021 | | | | |



| | | | | | | | |
|--------------------------------------|-----|------------|-----------|--|--|--|--|
| Installation of Equipment for Unit 2 | 299 | 20.10.2020 | 14.8.2021 | | | | |
| Completion of facilities of Unit 2 | 92 | 15.10.2021 | 14.1.2022 | | | | |

- o) *The details of L1 schedule and actual timelines achieved i.e. duration (start date and end date) in the execution of each of the works w.r.t. CMS of each unit, delays attributable to Petitioner, delay attributable to Contractor, delay beyond the control of petitioner as well as contractor etc.;*
- p) *The scope of works envisaged under 'Site Construction Work for FGD Unit 2' along with reasons for claiming 544 days as L1 schedule, while the same was claimed as 60 days for unit 1 and common facilities;*
- q) *The details of penalty levied on the Contractor on account of delay in supply of items and execution of works, in terms of Award of Contract and amount recovered thereof from vendors in respect of WFGD and CMS along with the tender documents, particularly, highlighting the conditions stipulated under clause 1.01.00 of subsection - VI, Part - A, Section – VI; and*
- r) *With regard to condonation of delay claimed on account of various factors, the petitioner shall furnish notices served to the beneficiaries / respondents in terms of the PPA and relevant regulations.*

3. Respondents are directed to file their replies on or before **9.7.2024**, after serving a copy on the Petitioner, who may, file its rejoinder, if any, by **16.7.2024**. Pleadings shall be completed by the parties by the due dates mentioned and no extension of time shall be granted.

4. The Petition shall be listed for hearing on **23.7.2024**.

By order of the Commission

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

