

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 364/GT/2020

Coram:

**Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Ramesh Babu V. Member**

Dated: 2nd August, 2024

In the matter of:

Petition for truing up of annual fixed charges for the period 2014-19 in respect of Feroze Gandhi Unchahar Thermal Power Station Stage-IV (500 MW)

And

In the matter of:

NTPC Limited,
NTPC Bhawan,
Core-7, SCOPE Complex, 7,
Institutional Area, Lodhi Road,
New Delhi-110003

.... Petitioner

Vs

1. Uttar Pradesh Power Corporation Limited,
Shakti Bhawan, 14, Ashok Marg
Lucknow- 226001

2. Rajasthan Urja Vikas Nigam Limited,
(*on behalf of Discoms of Rajasthan*),
Vidyut Bhawan, Janpath,
Jaipur 302 005

3. Haryana Power Purchase Centre,
Shakti Bhawan, Sector -VI,
Panchkula, Haryana-134109

4. Power Development Department,
Govt. of J&K, Civil Secretariat,
Srinagar

5. Electricity Department,
Union Territory of Chandigarh,



Additional Office Building, Sector 9 D, Chandigarh

6. Uttarakhand Power Corporation Limited,
Urja Bhavan, Kanwali Road,
Dehradun-248001

..... Respondents

CORRIGENDUM ORDER

The Commission, vide its order dated 6.12.2019 in Petition No. 197/GT/2017, had determined the tariff of Feroze Gandhi Unchahar Thermal Power Station, Stage- IV (500 MW) (in short, 'the generating station). Subsequently, the Commission vide its order dated 16.3.2022 in Petition No. 364/GT/2020 had trued up the tariff of the generating station for the period from 30.9.2017 (actual COD) till 31.3.2019. Thereafter, the tariff of the generating station for the period 2019-24 was approved vide order dated 15.4.2022 in Petition No. 3/GT/2021. Pursuant to the directions contained in the judgment dated 22.9.2022 of the Appellate Tribunal for Electricity in Appeal No.61/2020 to condone the delay of 157 days and pass consequential orders, the tariff of the generating station determined vide the above orders was modified vide Commission's order dated 29.3.2023 in Petition Nos. 197/GT/2017, 364/GT/2020 and 3/GT/2021.

2. As regards the wage revision impact for the period 2017-18 and 2018-19, the Commission in paras 77 and 78 of the order dated 16.3.2022 in Petition No. 364/GT/2020 had recorded the following:

"77. Accordingly, the comparison of the normative O&M expenses versus the actual O&M expenses (normalized) along with the wage revision impact claimed by the Petitioner for the generating station for the 2015-19 tariff period is as follows:

		<i>(Rs. in lakh)</i>		
		2017-18	2018-19	2017-19
A	Actual O&M expenditure (normalized) for Unchahar Stage-IV prorated based on capacity	5684.16	15401.85	21086.01
B	Normative O&M Expenses for Unchahar Stage-IV	9629.99	10279.25	19909.24
C	Under-recovery (A-B)	(-) 3945.83	5122.60	1176.77
D	Wage revision impact claimed excluding PRP/Ex-gratia	781.42	1119.17	1900.59



77. It is observed that for the period under consideration for wage revision impact i.e., 2017-18 to 2018-19, normative O&M expenses is lesser than the actual O&M expenses (normalized) incurred and the under recovery is to the tune of Rs. 1176.77 lakh, but the under recovery claimed by the Petitioner due to wage revision impact is Rs. 1900.59 lakh. As such, in terms of methodology as discussed above, the wage revision impact (excluding PRP/incentive) of Rs.1176.77 lakh for the generating station is allowable. Accordingly, we, in exercise of the Power to relax under Regulation 54 of the 2014 Tariff Regulations, relax Regulation 29(1) of the 2014 Tariff Regulations and allow the reimbursement of the wage revision impact for this generating station, as additional O&M charges for the period 2017-19. The arrear payments on account of the wage revision impact is payable by the beneficiaries in twelve (12) equal monthly installments. Keeping in view the consumer interest, we, as a special case, direct that no interest shall be charged by the Petitioner on the arrear payments on the wage revision impact allowed in this order. This arrangement, in our view, will balance the interest of both, the Petitioner and the Respondents. Also, considering the fact that the impact of wage revision is being allowed in exercise of the power to relax, these expenses are not made part of the O&M expenses and consequent annual fixed charges being determined in this order under the 2014 Tariff Regulations.”

3. It is noticed that certain inadvertent clerical/arithmetical errors had crept in Sl. No B of the table under para 77 of the above order, wherein, instead of computing the normative O&M expenses for the period from 30.9.2017 (COD of the unit/station) to 31.3.2018 (i.e., for 183 days), the normative O&M expenses for 2017-18 was considered, thereby resulting in an error in the total normative expenses of the generating station considered for the period 2017-19. This has also resulted in an error in the values of the under-recovery amounts considered in Sl. No. C of the said table. Consequent upon this, there are errors in the under-recovery amounts considered and the wage revision impact allowed in Para 78 of the order dated 16.3.2022. These inadvertent errors in the said paras are required to be rectified. Accordingly, in terms of Regulation 54 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations 2023, these inadvertent clerical/arithmetic errors are rectified as stated below:

4. The table under Para 77 of the order dated 16.3.2022 stands modified as under:



“77.....Accordingly, the comparison of the normative O&M expenses versus the actual O&M expenses (normalized) along with the wage revision impact claimed by the Petitioner for the generating station for the 2017-19 tariff period is as follows:

(Rs.in lakh)

		2017-18 (183 days from 30.9.2017 to 31.3.2018)	2018-19 (365 days)	Total (for the period 30.9.2017 to 31.3.2019)
A	Actual O&M expenditure (normalized) for Unchahar Stage-IV prorated based on capacity and period	5684.16	15401.85	21086.01
B	Normative O&M Expenses for Unchahar Stage-IV	4828.19 (183 x 9629.99/ 365)	10279.25	15107.44
C	Under-recovery (A-B)	855.97	5122.60	5978.57
D	Wage revision impact claimed excluding PRP / Exgratia	781.42	1119.17	1900.59

5. (i) In Para 78, page 38, third row: The amount of ‘Rs 1176.77 lakh’ is corrected as Rs. 5978.57 lakh.
- (ii) In Para 78, page 39, third row, The amount of ‘Rs 1176.77 lakh’ is corrected as Rs 1900.59 lakh.
6. Except for the above, all other terms/findings contained in the order dated 16.3.2022 in Petition No. 364/GT/2020 remain unchanged.

Sd/-
(Ramesh Babu.V)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(Jishnu Barua)
Chairperson

