

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.217/MP/2024

- Subject : Petition under Section 63 and Sections 79 (1) (c) and (d) of the Electricity Act, 2003 read with Regulation 23 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 for allowing cost overrun and the approval of increase in tariff adopted for Nagapattinam-Salem- Madhugiri Transmission System on account of Force Majeure and Change in Law events in terms of the liberty granted vide Order dated 11.03.2023 passed by this Hon'ble Commission in Petition No. 333/MP/2019.
- Petitioner : Powergrid NM Transmission Co. Ltd. (PNMTCL)
- Respondents : IL & FS Tamil Nadu Power Co. Ltd. and Ors.
- Date of Hearing : **21.1.2025**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Shubham Arya, Advocate, PNMTCL
Ms. Shirin Gupta, Advocate, PNMTCL
Shri Harshvardhan Singh, Advocate, PNMTCL
Shri V. C. Sekhar, PNMTCL
Shri Prashant Kumar, PNMTCL
Shri Yogeshwar, PNMTCL
Shri Akshayvat Kislay, CTUIL

Record of Proceedings

Due to a paucity of time, the matter could not be taken up for the hearing and accordingly, was adjourned. Learned counsel for the Petitioner submitted that the Petitioner has already filed the information called for by the Commission vide Record of Proceedings for hearing dated 6.11.2024.

2. The Commission directed the Petitioner to submit the following information, on an affidavit, within three weeks:

- (a) The Petitioner vide RoP for the hearing dated 6.11.2024 was directed to provide the detailed breakup of cost overrun between 29.9.2012 to 20.6.2013 along with the supporting documents. However, the Petitioner has submitted the breakup of the cost as per the LoA awarded in between May, 2014 to February, 2016 and has not provided the supporting documents. Submit the detailed breakup of the cost overrun specifically for the period from 29.9.2012 to 20.6.2013 along with all supportive documents.
- (b) The details of dates, on which bid were invited against the each LoA as mentioned under the Petitioner's affidavit dated 29.11.2024.

- (c) The Petitioner, under Statement of escalation in indices, has computed the cost overrun as 10.45% of the base cost for period of February, 2012 to April, 2014 considering the various cost components. On the other hand, as per the detailed breakup of the cost overrun, as submitted by the Petitioner, the difference in actual cost (as per LoAs awarded) and the estimated cost is Rs. 219.25 crores. Thus, there is an increase in cost by 32.82% over the estimated cost. Clarify the two different value of cost over run.
- (d) Submit the Order/ notification/circular issued by the Railways after the cut of date to substantiate the Petitioner claim regarding an increase in deposit amount to Railway, as compared to the amount considered by the Petitioner at the time of bidding towards railway crossing.
3. The Petition will be listed for the hearing on **25.3.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)