

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 227/MP/2024**

Subject : Petition under Section 79(1) (a) of the Electricity Act, 2003 read with the applicable provisions of the CERC (Terms & Conditions of Tariff) Regulations, 2024.

Date of Hearing : **6.11.2024**

Petitioner : NTPC Limited

Respondents : Uttar Pradesh Power Corporation Limited

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

Parties Present : Shri Venkatesh, Advocate, NTPC  
Shri Nihal Bhardwaj, Advocate, NTPC  
Shri Aashwyn Singh, Advocate, NTPC  
Shri Kartikay Trivedi, Advocate, NTPC  
Shri Ravi Sharma, Advocate, MPPMCL  
Shri Puneeth Ganapathy, Advocate, BSPHCL  
Shri Sankalp Udgate, Advocate, BSPHCL  
Shri Buddy A. Ranganathan, Advocate, BRPL  
Shri Aditya Ajay, Advocate, BYPL  
Shri Vyom Chaturvedi, Advocate, MSEDCL  
Ms.Jaya, BSES

**Record of Proceedings**

During the hearing on 'admission,' the learned counsel for the Petitioner submitted that the present Petition has been filed seeking the exercise of the regulatory powers of the Commission to allow the recovery of ash transportation charges on a monthly basis for the period 2024-29, till such time the tariff for the said period is determined by the Commission. She also submitted that the issue of the monthly recovery of the Ash transportation expenses is no more res integra as the Commission, in its order dated 28.10.2022 in Petition No. 205/MP/2021, had already considered the difficulties being faced by the Petitioner and allowed the billing and recovery of the said expenses on a monthly basis for the period 2019-24.

2. The learned counsel for Respondent, MPPMCL, objected to the relief(s) sought by the Petitioner and submitted that the Respondent be permitted to file its reply on 'maintainability' as well as on 'merits.' The learned counsel for the Respondent BRPL submitted that it had filed its reply in the matter. The learned counsel for the Respondent MSEDCL sought time to file its reply in the matter.



3. The Commission, after hearing the parties, directed as under:
- (a) Admit. Issue notice to the Respondents.
  - (b) The Petitioner is directed to furnish the following additional information after serving a copy to the Respondents on or before **4.2.2025**.
    - (i) Station-wise and year-wise details of the Ash Utilization and total ash to be transferred year-wise and estimated expenses year-wise for each and every generating station separately;
    - (ii) Plant-wise details of income and expenses proposed against each sub head of ash utilization.
    - (iii) Plant-wise detailed calculations for arriving at the amounts claimed for ash transportation giving details as per MOEF & CC Notifications and directions of Commission in the order dated 5.11.2018 in Petition No. 172/MP/ 2016, namely:
      - i. Distance estimated (km);
      - ii. Quantity estimated (MT);
      - iii. End user details, whether covered under MoEF &CC notification as eligible for free transportation, proposed use, type of project, etc.
      - iv. Fly ash cost to be paid by the end user (if not on free of cost basis);
      - v. Fly ash transportation cost to be borne by end-user (as per MoEF CC notifications);
      - vi. Proposed station-wise transportation for the quantity and distance;
      - vii. Mode of transportation proposed (Rail/Road/Others)
      - viii. Details of competitive transportation contract rates estimated, in case of road contracts (per km);
      - ix. Prevailing Schedule of Rates for the respective years in that State, etc.
    - (iv) Plant-wise plan for improving the utilization of fly ash and reducing the cost of transportation of fly ash.
    - (v) Year-wise carrying cost and relevant computation in respect of all the generating stations separately.
  - (c) The Respondents are permitted to file their replies on maintainability' and on merits' on or before **25.2.2025** after serving a copy to the Petitioner, who may file its rejoinder, if any, by **11.3.2025**.
4. The Petition shall be listed for hearing on **19.3.2025**.

**By order of the Commission**

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

