

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 24/RP/2023

In

Petition No. 392/GT/2020

Coram:

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

Date of Order: 22nd October, 2025

In the matter of:

Petition for review of the Commission's order dated 29.3.2023 in Petition No. 392/GT/2020 pertaining to the truing-up of tariff of Talcher Super Thermal Power Station, Stage-II (2000 MW) for the period 2014-19.

And

In the matter of:

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

...Review Petitioner

Vs

1. Andhra Pradesh Eastern Power Distribution Company Limited,
Corporate Office, P&T Colony, Seethammadhara,
Visakhapatnam - 530 013 - (AP)
2. Andhra Pradesh Southern Power Distribution Company Limited,
Corporate Office, Back Side Srinivasa Kalyana Mandapam
Tiruchhanur Road, Kesavayana Gunta, Tirupathi- 517 503 (AP)
3. Telangana State Northern Power Distribution Company Limited,
H.No. 2-5-31/2, Vidyut Bhavan, Nakkalagutta, Hanamkonda Warangal - 506 001
4. Telangana State Southern Power Distribution Company Limited,
Mint Compound, Corporate Office, Hyderabad (AP) - 500 063
5. Tamil Nadu Generation & Distribution Corporation Limited,
144, Anna Salai, Chennai - 600002



6. Bangalore Electricity Supply Company Limited,
Krishna Rajendra Circle, Bangalore - 560 009
7. Mangalore Electricity Supply Company Limited,
MESCOM Bhavana, Corporate Office,
Bejai, Kavour Cross Road, Mangaluru-575004,
8. Chamundeshwari Electricity Supply Corporation Limited,
Corporate Office, No. 29, Vijayanagar, 2nd Stage, Hinkal, Mysore-570017
9. Gulbarga Electricity Supply Company Limited,
Main Road, Gulbarga, Karnataka, Gulbarga-585 102
10. Hubli Electricity Supply Company Limited,
Corporate office, P.B. Road, Navanagar Hubli - 580 025
11. Kerala State Electricity Board Limited,
Vaidyuthi Bhavanam, Pattom, Thiruvananthapuram - 695 004
12. Electricity Department, Puducherry 137,
NSC Bose Salai Puducherry- 605001
13. Grid Corporation of Orissa Limited,
Vidyut Bhavan, Janpath,
Bhubaneswar- 751022

..... Respondents

Parties Present:

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

ORDER

Petition No. 392/GT/2020 was filed by the Petitioner, NTPC Limited, for truing up of tariff of Talcher Super Thermal Power Station, Stage-II (2000 MW) (in short 'the generating station') for the period 2014-19, in accordance with Regulation 8(1) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (in short 'the 2014 Tariff Regulations') and the Commission vide order dated 29.3.2023 (in short, 'the impugned order') disposed of the said petition. Aggrieved by the impugned order dated 29.3.2023, the Review Petitioner has filed this Review Petition on



the grounds that there are errors apparent on the face of the record, on the following issues:

- A. Renovation & Retrofitting of Electrostatic Precipitator package of Stage II permitted as a onetime expense;*
- B. Discharge of liability of Rs. 50.70 lakhs towards Interlocking of Exchange yards;*
- C. Construction of Road Under Bridge ('RUB') on MGR track of Rs 110.96 lakhs;*
- D. Disallowance of water charges;*
- E. Weighted Average Price of coal for computation of Interest on Working Capital; and*
- F. Additional capitalization towards the Replacement of MS Ash slurry pipes with Basalt Pipes*

Hearing dated 30.8.2023

2. During the hearing on 30.8.2023, 'on admission', the learned counsel for the Review Petitioner made oral submissions on the grounds that there are errors apparent on the face of the impugned order dated 29.3.2023 on the grounds aforesaid. The learned counsel for Respondent TANGEDCO objected, pointing out that there are no errors apparent on the face of the order dated 29.3.2023 and sought time to file a reply on the Review Petition's maintainability. The Commission, after hearing the parties, directed the Respondent TANGEDCO to file its reply on 'maintainability' as well as on 'merits' and the Review Petitioner to file its rejoinder.

3. Thereafter, the matter was listed for hearing on various dates, viz. 29.11.2023, 4.4.2024, 23.10.2024, 28.11.2024, 14.1.2025, but was adjourned due to various counts, such as requests for adjournment and for paucity of time, etc.

Hearing dated 6.2.2025

4. During the hearing on 6.2.2025, the learned counsel for the Review Petitioner circulated a note of arguments and made detailed oral submissions in the matter. None appeared for the Respondents, despite notice. The Commission, after hearing the learned counsel for the Review Petitioner, reserved its order in the matter.



5. Based on the submissions of the parties and the documents on record, we proceed to examine the issues raised in the Review Petition, as stated in the subsequent paragraphs.

(A) Renovation & Retrofitting of Electrostatic Precipitator Package of Stage-II permitted as a one-time expense

Submissions of the Review Petitioner

6. The Review Petitioner, in the Review Petition, has mainly submitted as under:

(a) The Commission, in the impugned order, deducted Interest During Construction (IDC) amounting to Rs. 114.40 lakhs from the total additional capital expenditure approved for the Renovation & Retrofitting of the Electrostatic Precipitator (ESP) Package of Stage-II and permitted the said IDC to be recovered as a one-time expense. Regulation 14(3)(ii) of the 2014 Tariff Regulations, which governs additional capitalization, does not allow any component of additional capitalization to be treated as a one-time expense. The total additional capital expenditure of Rs. 5301.23 lakhs was incurred during the period 2017-19, including Rs. 114.40 lakhs as IDC. Since the IDC was incurred explicitly for the Renovation and Retrofitting of ESP Stage II, it should be recoverable as an additional capital expenditure rather than being excluded or treated separately.

(b) The Commission had previously allowed IDC as part of the capital cost during the period 2014-19 in Petition No. 393/GT/2020 in respect of Mauda-I STPS of the Review Petitioner. Therefore, IDC may be permitted for recovery, in line with the principles applicable to capital expenditure.

Reply of the Respondent, TANGEDCO

7. The Respondent TANGEDCO, in its reply affidavit dated 6.10.2023, mainly submitted the following:

(a) The Commission vide its order dated 16.2.2017 in Petition No. 293/GT/2014 (for determination of tariff for the period 2014-19), allowed the total additional capitalization of Rs. 11250.00 lakh (Rs. 3750.00 lakh each for the years 2016-17, 2017-18 and 2018-19) for Up-gradation of ESP of Stage-II under Regulation 14(3)(ii) of the 2014 Tariff Regulations. In the above order, the Commission directed the Petitioner to furnish the actual emission level of ESP during the last five years, categorically, for each pass and each unit of the generating station, at the time of truing up.

(b) The Review Petitioner in the original petition claimed the total additional capital

expenditure of Rs. 5301.23 lakh, i.e., Rs.2699.09 lakh in 2017-18 and Rs.2602.14 in 2018-19, which includes an IDC of Rs.114.40 lakh. The Commission vide the impugned order allowed Rs.5186 lakh, after deducting the IDC amount of Rs.114.40 lakh and allowed the IDC as a one-time expense in 2018-19. As per Regulation 11(A)(1) of the 2014 Tariff Regulations, IDC is allowed only till SCOD, and hence is applicable for new projects only.

(c) The Commission may disallow the claim towards the upgradation of ESP for Unit-I, which has been carried out redundantly at the cost of the public exchequer. Since the station has been commissioned a long time ago, the question of IDC payment does not arise, and hence the entire interest portion shall be disallowed.

Rejoinder of the Review Petitioner

8. The Review Petitioner vide its rejoinder affidavit dated 10.11.2023, mainly submitted the following:

(a) The Review Petitioner has not claimed IDC under Regulation 11(A) of the 2014 Tariff Regulations. Further, the additional capital expenditure is funded by debt as well as equity, and if any asset is capitalized in the books of account, it includes the interest of debt, incurred during the installation of the asset, and it is considered part of the funds invested in the asset. Accordingly, the capitalization of asset/work always includes IDC.

(b) In view of Regulation 10 and Regulation 15(2) of the 2014 Tariff Regulations, IDC for new projects has been exclusively dealt with in the regulation for the construction period of the project, and the provisions have been made for its allowance/ disallowance in case of delay and has nothing to do with the capitalization of assets for the existing plants.

Analysis & Decision

9. We have considered the submissions of the parties. The Review Petitioner has submitted that the IDC of Rs. 114.40 lakh was incurred explicitly for the Renovation & Retrofitting of ESP Stage-II, and the same should be allowed as an additional capital expenditure. The Review Petitioner has further submitted that in a similar case of Mauda-I generating station of the Review Petitioner, the Commission in Petition No. 393/GT/2020 has allowed IDC as part of capital costs during the period 2014-19. As pointed out by the Review Petitioner, the Commission has been consistently considering the IDC claimed,



under additional capital expenditure, as a part of the capital cost. However, in the present case, the IDC for Rs. 114.40 lakh has not been capitalized and allowed to be recovered as a one-time expense in the impugned order, which is an apparent error on the face of the impugned order and is required to be corrected. In our considered view, the approach adopted by the Commission in such similarly placed petitions of the Review Petitioner through its various orders shall be applicable in the present case, as well. Therefore, the review on this count is maintainable. Accordingly, the IDC amount of Rs. 114.40 lakh incurred in 2018-19 is allowed as additional capital expenditure towards the Renovation & Retrofitting of ESP Stage-II.

(B) Discharge of liability of Rs. 50.70 lakhs towards Interlocking of Exchange Yards

Submissions of the Review Petitioner

10. The Review Petitioner, in the Review Petition, has mainly submitted as under:

(a) The conclusion of the Commission in para 43 of the impugned order, stating that no justification had been given for the discharge of liability of Rs. 50.70 lakh towards Interlocking of exchange yards, is an error apparent on the face of the record. The Review Petitioner had clearly given the reasons for discharging this liability in 2018-19, i.e., the same was incurred for the safety of the rakes, including the reduction in time for increased coal receipts.

(b) The Commission, in its earlier order dated 28.5.2013 in Petition No. 269/2009 (for the period 2009-14), had already considered the Review Petitioner's submissions and permitted an amount of Rs. 379 lakhs. Further, the aforesaid claim was also allowed vide order dated 16.2.2017 in Petition No. 293/GT/2014 for Rs. 379 lakhs in 2014-15, after acknowledging that the delay was on account of East Coast Railways (ECR). The discharge of liabilities claimed for the full period 2014-19 amounted to Rs. 2722.52 lakh, and the details of the same were available in Form 9A at page 55 of the consolidated pleadings.

(c) No separate and individual reasoning is required to be given for every discharge of liability. The main work was carried out by ECR in 2014-15 by way of a deposit work, and the amount of Rs 50.70 lakh was discharged in 2018-19 only to ensure the safety of the rakes and reduction in time of coal supply. Review Petitioner already paid the above amount of Rs. 50.70 lakhs in 2018-19, and the benefit of the same has been

passed on to the beneficiaries. Further Regulation 14(3)(vi) provides that “*Any liability for works admitted by the Commission after the cut-off date to the extent of discharge of such liabilities by actual payments*”. Therefore, not reflecting such an amount in the capital cost is an aberration and ought to be reviewed.

Reply of the Respondent, TANGEDCO

11. Respondent TANGEDCO in its reply affidavit dated 6.10.2023 mainly submitted as under:

- (a) The Commission, in its order dated 28.5.2013 in Petition No. 269/GT/2009, had allowed an additional capital expenditure of Rs. 379 lakhs for this work in 2011-12. As this work was delayed by ECR, the Commission allowed the same amount in 2014-15 vide order dated 16.02.2017 in Petition No.293/GT/2014 for the determination of tariff for 2014-19.
- (b) The Review Petitioner in the original petition claimed a total additional capital expenditure of Rs. 430.09 lakh, which included the discharge of liabilities of Rs. 50.70 lakh, discharged in 2018-19. But, the Review Petitioner had not furnished the details for the increase in cost, the amount recovered due to delay, and the LD encashed from ECR, due to delay, if any. Hence, the Commission disallowed the discharge of liabilities of Rs.50.70 lakh in the absence of proper justification/reason. There is no mistake in this regard, as contended by the Review Petitioner. Moreover, the interlocking of the exchange yard is a common facility for both Stage I & II and therefore, the cost towards the same has to be apportioned between stage-I & II

Analysis and Decision

12. We have examined the rival submissions. The Commission, in paragraph 43 of the impugned order dated 29.3.2023, observed as under:

“43. The matter has been examined. It is observed that the additional capitalization of the said work was allowed by order dated 28.5.2013 in Petition No. 269/2009. Further, the said work was allowed vide order dated 16.2.2017 Petition No. 293/GT/ 2014, for Rs. 379.00 lakh in 2014-15, after acknowledging that the delay was on account of ECR. Though the Petitioner has claimed additional capital expenditure for Rs. 379.39 lakh, in this petition, it has not furnished the details for increase in the cost, the amount recovered due to delay, the LD encashed from ECR due to its delay including communications, if any, made in this regard. However, considering the fact that the said item/asset is associated with MGR, the safety of the rakes, including the reduction in time for increased coal receipts without the need for banking locos, the additional capital expenditure of Rs.379.39 lakh claimed, on cash basis, is allowed. However, the discharge of liability for Rs. 50.70 lakh in 2018-19 is not allowed as no justification has been provided.”

13. It is evident from the above that the discharge of liability was not allowed as the Review Petitioner failed to furnish the details regarding the increase in the cost, the amount recovered due to delay and the details of the LD encashed from ECR, due to its delay, including communications, if any. Therefore, the Commission, by a conscious decision, had disallowed the claim of the Review Petitioner towards Interlocking of Exchange Yards on the ground that no details as sought were furnished. In this background, we find no reason to entertain the review on this count. A review cannot be an appeal in disguise. There is also no error apparent on the face of the impugned order, warranting review. Accordingly, the prayer of the Review Petitioner for review of the impugned order on this ground is not maintainable.

(C) Construction of Road Under Bridge (RUB) on MGR track for Rs. 110.96 lakhs

Submissions of the Review Petitioner

14. The Review Petitioner, in the Review Petition, has mainly submitted as under:

(a) The Commission in para 57 of the impugned order incorrectly held that the Review Petitioner had proposed the amount of Rs. 163 lakhs during the period 2009-14 towards expenditure on 2 Nos. Road Under Bridge (RUBs). The construction of RUB on the MGR track costing Rs 110.96 lakhs has been disallowed by the Commission.

(b) The Review Petitioner has specifically averred that it had inadvertently not claimed the cost of 2nd RUB in any earlier tariff petition, even though the 2nd RUB was capitalized in 2014-15; this Commission has missed the specific averment of the Review Petitioner. However, the Review Petitioner already stated in its Petition as well as pleadings, that the projection of the 2nd RUB was inadvertently missed while filing the tariff petition.

(c) The finding of this Commission is that Review Petitioner sought an amount of Rs. 163 lakhs towards 2 RUBs, which are not supported by any pleadings and are an error apparent on the face of the record. In fact, it is not even clear as to which ROP is being referred to at para 57.

(d) As per the direction of ECR, 2nd RUB has also been constructed and capitalized in 2014-15. The 2 nos. RUB were to be constructed at Km 29/2 & Km 24/5 on NTPC Kaniha siding line by ECoR, on a deposit basis, for an amount of Rs 325 lakh, which the Review Petitioner has already deposited.

Reply of the Respondent, TANGEDCO

15. Respondent TANGEDCO vide its reply affidavit dated 6.10.2023 has mainly submitted the following:

(a) The Commission, in its order dated 26.8.2015 in Petition No. 320/GT/2013 and Petition No. 208/GT/2014, observed that the ECR authorities have directed the Review Petitioner to construct the 2 Nos. RUBs at the crossings of MGR track and allowed the capitalization of additional expenditure of Rs.163 lakh in 2013-14 under Regulation 9(2)(ii) of 2009 Tariff Regulations for this work in 2011-12.

(b) The Review Petitioner, in the original petition, claimed additional capital expenditure of Rs.110.96 lakh towards the 2nd RUB, stating that the additional capital expenditure of Rs.163 lakh claimed in 2013-14 was for one RUB only and it had inadvertently missed the additional expenditure claim for the 2nd RUB in Petition No.293/GT/2014.

(c) The Review Petitioner's claim that the earlier additional capital expenditure of Rs.163 lakh was for one RUB only and it had inadvertently missed the additional expenditure claim for the 2nd RUB in Petition No.293/GT/2014, is not acceptable. Hence, the disallowance of the additional capital expenditure claim of Rs.110.96 lakh towards 2nd RUB, after prudence check by the Commission, is legitimate and hence, the Petitioner's claim shall be dismissed.

Rejoinder of the Review Petitioner

16. The Review Petitioner, in its rejoinder, has clarified that in para 16 of the present Review Petition, it has provided the details of the various pleadings filed before this Commission, whereby, the Review Petitioner has averred that it had inadvertently not claimed the cost of the 2nd RUB in any earlier tariff petition, even though the 2nd RUB was capitalized in 2014-15. This specific averment was somehow missed by this Commission. Furthermore, the Review Petitioner has stated that TANGEDCO in the main Petition has not even disputed the said claim and is raising the said contention for the first time, which is not permissible at this stage.

Analysis and Decision

17. The matter has been examined. The Commission, in paragraph 57 of the impugned order dated 29.3.2023, observed as under:

“57. It is observed from the above that the Petitioner had claimed the additional capitalization of this asset/item for Rs 163.00 lakh in 2013-14 and the same was allowed vide the said common order dated 26.8.2015. However, the Petitioner has now submitted that the said amount of Rs. 163.00 lakh claimed in 2013-14 was towards 1(one) RUB only and that it had inadvertently missed the additional expenditure claim toward the 2nd (second) RUB, which was capitalized in 2014-15. In response to the direction vide ROP, the Petitioner has submitted that 2 nos. of RUB were to be constructed at Km 29/2 and Km 24/5 on NTPC Kaniha siding line by ECR, on deposit basis, for a total expenditure of Rs. 325.00 lakh, and that 1 no. RUB was constructed and capitalized in 2013-14 for Rs.163.00 lakh and that the 2nd RUB was capitalized in 2014-15 due to local disturbances. It is pertinent to mention that the Petitioner has claimed any projected additional capital expenditure for this item/asset in Petition No. 293/GT/2014 (determination of tariff for the period 2014-19). Considering the fact that the claim of the Petitioner for Rs. 163.00 lakh is towards two nos.of RUBs, which was allowed and capitalized by the Petitioner during the period 2009-14, we find no merit in the submission of the Petitioner to allow the claim of the Petitioner during the period 2014-19. Accordingly, the claim of the Petitioner, for Rs.110. 96 lakh in 2014-15, is not allowed.”

18. In the light of the above paragraph of the impugned order, we observe that the Commission, by a conscious decision, disallowed the claim of the Review Petitioner towards the 2nd RUB amounting to Rs. 110.96 lakhs in 2014-15. We also note that the Review Petitioner is reiterating the same issue, which has already been duly considered by the Commission while passing the impugned order. Accordingly, we find no error apparent on the face of the impugned order, and the prayer of the Review Petitioner for review of the impugned order on this ground is rejected.

(D) Disallowance of Water Charges on an allocation basis

Submissions of the Review Petitioner

19. The Review Petitioner, in the Review Petition, has mainly submitted as follows:

(a) In para 129 of the impugned order, the Commission has evolved a new methodology to calculate the water charges based on the actual generation of Stage -1 and Stage-2 of the generating station. Water charges cannot be on a normative basis and have to be permitted on actuals, as per Regulation 29(2) of the 2014 Tariff Regulations.



(b) The Commission has considered the actual water consumption for each of the years in 2014-19, but not considered the actual payment by the Review Petitioner, towards water charges, which is based on the water allocated. Furthermore, as against the Review Petitioner's claim for Rs. 19611.36 lakhs for Water charges for the period 2014-19, only Rs. 15811.11 lakh was allowed, leading to a disallowance of Rs. 3800.24 lakhs.

(c) The agreement between the Orissa State Irrigation Department and the generating station clearly indicates that fees will be charged as per unit/quantity of water drawn or allocated, whichever is higher. The Review Petitioner had paid water charges on an allocation basis to the State government and had claimed the same.

(d) There will always be a difference between the water allocated and the water consumed, as any station keeps a safety margin over and above the expected actual consumption, as there are several factors affecting water consumption. Secondly, as per the water agreement, the Review Petitioner will have to pay over six times the penalty charge in cases of over drawl. In addition to it, the excess drawl is permissible for a maximum period of six months, within which the licensee shall have to apply for a higher allocation of water, with reasons and where the licensee fails to apply for such higher allocation or where the licensee is refused for such higher allocation, the agreement shall be liable for cancellation and the water supplied shall be stopped thereafter. Considering the factors above, it is very important to have an adequate margin of safety (allocation quantity) over actual water consumption.

(e) In view of above, there is error apparent on the face of record, in the water charges (for O&M expenses) allowed in the order and the same needs to be rectified accordingly, by considering the total water charges, on an allocation basis, for the period 2014-19 as the Review Petitioner already paid to the Orissa State Government.

Reply of the Respondent, TANGEDCO

20. Respondent TANGEDCO, in its rejoinder affidavit, mainly submitted the following:

(a) The Review Petitioner had claimed Rs.19611.36 lakhs towards Water charges for Stage-II, based on the water allocation, stating that water charges are paid on an allocation basis. The Review Petitioner has apportioned the total charges paid during the period 2014-19 between Stages-I and II, based on the plant capacity.

(b) The first proviso to Regulation 29(2) of the 2014 Tariff Regulations states that water charges shall be allowed based on water consumption, depending upon the type of plant, the type of cooling water system, etc., subject to a prudence check.



Accordingly, the Commission has allowed Rs. 15811.11 lakh for Stage-II, based on the actual water consumption, as per the above-mentioned proviso.

(c) Hence, there is no mistake in the methodology adopted by the Commission in apportioning the actual water consumption between Stages-I and II, based on generation. Further, if the Commission had allowed water charges on an allocation basis in its orders during the period 2014-19, as stated by the Review Petitioner in the review petition. In that case, the same shall be reviewed, and the water charges allowed shall be revised on a consumption basis.

Rejoinder of the Review Petitioner

21. The Review Petitioner, in its rejoinder, has submitted that the Respondent TANGEDCO was a party in Petition No.293/GT/2014 filed by the Review Petitioner for the period 2014-19, whereby, the Commission vide its order dated 16.2.2017 allowed the water charges on an allocation basis, while rejecting the contention of the Respondent. It has also submitted that the principle applied in tariff cannot be changed at the truing up stage, in terms of the law declared by the Hon'ble Supreme Court, in BRPL v DERC & ors, wherein, it was held that the changing of rules/methodology used in the initial tariff determination exercise, would result in setting the tariff determination process at naught at the 'truing-up' stage.

Analysis and Decision

22. We have examined the rival submissions. The first proviso to Regulation 29(2) of the 2014 Tariff Regulations provides as under:

"29(2) The Water Charges and capital spares for thermal generating stations shall be allowed separately:

Provided that water charges shall be allowed based on water consumption depending upon type of plant, type of cooling water system etc., subject to prudence check. The details regarding the same shall be furnished along with the petition."

23. It is pertinent to mention that the Commission, in paragraph 129 of the impugned order dated 29.3.2023, observed as under:

“128. The matter has been examined. In terms of the first proviso to Regulation 29(2) of the 2014 Tariff Regulations, water charges are to be allowed based on water consumption depending upon type of plant, type of cooling water system etc., subject to prudence check and the relevant extract is as follows. It is noticed that the Commission vide order dated 16.2.2017 in Petition No.293/GT/2014 had allowed projected water charges as under:

XXXXX

129. In terms of the first proviso to Regulation 29(2) of the 2014 Tariff Regulations, the water charges allowed are determined for Talcher STPS- Stage-I & II, based on actual consumption of water as submitted by the Petitioner. Further, as the actual water consumption is proportionate to the electricity generated, the water charges allowed are apportioned to Stages-I & II, on the basis of their actual generation, considering the generation during the period from 2014-15 to 2018-19 (Stage I – 6921.98 MUs, 7252.27, 7011.26, 7045.40, 6449.85 MUs and Stage II – 15296.35, 15229.80, 14361.34, 14446.13, 13403.08 MUs), as per the data of the respective RPC. Accordingly, the details of the water charges allowed for the generating station are as follows”

XXXXX

24. Thus, the Commission in the impugned order observed that as the actual water consumption is proportionate to the electricity generated, the water charges allowed are apportioned to Stages-I & II, on the basis of their actual generation, considering the generation during the period from 2014-15 to 2018-19. Regulation 29(2) of the 2014 Tariff Regulations, inter alia, provides that a claim for water charges shall be allowed based on the water consumption, depending upon the type of plant, type of cooling water system, etc., subject to a prudence check. The water charges allowed in the order dated 16.2.2017 in Petition No. 293/GT/2014 and also in the impugned order are on the basis of actual consumption, in accordance with Regulation 29(2) of the 2014 Tariff Regulations. It is therefore evident that the Commission has taken a consistent and conscious approach in allowing the claims related to water charges, both in the original petition and the truing-up Petition. This is also evident from the observations of the Commission in paragraphs 80, 85 and 86 of the order dated 16.2.2017 in Petition No.293/GT/2014. In this background, we find no merit in the Review Petitioner's contention that the Commission has changed its principle at the truing up stage. It is also clarified that in the impugned order dated 29.3.2023, the water charges on a projection basis had been allowed to the Review Petitioner to the extent of the actual water consumption by this generating station.

It is pertinent to mention that the Review Petitioner has sought the review of the methodology adopted by the Commission for the calculation of water charges based on actual allocation, instead of the same being on actual consumption as per agreement with the Orissa Irrigation Department. It is a settled position in terms of the judgment of the Hon'ble Supreme Court in *Parsion Devi v Sumitra Devi* (1997 8 SCC 715) that the review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 of CPC 1908 and that the judgment may be open to review, inter alia, if there is a mistake or an error apparent on the face of the record and that an error which is not self-evident and has to be detected by a process of reasoning can hardly be said to be an error apparent requiring the court to exercise its power of review. Accordingly, there is no error apparent on the face of the impugned order, and the prayer of the Review Petitioner for review of the impugned order on this ground is not maintainable.

(E) Weighted Average Price of Coal for computation of IOWC

Submissions of the Review Petitioner

25. The Review Petitioner, in the Review Petition, has mainly submitted the following:

(a) The Commission, in the impugned order dated 29.3.2023, allowed the weighted average price of coal for the purpose of IOWC as Rs 1962.96/MT as against the Review Petitioner's claim for Rs. 2249.40/MT. The same has apparently been arrived at by taking the simple average of the Weighted Average Price of coal, for each of the months of January 2014 to March 2014, without considering the cost of diesel in the imported coal as per Form-15 provided by the Review Petitioner.

(b) The weighted average price of coal for each individual month of the period from January 2014 to March 2014, as provided in Form-15 of the Petition, is based on the prices of domestic, e-auction and imported coal and their respective blending ratio at the consumption level. Hence, the weighted average price of coal as allowed in the original Petition, by taking the simple average of the weighted average price for each individual month, takes into account the blending of coal at the consumption level.

(c) The Review Petitioner had claimed the weighted average price of coal considering the total landed cost of coal and the total of the net coal supplied during the period January 2014 to March 2014, in line with the methodology that has been clarified by



the Commission in its order dated 15.12.2017 in Petition No. 28/RP/2017 (Sipat STPS Stage II).

(d)As per Regulation 28(2) of the 2014 Tariff Regulations, for IoWC, the cost of fuel is based on the landed cost incurred, while as per Regulation 30(6)(a) of the 2014 Tariff Regulations, for ECR determination, the weighted average landed price of primary fuel during the month, takes into account the blending of fuel from different sources. Hence, for IoWC calculation, only the landed cost incurred is to be considered, which has also been clarified by this Commission in its order dated 15.12.2017 in Petition No 28/RP/2017(in Petition No 322/GT/2014).

(e)In view of above, there is an apparent error on the face of record in the weighted average price of coal for IoWC allowed in the impugned order which needs to be rectified accordingly, by considering the total landed cost of coal and the total of net coal supplied during the period from January 2014 to March 2014, without considering blending ratios, during each month.

Reply of the Respondent, TANGEDCO

26. The Respondent/TANGEDCO, in its rejoinder affidavit, mainly submitted the following:

(a) As per Regulation 28(2) of the 2014 Tariff Regulations, the cost of Fuel is to be arrived at based on the Landed Price of Coal and the Gross Calorific Value (GCV) of the fuel as per actuals, for the three months preceding the first month for which the tariff is to be determined. Further, as per Regulation 30(6) of the 2014 Tariff Regulations, the GCV of coal is on an 'as received' basis, and in case of blending of fuel from different sources, the weighted average Gross calorific value of primary fuel shall be arrived at in proportion to the blending ratio. The Commission has determined the weighted average cost of coal considering the blending ratios in line with Regulation 30 (6) of the 2014 Tariff Regulations. Hence, there is no mistake in this regard, as contended by the Review Petitioner.

(b) Further, as stated by GRIDCO in Petition No. 16/RP/2023 for review of the impugned order dated 29.3.2023, the Review Petitioner did not have suitable infrastructure for the measurement of 'as received GCV' for the months of January 2014, February 2014 and March 2014. The Review Petitioner arrived at the on 'as received GCV' of coal by using the 'as received GCV of coal on EM basis' in the moisture adjustment formula, instead of using the on 'as billed GCV of coal'. From the 'as received GCV' arrived at by GRIDCO using the 'as billed GCV' of coal furnished by the Review Petitioner, in the moisture adjustment formula, it is evident that the Review Petitioner has assumed a lower GCV, which resulted in a higher ECR. In view of the

above, the 'as received GCV' may be computed in accordance with the formula envisaged in the tariff order, and IoWC may be revised accordingly.

Rejoinder of the Review Petitioner

27. The Review Petitioner has clarified that the Respondent TANGEDCO has reiterated the impugned order of this Commission and has chosen not to reply to the grounds raised by the Review Petitioner. It has also stated that the Respondent has bodily lifted the grounds taken in the Review Petition (Petition No.16/RP/2023) filed by GRIDCO.

Analysis and Decision

28. The matter has been examined. As regards the Weighted Average price of coal, resulting in a substantially lower weighted average price of Rs. 1962.96/MT, as against the claim of Rs. 2249.40/MT, the Commission in the impugned order dated 29.3.2023, observed as under:

“Fuel Cost and Energy Charges in Working Capital

163. Regulation 28(2) of the 2014 Tariff Regulations provides that the computation of cost of fuel as part of Interest on Working Capital (IWC) is to be based on the landed price and GCV of fuel as per actuals, for the three months preceding the first month for which the tariff is to be determined.

164. Regulation 30(6)(a) of the 2014 Tariff Regulations provides as under:

“30. Computation and Payment of Capacity Charge and Energy Charge for Thermal Generating Stations:

(6) Energy charge rate (ECR) in Rupees per kWh on ex-power plant basis shall be determined to three decimal place in accordance with the following formula:

(a) For coal based and lignite fired stations

ECR = {(GHR – SFC x CVSF) x LPPF / CVPF + SFC x LPSFi + LC x LPL} x 100 / (100 – AUX)

Where,

AUX = Normative auxiliary energy consumption in percentage.

CVPF = Gross calorific value of primary fuel as received, in kCal per kg, per litre or per standard cubic metre, as applicable.

CVSF = Calorific value of secondary fuel, in kCal per ml.

ECR = Energy charge rate, in Rupees per kWh sent out.

GHR = Gross station heat rate, in kCal per kWh.

LC = Normative limestone consumption in kg per kWh.

LPL = Weighted average landed price of limestone in Rupees per kg.

LPPF = Weighted average landed price of primary fuel, in Rupees per kg, per litre or per standard cubic metre, as applicable during the month.

SFC = Normative specific fuel oil consumption, in ml/ kWh

LPSFi = Weighted average landed price of secondary fuel in Rs/ ml during the month.



165. Therefore, in terms of the above regulation, for determination of the Energy Charges in working capital, the GCV on 'as received' basis is to be considered.

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174. Regulation 28(2) of the 2014 Tariff Regulations provides that the computation of cost of fuel as a part of IWC is to be based on the landed price and gross calorific value of the fuel, as per actuals, for the three months preceding the first month for which the tariff is to be determined. Thus, calculation of IWC for 2014-19 period is to be based on such values for months of January 2014, February 2014 and March 2014. In the instant truing up petition, the Petitioner has proposed that instead of GCV for January 2014, February 2014 and March 2014, the Commission should consider the average values for months of October 2016 to March 2019 since the measurement of 'as received' GCV has been done in accordance with directions of the Commission vide order dated 25.1.2016 in Petition No. 283/GT/2014. In our view, the proposal of the Petitioner to consider the retrospective application of 30 months' (October 2016 to March 2019) average of 'as received' GCV data in place of 'as received' GCV of the preceding three months (January 2014 to March 2014) is not acceptable, keeping in view that the average GCV for 30 months may not be commensurate to the landed cost of coal for the preceding three months to be considered for calculating IWC in terms of Regulation 28(2) of the 2014 Tariff Regulations and that due to efflux of time (gap of 30 month), the quality of coal extracted from the linked mines would have undergone considerable changes. Also, the consideration of loss of GCV of 100 kCal/kg cannot be considered, as the same is not as per provisions of the 2014 Tariff Regulations.

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178. The Petitioner has calculated GCV 3376.44 kCal/kg which represents average of GCVs of preceding three months and landed price as Rs. 2249.40/MT. In this regards it is noted that the Petitioner has submitted that the plant has used imported coal for the subject months and has furnished the blending ratio for these months and considered "cost of diesel in transporting coal through MGR charges, if applicable" for the imported coal during the subject months in Form-15 submitted with the Petition. As the imported coal is being supplied by railways till unloading point, the Commission is of the considered view not to allow such charges for the imported coal. Accordingly, the "cost of diesel in transporting coal through MGR charges, if applicable" claimed with respect to imported coal is excluded in determining landed cost of coal. In line with this and considering the blending ratio submitted, the GCV and landed cost of oil as well as coal are determined as follows:

	Allowed
Weighted Average GCV of Oil (kCal/ltr)	9510.31
Weighted Average cost of Oil (Rs./kl)	47809.56
Weighted Average GCV of Coal (kCal/kWh)	3376.44
Weighted Average cost of Coal (Rs./Tonne)	1962.96

29. It is evident from the impugned order that the landed cost of coal was determined with due consideration of the blending ratio and other relevant factors, which are in line with the Regulations 28(2) and 30(6) of the 2014 Tariff Regulations. Therefore, the Commission, in terms of the regulations, had worked out the Weighted Average Price of coal as Rs.1962.96/MT, as against the Review Petitioner's claim for Rs. 2249.40/MT. In

our view, the Review Petitioner has sought to seek review of the methodology of calculation of the weighted average landed price of coal, which is not permissible in review. It is a settled proposition of law as enunciated in terms of the judgment of the Hon'ble Supreme Court in Parsion Devi v Sumitra Devi r(1997 8 SCC 715) that the review proceedings are not by way of an appeal and have to strictly confine to the scope and ambit of Order 47 Rule 1 of CPC 1908 and that the judgment may be open to review, inter alia, if there is a mistake or an error apparent on the face of the record and that an error which is not self-evident and has to be detected by a process of reasoning can hardly be said to be an error apparent requiring the court to exercise its power of review. The Hon'ble Supreme Court has also enunciated these principles of review in its judgment in Kamlesh Verma v. Mayawati and ors. (AIR 2006 SC 75). We, therefore, find no reason to allow the Review on this count. Accordingly, the review on this count is rejected as not maintainable.

30. We note that the Respondent TANGEDCO has raised some issues with regard to the 'as received GCV' computation and for revision of the IoWC, in the present case (as in para 26(b) above), similar to the grounds raised by another Respondent (GRIDCO) in Review Petition No. 16/RP/2023. In our view, the scope of the present review petition is limited to the issue raised by the Review Petitioner, and therefore, the counterclaims/reliefs sought by the Respondent cannot be considered. Even otherwise, we notice that the said issue raised by GRIDCO in Petition No. 16/RP/2023 has been examined and disposed of by the Commission vide its order dated 24.3.2025.

(F) Assumed Deletion Additional Capitalization for Replacement of MS Ash Slurry Pipes with Basalt Pipes

Submissions of the Review Petitioner

31. The Review Petitioner, in the Review Petition, has mainly submitted as follows:

(a) The Review Petitioner submitted a claim of Rs. 2574.37 lakhs for an additional capitalization on account of the replacement of MS Ash slurry pipes with cast basalt pipes. The Commission, in its impugned order, allowed the said claim, but the Commission stated that the decapitalization amount of Rs. 551.35 lakhs, as claimed, pertained only to Unit-3 and the Review Petitioner had not furnished the decapitalization details of Units 1 and 2.

(b) The Commission decapitalized an amount of Rs. 1452.82 lakhs for MS ash slurry pipes for the period 2014-19, as against the claim for Rs. 2574.37 lakhs. As MS Ash slurry pipes pertain to the station as a whole, and not to any specific unit, the decapitalization amount of Rs. 551.35 lakhs pertain to the entire generating station and is not linked individually to any specific unit. TSTPS-I (1000 MW) and TSTPS-II (2000 MW) consist of Units 1 & 2 and Units 3, 4, 5 & 6, respectively. Hence, Unit-3 being the first unit of the station, a few entries of spares of units 3,4,5 & 6 collectively have been taken under Unit -3 as MS Ash slurry pipe is not a unit specific item, rather a common item pertaining to Units 3,4,5 and 6. Further, in Form 9Bi, for the year 2018-19, the item description does not mention Unit 3.

(c) The finding of this Commission in para 48 of the impugned order linking the MS Ash Slurry pipes to Unit 3 and reducing the decapitalization of Rs 551.35 lakhs from the total claim of additional capitalization is an error apparent on the face of the record. The MS ash slurry pipes pertain to the entire generating station and not to any specific unit.

Reply of the Respondent, TANGEDCO

32. The Respondent TANGEDCO, in its reply, has stated the following:

(a) In the decapitalization details provided for MS Ash slurry pipes for the years 2016-17 and 2017-18, the Review Petitioner has mentioned "Unit-3 MS Ash Slurry pipes". Accordingly, it was considered that the decapitalization amount was furnished only for Unit-3 and the same had not been provided for Units 1, 2 & 4. Hence, the Commission considered the decapitalization amount for Units 1, 2 and 4 under assumed deletions. Thus, there is no mistake in this regard, as contended by the Review Petitioner.

Analysis and Decision

33. The matter has been examined. The Commission in the impugned order dated 29.3.2023, observed as under:

“47. The matter has been examined. It is noticed that the Petitioner has claimed total additional capital expenditure of Rs. 2574.37 lakh during the period 2014-19 and Rs. 845.00 lakh during the period 2019-24. It is further noticed that the said work was allowed by order dated 16.2.2017 in Petition No. 293/GT/2014 for Rs.3190.44 lakh during the 2014-19 period based on the following:

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*48. It is evident from the above, that the subject works were carried out by the Petitioner, to replace the existing MS pipes with cast basalt pipes to avoid leakage and to protect the surroundings, in compliance to the directions of the OSPCB. In this background, the total additional capital expenditure of Rs. 2547.37 lakh claimed is **allowed**. The Petitioner has also submitted the decapitalization of (-) Rs. 551.35 lakh for MS pipes in respect to Unit-3 only. However, the decapitalization amount has not been provided for the remaining three units (Units-1,2 & 4). Accordingly, the decapitalization amount has been considered under ‘assumed deletions.*

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95. The decapitalization of spares, CCTV and CHP offsite area civil works as claimed by the Petitioner is allowed. However, as discussed above, the decapitalization of old replaced MS pipes with basalt pipes, with newly replaced MS pipes with basalt pipes has been considered under assumed deletions.”

34. It is evident from the impugned order that the Review Petitioner submitted the decapitalization of (-) Rs. 551.35 lakh for MS Pipes in respect to Unit-3 only, and the decapitalization amount for the remaining three units (Units-1,2 and 4) was not furnished. Accordingly, the decapitalization amount was considered under ‘assumed deletions. The Review Petitioner has submitted that while TSTPS-I consists of Units 1 & 2, TSTPS-II consists of Units 3, 4, 5 & 6 respectively and that Unit-3 being the first unit of TSTPS-II, few entries of spares of Units 3,4,5 & 6 collectively, had been taken under Unit-3 as MS Ash slurry pipe is not a unit specific item, rather a common item pertaining to Units 3,4,5 & 6. The Review Petitioner has also referred to Form 9Bi for the year 2018-19 and submitted that the item description does not mention Unit 3. On scrutiny, we observe that the Review Petitioner, in its original petition (Petition No. 392/GT/2020) had indicated the “Decapitalized value of Unit-3 MS Ash slurry pipes” such as, in Part-I Form-9A for the year 2017-18 and Part-II Form 9Bi for the years 2016-17 and 2017-18, whereas, in some places of the Form, the Review Petitioner had indicated the “Decapitalization of MS Ash slurry pipes”. It is therefore evident that the Review Petitioner had not clearly indicated the



correct notation, while claiming the said Decapitalization, in the tariff filing forms. We further observe that the Petitioner, as already mentioned in para 47 of the impugned order, as quoted above, claimed Rs. 845.00 lakh during the period 2019-24. We also observe that the Commission vide a common order dated 26.8.2015 in Petition Nos. 320/GT/2013 and 208/GT/2014 allowed additional capital expenditure towards the “Replacement of MS Ash Slurry Pipes with Basalt pipes” amounting to Rs. 1876 lakhs, and “De-capitalization of MS pipe” amounting to Rs. (-) 343 lakhs, for the period 2014-19. We note that the Commission also approved an additional capital expenditure for this work, for the periods 2009-14 and 2014-19, and the work was progressively executed and capitalized during the said period. The Review Petitioner also claimed Rs. 845.00 lakh during the period 2019-24, as stated above. In this background, we are inclined to examine the contention of the Review Petitioner on this issue in entirety, while dealing with the Petition for trueing - up the tariff of the generating station for the period 2019-24 filed by the Review Petitioner, with due regard of the total decapitalization value of the said work, consistent with the Review Petitioner’s claim on MS Ash slurry pipes in the original petition and at the time of declaring the COD of the generating station. Accordingly, a Review on this count is allowed, to the extent as stated above.

Revision of tariff

35. Consequent upon review being allowed on the issue (A) as stated above, the tariff of the generating station for the period 2014-19 determined vide the impugned order dated 29.3.2023 shall stand modified, as stated in the subsequent paragraphs:

Additional Capital Expenditure

36. The table under Paragraph 110 of the impugned order is modified as under:



(Rs. in lakh)

SI No.		2014-15	2015-16	2016-17	2017-18	2018-19
A	Already allowed Items					
1	Works related to Ash Pond/ Ash handling system	4015.93	1851.80	2826.83	2581.78	3480.24
2	Interlocking at Exchange Yard	379.39	0.00	0.00	0.00	0.00
3	Replacement of MS Ash slurry pipes with Basalt Pipes	48.51	0.00	825.39	1401.61	298.86
4	3.5 Km MGR to Kaniha mines	112.61	0.00	0.00	0.00	0.00
5	Construction Of Road Under Bridge on MGR Track	0.00	0.00	0.00	0.00	0.00
6	Ballastless track	196.95	0.00	64.20	46.56	0.00
7	Land for the left-out portion of MGR	0.00	0.00	0.00	0.00	0.00
8	Upgradation of ESP					
a	Renovation & Retrofitting of Electrostatic Precipitator package (Supply portion)	0.00	0.00	0.00	2699.09	2065.14
b	Inland Transportation, Insurance, Installation, Testing & Commissioning of Renovation & Retrofitting of Electrostatic Precipitator package	0.00	0.00	0.00	0.00	537.00
9	Fire Detection and Protection System	0.00	0.00	0.00	0.00	66.85
10	Sub-Total (A)	4753.39	1851.80	3716.43	6729.04	6448.09
B	New Claims					
11	Compensation for land	0.00	0.00	0.00	14.66	0.00
12	Freehold land	0.00	0.00	0.00	0.00	93.63
13	Interest provision capitalised on land cases	0.00	0.00	0.00	0.44	0.00
14	EQMS Main equipment	0.00	36.19	0.01	0.00	0.00
15	Continuous Emission Monitoring System (CEMS)	0.00	99.89	5.73	0.00	0.00
16	LED Lighting	0.00	0.00	0.00	0.00	0.00
17	Purchase of Locos	4467.80	0.00	0.05	0.00	0.00
18	Sub-Total (B)	4467.80	136.07	5.79	15.10	93.63
	Additional capital expenditure allowed (C=A+B)	9221.19	1987.87	3722.22	6744.14	6541.71
C	Decapitalization					
19	Decapitalisation of Spares (part of capital cost)	(-) 96.21	(-)12.73	(-)409.77	(-)1105.23	(-)522.33
20	Decapitalisation of CCTV (part of capital cost)	(-)25.45	0.00	0.00	0.00	0.00
22	Decapitalisation of Unit-6 CHP-Offsite Area Civil Works PKG-1& PKG II, Stage-II	0.00	0.00	0.00	0.00	(-)24.97
	Assumed Deletion					
21	Unit-3 MS Ash slurry pipes	(-)31.27	0.00	(-)482.59	(-)780.47	(-)158.49
24	Sub-Total (D)	(-)152.93	(-)12.73	(-)892.36	(-)1885.70	(-)705.79
25	Add: Discharge of Liabilities	835.33	607.56	791.76	105.22	331.94
26	Net Additional capital expenditure allowed (including	9903.59	2582.70	3621.62	4963.66	6167.86



SI No.		2014-15	2015-16	2016-17	2017-18	2018-19
	discharges of liabilities) (E=C+D)					
27	Decapitalisation of MBOA: Part of the capital cost	(-)22.18	(-)63.73	0.00	(-)80.26	(-)238.39
28	Net Additional capital expenditure allowed	9881.41	2518.97	3621.62	4883.40	5929.47

Capital cost allowed for the period 2014-19

37. The table under Paragraph 111 of the impugned order is modified as under:

	<i>(Rs. in lakh)</i>				
	2014-15	2015-16	2016-17	2017-18	2018-19
Opening capital cost	528943.95	538825.36	541344.33	544965.95	549849.35
Add: Net Additional capital expenditure	9881.41	2518.97	3621.62	4883.40	5929.47
Closing capital cost	538825.36	541344.33	544965.95	549849.35	555778.82
Average capital cost	533884.66	540084.85	543155.14	547407.65	552814.08

Debt-Equity Ratio

38. The table under Paragraph 113 of the impugned order is modified as under:

	Capital cost as on 1.4.2014	(%)	Total cost as on 31.3.2019	(%)
Debt	370260.76	70%	389045.18	70%
Equity	158683.18	30%	166733.64	30%
Total	528943.94	100%	555778.82	100%

Return on Equity

39. The table under Paragraph 116 of the impugned order is modified as under:

	<i>(Rs. in lakh)</i>				
	2014-15	2015-16	2016-17	2017-18	2018-19
Notional Equity- Opening	158683.18	161647.60	162403.29	163489.78	164954.80
Add: Addition of Equity due to additional capital expenditure	2964.42	755.69	1086.48	1465.02	1778.84
Normative Equity – Closing	161647.60	162403.29	163489.78	164954.80	166733.64
Average Normative Equity	160165.39	162025.45	162946.54	164222.29	165844.22
Return on Equity (Base Rate)	15.500%	15.500%	15.500%	15.500%	15.500%
Effective Tax Rate for respective years	20.961%	21.342%	21.342%	21.342%	21.549%
Rate of Return on Equity (Pre-tax)	19.610%	19.705%	19.705%	19.705%	19.758%
Return on Equity (Pre-tax) - (annualized)	31408.43	31927.11	32108.62	32360.00	32767.50

Depreciation

40. The table under Paragraph 113 of the impugned order is modified as under:

	2014-15	2015-16	2016-17	2017-18	2018-19
Average capital cost (A)	533884.66	540084.85	543155.14	547407.65	552814.08



Value of freehold land included above (B)	921.13	1031.74	1095.38	1185.57	1258.94
Aggregated depreciable Value [C = (A-B) x 90%]	479667.18	485147.80	487853.79	491599.87	496399.63
Remaining Aggregate Depreciable value at the beginning of the year (D = C – 'K' of previous year)	181874.20	159452.53	134181.55	110347.31	107693.82
Balance useful life at the beginning of the year (E)	15.29	14.29	13.29	12.29	11.29
Weighted average rate of depreciation (F)	5.1816%	5.1818%	5.1820%	-	-
Depreciation during the year G = (A x F) for the period 2014-17 and (D/E) for the period 2017-19	27663.60	27986.13	28146.30	8977.41	9537.46
Cumulative depreciation at the end of the year, before adjustment of de-capitalization adjustment (H = G + 'K' of previous year)	325456.58	353681.40	381818.54	390229.97	398243.27
Cumulative Depreciation adjustment on account of un-discharged liabilities deducted as on 1.4.2009 (I)	336.42	0.00	40.16	0.00	94.87
Cumulative depreciation adjustment on account of de-capitalization (J)	97.74	9.16	606.14	1524.15	744.02
Cumulative depreciation, at the end of the year (K = H + I-J)	325695.27	353672.24	381252.56	388705.81	397594.12

Interest on Working Capital

Working Capital for Receivables

41. The table under Paragraph 185 of the impugned order is modified as under:

	<i>(Rs. in lakh)</i>				
	2014-15	2015-16	2016-17	2017-18	2018-19
Variable Charges - for two months (A)	33966.69	34059.75	33966.69	34785.17	34785.17
Fixed Charges - for two months (B)	18095.93	18350.97	18571.72	15884.73	16592.88
Total (C = A+B)	52062.62	52410.72	52538.42	50669.90	51378.05

42. The table under Paragraph 189 of the impugned order is modified as under:

	<i>(Rs. in lakh)</i>				
	2014-15	2015-16	2016-17	2017-18	2018-19
Working capital for Cost of Coal towards Stock (15 days generation corresponding to NAPAF) (A)	8234.87	8234.87	8234.87	8433.30	8433.30
Working capital for Cost of Coal towards Generation (30 days of generation corresponding to NAPAF) (B)	16469.74	16469.74	16469.74	16866.60	16866.60



	2014-15	2015-16	2016-17	2017-18	2018-19
Working capital for Cost of Secondary fuel oil (2 months generation corresponding to NAPAF) (C)	579.36	580.94	579.36	593.32	593.32
Working capital for Maintenance Spares (20% of O&M expenses) (D)	7045.81	7493.76	7834.22	8405.48	9019.16
Working capital for Receivables (2 months of sales of electricity at NAPAF) (E)	52062.62	52410.72	52538.42	50669.90	51378.05
Working capital for O&M expenses (1 month of O&M expenses) (F)	2935.75	3122.40	3264.26	3502.28	3757.98
Total Working Capital (G = A+B+C+D+E+F)	87328.16	88312.43	88920.87	88470.88	90048.42
Rate of Interest (H)	13.50%	13.50%	13.50%	13.50%	13.50%
Interest on Working Capital (I = G x H)	11789.30	11922.18	12004.32	11943.57	12156.54

Annual Fixed Charges

43. The table under Paragraph 190 of the impugned order are modified as under:

	(Rs. in lakh)				
	2014-15	2015-16	2016-17	2017-18	2018-19
Depreciation	27663.60	27986.13	28146.30	8977.41	9537.46
Interest on Loan	2485.18	801.60	0.00	0.00	0.00
Return on Equity	31408.43	31927.11	32108.62	32360.00	32767.50
Interest on Working Capital	11789.30	11922.18	12004.32	11943.57	12156.54
O&M Expenses	35229.06	37468.78	39171.11	42027.39	45095.81
Compensation Allowance	200.00	300.00	400.00	400.00	400.00
Total annual fixed charges allowed	108775.58	110405.80	111830.34	95708.37	99957.31
Total annual fixed charges allowed in order dated 29.3.2023	108775.58	110405.80	111830.34	95708.37	99949.18

44. The difference between the annual fixed charges already recovered in terms of the Commission's order dated 29.3.2023 in Petition No.392/GT/2020 shall be adjusted against annual fixed charges determined by this order, in terms of Regulation 8(13) of the 2014 Tariff Regulations.

45. Review Petition No. 24/RP/2023 in Petition No. 392/GT/2020, stands disposed of in terms of the above.

Sd/-
(Harish Dudani)
Member

Sd/-
(Ramesh Babu.V)
Member

Sd/-
(Jishnu Barua)
Chairperson