

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 5/RP/2025

In

Petition No. 436/GT/2020

Coram:

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

Date of Order: 13th November, 2025

In the matter of:

Petition for review of the Commission's order dated 17.2.2025 in Petition No. 436/ GT/ 2020 pertaining to the approval of tariff of Talcher STPS-I (1000 MW) for the period of 2019-24

And

In the matter of:

NTPC Ltd.

NTPC Bhawan, Core-7, Scope Complex

7, Institutional Area, Lodhi Road, New Delhi-110003

..... Review Petitioner

Vs

1. West Bengal State Electricity Distribution Company Limited,
Vidyut Bhawan, Block-DJ, Sector – II, Salt Lake City, Kolkata - 700091
2. Bihar State Power (Holding) Company Limited,
Vidyut Bhawan, Bailey Road, Patna- 800021
3. Jharkhand Urja Vikas Nigam Limited,
Engineering Bhawan, HEC, Dhurwa, Ranchi- 834004
4. GRID Corporation of Orissa Limited,
Vidyut Bhawan, Janpath, Bhubaneshwar- 751007
5. Damodar Valley Corporation,
DVC towers, VIP Road, Kolkata – 700054
6. The Energy & Power Department,
Govt. of Sikkim, Kazi Road, Gangtok Sikkim- 737101
7. Assam Power Distribution Company Limited,
Bijulee Bhawan, Paltan Bazar, Guwahati- 781001



8. Tamil Nadu Generation and Distribution Corporation Limited,
NPKRP Maaligai, 800, Anna Salai, Chennai- 600002 **Respondents**

Parties Present:

Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Karthikeyan, Advocate, NTPC
Shri Rudraksh Bhushan, NTPC
Shri Chiranjeev Singh, Advocate, BSPHCL
Shri Naman Kumar, Advocate, BSPHCL

ORDER

Petition No. 436/GT/2020 was filed by the Petitioner, NTPC Limited, for approval of tariff of Talcher Super Thermal Power Station, Stage-I (1000 MW) (in short, 'the generating station') for the period 2019-24, in accordance with Regulation 9(2) of the Central Electricity Regulatory Commission (Terms & Conditions of Tariff) Regulations, 2019 (in short 'the 2019 Tariff Regulations') and the Commission vide order dated 17.2.2024 (in short, 'the impugned order') disposed of the said Petition. Aggrieved by the impugned order dated 17.2.2024, the Review Petitioner has filed this Review Petition on the ground that there are errors apparent on the face of the record, on the following issues:

- A. *Computation of Special Allowance;*
- B. *Computation of the Water Charges;*
- C. *Calculation of the Weighted average price of coal and other charges; and*
- D. *Calculation of Depreciation for the new assets.*

Submissions of the Review Petitioner

2. The Review Petitioner has submitted that the computation of Special Allowance of both the units of the generating station by the Commission, in the impugned order, from the next financial year from the year of the completion of useful life of the units, rather than from the actual completion date of the useful life of the units, has resulted in a disallowance of Rs. 47.36 crores. It has also submitted that the calculation of the



Weighted Average Price of coal has led to a significantly reduced Weighted Average Price of Rs. 1897.39 per metric ton (MT). The Review Petitioner has also submitted that the useful life of the generating station completed in 2021-22, and the entire depreciation was to be recovered by then. However, for the years 2019-20, 2020-21, and 2021-22, the Commission computed the depreciation at a rate of 5.28% only, for the new assets. The Review Petitioner has pointed out to the manner of computation of water charges, which has led to a disallowance of Rs. 13.67 crores, and submitted that the said issue has two sub-components, viz., the incorrect consideration of an availability factor of 85% instead of 100%; and the non-consideration of the fact that the amount paid by the Review Petitioner, was on an allocation basis, as per the water agreement with the State Government of Odisha.

Hearing dated 18.9.2025

2. During the hearing of the Review Petition on 'on admission', the learned counsel for the Review Petitioner made detailed oral submissions, pointing out the errors apparent on the face of the impugned order on the grounds raised in para 1 above. However, on a specific query by the Commission, as to why the issues raised herein, should not be considered in the truing-up petition (Dy. No.953/2024) filed by the Review Petitioner, in respect of this generating station, for the period 2019-24, and pending for consideration of the Commission, the learned counsel for the Review Petitioner submitted that the Commission may grant liberty to the Review Petitioner to raise these claims, in the aforesaid truing-up petition filed for the period 2019-24. This request was also not objected to by the learned counsel for the Respondents appearing in the matter.



3. In view of the above, the Review Petitioner is permitted to raise the issues (as in para 1 above), in the truing up petition (Dy. No.953/2024) filed by the Review Petitioner in respect of the generating station for the period 2019-24, and the same will be considered in accordance with law. We also direct the Review Petitioner to submit, on an affidavit, in the truing up petition, the following information, after serving a copy on the Respondents:

- (a) *The details of the actual expenses incurred up to 31.3.2024 out of the Special Allowance granted to the generating station for the period 2019–24. (As per paragraph no. 72 of the impugned order)*
- (b) *The details of the actual water charges, including the year-wise details of the actual generation, water consumption for plant and non-plant purposes, water charges paid along with supporting bills, and the apportionment of water charges to Stages I and II. (as per paragraph no. 82 of the impugned order)*
- (c) *Form-15, as per the prescribed format, source-wise for the respective months, excluding the opening stock, along with CIMFR/ third party reports, GCV computation details from the third-party reports, actual blending ratio, monthly declared grade and GCV of coal, monthly received grade (GCV EM basis), the quantity of coal received, quantity of coal consumed, closing quantity of coal, opening balance of coal, etc., Total moisture, Equilibrated moisture, adjustment made, demurrage charges paid, reasons for the high loss of GCV between GCV billed and GCV received of domestic coal, detailed break up of other charges along with supporting documents, etc., at the time of truing up of tariff. (as per paragraph no. 116 of the impugned order)*

4. The prayers of the Review Petitioner, in Petition 5/RP/2025 (in Petition No. 436/GT/2020), stand disposed of in terms of the above.

Sd/-
(Harish Dudani)
Member

Sd/-
(Ramesh Babu V.)
Member

Sd/-
(Jishnu Barua)
Chairperson

