

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 128/GT/2017

Subject : Petition for approval of tariff of Tripura Gas Based Power Plant 101 MW for the period from COD of its Gas Turbine unit to 31.3.2019 (Remand matter).

Petitioner : NEEPCO

Respondent : TSECL

Date of Hearing : **27.8.2026**

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

Parties Present : Ms. Poorva Saigal, Advocate, NEEPCO
Shri Rishabh Saxena, Advocate, NEEPCO
Shri Basava Prabhu Patil, Sr. Advocate, TSECL

Record of Proceedings

During the hearing, learned counsel for the Petitioner submitted that the present matter has been remanded to the Commission by the APTEL vide judgment dated 14.5.2026 in Appeal No. 184 of 2020. The counsel further submitted that the Petitioner has filed a Civil Appeal before the Hon'ble Supreme Court against the aforesaid judgment of the APTEL. The said Civil Appeal was admitted on 29.7.2026, wherein the Hon'ble Supreme Court directed the Commission to proceed with the determination of tariff, subject to the Appellant, i.e., NEEPCO, depositing 50% of the differential amount within a period of four weeks from the date of the order. The learned counsel submitted that the Petitioner has complied with the aforesaid direction of the Hon'ble Supreme Court and has also filed a compliance affidavit in this regard.

2. The learned counsel for the Respondent submitted that, since the cost and time overrun allowed by the Commission in its order dated 4.4.2019 has been disallowed by the APTEL vide judgment dated 14.5.2026, the Respondent continues to pay for the electricity as per the tariff determined by the Commission based on the Investment Approval of 2017 to Rs. 1062 crore. The learned counsel requested the Commission to pass an appropriate order clarifying the tariff payable by TSECL, considering the RCE-I of Rs. 623.44 crore. The learned counsel for the Respondent further objected to the adequacy of the amount deposited by the Petitioner before the Hon'ble Supreme Court and submitted that the Petitioner has not complied with the directions of the Hon'ble Supreme Court.

3. The Commission, after hearing the parties, directed the Petitioner to submit the following additional information, after serving a copy on the Respondent, on or before **18.9.2026**:



- (a) *Furnish a detailed package-wise reconciliation of the capital cost with reference to RCE-I, indicating the RCE-I cost, actual expenditure, variation and justification thereof, and to separately identify and quantify the expenditure attributable to the delays, including escalation in contract prices, IDC, IEDC and any other consequential expenditure.*
- (b) *Submit the capital cost calculated at appropriate price level by revising the capital cost approved under RCE-I 2010 price level in line with APTEL judgement dated 14.5.2026 together with methodology and supporting details of the same including the applicable indices and package-wise computation. Also, indicate the capital cost which, according to it, is admissible after excluding the expenditure attributable to the aforesaid delays.*
4. The Respondent is permitted to file its reply to the above additional information, on or before **25.9.2026**, after serving a copy on the Petitioner, who may file its rejoinder, if any, on or before **5.10.2026**.
5. The Petition shall be listed for hearing on **8.10.2026**.

By order of the Commission

**Sd/-
(T. D. Pant)
Joint Chief (Law)**

