

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 266/MP/2024

Subject : Petition under Regulation 9(4) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 seeking approval of input price of coal supplied from Chatti-Bariatu Coal Mine to end use generating station i.e., Barh-II STPS for the period from Commercial Operation Date i.e., 1.4.2024 to 31.3.2029.

Petitioner : NTPC

Respondent : North Bihar Power Distribution Company Limited & ors.

Date of Hearing : **18.3.2026**

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

Parties Present : Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Ms. Pragya Pushkar, Advocate, NTPC
Shri Tabrez Malawat, Advocate, NBPDC & SBPDCL
Shri Sourajit Sarkar, Advocate, NBPDC & SBPDCL
Shri Syed Hamza, Advocate, NBPDC & SBPDCL
Ms. Rupali Jain, Advocate, NBPDC & SBPDCL

Record of Proceedings

The case was heard through a virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that an IA has been filed seeking substitution of the Petitioner on account of the transfer of its mining business to a subsidiary company. She further sought liberty to file an application for the incorporation of an additional prayer in the Petition and requested that time be granted for the same.

3. The learned counsel for the Respondent, Bihar Discoms, submitted that Bihar Discoms have already filed a reply to the original petition and sought liberty to file a reply to the application, as and when filed by the Petitioner.

4. The Commission, after hearing the parties, permitted the Petitioner to file an amended Petition incorporating the additional prayer and also directed the Petitioner to file the following additional information, on an affidavit, after serving a copy on the Respondents, on or before **25.4.2026**:

- i) *Documentary evidence in support of surface transportation cost, escalation in mining fees, mine closure expenses, and adjustment in OB removal.*
- ii) *Supporting documents to substantiate whether surface transportation charges are included in the mining fees payable to the MDO.*



- iii) *Supporting documents to substantiate the comparison between the estimated price of coal in the IA and the notified price of coal of corresponding grade by CIL, to demonstrate that prior to actual COD, coal had been sold in terms of Regulation 7 of the Tariff Regulations, 2024.*
- iv) *Documentary evidence in support of escalation in the estimated cost of the IA on account of variation in rehabilitation and resettlement (R&R) costs, land compensation, employment, and annuity payable to affected persons.*
- v) *Copy of the original Investment Approval (IA) and Revised Cost Estimate (RCE), duly approved by the Board of Directors of the Petitioner, along with an item-wise detailed break-up in conformity with Tariff Form-B as per the Tariff Regulations, 2024, including applicable formulae and proper linkages, in Excel format.*
- vi) *Justification for variation, if any, between item-wise cost and total cost in the original IA and the RCE.*
- vii) *Copy of Form-C (break-up of construction/supply/service packages) as per the Tariff Regulations, 2024.*
- viii) *Commissioning status of the CHP, along with actual COD, if achieved. Justification for claiming additional capitalisation (add-cap) on account of the installation of CHP, along with surface transportation charges.*
- ix) *Reasons for the delay in achieving the actual COD of the CHP.*
- x) *Revised Form-13 based on the actual applicable Rate of Interest (ROI), without considering the adjustment towards sharing of benefits on refinancing.*
- xi) *Revised Auditor's Certificate of Gross Block Reconciliation as on COD, after incorporating unamortized bond issue expenses as part of the auditor-certified gross block, in terms of applicable accounting standards (IGAAP).*
- xii) *Soft copy (in Excel format with formulas and linked cells) of detailed computation in respect of IDC and notional IDC claimed.*

5. The Respondents shall file their replies in the matter on or before **22.5.2026** after serving a copy to the Petitioner, who may file its rejoinder, if any, by **12.6.2026**.

6. The Petition shall be listed for hearing on **23.6.2026**.

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

