

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 362/MP/2023

Subject : Petition under Sections 62 and 79(1)(a) of the Electricity Act, 2003 read with Regulation 29 of the CERC (Terms and Condition of Tariff) Regulations, 2019 for determination of tariff for installation of various Emission Control Systems in KTPS Units 1&2 (2x500 MW) of DVC in compliance of Revised Emission Standards.

Petitioner : Damodar Valley Corporation

Respondent(s) : JBVNL and 7 others

Date of hearing : **27.5.2026**

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

Parties Present : Shri Venkatesh, Advocate, DVC
Shri Nihal Bharadwaj, Advocate, DVC

Record of Proceedings

The matter was called out for a hearing through virtual mode.

2. During the hearing, the learned counsel for the Petitioner submitted that none of the Respondents has filed their replies till date and prayed that the matter may be reserved for orders.

3. The Commission, after hearing the learned counsel for the Petitioner, directed the Petitioner to furnish the following additional information on an affidavit, after serving a copy to the Respondents, on or before **25.6.2026**:

- a) *Detailed item-wise break-up of the additional capital expenditure claimed on cash basis, as submitted in Form-9 of the amended Petition filed vide affidavit dated 8.7.2025;*
- b) *Detailed item-wise break-up of the actual capitalization claimed as on actual ODeS under Point 5 (Others) of Plant & Machinery in Form-B;*
- c) *Detailed item-wise break-up of the actual capitalization claimed as on actual ODeS under Point 6 (Other Enabling Works including Roads/Drains) of Buildings in Form-B;*
- d) *Detailed item-wise break-up of actual capitalization claimed on account of discharge of undischarged liabilities, as submitted in Form-9 and Form-B of the amended Petition;*
- e) *Justification for claiming the additional capital expenditure in terms of Regulation 24 instead of claiming it in terms of Regulation 29 of the CERC Tariff Regulations, 2024;*



- f) OEM-certified PG test report of the FGD along with the conditions considered therein;
- g) Actual delay analysis due to different factors, as per the format furnished at page no. 51-52 of Annexure C of the original Petition, where the anticipated delay analysis has been depicted;
- h) Detailed break-up of Time Overrun (Form-G), reasons along with delay against each reason in tabular format, Cost Overrun (Form-F), IEDC (FORM-P), IDC (Form-14) and assets decapitalized, unit-wise up to actual ODeS (Form-I);
- i) Item-wise detailed breakup of actual capitalization as on actual ODeS and projected additional capitalization in respect of initial spares, as claimed in Form-B;
- j) Justification for capitalization on account of Initial Spares exceeding ceiling limit of 4% of Plant and Machinery cost, in terms of Regulation 23(a) of the Tariff Regulations, 2024;
- k) Details of LD recovered from the contractor on account of delay, along with supporting documents;
- l) Justification for indicating a '-' sign against Liabilities Undischarged in Column 9 of Form-B of the amended Petition and for adding such undischarged liabilities to the actual capitalization (column 8 of Form-B) as on the actual ODeS (1.4.2025) of ECS of Unit-2, for arriving at the Net Capitalization (Column 10 of Form-B) as on the actual ODe of ECS of Unit-2;
- m) Details of capitalization (both in accrual basis and on cash basis) on actual ODeS, duly certified by the Auditor;
- n) Justification for variation, if any, between item-wise cost and total cost in the original IA and RCE;
- o) Details along with justification of the relevant heads under which the additional capitalization works are covered in the IA/RCE, along with approval for any increased cost, if applicable.

4. The Respondents shall file their replies on or before **10.7.2026**, after serving a copy to the Petitioner, who may file its rejoinder, if any, by **17.7.2026**.

5. Subject to the above, the Petition was reserved for orders.

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

