CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI

Coram:

- 1. Shri Ashok Basu, Chairperson,
- 2. Shri, Bhanu Bhushan, Member
- 3. Shri A.H. Jung, Member

Petition No.130/2005

In the matter of

Approval of transmission tariff for 220 kV Allahabad-Phulpur S/C transmission line under system improvement scheme in Uttar Pradesh in Northern Region for the period 1.6.2004 to 31.3.2009

And in the matter of

Power Grid Corporation of India Ltd., Gurgaon Petitioner

Uttar Pradesh Power Corporation Ltd., Lucknow

The following were present:

- 1. Shri Umesh Chandra, ED, PGCIL
- Shri P.C.Pankaj, PGCIL
- Shri M.M. Mondal CM, PGCIL
- 4. Shri U.K. Tyagi, DGM, PGCIL
- 5. Shri S. Singh, PGCIL
- 6. Shri S.P.Srivastava, EE, UPPCL
- 7. Shri T.K.Srivastava, EE, UPPCL

ORDER (DATE OF HEARING: <u>18.4.2006</u>)

The petition has been filed for approval of tariff for 220 kV Allahabad-Phulpur S/C transmission line (the transmission line) under system improvement scheme in Uttar Pradesh, (hereinafter referred to as "the scheme") in Northern Region for the period 1.6,2004 to 31.3.2009, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004, (hereinafter referred to as "the 2004 regulations") after accounting for additional capitalization of Rs. 35.45 lakh The petitioner has also prayed for reimbursement of expenditure from the beneficiaries incurred towards publishing of notices in newspapers and the petition filing fee. _____

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- 2. The <u>administrative approval for the scheme</u>, was accorded by the Board of Directors of the petitioner company as per Memorandum dated <u>14.1.2002</u> at an estimated cost of Rs.<u>2257.00</u> lakh, including IDC of Rs.<u>107.00</u> lakh, <u>based on 3rd</u> quarter 2001, price level. The revised cost estimate for Rs. 2604.00 lakh, including IDC of Rs. 197.00 lakh based on 4th quarter 2004 price level, was approved by the Board of Directors of the petitioner company as per Memorandum dated 17.10.2005. The apportioned approved cost of the transmission line is stated to be Rs. 1702.32 lakh, including IDC of Rs. 128.77 lakh. The date of commercial operation of the transmission line is <u>1.6. 2004</u> with line length (for O & M purpose) of 38.773 ckt-kms.
- 3. The <u>provisional transmission charges for the transmission line</u> were decided by the Commission in its order dated <u>30.5.2005</u> in <u>Petition No. 140/2004</u>. The present petition is for approval of final tariff from the date of commercial operation.
- 4. The petitioner has claimed the transmission charges as under:

(Rs. in lakh)

	2004-05 (1.6.2004 to 31.3.2005)	2005-06	2006-07	2007-08	2008-09
Depreciation	31.65,	38.45,	38.45,	38.45,	<u>38.4</u>
Interest on Loan	67.08	<u>79.07,</u>	<u>76.03</u> ,	70.89,	64.1
Return on Equity	<u>52.67,</u>	<u>65.69</u> ,	<u>65.69</u> ,	<u>65.69</u> ,	<u>65.68</u>
Advance against Depreciation	0.00	0.00	0.00	<u>6.54</u>	<u>47.08</u>
Interest on Working Capital	<u>4.11</u>	<u>5.06</u> ,	<u>5.11</u> ,	5.25,	<u>5</u> .9
O & M Expenses	7.33,	<u>9.15</u> ,	9.54,	9.89,	<u>10.3</u> %
Total	<u>162.85,</u>	197.42	194.82	196.71	231.64

5. The details submitted by the petitioner in support of its claim for interest on working capital are given hereunder:

(Rs. in lakh)

	,					
	2004-05	2005-06	2006-07	2007-08	2008-09/	
	(1.6.2004 to 31.3.2005)				1/1/	
Maintenance Spares	14.77,	<u>15.69</u> ,	<u>16.63</u> ,	<u>17.63</u> ,	18. 6 9	
O & M expenses	0.73	0.76	0.79	0.82	0.86	
Receivables	<u>32.57</u>	<u>32.90</u>	32.47	<u>32.79</u>	38.61	
Total	<u>48.08</u> ,	49.36	49.90	<u>51.24</u>	<u>58.15</u>	
Rate of Interest	10.25%	10.25%	10.25%	10.25%	10.25%	
Interest	<u>4.11,</u>	<u>5.06</u>	<u>5.11</u> ,	<u>5.25</u> ,	5.96	

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The reply to the petition has been filed by the respondent. No comments or suggestions have been received from the general public in response to the notices published by the petitioner under section 64 of the Electricity Act, 2003.

CAPITAL COST

- As per clause (1) of Regulation 52 of the 2004 regulations, subject to prudence check, the actual expenditure incurred on completion of the project shall form the basis for determination of final tariff. The final tariff shall be determined based on the admitted capital expenditure actually incurred up to the date of commercial operation of the transmission system and shall include capitalised initial spares subject to a ceiling norm as 1.5% of original project cost. The regulation is applicable in case of the transmission system declared under commercial operation on or after 1.4.2004.
- The petitioner has claimed additional capitalization of Rs. 35.45 lakh on works for the period from 1.6.2004 to 31.3.2005, over the capital expenditure of Rs. 1459.77 lakh as on the date of commercial operation.

Additional capitalization -2004-05

- Clause (1) of Regulation 53 of the 2004 regulations provides-
 - "(1) The following capital expenditure within the original scope of work actually incurred after the date of commercial operation and up to the cut off date may be admitted by the Commission, subject to prudence check:
 - Deferred liabilities:
 - Works deferred for execution;
 - Procurement of initial capital spares in the original scope of works (iii) subject to the ceiling norm specified in regulation 52;
 - Liabilities to meet award of arbitration or compliance of the order or decree of a court; and
 - On account of change in law.

Provided that original scope of work along with estimates of expenditure shall be submitted along with the application for provisional tariff:

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Ltd, Jodhpur Vidyut Vitran Nigam Ltd and Ajmer Vidyut Vitran Nigam Ltd Formatted: Line spacing: single

Board, Jaipur Vidyut Vitran Nigam

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As per Regulation 1.10 of the Central Electricity Regulatory Commission (Terms and conditions of tariff) Regulation, 2001, the tariff revisions during the period on account of capital expenditure with the approved project cost incurred during the tariff period may be entertained by the Commission only if such expenditure exceeds 20% of the approved cost. In all cases, where the expenditure is less then 20%, tariff revision shall be considered in the next tariff period, ¶ 7. The petitioner has sought approval of tariff after accounting for additional capital expenditure of Rs.16.35 lakh incurred during 2004-04. The details submitted by the petitioner in support of its claim for additional capital expenditure is given hereunder:¶

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Provided further that a list of the deferred liabilities and works deferred for execution shall be submitted along with the application for final tariff after the date of commercial operation of the transmission system."

10. The details submitted by the petitioner in support of its claim for additional capital expenditure of Rs. 35.45 lakh for the period 1.6.2004 to 31.3.2005 are given hereunder:

<u>Year</u>	Amount (<u>'Rs.</u>	Nature of expenditure
	in lakh)		
2004-05	<u>35.45</u>		Transmission line = Rs.34.78 lakh
			PLCC = Rs. 0.67 lakh

11. The additional capital expenditure claimed is within the original scope of work and found to be in order as it was against the committed liability. Accordingly, the additional capital expenditure of Rs. 35.45 lakh as claimed has been allowed.

Time Overrun

12. The scheduled date of commissioning of the transmission scheme was April, 2003. The transmission scheme has, however, been declared under commercial operation on 1.6.2004. Thus, there is delay of about of 13 months in the commissioning. The petitioner has explained that at the time of preparation of feasibility report in November 2001, the crossing of Ganga river with two river crossing towers on open cast foundation was envisaged. However, during construction it was found that the banks were eroded and the width of river had increased and necessity of providing mid stream tower was felt. After soil investigation and analysis it was decided to construct one pile foundation in the mid stream along two numbers of open cast foundation and award for the same was placed on 7.1.2003. Again, unprecedented rains created hindrance in completion of entire civil works including erection of tower which could ultimately be completed in April 2004 and the line was commissioned on 23.5.2004.

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13. There is satisfactory explanation for the entire delay of 13 months in completion of the transmission assets and no objection has been raised by the sole beneficiary. UPPCL. Therefore, the delay in commissioning of line is allowed as beyond the control of the petitioner.

,Total Capital Cost

Against the above background, gross block of Rs.1495.22 lakh as on 1.4.2005 has been worked out for the purpose of tariff over the gross block of Rs. 1459.77 lakh as on the date of commercial operation.

DEBT- EQUITY RATIO

15. Clause (2) of Regulation 54 of the 2004 regulations inter alia provides that,-

"(2) In case of the transmission systems for which investment approval was accorded prior to 1.4.2004 and which are likely to be declared under commercial operation during the period 1.4.2004 to 31.3.2009, debt and equity in the ratio of 70:30 shall be considered:

Provided that where equity actually employed to finance the project is less then 30%, the actual debt and equity shall be considered for determination of tariff:

Provided further that the Commission may in appropriate cases consider equity higher than 30% for determination of tariff, where the transmission licensee is able to establish to the satisfaction of the Commission that deployment of equity higher than 30% was in the interest of general public."

The Note 1 below Regulation 53 lays own that any expenditure on account of committed liabilities within the original scope of work is to be serviced in the normative debt-equity ratio specified in Regulation 54.

17. The petitioner has considered debt-equity ratio of 70.29:29.71 as actually deployed as on the date of commercial operation. The petitioner has further considered the entire amount of additional capitalization against equity. We have considered debt-equity ratio of 70.28:29.72 on the date of commercial operation. The additional capitalisation on works of Rs. 35.45 lakh has been segregated in the Formatted: Line spacing: single

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Provided that where deployment of equity is less than 30%, the actual equity deployed shall be considered for the purpose of determination of

Provided further that the Commission may in appropriate case consider equity higher than 30% for the purpose of determination of tariff, where the transmission licensee is able to establish to the satisfaction of the Commission that deployment of equity more than 30% was in the interest of general public:¶

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Provided that where deployment of equity is less than 30%, the actual equity deployed shall be considered for the purpose of determination of tariff ¶ .. [66]

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normative debt-equity ratio of 70:30 in view of Note 1 below Regulation 53.

Accordingly, for the purpose of tariff, an amount of Rs. 433.77 lakh has been considered as equity as on 1.6.2004 and Rs. 444.41 lakh as on 1.4.2005.

RETURN ON EQUITY

- 18. As per clause (iii) of Regulation 56 of the 2004 regulations, return on equity shall be computed on the equity base determined in accordance with regulation 54 @ 14% per annum. Equity invested in foreign currency is to be allowed a return in the same currency and the payment on this account is made in Indian Rupees based on the exchange rate prevailing on the due date of billing.
- The petitioner has claimed return on equity of Rs. 469.22 lakh after considering the entire additional capitalization to have been financed out of equity. For the reasons recorded in para 17 above equity of Rs. 433.77 lakh has been considered as on 1.6.2004 and from 1.4.2005 onwards, equity of Rs. 444.41 lakh has been considered each year. However, tariff for the period 1.6.2004 to 31.3.2005 has been allowed on average equity of Rs. 439.09 lakh. Accordingly, the petitioner shall be entitled to return on equity of Rs.51.23 lakh during 2004-05 and Rs. 62.22 lakh each year during the 2005-09.

<u>INTEREST ON LOAN</u>

- 20. Clause (i) of regulation 56 of the 2004 regulations inter alia provides that,-
 - "(a) Interest on loan capital shall be computed loan wise on the loans arrived at in the manner indicated in regulation 54.
 - (b) The loan outstanding as on 1.4.2004 shall be worked out as the gross loan in accordance with Regulation 54 minus cumulative repayment as admitted by the Commission or any other authority having power to do so, up to 31.3.2004. The repayment for the period 2004-09 shall be worked out on a normative basis.
 - (c) The transmission licensee shall make every effort to re-finance the loan as long as it results in net benefit to the beneficiaries. The costs associated with such re-financing shall be borne by the beneficiaries.

Deleted: considered by the Commission in its order dated 27.7.2005 ibid. The entire amount of additional capitalisation has been taken as equity by the petitioner. Based on this, Rs. 368.67 lakh as on 1.4.2004 has been taken as the equity by the petitioner for the purpose of determination of tariff in the present petition.¶

14. The petitioner has indicated approved debt-equity ratio of 80:20 stated in the petition that the approved debt-equity ratio is 79.72:20.28. Therefore, in order to bring debt and equity close to the approved debt-eq

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- (d) The changes to the loan terms and conditions shall be reflected from the date of such re-financing and benefit passed on to the beneficiaries.
- (e) In case of dispute, any of the parties may approach the Commission with proper application. However, the beneficiaries shall not withhold any payment ordered by the Commission to the transmission licensee during pendency of any dispute relating to re-financing of loan;
- (f) In case any moratorium period is availed of by the transmission licensee, depreciation provided for in the tariff during the years of moratorium shall be treated as repayment during those years and interest on loan capital shall be calculated accordingly.
- (g) The transmission licensee shall not make any profit on account of refinancing of loan and interest on loan;
- (h) The transmission licensee may, at its discretion, swap loans having floating rate of interest with loans having fixed rate of interest, or vice versa, at its own cost and gains or losses as a result of such swapping shall accrue to the transmission licensee:

<u>Provided that the beneficiaries shall be liable to pay interest for the loans initially contracted, whether on floating or fixed rate of interest."</u>

- 21. The petitioner has claimed interest on loan in the following manner:
 - (i) As on date of commercial operation, the actual loan has been considered.
 - (ii) On the basis of actual rate of interest on actual average loan, the weighted average rate of interest on loan is worked out for various years.
 - (iii) Weighted average rate of interest on loan for respective years as per above has been has been multiplied to arrive at interest on loan.
- 22. In our calculation, the interest on loan has been worked out as detailed below:

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(i) Gross amount of loan, repayment of instalments as per the loan allocation statement up to 2004-05 has been prepared on the basis of loan allocation details submitted by the petitioner and rate of interest as given in the petition. The same is used to work out weighted average

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(b) The loan outstanding as on 1.4.2004 shall be worked out as the

- 1.4.2004 shall be worked out as the gross loan as per regulation 54 minus cumulative repayment as admitted by the Commission for the period up to 31.3.2004. The repayment for the period 2004-09 shall be worked out accordingly on normative basis.¶
- (c) . The transmission licensee shall make every effort to swap the loan as long as it results in net benefit to the long-term transmission customers. The costs associated with such swapping shall be borne by the long-term transmission customers. ¶
 (d) . The changes to the loan terms and conditions shall be reflected from
- and conditions shall be reflected from the date of such swapping and benefits passed on to the beneficiaries.¶

 (e) . In case any moratorium period is
- licensee, depreciation provided for in the tariff during the years of moratorium shall be treated as repayment during those years and interest on loan capital shall be calculated accordingly.¶

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rate of interest on actual loan. The gross loan as per loan reconciliation has been considered as gross loan as on date of commercial operation.

- (ii) Notional loan arising out of additional capitalization during the year 2004-05 has been considered.
- (iii) Tariff has been worked out considering normative loan and normative repayments. Once the normative loan has been arrived at, it has been considered for all purposes in the tariff. Normative repayment has been worked out by the following formula:

Actual repayment of actual loan during the year

Opening balance of actual loan during the year loan during the year

- (iv) Moratorium in repayment of loan has.been.considered.with.reference.to
 normative loan and if the normative repayment of loan during the year is less than the depreciation during the year, it has.been.considered.as.moratorium and depreciation during the year has.been.deemed.as.morative.repayment of loan during the year.
- (v) Weighted average rate of interest on actual loan worked out as per (i) above <u>has been</u> applied on the average loan during the year to arrive at the interest on loan.
- (vi) OBC and PNB-II loans carry the floating rate of interest and rate of interest as applicable as on 1.6.2004 has been considered in the calculation, subject to mutual settlement between the parties in case of any change/resetting of the interest rate during the tariff period.

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Based on the above, the year-wise details of interest worked out are given hereunder:

			▼	(Rs. in la	kh)
Details of loan	2004-05 (1.6.2004 to 31.3.2005)	2005-06	2006-07	2007-08	2008-09
Interest on Loan					
Opening Gross Loan	1026.00	1050.81	1050.81	<u>1050.81</u>	1050.81
Cumulative Repayment .	0.00	<u>31.65</u>	70.10	108.55	192.66,
Net Loan-Opening	1026.00	1019.16	980.71	942.26	858.16
Additions due to Additional Capitalisation.	24.82	 -		ىخــــــــــــــــــــــــــــــــــــ	
Repayment during the year,	31.65	38.45	38.45	84.10	84.10
Net Loan-Closing	1019.16	980.71	942.26	858.16	774.05
Average Loan,	1022.58	999.94	961.49	900.21	816.10
Weighted Average Rate of Interest on Loan,	7.8655%	7.8379%,	7.7831%	7.7463%	7.7336%,
Interest	67.03,	78.37,	74.83,	69.73	63.11,

DEPRECIATION

24. Sub-clause (a) of clause (ii) of Regulation 56 of the 2004 regulations provides for computation of depreciation in the following manner, namely:

- (i) The value base for the purpose of depreciation shall be the historical cost of the asset.
- (ii) Depreciation shall be calculated annually based on straight line method over the useful life of the asset and at the rates prescribed in Appendix II to these regulations. The residual value of the asset shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the historical capital cost of the asset. Land is not a depreciable asset and its cost shall be excluded from the capital cost while computing 90% of the historical cost of the asset. The historical capital cost of the asset shall include additional capitalisation on account of Foreign Exchange Rate Variation up to 31.3.2004 already allowed by the Central Government/Commission.

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- (iii) On repayment of entire loan, the remaining depreciable value shall be spread over the balance useful life of the asset.
- (iv) Depreciation shall be chargeable from the first year of operation. In case of operation of the asset for part of the year, depreciation shall be charged on pro rata basis.
- 25. The petitioner has claimed the depreciation on the capital cost of Rs.1459.77 lakh as on 1.6.2004 and at a capital cost of Rs. 1495.22 lakh as on 1.4.2005 and the subsequent years.
- 26. The gross depreciable value of the transmission line is 0.9 x (Rs. 1495.22 lakh) = Rs. 1345.70 lakh.
- 27. Depreciation works out to Rs. 31.65 lakh for the year 2004-05 on average gross block of Rs. 1477.50 lakh and Rs. 38.45 lakh on gross block of Rs. 1495.22 lakh each year by applying rate of depreciation of 2.5708% and 2.5715% as shown below:

(Do in Jolch)

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Details of Depreciation	2004-05	2005-06	2006-07	2007-08	2008-09 , •		
•	(1.6.2004						
	to						
	<u>31.3.2005)</u>						
Gross block at the beginning of	1459.77	1495.22	<u>1495.22</u>	<u>1495.22</u>	<u>1495.22</u>		
the period.							
Additional Capitalisation during	35.45	0.00	0.00	0.00	0.00,		
the period					4		
Gross Block at the end of the	1495.22	1495.22	1495.22	1495.22	1495.22		
period.							
Rate if Depreciation	<u>2.5708%</u>	<u>2.5715%</u>	<u>2.5715%</u>	<u>2.5715%</u>	<u>2.5715%</u> *		
Depreciable Value (90%)	1329.75	1345.70	1345.70	1345.70	1345.70,		
Balance Useful life of the asset	<u> </u>	<u>-</u>			<u> </u>		
Remaining Depreciable Value	1329.75	1314.05	1275.60,	1237.15	1153.04,		
Depreciation	31.65	38.45,	38.45	38.45,	38.45,		
	+						

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ADVANCE AGAINST DEPRECIATION

28. As per sub-clause (b) of clause (ii) of Regulation 56 of the 2004 regulations, in addition to allowable depreciation, the transmission licensee is entitled to Advance Against Depreciation, computed in the manner given hereunder:

AAD = Loan repayment amount as per regulation 56 (i) subject to a ceiling of 1/10th of loan amount as per regulation 54 minus depreciation as per schedule

29. It is provided that Advance Against Depreciation shall be permitted only if the cumulative repayment up to a particular year exceeds the cumulative depreciation up to that year. It is further provided that Advance Against Depreciation in a year shall be restricted to the extent of difference between cumulative repayment and cumulative depreciation up to that year.

30. The petitioner has claimed Advance Against Depreciation in the following manner:

- (i) 1/10th of gross loan <u>is considered for tariff computation</u>.
- (ii) Cumulative loan as well as repayment of notional loan considered during the year.
- (iii) Depreciation as claimed in the petition.

31. In our calculation, Advance Against Depreciation has been worked as under:

- (i) 1/10th of gross loan has been worked out from the gross notional loan as per para 23 above.
- (ii) Repayment of notional loan during the year has been considered as per para 23 above.
- (iii) Depreciation as worked out as per para 27 has been taken into account.
- 32. The details of Advance Against Depreciation allowed for the transmission <u>line</u> is *f* given hereunder:

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	(Rs. in lakh)					
Details of Advance Against	2004-05	2005-06	2006-07	2007-08	2008-09	
Depreciation	i'	, <u> </u> '	1	'	1	
1/10th of Gross Loan(s)	102.60 _e	105.08	<u>105.08</u>	105.08	105.08	
Repayment of Loan	<u>31.65</u>	38.45	38.45	84.10	84.10	
Minimum of the above	<u>31.65</u>	38.45	38.45	84.10	84.10.	
Depreciation during the year	31.65	38.45	38.45	38.45	38.45,	
(A) Difference	<u>0.00</u>	0.00	0.00	45.65	45.65	
Cumulative Repayment of the	<u>31.65</u>	70.10	108.55	192.66	276.76	
Loan		<u></u>				
Cumulative Depreciation/ Advance	<u>31.65</u>	70.10	108.55	147.00	231.11	
against Depreciation	i	,	1		i	
(B) Difference	0.00	0.00	0.00	45.65	45.65	
Advance Against Depreciation	0.00	0.00	0.00	45.65	45.65	
Minimum of (A) and (B)	<u> </u>					

OPERATION & MAINTENANCE EXPENSES

33. In accordance with clause (iv) of Regulation 56 the 2004 regulations, the following norms are prescribed for O & M expenses:

	Year						
	2004-05	2005-06	2006-07	2007-08	2008-09		
	A						
O&M expenses (Rs. in lakh per ckt-km)	0.227	0.236	0.246	0.255	0.260		
					iii		
O&M expenses (Rs in lakh per bay)	28.12	29.25	30.42	31.63	32.90		

34. The petitioner has claimed O & M expenses for 38.773 ckt kms, which have been allowed. Accordingly, the petitioner's entitlement to O & M expenses has been worked out as given hereunder:

(Rs. in lakh)

		(NS. III lakii)					
		Year •					
	2004-05	2005-06	2006-07	2007-08	2008-09		
	(1.6.2004 to						
	31.3.2005)						
O&M expenses for 38.773 ckt	<u>7.33</u>	<u>9.15</u>	<u>9.54</u>	<u>,9.89</u>	<u>10.31</u>		
kms line length							
Total	7.33	9.15	9.54	9.89	10.31		

35. The petitioner has submitted that the wage revision of its employees is due with effect from 1.1.2007. Therefore, O&M expenses should be subject to revision on account of revision of employee cost from that date. In the alternative, it has been prayed that the increase in employee cost due to wage revision be allowed as per

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actuals for extra cost to be incurred consequent to wage revision. We are not expressing any view, as this issue does not arise for consideration at this stage. The petitioner may approach for a relief in this regard at an appropriate stage in accordance with law.

INTEREST ON WORKING CAPITAL

36. The components of the working capital and the interest thereon are discussed

hereunder:

(i) Maintenance spares

Regulation 56(v)(1)(b) of the 2004 regulations provides for maintenance spares @ 1% of the historical cost escalated @ 6% per annum from the date of commercial operation. In the present case, the capital expenditure on the date of commercial operation is Rs. 1459.77 lakh, which has been considered as the historical cost for the purpose of the present petition and maintenance spares have been worked out accordingly by escalating 1% of the historical cost @ 6% per annum. In this manner, the value of maintenance spares works out to Rs.14.60 Jakh as on 1.6,2004.

(ii) O & M expenses

Regulation 56(v)(1)(a) of the 2004 regulations provides for operation and maintenance expenses for one month as a component of working capital. The petitioner has claimed O&M expenses for 1 month of O&M expenses of the respective year as claimed in the petition. This has been considered in the working capital.

(iii) Receivables

As per Regulation 56(v)(1)(c) of the 2004 regulations, receivables will be equivalent to two months average billing calculated on target availability level. The petitioner has claimed the receivables on the basis 2 months' transmission

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charges claimed in the petition. In the tariff being allowed, receivables have been worked out on the basis 2 months' transmission charges.

(iv) Rate of interest on working capital

As per Regulation 56(v)(2) of the 2004 regulations, rate of interest on working capital shall be on normative basis and shall be equal to the short-term Prime Lending Rate of State Bank of India as on 1.4.2004 or on 1st April of the year in which the project or part thereof (as the case may be) is declared under commercial operation, whichever is later. The interest on working capital is payable on normative basis notwithstanding that the transmission licensee has not taken working capital loan from any outside agency. The petitioner has claimed interest on working capital @ 10.25% based on SBI PLR as on 1.4.2004, which is in accordance with the 2004 regulations and has been allowed.

37. The necessary computations in support of interest on working capital are appended hereinbelow:

				(Rs.	in lakh)
	2004-05 (1.6.2004 to 31.3.2005)	2005-06	2006-07	2007-08	2008-09
Maintenance Spares	14.60	15.33	16.25	17.22	18.26
O & M expenses	<u>0.73</u>	0.76	<u>0.80</u> ,	0.82	0.86.
Receivables	<u>32.26</u>	<u>32.19</u> ,	31.67	<u>38.63</u> ,	37.59
Total	47.59	48.28	48.71	<u>56.67</u>	56.71
Rate of Interest	10.25%	10.25%	10.25%	10.25%	10.25%
Interest	4.07	<u>4.95</u> ,	<u>4.99</u>	<u>5.81</u>	<u>5.81</u>

TRANSMISSION CHARGES

38. The capital cost and other relevant details are contained in the summary sheet attached. The transmission charges being allowed for the scheme are summarised below:

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		(Rs.in lakh)						
	2004-05 (1.6.2004 to 31.3.2005)	2005-06	2006-07	2007-08	2008-09			
Depreciation	<u>31.65</u>	38.45	38.45	38.45	38.45			
Interest on Loan	<u>67.03</u>	78.37	74.83	<u>69.73</u> ,	<u>63.11.</u>			
Return on Equity	51.23	62.22	62.22	62.22	62.22			
Advance against Depreciation	0.00	0.00	0.00	45.65	45.65			
Interest on Working Capital	4.07	4.95	4.99	5.81	5.81			
O & M Expenses	<u>7.33</u> ,	9.15,	<u>9.54</u>	<u>9.89</u>	10.31,			
Total	<u>161.30</u>	<u>193.14</u>	<u>190.03</u>	231.75	225.56			

39. In addition to the transmission charges, the petitioner shall be entitled to other charges like income-tax, incentive, surcharge and other cess and taxes in accordance with the 2004 regulations.

40. The petitioner has sought approval for the reimbursement of expenditure of Rs. 33, 505/-, incurred on publication of notices in the newspapers. The petitioner shall claim reimbursement of the said expenditure directly from the respondent in one installment. The petitioner has also sought reimbursement of filing fee of Rs.5 lakh paid. A final view on reimbursement of filing fee is yet to be taken by the Commission for which views of the stakeholder have been called for. The view taken on consideration of the comments received shall apply in the present case as regards reimbursement of filing fee.

41. The petitioner is already billing the respondent on provisional basis in accordance with the Commission's interim directions as contained in the order dated 30.5.2005 in Petition No. 140/2004. The provisional billing of tariff shall be adjusted in the light of final tariff now approved by us.

42. This order disposes of Petition No. 130/2005.

Sd-/	sd-/	<u>sd-/</u>
(A.H. JUNG)	(BHANU BHUSHAN)	(ASHOK BASU)
MEMBER	MEMBER	CHAIRPERSON
New Delhi dated the	26 th October, 2006	

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1257.30 lakh less Rs. 62708.00 lakh (recovered as liquidated charges) as Rs.

1256.67 lakh

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Additional Capitalisation - 2003-04

As per Regulation 1.10 of the Central Electricity Regulatory Commission (Terms and conditions of tariff) Regulation, 2001, the tariff revisions during the period on

account of capital expenditure with the approved project cost incurred during the tariff period may be entertained by the Commission only if such expenditure exceeds 20% of the approved cost. In all cases, where the expenditure is less then 20%, tariff revision shall be considered in the next tariff period,

7. The petitioner has sought approval of tariff after accounting for additional capital expenditure of Rs.16.35 lakh incurred during 2004-04. The details submitted by the petitioner in support of its claim for additional capital expenditure is given hereunder:

S. No.	Year	Amount (Rs. in lakh)	Nature and details of expenditure (Rs. in lakh)
1	2003-04	16.35	Sub-station= Rs. 16.35 (supply payment= Rs. 4.89, Erection payment= Rs. 11.46 lakh)

8. The above expenditure was not considered by the Commission in its order dated 27.7.2005 ibid while approving tariff for the period ending 31.3.2004. The capital expenditure claimed is found to be in order as it was against the committed liability. Accordingly, the additional capital expenditure of Rs. 16.35 lakh has been allowed.

Additional capitalization -2004-05

The petitioner has also claimed an additional capitalization for the period 2004-05. The details submitted by the petitioner in support of its claim for additional capital expenditure are given hereunder:

Year	Amount	(Rs.	Nature and details of expenditure (Rs. in lakh)
	in lakh)		

2004-05	0.20	Sub-station=	Rs.	0.20	(Final	payments	after
		reconciliation v	with co	ntracto	r = Rs. 0	20)	

The additional capital expenditure claimed is within the original scope of work and is admissible. However, the petitioner has not furnished the loan reconciliation details for the year 2004-05. Therefore, this additional capital expenditure has not been considered for the purpose of tariff. However, the petitioner is at liberty to seek revision of tariff based on this expenditure after finalisation of loan reconciliation statement.

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in case of the projects existing up to 31.3.2004, the project cost admitted by the Commission for determination of tariff prior to 1.4.2004 shall form the basis for determination of tariff.

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the capital expenditure of Rs 1273.85 lakh after accounting for

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and Rs. 0.20 lakh on works for the period 1.4.2004 to 31.3.2005

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admitted by the Commission in the order dated 27.7.2005 ibid

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The petitioner has not claimed additional capitalisation on account of FERV as there are no foreign loans.

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(3) In case of the transmission system for which investment approval is accorded on or after 1.4.2004, debt-equity in the ratio of 70:30 shall be considered for the purpose of determination of tariff:

Provided that where deployment of equity is less than 30%, the actual equity deployed shall be considered for the purpose of determination of tariff.

(4) The debt and equity amount arrived at in accordance with above sub-clause (1), (2) or (3), as the case may be, shall be used for calculation of interest on loan, return on equity, advance against depreciation and foreign exchange rate variation."

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These transmission ch	narges shall be included in the r	regional transmission tariff
for Eastern Region	and shall be shared by the	regional beneficiaries in

accordance with the 2004 regulations

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		Summary Sh	eet		
Naı	me of the Company:		PGCIL		
Naı	me of the Element:		400 kV Jamshedpu		
			Transmission Line	in Eastern	n Region
Act	tual DOCO:		1.1.2003		
Pet	tition No.:		67/2005		
Tar	rif setting Period:		2004-09		
				(I	Rs.in lakh)
1	Capital Cost of the Project				7540.00
2	Admitted Capital Cost as on		n of Debt and Equity		4365.35
3	Additional Capitalisation(wo	rks)			749.67
	2001-02			0.00	
	2002-03			573.27	
	2003-04			176.40	
	Total			749.67	
4	Additional Capitalisation (FE	ERV)			0.00
	2001-02			0.00	
	2002-03			0.00	
	2003-04			0.00	
	Total			0.00	
5	Total Capital Cost as on 1.4.	2004(2+3+4)			5115.02
6	Means of Finance :			<u></u>	
	Debt		82.05%	4197.00	
	Equity		17.95%	918.02	

	Total		100.00%	5115.02	
7	Gross Loan as on 1.4.2004				4197.00
8	Cumulative Repayment up to 31.3.2009 :				1564.98
	Repaid up to 31.3.2004			28.40	
	1.4.2001 to 31.3.2004 (ACE & FERV)			0.00	
	1.4.2004 to 31.3.2009			1536.58	
	Total			1564.98	
9	Balance Loan to be repaid beyond 31.3.2009 :				2632.02
10	Depreciation recovered up to 31.3.2009 :				1564.9
		Dep	AAD	Total	
	Recovered up to 31.3.2004	153.39	0.00	153.39	
	1.4.2001 to 31.3.2004 (ACE & FERV)	0.00	0.00	0.00	
	1.4.2004 to 31.3.2009	718.40	693.19	1411.60	
	Total			1564.98	
11	Balance Depreciation to be recovered beyond 31.3.200	9 :			3038.5
	Capital cost for the purpose of Depreciation			4365.35	
	ACE + FERV			749.67	
	Capital cost as 1.4.2004			5115.02	
	Less: Land Cost			0.00	
				5115.02	
	90% of Capital Cost as above			4603.52	
	Cum. Depreciation to be recovered up to 31.3.2009			1564.98	
	Balance Depreciation to be recovered beyond 31.3.2	2009		3038.53	