

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Order in I.A.No. 15/2010 in Petition No. 85/2010

Coram

- 1. Shri S.Jayaraman, Member**
- 2. Shri V.S.Verma, Member**
- 3. Shri M.Deena Dayalan, Member**

DATE OF HEARING: 20.4.2010

DATE OF ORDER: 19.5.2010

In the matter of

Approval of incentive based on availability of transmission system for the years 2004-05, 2005-06 and 2006-07 in North Eastern Region.

And in the matter of

Power Grid Corporation of India Limited, Gurgaon

..Petitioner

Vs

1. Assam State Electricity Board, Guwahati
2. Meghalaya State Electricity Board, Shillong
3. Secretary & Commissioner, Govt. of Arunachal Pradesh, Itanagar
4. Power & Electricity Deptt., Govt. of Mizoram
5. Electricity Deptt., Govt of Manipur, Imphal
6. Department of Power, Govt. of Nagaland, Kohima
7. Tripura State Electricity Corporation Ltd., Tripura

....Respondents

The following were present:

1. Shri U.K.Tyagi, PGCIL
2. Shri R.Prasad, PGCIL
3. Shri M.M.Mondal, PGCIL
4. Shri M.K.Adhikary, ASEB

ORDER

Through this petition, the petitioner seeks approval for incentive based on availability of the transmission system of North Eastern Region for the years 2004-05, 2005-06 and 2006-07 in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 (the 2004

regulations), as amended from time to time. The petitioner has claimed incentive for the years 2004-05, 2005-06 and 2006-07 as per the following details:

(i) **Incentive for the year 2004-05**

S.No.	Assets	Pro rata equity (Rs. in lakh)	Availability in %	Incentive claimed (Rs. in lakh)
1	Intra-regional AC transmission system AC transmission system of North Eastern Region	49879.58	99.5655	780.86
2.	Inter-Regional AC lines NER-ER AC System	5941.68	99.5978	94.94
	Total	55821.26		875.80

(ii) **Incentive for the year 2005-06**

S.No.	Assets	Pro rata equity (Rs. in lakh)	Availability in %	Incentive claimed (Rs. in lakh)
1	Intra-regional AC transmission system AC transmission system of North Eastern Region	49984.32	99.5895	794.50
2.	Inter-Regional AC lines NER-ER AC system	4733.49	99.6049	75.97
	Total	54717.81		870.47

(iii) **Incentive for the year 2006-07**

S.No.	Assets	Pro rata equity (Rs. in lakh)	Availability in %	Incentive claimed (Rs. in lakh)
1	Intra-regional AC transmission system AC transmission system of North Eastern Region	50029.49	99.4429	721.88
2.	Inter-Regional AC lines NER-ER AC system	3525.30	99.5155	53.43
	Total	53554.79		775.31

2. No reply has been filed by the respondent.

I. A. No.15/2010

3. This interlocutory application has been filed for an ad interim order to permit the petitioner to realize incentive based on availability of transmission system as claimed in the main petition.

4. I.A. was heard after notice to the respondents. The representative of the ASEB submitted that the petition for the incentive for the years 2004-05, 2005-06 and 2006-07 has been filed very late and it would cost burden on the respondents. In response, the representative of the petitioner submitted that the petitioner is entitled for incentive in terms of 2004 regulations.

5. We direct that the petitioner, as an interim measure, shall be paid 90% of the incentive claimed in the main petition. The provisional incentive shall

be shared by the beneficiaries in the North Eastern Region, in proportion of the transmission charges shared by them in the region. Incentive for inter-regional AC lines between NER-ER shall be shared on 50:50 basis by the respective region.

6. With this order, I.A. stands disposed of. The main petition shall be listed for hearing after finalization of tariff of the transmission assets commissioned during 2004-05, 2005-06 and 2006-07.

7. The petitioner is directed to submit revised transmission availability certificate after reconciliation of availability figures by the concerned RPCs.

Sd/-
(M.DEENA DAYALAN)
MEMBER

sd/-
(V.S.VERMA)
MEMBER

sd/-
(S.JAYARAMAN)
MEMBER