

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 148/GT/2015

Coram:
Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Date of Hearing: 17.11.2015
Date of Order: 27.11.2015

In the matter of

Approval of tariff of Tripura Gas based power plant (101 MW) (herein after referred to as the TGBP of the North Eastern Electric Power Corporation Limited from the COD of its gas Turbine Unit (65.42 MW) upto 31.3.2019

And

IN THE MATTER OF

North Eastern Electric Power Corporation Ltd
Brookland Compound
Lower New Colony
Shillong-793 003

...**Petitioner**

Vs

1. Tripura State Electricity Corporation Ltd.
Bidyut Bhavan, North Banamalipur
Agartala-799 001

2. SLDC, System Operation Division,
G.B. Near 79 Tila Grid Sub station, Agartala, Tripura

3. North Eastern Regional Power Committee
Meghalaya State Housing Finance Co-operative
Society Ltd. Building
Nongrim Hills
Shillong-793 003

...**Respondents**

Parties present

Shri P. C. Barman, NEEPCO
Ms. Elizabeth Pyrbot, NEEPCO
Shri Arupgan Chaudhari, TSECL



ORDER

This petition has been made by the petitioner, NEEPCO, for approval of tariff of Tripura Gas based power plant (101 MW) (the generating station) for the period from the anticipated COD of Gas Turbine/ Steam Turbine Units upto 31.3.2019, in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of the tariff) Regulations, 2014 (“the 2014 Tariff Regulations”).

2. During the hearing, the representative for the petitioner submitted that the petition has been filed for determination of tariff of the generating station from the anticipated date of commercial operation of 30.6.2015 for Gas Turbine and 30.8.2015 for Steam Turbine in accordance with the provisions of the 2014 Tariff Regulations. He also submitted that Power Purchase Agreement has been entered into with the respondent TSECL on 19.3.2008 for off-take of the entire power from the project. He further submitted that Gas Supply Agreement (GSA) has been entered into with ONGC on 5.6.2008 for supply of a daily average quantity of 0.50 MMSCMD of gas computed at the Net Calorific Value of 8000 kCal/SCM. Accordingly, the representative of the petitioner prayed that tariff of the generating station may be determined by the Commission for 2014-19 as claimed in the petition by the petitioner.

3. The representative of the respondent TSECL submitted that there is huge delay in completion of the project and the project is yet to be declared under commercial operation by the petitioner. He further submitted that due to non-supply of gas by ONGC, the petitioner is not in a position to declare the COD of the generating station. Accordingly, the respondent submitted that the tariff of the generating station may be determined by the Commission after all issues regarding the non-supply of gas by ONGC to the project are resolved and COD of the generating station is declared by the petitioner.



4. On a specific query by the Commission on the status of supply of gas by ONGC to the project and the expected date of COD of the generating station, the representative of the petitioner submitted that all outstanding issues with ONGC have been resolved and that the supply of gas by ONGC would commence from March, 2016. He further stated that in terms of the 2014 Tariff Regulations, the 72 hour trial run prior to the declaration of commercial operation of the generating station is pending. The representative however prayed that the Commission may consider the grant of interim tariff in order to bill the respondents from the date of COD of the generating station.

5. We have considered the submissions of the parties. Regulation 7(1) of the 2014 Tariff Regulations provides as under:

“7(1) The generating company may make an application for determination of tariff for new generating station or unit thereof in accordance with the Procedure Regulations, in respect of the generating station or generating units thereof within 180 days of the anticipated date of commercial operation.”

6. According to this, the generating company is permitted to make application for determination of tariff in respect of units/station which are expected to be declared under COD within 180 days from the making of the application. Considering the anticipated COD of the units' as 30.6.2015 (GT) and 30.8.2015 (ST), the petitioner has filed this application for determination of tariff on 27.5.2015. However, from the submissions made above, it is clear that difficulties are being faced by the petitioner in the declaration of COD and the units/station are not expected to be declared under commercial operation in the near future. Moreover, there will be revision of capital cost as on the COD of the generating station. In this background, we find no reason to keep this application pending. Accordingly, we dispose of this petition as infructuous with liberty to the petitioner to approach the Commission with an appropriate application for determination of tariff of the generating station from its COD till 31.3.2019 in accordance with the



provisions of the 2014 Tariff Regulations after the petitioner starts the process of commissioning.

7. Petition No. 148/GT/2015 is disposed of in terms of the above.

-Sd/-
(Dr. M.K. Iyer)
Member

-Sd/-
(A.S. Bakshi)
Member

-Sd/-
(A.K. Singhal)
Member

-Sd/-
(Gireesh B. Pradhan)
Chairperson

