

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 184/TT/2015**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson**

**Shri A. S. Bakshi, Member**

**Date of Hearing: 10.09.2015**

**Date of Order : 22.09.2015**

**In the matter of:**

Approval of transmission tariff from actual COD to 31.3.2019 for 400 kV D/C Barh-II TPS-Gorakhpur line along with associated bays at Gorakhpur under Immediate Evacuation System associated with Barh-II TPS in Eastern Region under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for tariff block 2014-19.

**And in the matter of:**

Power Grid Corporation of India Limited  
"Saudamini", Plot No.2,  
Sector-29, Gurgaon -122 001

**.....Petitioner**

**Vs**

1. Bihar State Electricity Board Vidyut  
Bhawan, Bailey Road, Patna- 800 001
2. West Bengal State Electricity Distribution Company  
Limited  
Bidyut Bhawan, Bidhan Nagar  
Block DJ, Sector-11, Salt Lake City  
Calcutta – 700 091
3. Grid Corporation of Orissa Ltd, Shahid Nagar  
Bhubaneswar – 751 007
4. Damodar Valley Corporation DVC  
Tower, Maniktala  
Civic Centre, VIP Road, Calcutta – 700 054



5. Power Development  
Govt. Of Sikkim, Gangtok – 737 101
6. Jharkhand State Electricity Board,  
In front of Main Secretariat  
Doranda, Ranchi – 834002.
7. Rajasthan Rajya Vidyut Prasaran Nigam Limited,  
Vidyut Bhawan, Vidyut Marg,  
Jaipur- 302 005
8. Ajmer Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur
9. Jaipur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur
10. Jodhpur Vidyut Vitran Nigam Limited,  
400 kV GSS Building (Ground Floor), Ajmer Road,  
Heerapura, Jaipur
11. Himachal Pradesh State Electricity Board,  
Vidyut Bhawan, Kumar House Complex Building II,  
Shimla-171 004
12. Punjab State Power Corporation Limited,  
Thermal Shed T-1 A, Patiala
13. Haryana Power Purchase Centre,  
Shakti Bhawan, Sector-6,  
Panchkula (Haryana)-134 109
14. Power Development Department,  
Govt. of Jammu and Kashmir,  
Mini Secretariat, Jammu.
15. UP Power Corporation Limited,  
Shakti Bhawan, 14, Ashok Marg,  
Lucknow-226 001
16. Delhi Transco Limited,  
Shakti Sadan, Kotla Road,  
New Delhi-110 002



17. BSES Yamuna Power Limited,  
BSES Bhawan, Nehru Place,  
New Delhi
18. BSES Rajdhani Power Limited,  
BSES Bhawan, Nehru Place,  
New Delhi
19. North Delhi Power Limited,  
Power Trading & Load Dispatch Group,  
Cennet Building, Adjacent to 66/11 kV Pitampura-3,  
Grid Building, Near PP Jewellers  
Pitampura, New Delhi-110 034
20. Chandigarh Administration,  
Sector-9, Chandigarh
21. Uttarakhand Power Corporation Limited,  
Urja Bhawan, Kanwali Road,  
Dehradun
22. North Central Railway,  
Allahabad
23. New Delhi Municipal Council,  
Palika Kendra, Sansad Marg,  
New Delhi-110 002.
24. National Thermal Power Corporation  
4th floor, 6th core,  
NTPC Bhawan, Scope Complex,  
Institutional Area, Lodhi Road,  
Delhi-110003

.....Respondents

**For petitioner** : Shri S.K. Venkatesan, PGCIL  
Shri M.M. Mondal, PGCIL  
Shri S.S. Raju, PGCIL  
Shri R. Prasad, PGCIL  
Mrs. Sangeeta Edwards, PGCIL

**For respondents** : Shri Manish Garg, UPPCL  
Shri R.B. Sharma, Advocate, BRPL  
Mrs. Megha Bajpeyi, BRPL



## **ORDER**

The petitioner, Power Grid Corporation of India Limited (PGCIL) has filed this petition for approval of the transmission tariff for 400 kV D/C Barh–II TPS–Gorakhpur line along with associated bays at Gorakhpur under Immediate Evacuation System associated with Barh–II TPS in Eastern Region in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (hereinafter referred to as "the 2014 Tariff Regulations"). The petitioner has also prayed for allowing 90% of the Annual Fixed Charges claimed, in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations.

2. During the hearing on 10.9.2015, the representative of the petitioner prayed for grant of Annual Fixed Charges (AFC) in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations in respect of the instant asset. The petitioner submitted that as per Revised Cost Estimate (RCE) dated 23.2.2015, the revised completion schedule of the project is June, 2015 against which the subject asset has been commissioned on 7.6.2015 i.e. within the revised completion schedule. The anticipated completion cost is ₹97382.86 lakh against the total RCE approved cost of ₹97382.76 lakh and hence there is cost over-run in comparison to FR cost. The representative of UPPCL sought one week time to file reply. The learned counsel for BRPL also sought some time to file reply.

3. As per proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations, the Commission may grant tariff upto 90% of the AFC of the transmission system or



element thereof for the purpose of inclusion in POC charges in accordance with the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses), Regulation, 2010. Regulation 7(2) of the 2014 Tariff Regulations provides that the application for tariff should be made in accordance with the Central Electricity Regulatory Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as "2004 Regulations"). Regulation 7(4) of the 2014 Tariff Regulations provides that such an application shall be filed as per Annexure-I of these regulations.

4. We have considered the submissions of the petitioner. The petitioner has made the applications as per Annexure-I of the 2014 Tariff Regulations. The petitioner has also complied with the requirements of Procedure for making of application for determination of tariff, publication of the application and other related matters Regulations, 2004 such as service of the copy of the application on the beneficiaries, publication of notice and web hosting of the application, etc.

5. After carrying out preliminary prudence check of the AFC claimed by the petitioner and taking into consideration the time over-run in case of the instant asset, which shall be looked into in detail at the time of issue of final tariff, the Commission has decided to allow tariff for the instant asset in terms of proviso (i) of Regulation 7(7) of the 2014 Tariff Regulations as given in para 6 of this order for the years 2015-16 and 2016-17.



6. The details of the tariff claimed by the petitioner and tariff allowed by the Commission are as under:-

A. Annual transmission charges claimed by the petitioner in respect of instant transmission asset are as follows:-

| (₹ in lakh)           |          |          |          |
|-----------------------|----------|----------|----------|
| 2015-16<br>(pro-rata) | 2016-17  | 2017-18  | 2018-19  |
| 14293.74              | 17127.31 | 16669.39 | 16259.85 |

B. Annual transmission charges allowed in respect of instant transmission asset are as follows:-

| (₹ in lakh)           |          |
|-----------------------|----------|
| 2015-16<br>(pro-rata) | 2016-17  |
| 11434.99              | 13701.85 |

7. The AFC allowed in this order shall be applicable from the date of commercial operation of the transmission system and the billing, collection and disbursement of the transmission charges shall be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as amended from time to time. Further, the transmission charges allowed in this order shall be subject to adjustment as per Regulation 7(7) of the 2014 Tariff Regulations.

8. The petitioner is directed to submit the following information, on affidavit by 16.10.2015 with a copy to the beneficiaries/respondents:-



- a) Auditor certificates and the revised Tariff Forms for the asset as commissioning of the Asset is already achieved;
- b) Form-5, as per the Revised Cost Estimate (RCE);
- c) Documents in support of Date of drawl, Interest Rate and Repayment Schedule for Bonds XLVI, XLVII, XLVIII & Proposed Loan 2015-16 (10.10%) deployed as per Form-9C;
- d) Computation of interest during construction **(IDC)** on cash basis:-
  - i) From the date of infusion of debt fund up to Scheduled COD; and
  - ii) From Scheduled COD to Actual COD of the respective Asset.
- e) While submitting the un-discharged liability portion of IDC/IEDC, clarify whether it has been included in the projected additional capital expenditure claimed and accordingly should modify the tariff claims;
- f) Details of incidental expenditure incurred (IEDC) during the period of delay in commissioning of the Asset (i.e. from Scheduled COD to Actual COD) along with the liquidated damages recovered or recoverable, if any;
- g) Form-9 (Details of allocation of corporate loans to various transmission elements) and Form-15 (Actual Cash Expenditure) in respect of the Asset;
- h) Clarify whether entire liability pertaining to initial spares has been discharged as on COD, if no, year wise detail of discharging of the same, among the Substation and Transmission line separately;
- i) RLDC for certificate for charging and COD certificate issued by CEA under Regulation 43 of CEA (Measures relating to Safety and Electricity supply) Regulations, 2010 within 15 days of declaration of COD;
- j) Single Line Diagram (SLD) of Barh-II TPS and Gorakhpur Sub-station; and
- k) If there is delay in actual COD, the reason along with documentary evidence and Asset- wise chronology of activities as per format given below:-



| Asset | Activity | Period of Activity |    |          |    | Reason for delay along with reference of documentary evidence |
|-------|----------|--------------------|----|----------|----|---|
|       |          | Planned            |    | Achieved |    |   |
|       |          | From               | TO | From     | TO |   |
|       |          |                    |    |          |    |   |

9. The petitioner directed to submit editable soft copy (Excel format) IDC to be claimed on cash basis by 16.10.2015. The petitioner is also directed to work out the tax on return on equity and the deferred tax liability for the period 2014-19 as per the observations made in order dated 31.3.2015 in Petition No. 532/TT/2014.

10. The respondents shall file their reply by 30.10.2015 with advance copy to the petitioner who shall file its rejoinder, if any by 16.11.2015. The additional information/replies/rejoinder shall be filed within the due date mentioned above. In case no information is filed within the due date, the matter shall be considered based on available records.

11. The petition will be listed for final hearing after completion of pleadings.

-sd-  
**(A.S. Bakshi)**  
**Member**

-sd-  
**(Gireesh B. Pradhan)**  
**Chairperson**

