

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 116/GT/2013

with

Petition No. 49/GT/2015

Coram:

Shri A.K. Singhal, Member

Shri A.S. Bakshi, Member

Dr. M.K Iyer, Member

Date of Hearing: 25.02.2016

Date of Order: 07.03.2016

In the matter of

Petition No. 116/GT/2013

Approval of generation tariff of Koteshwar Hydroelectric Project (4 x 100 MW) for the period from 1.4.2011 to 31.3.2014.

And in the matter of

Petition No. 49/GT/2015

Revision of tariff of Koteshwar Hydroelectric Project (4 x 100 MW) for the period from 1.4.2011 to 31.3.2014 based on trueing up exercise.

And

In the matter of

THDC India Limited,
Core-7, Scope Complex,
Pragatipuram, Bypass Road,
Uttarakhand Rishikesh -110003

...Petitioner

Vs

1. Punjab State Power Corporation Limited
The Mall, Patiala-147 001

2. Haryana Power Utilities (DHBVNL & UHBVNL)
Shakti Bhawan, Sector-VI,
Panchkula, Haryana-134109

3. Uttar Pradesh Power Corporation Limited
Shakti Bhawan, 14 Ashok Marg
Lucknow-226001,

4. Delhi Transco Ltd.
Shakti Sadan. Kotla Road
New Delhi-110019

5. BSES Rajdhani Power Ltd
BSES Bhawan, Nehru Place,
New Delhi 110019



6. BSES Yamuna Power Ltd
Shakti Kiran Building
Karkardooma, Delhi 110092

7. Tata Power Delhi Distribution Ltd
33 kV Substation Hudson Line
Kingsway Camp, Delhi-110009

8. Engineering Department
Chandigarh Administration
1st Floor, UT Secretariat,
Sector 9-D,
Chandigarh-160009

9. Uttrakhand Power Corporation Ltd.,
Urja Bhawan, Kanwali Road
Dehradun -248 001

10. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla-171 004

11. Jaipur Vidyut Vitran Nigam Ltd
Vidyut Bhawan,
Janpath, Joytinagar, Jaipur, 302005

12. Ajmer Vidyut Vitran Nigam Ltd
Old Power House, Hathi Bhata,
Jaipur Road, Ajmer, 305001

13. Jodhpur Vidyut Vitran Nigam Ltd
New Power House, Industrial Area
Jodhpur, Rajasthan

14. Power Development Department,
Govt. of Jammu and Kashmir, Secretariat,
Srinagar

...Respondents

Parties present:

For Petitioner:

Shri M.G.Ramachandran, Advocate, THDC
Ms. Anushree Bardhan, Advocate, THDC
Ms.Poorva Saigal, Advocate, THDC
Shri Mukesh Kumar Verma, THDC
Shri S. M. Siddiqui, THDC

For Respondent:

Shri R. B. Sharma, Advocate, BRPL



ORDER

Petition No. 116/GT/2013 has been filed by the petitioner, THDC for approval of tariff of Koteswar Hydroelectric Power Project, Stage-I (1000 MW) (hereinafter referred to as “the generating station”) for the period from 1.4.2011 to 31.3.2014 in terms of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (“the 2009 Tariff Regulations”).

2. The Commission vide order dated 15.5.2014 granted provisional tariff for the generating station for the period from 1.4.2011 to 31.3.2014 in terms of the 2009 Tariff Regulations, based on 85% of the actual capital expenditure of ₹236405.71 lakh incurred as per audited balance sheet as on 31.3.2012. The provisional annual fixed charges granted by order dated 15.5.2014 is as under:

	2011-12			2012-13	2013-14
	1.4.2011 to 20.10.2011	26.10.2011 to 12.2.2012	13.2.2012 to 31.3.2012	1.4.2012 to 31.3.2013	
	(Unit – I)	(Unit – I & II)	(Unit – I to III)	(Unit – I to IV)	(all Unit)
Return on equity	1159.85	1226.76	802.97	8163.55	8163.55
Interest on loan	2405.14	2519.99	1647.27	16276.71	15190.91
Depreciation	1346.20	1423.86	931.98	9650.24	9791.22
Interest on Working Capital	125.01	131.74	86.19	1002.95	993.69
O & M Expenses	561.33	593.72	388.61	3950.91	4176.90
Total	5597.52	5896.08	3857.03	39044.37	38316.27

3. The provisional tariff granted as above is subject to adjustment after determination of final tariff of the generating station based on the Revised Cost Estimate (RCE) approved by the Central Government.

4. Thereafter the petitioner filed Petition No. 49/GT/2015 during January, 2015 praying for revision of tariff in respect of the generating station for the period 2009-14 based on truing-up exercise, considering the actual additional capital expenditure incurred during the period 2009-14 in accordance with Regulation 6(1) of the 2009 Tariff Regulations.

5. While so, the petitioner by letter dated 18.9.2015, informed that it was pursuing the matter for approval of RCE by Central Government. The petitioner however, prayed for extension of time till March, 2016 for submission of RCE. Accordingly, the Commission granted extension of time till 31.3.2016, for submission of RCE by the petitioner.



6. During the pendency of these petitions, the petitioner by letter dated 15.2.2016 informed that the Standing Committee has recommended the approval of RCE and that the approval of PIB and CCEA is expected by June, 2016. Accordingly, the petitioner sought extension of time till June, 2016 for submission of RCE.

7. The petitions were clubbed and taken up for hearing. During the hearing, the learned counsel for the petitioner prayed for withdrawal of the petitions with liberty to file fresh petition as and when RCE is approved by the Central Government. He however, prayed that the provisional tariff granted vide Commission's order dated 15.5.2014 may be allowed to continue till such time. He further requested that the filling fees may be adjusted against the petition to be filed in terms of the liberty granted.

8. The submissions have been considered. Admittedly, in the present case, RCE is yet to be approved by the Central Government. The petitioner submitted that approved RCE is likely to be available by June, 2016 and accordingly sought time till 30.6.2016. The petitioner has now sought to withdraw the petition with liberty to make fresh petition after the RCE is received. Keeping in view that there will be revision of the capital cost of the generating station after approval of RCE by the Central Government, we find no reason to keep these petitions pending. Hence, we are inclined to dispose of these petitions, with liberty to the petitioner to approach the Commission with fresh tariff petition in respect of the generating station after approval of RCE by the Central Government. We direct accordingly.

9. We also direct that the provisional tariff granted by order dated 15.5.2014 shall continue to be in operation till the tariff of the generating station is determined based on the approved RCE. The filling fees deposited by the petitioner shall however be adjusted against the fresh petition to be filed in terms of the liberty granted above.

10. Petition Nos. 116/GT/2013 and 49/GT/2015 are disposed of in terms of the above.

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

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

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

