

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 8/RP/2017
in
Petition No. 312/TT/2014

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

Date of Order : 18.05.2017

In the matter of:

Review petition under Section 94 of the Electricity Act, 2003 read with Order 47 Rule 1 of the Code of Civil Procedure, 1908 and Regulation 103, 111 and 114 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, seeking review of the order dated 19.12.2016 in Petition No. 312/TT/2014

And in the matter of:

NTPC Limited,
Scope Complex Institutional Area,
Lodhi Road, Pragati Vihar,
New Delhi-110 016

..... **Review Petitioner**

Vs

1. Parbati Koldam Transmission Company Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi-110 016
2. Himachal Pradesh State Electricity Board,
Vidyut Bhawan,
Kumar House Complex Building II,
Shimla-171 004
3. Punjab State Electricity Board,
220 kV Sub Station, Ablowal,
Patiala-147 001
4. Uttar Pradesh Power Corporation Limited,
10th Floor, Shakti Bhawan Extension,
14, Ashok Marg,
Lucknow-226 001



5. Chandigarh Administration,
Sector-9, Chandigarh
6. Rajasthan Power Procurement Centre,
Vidyut Bhawan, Japtah,
Jaipur- 302 005
7. Jodhpur Vidyut Vitran Nigam Limited,
400 kV GSS Building,
Ajmer Road, Heerapura, Jaipur
8. North Central Railway,
Allahabad
9. BSES Rajdhani Power Limited,
2 nd Floor, "B" Block,
Nehru Place,
New Delhi-110 019
10. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110 002
11. Haryana Power Purchase Centre,
IInd Floor, Shakti Bhawan,
Sector-6,
Panchkula-134 109
12. Power Development Department,
Janipura Grid Station,
Jammu (Tawi)-180 007
13. Delhi Transco Limited,
Shakti Sadan, Kotla Road (Near ITO),
New Delhi.
14. Uttarakhand Power Corporation Limited,
Urja Bhawan, Kanwali Road,
Dehradun
15. Ajmer Vidyut Vitran Nigam Limited,
400 kV GSS Building, Ajmer Road,
Heerapura,
Jaipur
16. Jaipur Vidyut Vitran Nigam Limited,
400 kV GSS Building,
Ajmer Road, Heerapura, Jaipur



17. Tata Power Delhi Distribution Limited,
Power Trading & Load Dispatch Group,
Cennet Building, Adjacent to 66/11kV
Pitampura-3 Grid Building, Near PP Jewellers,
Pitampura, New Delhi-110 034

18. Northern Region Electricity Board,
18-A, Shaheed Jeet Singh Marg,
Katwaria Sarai,
New Delhi – 110016

19. Power Grid Corporation of India Limited,
Saudamini,
Plot No.2, Sector-29
Gurgaon-122001 (Haryana)

.....Respondents

For Petitioner: Shri M.G. Ramachandran, Advocate, NTPC
Ms. Poorva Saigal, Advocate, NTPC
Shri Vinod Kr. Jain, NTPC

For Respondents: Shri Vishal Anand, Advocate, PKTCL
Ms. Aparjita Upadhyaya, Advocate, PKTCL

ORDER

The instant review petition has been filed by NTPC Ltd. (hereinafter referred to as "Review Petitioner"), under Section 94 of the Electricity Act, 2003 (the Act) read with Order 47 Rule 1 of the Code of Civil Procedure, 1908, seeking review of the order dated 19.12.2016 in Petition No. 312/TT/2014, wherein the tariff was allowed for Asset-I: Ckt. I of 400 kV Double Circuit Koldam-Ludhiana Transmission Line (Triple Snowbird Conductor) and Asset-II: Ckt.-II of 400 kV Double Circuit Koldam-Ludhiana Transmission Line (Triple Snowbird Conductor) in Northern Region for 2009-14 period.

2. The Review Petitioner has submitted that in the impugned order, the liability of IDC and IEDC for the period from 7.8.2014 till 30.3.2015 in case of Asset-I and



from 14.8.2014 till 30.3.2015 in case of Asset-II was imposed on the Review Petitioner as the delay in commissioning of the instant assets for this period was attributed to it. The Review Petitioner has submitted that relevant documents/information in this regard was brought on record in the main petition which was not considered by the Commission in the impugned order. The Review Petitioner has submitted that non-consideration of the documents/information on record filed is an error apparent on the face of record necessitating review of the impugned order. The Review Petitioner has also sought an ad-interim order in terms of its prayer.

3. The learned counsel for the Review Petitioner, during the hearing on 4.5.2017 submitted that reasons for time over-run in respect of the assets is not attributable to it and as such, it is not liable to bear the IDC and IEDC for the said period.

4. We direct issue of notice on the admissibility of the Review Petition.

5. The Review Petitioner is directed to serve a copy of the petition and IA on the respondents by 22.5.2017 and respondents to file their reply by 16.6.2017 on admissibility as well as on merit and the petitioner to file rejoinder, if any, by 5.7.2017. No extension of time shall be granted.

6. The review petition shall be listed for hearing on 11.7.2017 alongwith all the related review petitions.

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

sd/-
(A.S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

