

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 98/MP/2018**

**Coram:**

**Shri P.K.Pujari, Chairperson  
Dr. M.K. Iyer, Member  
Shri I.S.Jha, Member**

**Date of Order: 26<sup>th</sup> September, 2019**

**In the matter of**

Petition for extension of cut-off date in respect of the Civil Works related to residential township for Palatana project from 31.3.2018 to 31.3.2020

**And**

**In the matter of**

ONGC Tripura Power Company Limited  
6<sup>th</sup> Floor, A Wing, IFCI Towers,  
New Delhi- 110019

**.....Petitioner**

**Vs**

1. Assam Power Distribution Company Ltd.  
Bijulee Bhawan, Paltan Bazar,  
Guwahati-781001

2. Department of Power  
Govt. of Arunachal Pradesh,  
Vidyut Bhawan, Itanagar - 791111

3. Department of Power  
Government of Nagaland,  
Kohima - 797001

4. Manipur State Power Distribution Company Ltd.  
Government of Manipur,  
Keishampat, Imphal - 795001

5. Power and Electricity Department  
Government of Mizoram,  
Aizawal - 796001, Mizoram

6. Meghalaya Energy Corporation Limited  
Short Round road, Lumjingshai,  
Shillong - 793001, Meghalaya



7. Department of Power  
Government of Meghalaya,  
Shillong

8. Tripura State Electricity Corporation Limited,  
Vidyut Bhawan, North Banamalipur,  
Agartala, Tripura - 799001

.....Respondents

**Parties present:**

Shri Parinay Shah, Advocate, OTPCL  
Ms. Surabhi Pandey, Advocate, OTPCL  
Ms. Ritika Singhal, Advocate, OTPCL  
Shri Satyajit Ganguly, OTPCL  
Shri Arup Sarmah, OTPCL  
Shri Amit Dabbas, OTPCL  
Shri Manoranjan Kalita, APDCL  
Shri Nilmadhab Deb, APDCL  
Shri Ashish Choudhury, APDCL

**ORDER**

This Petition has been filed by the Petitioner, ONGC Tripura Power Company Limited (OTPCL) for extension of cut-off date of Palatana Combined Cycle Gas Turbine Power Project ('the Project') for a period of two years i.e. from 31.3.2018 to 31.3.2020 in exercise of the Power under Regulation 54 (Power to Relax) and Regulation 55 (Power to remove difficulty) of the CERC (Terms and Conditions of Tariff) Regulations, 2014 ('the 2014 Tariff Regulations').

2. The Petitioner in the Petition has submitted that the works pertaining to residential township under original scope of work were envisaged to get delayed and spilled over beyond the cut-off date of 31.3.2018 on account of various reasons which were beyond the control of the Petitioner.

3. The matter was admitted on 18.9.2018 and notice was issued to the Respondents. The Respondent, APDCL vide affidavit dated 12.10.2018 has filed its reply and the Petitioner vide its affidavit dated 16.10.2018 has filed rejoinder to the said reply.



4. During the hearing on 24.9.2019, the learned counsel for the Petitioner submitted that since the works related to construction of residential township for its employees is likely to be completed by 31.3.2020, the Commission may relax the cut-off date of the Project from 31.3.2018 to 31.3.2020 in exercise of the power under Regulation 54 of the 2014 Tariff Regulations. On a specific observation of the Commission that the capitalization of the expenditure after 1.4.2019 would be governed by the provisions of the 2019 Tariff Regulations, the learned counsel for the Petitioner submitted that it may be permitted to withdraw the Petition with liberty to approach the Commission for capitalization of the expenditure after completion of the said works, in terms of the relevant regulations. The representative of the Respondent, APDCL did not object to the above submission.

5. Based on the submission of the learned counsel for the Petitioner, the Commission permitted the Petitioner to withdraw this Petition. Accordingly, the Petition is disposed of as withdrawn. The Petitioner is however granted liberty to approach the Commission for capitalization of the actual expenditure incurred towards the construction of residential township and the same would be considered in accordance with law. The filing fees deposited by the Petitioner for this Petition shall be adjusted against any Petition to be filed by the Petitioner before this Commission.

6. Petition No. 98/MP/2018 is disposed of in terms of the above.

**Sd/-**  
**(I.S.Jha)**  
**Member**

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

**Sd/-**  
**(P. K. Pujari)**  
**Chairperson**

