

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. : 606/MP/2020

Subject : Petition under Regulations 11, 26 and 29 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 read with other relevant provisions and the Commission's directions in the order dated 20.3.2017 in Petition No. 72/MP/2016

Date of Hearing : 20.5.2022

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member

Petitioner : Maithon Power Limited (MPL)

Respondents : Tata Power Delhi Distribution Limited (TPDDL) & Ors.

Parties present : Shri Anand Kumar Shrivastava, Advocate, MPL
Shri Shivam Sinha, Advocate, MPL
Shri Chetan Saxena, Advocate, MPL
Shri Pankaj Prakash, MPL
Shri Dhilip Kumar, MPL

Record of Proceedings

The matter was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the instant petition is filed for 'in principle' approval of capital expenditure towards installation of NOx control system to comply with the NOx norms prescribed in MoEFCC Notification dated 7.12.2015. The Petitioner has completed the bidding process. However, the contract is yet to be awarded. He submitted that the L1 bidder has stated that the validity of the quoted bid price is valid till 30.6.2021 and has sought minor escalation on the ground of inflation during the last two years.

3. The learned counsel for the Petitioner submitted that based on the bidding process, the total estimated cost for 'Combustion Modification' is ₹51.46 crore and the said cost is likely to escalate. The Petitioner will come up with final cost once the project is implemented. The details of the bidding process along with the tabular representation of the phasing of work have been placed on record as Annexure-9. He further submitted that a detailed reply to the queries raised by the Commission has been filed vide affidavits dated 9.6.2021, 28.7.2021 and 2.11.2021.

4. The learned counsel for the Petitioner submitted that the emission level of Nox during the last three years i.e from 2018 to 2021 of both the units has been submitted to Jharkhand State Pollution Control Board (JSPCB). The design value of



NO_x is 880 mg/Nm³ for the instant plant and feasibility report in this regard has been placed on record as Annexure-5. As regards the actual level of NO_x measured at full load, he submitted that the NO_x emission level is dependant not only on loading of unit but on many factors and varies based on the operational conditions like unit load, types of coal blended, composition of each type of coal, etc. Therefore, even full load emission levels may not give accurate picture of emission levels at worst operating conditions. He further submitted that the effect of loading on NO_x emission has been recorded in Hon'ble Supreme Court's judgement dated 5.8.2019 in Writ Petition Civil No. 13029/1985. He further submitted that none of the Respondents has filed their reply in the matter.

5. After hearing the learned counsel for the Petitioner, the Commission reserved the order in the matter.

By order of the Commission

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(V. Sreenivas)
Joint Chief (Law)

