

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 30/RP/2022
in
Petition 173/MP/2020**

**Coram:
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member**

Date of Order: 8th December, 2022

In the matter of

Petition for review of the Commission's order dated 10.6.2022 in Petition No. 173/MP/2020 relating to Lignite Transfer Price on account of trued up in respect of Barsingsar Mines as per MoC guidelines for control period 2014-19.

And

In the matter of

NLC India Limited,
135, EVR Periyar Salai,
Kilpauk, Chennai – 600 010,
Tamil Nadu.
Vs.

...Petitioner

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

2. Jaipur Vidyut Vitran Nigam Ltd,
Vidyut Bhawan, Janpath,
Jaipur, Rajasthan – 302 005.

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

4. Rajasthan Urja Vikas Nigam Ltd,
Shed No. 5/5, Vidyut Bhawan,
Janpath, Jaipur - 302 005.

.... Respondents

Parties Present:

Shri Kulamani Biswal, Advocate, NLCIL
Shri A. Srinivasan, NLC India Ltd.



Ms. Swapna Seshadhri, Advocate, Rajasthan Discoms
Ms. Sugandh Khana, Advocate, Rajasthan Discoms

ORDER

Petition No.173/MP/2020 was filed by the Review Petitioner, NLC India Ltd., for approval for revision of Lignite Transfer Price of Barsingsar Mines, for the period from 1.4.2014 to 31.3.2019, on account of truing up on additional capitalization for 2014-19, O&M expenses, over burden removal and consequent depreciation and return on equity as per guidelines dated 2.1.2015 of the Ministry of Coal, Government of India (GOI) and the Commission vide its order dated 10.6.2022 has revised the Lignite Transfer Price (LTP) of the Petitioner. Aggrieved by the impugned order dated 10.6.2022, the Review Petitioner has filed this Review Petition on the ground that there is error apparent on the face of the record on the following issues:

- (a) Disallowance of additional capital expenditure in respect of 'New Assets' for the 2014-19 tariff period;*
- (b) Allow Deferred Revenue Expenditure in computation in Interest on Working Capital for 2014-15.;*
- (c) Disallowance of consumption of Stores.*

Hearing on 6.12.2022

2. The Review Petition was heard on 'admission' on 6.12.2022. During the hearing, the learned counsel for the Review Petitioner made detailed oral submissions and prayed that the review on the aforesaid issues may be allowed. The learned counsel appearing for the Respondents, Rajasthan Discoms prayed for grant of time to file reply in the matter.

3. Heard the learned counsel for the parties. The Review Petition is 'admitted' on the issues raised in paragraph 1 above. The Commission also directed issuance of notice to the Respondents.



4. Accordingly, the Review Petitioner is directed to serve the copy of the Review Petition, along with this order, on the Respondents by **14.12.2022**. The Respondents shall file their replies on 'merits', on or before **2.1.2023**, after serving copy on the Review Petitioner, who may file its rejoinder, if any, by **10.1.2023**. Pleadings shall be completed by the parties within the due date mentioned and no extension of time shall be granted for any reason.

5. Review Petition No. 30/RP/2022 shall be listed for hearing during **19.1.2023**.

Sd/-
(Pravas Kumar Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member