

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 227/MP/2023

Subject : Petition under Section 62 and 79(1)(a) of the Electricity Act, 2003 read with Regulation 29 of the CERC (Terms and Condition of Tariff) Regulations, 2019 for determination of tariff on installation of various Emission Control Systems in MTPS U#7&8 (1000 MW) of DVC in compliance of Revised Emission Standards.

Petitioner : Damodar Valley Corporation

Respondent : BYPL and 8 others

Date of Hearing : **9.11.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Kazi Md. Hanif, DVC
Shri Arijit Maitra, Advocate, BYPL
Ms. Pallavi Maitra, Advocate, BYPL

Record of Proceedings

At the outset, learned counsel appearing for the Respondent BYPL requested time to file a reply stating that he had received notice only on 6.11.2023. The Commission accepted this request, and the matter was adjourned.

2. The Commission, while adjourning the matter, directed the Petitioner to file the following information, after serving a copy to the Respondents, on or before, **15.12.2023**:

- (a) *Detailed breakup of the initial estimated cost of Rs. 634.21 Cr towards FGD along with the copy of approval of board / corporation.*
- (b) *In regards to FGD works, the scope of works envisaged and completed (as on 31.10.2023) under 'Others' claimed for Rs. 198.74 Cr, 'Other enabling works inclusive of roads / drains' for Rs. 12.85 Cr and 'Pre-Commissioning' for Rs. 47.53 Cr'.*
- (c) *In regards to FGD works, the segregated break up of 'Interest During Construction' (IDC) and 'Financial Charges' (FC).*
- (d) *In regards to De-NOx works, the scope of works / items envisaged under 'Plant & Machinery' for Rs. 11.55 Cr.*
- (e) *Copy of contract and letter of award issued for FGD and CM, clearly indicating date of award, awarded cost, scheduled timelines, penalty and LD for delay in execution of works, compensation through price adjustment etc.*



(f) *Copy of PERT / CPM chart for FGD and CM as prepared at the time of initial investment approval of board / corporation held in 2019.*

(g) *The details of overhauling of each unit, the period from which date to which date etc, from October 2019 to July 2023.*

(h) *The communications exchanged with the vendor regarding the delay in execution of the project on account of the restriction on usage of Industrial Oxygen.*

3. The Respondents to file a reply on or before **29.12.2023**, after serving a copy to the Petitioner, who may file its rejoinder, if any, by **11.1.2024**. Pleadings shall be completed by the parties by the due date mentioned.

4. The matter shall be listed for hearing on **19.1.2024**.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

