

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.31/RP/2023

in

Petition No. 255/GT/2020

Coram:

Shri I.S. Jha, Member

Shri Arun Goyal, Member

Shri Pravas Kumar Singh, Member

Date of Order: 8th December, 2023

In the matter of

Review of Commission's Order dated 28.7.2023 in Petition No. 255/GT/2020 for trueing-up of tariff for the period 2014-19 and determination of tariff for the period 2019-24 in respect of Uri-I hydroelectric Project (480 MW).

And

In the matter of

NHPC Limited,
NHPC Office Complex, Sector-33,
Faridabad, Haryana - 121003

...Petitioner

Vs.

1. Punjab State Power Corporation Limited,
The Mall, Near Kali Badi Mandir,
Patiala - 147 001 (Punjab).
2. Haryana Power Purchase Centre
Shakti Bhawan, Sector - 6
Panchkula-134 109 (Haryana).
3. BSES Rajdhani Power Limited,
BSES Bhawan, Nehru Place
New Delhi-110 019.
4. BSES Yamuna Power Limited,
Shakti Kiran Building,
Karkardooma, Delhi- 110 072.
5. Tata Power Delhi Distribution Limited,
33 kV Sub-Station Building, Hudson Lane, Kingsway Camp,
New Delhi-110 009.
6. Power Development Department,
New Secretariat,



Jammu- 180 001 (J&K).

7. Uttar Pradesh Power Corporation Limited,
Shakti Bhavan, 14, Ashok Marg,
Lucknow - 226 001 (Uttar Pradesh).
8. Ajmer Vidyut Vitaran Nigam Limited
Old Powerhouse, Hatthi Bhatta,
Jaipur Road, Ajmer - 305 001 (Rajasthan).
9. Jaipur Vidyut Vitaran Nigam Limited,
Vidyut Bhawan, Janpath,
Jaipur - 302 005.
10. Jodhpur Vidyut Vitaran Nigam Limited
New Power House, Industrial Area,
Jodhpur - 342 003 (Rajasthan).
11. Uttaranchal Power Corporation Limited,
Urja Bhawan, Kanwali Road,
Dehradun – 248 001 (Uttarakhand).
12. Engineering Deptt.,
1st Floor, UT Secretariat, Sector 9-D,
Chandigarh – 160 009.
13. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House,
Shimla - 171 004 (Himachal Pradesh).

...Respondents

Parties present :

Shri Venkatesh, NHPC
Shri Anant Singh Ubeja, Advocate, NHPC
Ms. Nehal Jain, Advocate, NHPC
Shri Mohd. Faruque, NHPC
Shri Jitendra K. Jha, NHPC
Shri Mohit K. Mudgal, Advocate, BRPL & BYPL
Shri Sachin Dubey, Advocate, BRPL & BYPL

Order

The Petition No. 255/GT/2020 was filed by the Petitioner, NHPC for truing-up of tariff for the period 2014-19 and determination of tariff for the period 2019-24 in respect of Uri-I hydroelectric Project (480 MW), in accordance with Regulation 8 (1) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014. The Commission passed Order in the said petition on 28.7.2023.



2. The Review Petitioner, NHPC has sought review of the said Order on account of:

- (a) Erroneously application of an incorrect methodology for calculating the gross value of the asset being decapitalised for 'assumed deletion' for the control period of FY 2014-19.
- (b) Erroneously disallowance of following additional capital expenditure claims:
 - (i) Extension of School Building at Gingle;
 - (ii) Fire tender fabricated on TATA LPT;
 - (iii) Construction of lab at KV School Gingle;
 - (iv) Extension of Height of Boundary Wall around NHPC Colony, Gingle;
 - (v) Lenovo server think;
 - (vi) Installation of Sewage Treatment Plant at Barrage and Uranbua Colony.

Hearing dated 29.11.2023

3. The matter was listed on 'admission' for hearing and during the hearing, the learned counsel for the Review Petitioner made oral submission pointing out error on the face of record in calculating the gross value of the asset being decapitalised for 'assumed deletion' and disallowing additional capital expenditure claims. The learned counsel for the Review Petitioner did not press for review on the grounds mentioned in in para 2(b) (i), 2(b)(iii), 2(b)(iv) and 2(b)(v) above. The learned counsel for the Respondent sought time to file reply.

4. After hearing the parties, we decide that a prima facie case has been made out for review on grounds mentioned in Para 2 (a), 2(b)(ii) and 2(b)(vi) only. Further, grounds mentioned in para 2(b) (i), 2(b)(iii), 2(b)(iv) and 2(b)(v) are dismissed as not pressed. Accordingly, the matter is 'admitted' on the said grounds, as stated and issuance of notice to the Respondents is directed.



5. The Review Petitioner shall file an additional affidavit to confirm that the amounts indicated under the column of 'assumed deletions' in Petition No. 255/GT/2020 are gross value of the assets being de-capitalized, on or before **20.12.2023**, after serving copy to the Respondents. The Respondents are permitted to file their reply by **17.1.2024**, after serving copy to the Petitioner, who may file its rejoinder, if any, till **15.2.2024**. The submissions shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

6. The Review Petition shall be listed for hearing on **28.2.2024**

Sd/
(Pravas Kumar Singh)
Member

Sd/
(Arun Goyal)
Member

Sd/
(I.S. Jha)
Member

