

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 53/MP/2022**

**Coram:**

**Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member**

**Date of order: 07.08.2023**

**In the matter of:**

Petition under Section 79 of the Electricity Act, 2003 read with Regulation 29 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019 for approval of additional expenditure on account of installation of various Emission Control Systems at Chandrapura Thermal Power Station Unit-7 & 8 having an installed capacity of 500 MW (2x250 MW) in compliance with the Ministry of Environment and Forests and Climate Change, Government of India Notification dated 7.12.2015.

**And in the matter of:**

Damodar Valley Corporation,  
DVC Towers, VIP Road, Kolkata-700054

**...Petitioner**

**Vs.**

1. Madhya Pradesh Power Management Company Limited,  
Block No-11, Ground floor, Shakti Bhawan, Vidhyut Nagar,  
Rampur, Jabalpur, Madhya Pradesh-482008.
2. BSES Yamuna Power Limited, 2nd Floor, B Block,  
Shakti Kiran Building, Near Karkardooma Court,  
New Delhi-110092.
3. BSES Rajdhani Power Limited,  
BSES Bhawan, 2nd Floor, B-Block,  
Behind Nehru Place Bus Terminal,  
Nehru Place, New Delhi – 110019.
4. Tata Power Delhi Distribution Limited,  
NDPL House, Hudson Lines,  
Kingsway Camp, Delhi-110009.

**...Respondent(s)**



**For Petitioner** : Shri Ashutosh Srivastava, Advocate, DVC  
Shri Shivam Kumar, Advocate, DVC

**For Respondents** : Shri Nitin Kala, Advocate, TPDDL  
Shri Ravin Dubey, Advocate, MPPMCL

## ORDER

Damodar Valley Corporation has filed the present petition under Section 79 of the Electricity Act, 2003, read with Regulation 29 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019 (hereinafter referred to as “the 2019 Tariff Regulations”) for approval of Additional Capital Expenditure on account of the installation of various Emission Control Systems (ECS) at Chandrapura Thermal Power Station Unit-7 & 8 having an installed capacity of 500 MW (2x250 MW) in compliance with the Ministry of Environment and Forests and Climate Change, Government of India notification dated 7.12.2015.

2. The Petitioner has made the following prayers in the instant petition:

- “(a) *Allow in principle Capital Cost of 0.9434 Cr/MW for CTPS, required to be incurred by the Petitioner towards installation of the Emission Control System and other associated facilities for the Project.*
- “(b) *Allow incremental auxiliary power consumption of approx. 1% for computation of tariff post commissioning of the ECS and other associated facilities at CTPS.*
- “(c) *Allow incremental Operation and Maintenance cost of 2% of the capital cost for installation of ECS and other associated facilities at CTPS.*
- “(d) *Allow shutdown period required for installation and commissioning of ECS at the Projects as Deemed Availability for payment of Capacity Charges.*
- “(e) *Allow increased expenditure on water cost required for operation of the ECS and other associated facilities at actuals.*
- “(f) *Allow procurement cost of Limestone for operation of ECS at actuals.*
- “(g) *Allow consumption cost of various reagents like Limestone/Urea/Ammonia for*



*operation of ECS at actuals.*

- (h) Allow the Petitioner to approach this Hon'ble Commission for remaining ECS which is not being implemented presently but may be required in future based on actual assessment to comply with revised environmental norms.*
- (i) Pass any such other and further reliefs as this Hon'ble Commission deems just and proper in the nature and circumstances of the present case."*

3. During the hearing on 31.7.2023, the learned counsel for the Petitioner submitted that the bidding process for the installation of an ECS for NOx emissions has been completed and it is being installed. He submitted that it would take three more months to complete the bidding process in the case of FGD. Therefore, it was requested to adjourn the matter for three months. He further requested that the Petitioner be allowed to claim the capital cost of ECS for NOx at the time of truing up the tariff for the 2019-24 tariff period. The Commission observed that the Petitioner may withdraw the present petition and file a fresh petition upon completion of the bidding process for the installation of FGD.

4. In response, the learned counsel for the Petitioner requested to dispose of the instant petition with the liberty for the Petitioner to file a fresh petition for approval of the capital cost of the installation of FGD after the completion of the bidding process. He further prayed for an adjustment of the filing fee paid in respect of the instant petition towards the fee to be paid by the Petitioner in the future. He also requested to extend the treatment given to Kanti Bijlee Utpadan Nigam Limited, vide order dated 17.7.2023, in Petition No. 56/MP/2021 to the Petitioner.

5. We have considered the submissions of the Petitioner. The Petitioner is yet to complete the bid process for the installation of FGD and after completion of the bidding process, the Petitioner may have to amend the present petition. As this would take some



more time, we are of the view that no purpose would be served by keeping the instant petition alive until then. Accordingly, we dispose of the instant petition with the liberty for the Petitioner to file a fresh petition after the completion of the bidding process for the installation of FGD. The Petitioner may claim the capital cost of the installation of NOx at the time of truing up the tariff for the 2019-24 period of the generating station.

6. The Petitioner is also directed to share the proposal for installation of ECS containing the details of the proposed technology, scope of work, capital cost as per bidding, indicative impact on the tariff, and all other relevant information with the beneficiaries as required under Regulations 29(1) and 29(2) of the 2019 Tariff Regulations.

7. The filing fee paid by the Petitioner in the instant petition shall be adjusted towards the fee to be paid by the Petitioner in the future.

8. This order disposes of Petition No. 53/MP/2022 in terms of the above discussions and findings.

**sd/-**  
**(P. K. Singh)**  
**Member**

**sd/-**  
**(Arun Goyal)**  
**Member**

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

**sd/-**  
**(Jishnu Barua)**  
**Chairperson**

