

CENTRAL ELECTRICITY REGULATORY COMMISSION
Core-3, 7th Floor, Scope Complex, Lodi Road, New Delhi – 110 003.
(Tele No.24364911, Fax: 24360010)

No. L-5/25(5)/2003-CERC

11th August, 2005

NOTIFICATION

In exercise of powers conferred under Section 178 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations to further amend the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004, hereinafter referred to as “the Principal Regulations”, namely:

1. **Short title and commencement:** (1) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2005

(2) These regulations shall come into force on the date of their publication in the Official Gazette.

2. **Amendment of Regulation 17:** In regulation 17 of the Principal Regulations, the following shall be added after the first proviso, namely:

“Provided further that any person intending to establish, operate and maintain a generating station may make an application before the Commission for 'in principle' acceptance of the project capital cost and financing plan before taking up a project through a petition in accordance with the procedure specified in the Central Electricity Regulatory Commission (Procedure for making

application for determination of tariff, publication of the application and other related matters) Regulations, 2004, as applicable from time to time. The petition shall contain information regarding salient features of the project including capacity, location, site specific features, fuel, beneficiaries, break up of capital cost estimates, financial package, schedule of commissioning, reference price level, estimated completion cost including foreign exchange component, if any, consent of beneficiary licensees to whom the electricity is proposed to be sold etc.

Provided further that where the Commission has given 'in principle' acceptance to the estimates of project capital cost and financing plan, the same shall be the guiding factor for applying prudence check on the actual capital expenditure:"

(A.K. Sachan)
Secretary

NOTE

The principal Regulations were published in Gazette of India (Extraordinary) Part III, Section 4 on 29.3.2004. The Principal Regulations were amended by the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2004 published in the Gazette of India (Extraordinary) Part II, Section 4, dated 9.9.2004.