

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 438/GT/2020

Subject : Petition for approval of tariff of Feroze Gandhi Unchahar Thermal Power Station Stage-II (420 MW) for the 2019-24 tariff period

Petitioner : NTPC Limited

Respondent : Uttar Pradesh Power Corporation Ltd and 10 others

Date of hearing : **27.7.2021**

Coram : Shri P.K Pujari, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties present : Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Harini Subramani, Advocate, NTPC
Shri R.B Sharma, Advocate, BRPL
Ms. Megha Bajpeyi, BRPL
Shri Mohit Mudgal, Advocate, BYPL
Shri Sachin Dubey, Advocate, BYPL
Shri Manish Garg, UPPCL

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that the matter has been re-listed only to consider the claim of the Petitioner for additional expenses on account of transportation of fly ash for the years 2019-20 and 2020-21 respectively, filed affidavit dated 14.7.2021. Accordingly, the learned counsel for the Petitioner made oral submissions on this issue.

3. The learned counsel for the Respondent, BRPL referred to his reply and made submissions in the matter. He also submitted that the MOEF &CC notification dated 25.1.2016 is punitive in nature and accordingly, the expenses on account of transportation of fly ash shall have to be borne by the Petitioner and cannot be shifted onto the beneficiaries.

4. The representative for the Respondent, UPPCL submitted that no justification has been furnished by the Petitioner with regard to the 'grade slippage' on account of



Gross Calorific Value of coal in terms of Form -15 under the 2019 Tariff Regulations. He, however, prayed for grant of time to file its response to the claim of the Petitioner for additional expenses on account of transportation of fly ash.

5. The learned counsel for the Petitioner requested that the Respondent UPPCL may be directed to serve copy of its submissions on 'grade slippage' to the Petitioner to enable it to file its response.

6. The Commission after hearing the parties directed the Respondent, UPPCL to upload its submissions on 'grade slippage' and to file its reply on the issue of 'additional expenses claimed by Petitioner on account of transportation of fly ash' on or before 16.8.2021 and serve copies of the same to the Petitioner. The Petitioner shall file its rejoinder, if any, on the above, by 26.8.2021.

7. Subject to the above, order in the Petition was reserved.

By order of the Commission

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

