

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 295/MP/2019

Subject : Application under Regulation-31(6) of CERC (Terms and Conditions of Tariff) Regulations, 2014, read with regulation 44(8) and 44(7) of CERC (Terms and Conditions of Tariff) Regulation, 2019, for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the FY 2018-19 in respect of Chamera-III Power Station.

Date of Hearing : **30.6.2022**

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Petitioner : NHPC Limited

Respondents : PSPCL & 8 ors

Parties present : Shri Rajiv Shankar Dvivedi, Advocate, NHPC
Shri Ajay Shrivastava, Advocate, NHPC
Shri S.K. Meena, NHPC
Shri Anand K. Ganesan, Advocate, PSPCL
Shri Amal Nair, Advocate, PSPCL
Shri Brajesh Kumar Saxena, UPPCL
Shri R.B Sharma, Advocate, BRPL
Shri Mohit Mudgal, Advocate, BYPL
Shri Sachin Dubey, Advocate, BYPL/BRPL
Ms. Megha Bajpeyi, BRPL

Record of Proceedings

The case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that the petition has been filed for recovery of shortfall in energy charges amounting to Rs. 14.26 crore due to shortfall in energy generation on account of reasons beyond the control of the Petitioner. He also submitted that the petition has been amended and copies served on the Respondents. The learned counsel however submitted that the Petitioner may be granted time to file its rejoinder to the reply of the Respondent PSPCL.

3. The learned counsel for the Respondent BRPL submitted that the Respondent may be permitted to file its reply in the matter.



4. The learned counsel for the Respondent PSPCL pointed out that the Petitioner has claimed recovery of shortfall in energy charges without adjusting the revenue generated through DSM.

5. The representative of Respondent UPPCL referred to the reply and submitted that the Petitioner may be directed to submit the hydrological and rain-flow data, before considering its claim for recovery of shortfall in energy charges.

6. The Commission after considering the submissions of the parties, directed the Petitioner to file the following additional information by **18.7.2022**, after serving copy to the Respondents:

- (a) The actual inflow data to be certified by CWC;
- (b) Rainfall data reported by IMD for the district in which plant is located and other adjoining districts to correlate low inflows;
- (c) Planned and forced outage data (unit-wise and month-wise) certified by CEA/RLDC and its correlation with generation data viz a viz available average inflows during the period of such outages for the year of shortfall;
- (d) Design energy calculation (in MS Excel) as approved by CEA with proper linkage;
- (e) Methodology for calculating daily maximum possible generation as claimed in the petition (in MS Excel);
- (f) Daily generation report for the days for which energy shortfall has been claimed due to planned/forced outages, reservoir flushing, high trash, plant shutdown due to strike and transmission constraints, etc. correlating with generation loss as claimed in the petition;
- (g) Day-wise details of scheduled energy, actual energy injected in the grid and energy accounted for in DSM along with the revenue earned from DSM for such energy;
- (h) Reasons for the difference between saleable ex-bus and saleable schedule;
- (i) Details of impact of due silt related issues considered at designing/ approval stage of the plant;
- (j) Clarification as to whether CWC/CEA was approached regarding changes in mandatory discharges;
- (k) Difference between excess generation beyond full capacity and generation beyond design energy calculation;
- (l) Any other relevant information/document to justify the claims in the petition.

7. The Respondents shall file their replies by **29.7.2022**, after serving copy to the Petitioner, who may file its rejoinder, if any, by **8.8.2022**.



8. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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

