

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 407/GT/2020

- Subject : Petition for determination of generation tariff for the period 1.4.2019 to 31.3.2024 and truing-up of generation tariff from 1.4.2014 to 31.3.2019 in respect of 262.5 MW gross capacity sale from 1050 MW Kamalanga Thermal Power Plant of GMR-Kamalanga Energy Limited.
- Petitioner : GMR-Kamalanga Energy Limited
- Respondents : GRIDCO Limited & 4 Ors.
- Date of Hearing : **9.11.2022**
- Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member
- Parties Present : Shri Venkatesh, Advocate, GMRKEL
Shri Ashutosh K. Srivastava, Advocate, GMRKEL
Shri Jayant Bajaj, Advocate, GMRKEL
Shri Nihal Bhardwaj, Advocate, GMRKEL
Shri Siddharth Nigotia, Advocate, GMRKEL
Shri Kartikay Trivedi, Advocate, GMRKEL
Shri Abhishek Jaiswal, Advocate, GMRKEL
Shri R.K. Mehta, Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Ms. Susmita Mohanty, GRIDCO
Shri Mahfooz Alam, GRIDCO
Shri Anand Kumar Shrivastava, Advocate, TPCODL
Shri Shivam Sinha, Advocate, TPCODL

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner circulated note of arguments, and made detailed oral submissions in the matter. The learned counsel for the Respondent, GRIDCO also circulated note of arguments and made detailed oral submissions. At the request of the learned counsels, the Commission permitted the parties to upload the note of arguments, if not already done.

3. The Commission after hearing the parties, directed the Petitioner to file additional information on the following, on or before **21.12.2022**, after serving copy to the Respondents:

(a). *In respect of Ash transportation charges in 2018–19 and during the 2019–24 tariff period, the following details:*

(i) *Details of competitive bidding procedure followed in awarding ash transportation contract;*



- (ii) *The Scheduled Rate of respective state for ash transportation;*
- (iii) *The statement of separate account maintained as per the MoEF&CC notification;*
- (iv) *The year-wise revenue generated from sale of fly ash / fly ash products from COD of the Unit I to till date;*
- (v) *The measures taken for promotion of ash utilization locally to minimize the transportation and the quantum of ash utilized thereof.*

(b). *Details pertaining to fuel, furnish information for each source procurement i.e., firm linkage, shakti linkage, linkage tapering, open market, e-auction, imported, alternative coal etc., as per the Form 15 of the 2014 and 2019 Tariff Regulations along with the supporting documents. Further, provide credit note and debit note, received from the coal companies, for each supply during the respective tariff period periods.*

(c). *The Petitioner submitted that the ash handling system had structural defects prior to commissioning and it was never functioned as per specifications. Therefore, clarify how the units were commissioned under such circumstance;*

(d). *The Commission vide ROP of the hearing dated 29.6.2021 had directed the Petitioner to file documentary evidence in respect of the rate of interests considered in calculation of Weighted Average Rate of Interest on actual loans as per Form 13. However, the Petitioner furnished the details in soft copy, in CD, but limited to some bank statements for period August, 2014 to March,2015. The Petitioner shall submit the abovesaid information for the 2014-19 tariff period, duly certified by the auditor;*

(e). *As per Annexure A/11 and A/12 submitted vide affidavit dated 18.9.2020, the discharge of liabilities is claimed for all 4 units, though, the petition has been filed for Units 1 to 3 only. Hence, the revised Liability Flow Statement and its Reconciliation statement, in respect of discharge of liabilities pertaining to Unit 1 to 3, shall be furnished, duly certified by the auditor, along with related forms.*

4. The Respondents shall file their replies on or before **4.1.2023**, with advance copy to the Petitioner, who shall file its rejoinder if any, by **16.1.2023**. The parties shall ensure the completion of pleadings within the due date mentioned and no extension of time shall be granted.

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

By order of the Commission

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

