

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 439/GT/2020

Subject : Petition for determination of tariff for the 2019-24 tariff period in respect of the National Capital Thermal Power Station, Dadri Stage-I (4x200 MW).

Petitioner : NTPC Limited

Respondents : UPPCL and 4 others

Date of Hearing : **6.12.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties present : Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Karthikeyan Murugan, Advocate, NTPC
Shri Sarthak Sareen, Advocate, NTPC
Shri Shiv Bhavan, NTPC
Shri Aditya Ajay, Advocate, BRPL and BYPL
Shri Rahul Kinra, Advocate, BRPL and BYPL
Shri Anand Kumar Shrivastava, Advocate, TPDDL
Shri Shivam Sinha, Advocate, TPDDL
Shri Ashish Tiwari, Advocate, NDMC
Shri Sahib Patel, Advocate, NDMC

Record of Proceedings

This petition, which was reserved for orders on 22.11.2022, has been re-listed in order to seek certain clarifications/additional information from the Petitioner.

2. The learned counsel for Respondent NDMC submitted that since they have been arrayed as party Respondents, the Petitioner may be directed to provide the Respondent with a copy of the Petition to enable it to file a reply in the matter. In response, the learned counsel pointed out that copies of the tariff petition were served on all the Respondents, including the Respondent NDMC. She, however, undertook to provide a copy of the petition, to the learned counsel for NDMC in the course of the day. This was accepted by the Commission.

3. The Petitioner is directed to file the following additional information on or before **2.2.2024** after serving copy to the Respondents:



- (a) *The reasons for claiming loss in GCV, between GCV billed and GCV received, around 1000-1700 kCal / kg and actions taken thereof along with supporting documents to address the same i.e. no. of samples challenged, success rate, correspondence made with CIL, Third party, Railways etc;*
- (b) *The annual average 'GCV as billed' and 'GCV as Received' of coal in years 2018- – 19, 2019-20, 2020-21, 2021-22 and 2022-23.*
- (c) *The GCV of opening stock, GCV of coal as received exclusive of opening stock and GCV of coal as received inclusive of opening stock for each month.*
- (d) *The detailed computation sheet (excel sheet based on third-party sample reports with links and formulae) in arriving at 'GCV of domestic coal received' claimed in each month along with details of GCV as Received (EM), GCV has received (TM) and Moisture and a copy of all third-party reports pertaining to respective month.*
- (e) *The reasons for claiming GCV as received on a 'TM basis' instead of 'EM basis'.*
- (f) *The relevant clauses of FSA associated with grade slippage and excess moisture, including recovery of penalty, challenging sample and the policy of Petitioner company on issues associated with quality of coal. In case no action has been taken, the reasons thereof;*
- (g) *Month-wise grade slippage and excess moisture of coal received for the subject three months and segregated credit note and debit note received from coal company on account of excess moisture and grade slippage along with supporting documents including bills, bill settlement, etc;*
- (h) *The detailed breakdown of adjustment in coal charges claimed of Rs.1144821732.89 in October 2018 and Rs. 87507932.63 in November 2018, along with reasons and supporting documents for such claim.*

4. The Respondents are permitted to file their replies on or before **19.2.2024** after serving a copy to the Petitioner, who may file its rejoinder, if any, by **29.2.2024**. The parties shall ensure that the submissions are filed within the due dates mentioned.

5. Based on the consent of the parties, the order in the Petition was reserved.

By order of the Commission

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

