

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 227/MP/2023**

Subject : Petition under Section 62 and 79(1)(a) of the Electricity Act, 2003 read with Regulation 29 of the CERC (Terms and Condition of Tariff) Regulations, 2019 for determination of tariff on installation of various Emission Control Systems in MTPS U#7&8 (1000 MW) of DVC in compliance of Revised Emission Standards.

Petitioner : Damodar Valley Corporation

Respondents : BYPL and 8 ors.

Date of Hearing : **25.3.2025**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member  
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Venkatesh, Advocate, DVC  
Shri Aashwyn Singh, Advocate, DVC  
Shri Ashutosh Srivastava, Advocate, DVC

**Record of Proceedings**

During the hearing, the learned counsel for the Petitioner submitted that the Petition has been filed for supplementary tariff for the period 2019-24, for the installation of ECS in MTPS. He, however, prayed that the Commission may consider the grant of interim tariff or permit the provisional billing of tariff, in order to avoid any cash flow problems.

2. None was present on behalf of the Respondents, despite notice.
3. The Commission, while adjourning the matter, directed the Petitioner to submit the following additional information by **21.4.2025** after serving a copy to the Respondents:
  - (i) OEM certified PG test report of the ECS(FGD+CMS) and the conditions considered thereof, to ensure emission norms achieved in respect of the subject ECS in compliance with MoEF & CC Notification.
  - (ii) Item-wise details of actual capitalization in respect of initial spares as of actual ODe (26.1.2024) of Unit-7 of MTPS and that of (29.3.2024) of Unit-8 of MTPS.
  - (iii) The reasons for non-availability of shutdown, which caused a delay in the declaration of ODe of FGD/CMS of Units 7 & 8 of MTPS with details of correspondences made with the respective Regional Power Committee/ Regional Load Despatch Centre along with supporting documentary evidence. Also, the details of outages (forced/planned/unit overhaul etc.) that occurred during the anticipated Ode to actual Ode of the said FGD/CMS.
  - (iv) The detailed calculation of IEDC(Form-P), time overrun (Form-G), and assets decapitalized (Form-I) in excel with formulae as on scheduled date of completion as per L1 schedule, actual Ode of Unit-7 i.e. 26.1.2024 and actual Ode of Unit-8 i.e. 29.3.2024.



- (v) The details of capitalization (both on an accrual basis and on a cash basis) certified by the Auditor.
- (vi) Break-up of capital cost claimed as on actual ODe of FGD of Unit-7, i.e., 26.1.2024, and that of Unit-8 i.e. 29.3.2024, in the following format:

Units	As on actual ODe of Unit-7		As on actual ODe of Unit-8	
	Expenditure incurred for FGD	Expenditure incurred for CMS	Expenditure incurred for FGD	Expenditure incurred for CMS
a)Unit-7				
b)Unit-8				
c)Common Facilities				
Total (a+b+c)				

- (vii) Proper justification along with supporting documents regarding the discrepancy in the capital cost submitted by the Petitioner as tabulated below:

	As per the submission filed on 10.12.2024 (Page No. 372 of the Consolidated Petition)	Auditor's certified Annexure D (Page No. 473 of the Consolidated Petition)
Capital Cost as on actual ODe of Unit 8 (Rs. in Lakhs)	60115.83	60421.00
Total Capital Cost including IDC and IEDC as on actual ODe of Unit 8 (Rs. in Lakhs)	69574.50	69836.93

- (viii) The supporting documents as sought under para 4(b) and 4(c) vide ROP of the hearing dated 5.9.2024.
- (ix) LD with supporting documents recovered from the contractor on account of delay.
- (x) Details with justification and supporting documents for considering simple average GCV of coal for the period from October, 2023 to March, 2024 in Form-15, instead of weighted average GCV of coal in terms of the 2019 Tariff Regulations, for computation of supplementary energy charge rate as submitted vide amended Tariff Form under additional form (Form-O(i)).
- (xi) The Petitioner was directed vide ROP dated 21.01.2025 to submit a detailed calculation of Actual IDC and Normative IDC separately, duly certified by an auditor, along with an editable soft copy with formulas and linkage. However, the Petitioner has submitted a revised audited calculation of IDC vide affidavit dated 10.12.2024, stating total IDC as Rs. 8779.49 lakh, including Notional IDC, and subsequently an audited calculation of IDC stating total IDC as Rs. 8879.49 lakh, including Notional IDC, with a bottom note indicating Rs. 1901.05 lakh as Notional IDC. However, the detailed calculation for the same has not been provided. Hence, the Petitioner is requested to submit the detailed calculation of Actual IDC and Notional IDC separately, duly certified by an auditor, together with an editable soft copy with formulas and linkage.
4. The Commission, as a last opportunity, permitted the Respondents to file their replies on or before **2.5.2025** after serving a copy to the Petitioner, who may file its rejoinder, if any, by **10.5.2025**.
5. The Petition will be listed for hearing on **13.5.2025**.

**By order of the Commission**

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

