

**BEFORE
THE CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

PETITION NO:

IN THE MATTER OF: Approval under regulation-86 for transmission tariff for Mau-Balia 132 KV S/C Line in the State of Uttar Pradesh in Northern Region, for tariff block 2001-2004.

Power Grid Corporation of India Ltd.
(Govt. of India undertaking)
Registered office: B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi. 110 016.
Corporate Centre : 'SAUDAMINI', Plot No-2,
Sector-29, Gurgaon-122 001 (Haryana).

--- **PETITIONER**

Uttar Pradesh Power Corporation Ltd.
(Formerly Uttar Pradesh State Electricity Board)
Shakti bhawan, 14, Ashok Marg
Lucknow - 226 007
Represented by its Chairman

RESPONDENT

To
The Hon'ble Chairman and
His Companion Members of The Hon'ble CERC
The Humble application filed by the Petitioner

MOST RESPECTFULLY SHOWETH

- 1.0 The petitioner herein, Power Grid Corporation of India Ltd. Is a Government of India undertaking, registered as a company under section 617 of the Companies Act. The petitioner is also discharging the statutory functions under various applicable provisions, including in particular section 28 and 38 of the Indian Electricity Act, 2003.
- 2.0 In exercise of powers conferred under sub-section (1) of section 38 of the Electricity Act,2003, the Government of India has declared the petitioner herein as the Central Transmission Utility.
- 3.0 That prior to the establishment of Central Electricity Regulatory Commission (CERC), the Ministry of Power, Govt. of India, in exercise of powers vested under the Electricity (Supply) Act, 1948 have determined terms and conditions of transmission tariff. Accordingly, for the period from 01.04.97 to 31.03.2002, Ministry of Power (MOP) had notified the transmission tariff norms, terms and conditions vide Notification dated 16.12 97 issued vide letter No. 2/3/ Powergrid/ Tariff/ 97 dated 17.12.97 and the tariff is to be computed financial year wise starting from the financial year 1997-98 for a period of five years.
- 4.0 That, after establishment of CERC, Hon'ble Commission vide order dtd. 8.12.2000 and 21.12.2000 in. Petition Nos. 4/2000, 31/2000. 32/2000, 34/2000,

85/2000, 86/2000 & 88/2000, has given its findings regarding the terms and conditions of tariff which were subsequently notified on 26.3.2001. These terms and conditions were made applicable for a period of three years effective from 01.04.2001.

It is submitted that the petitioner being aggrieved by the aforesaid Order dated 21.12.2000 of Hon'ble Commission, has filed Review Petition before CERC and Appeal (FAO NO.: 145 /2001) before Hon'ble High Court of Delhi. The petitioner also filed FAO No.: 387/2001 (against the Notification dated 26.03.2001 of Hon'ble CERC) before Hon'ble High Court of Delhi. These appeals have since been transferred to Appellate Tribunal for Electricity by Hon'ble High Court of Delhi vide order dated 18.07.2005.

That, the petitioner is filing the present petition based on the CERC (Terms & Conditions of Tariff) Regulations 2001 for determination of Tariff of Mau-Balia 132 KV S/C Line in the state of Uttar Pradesh in Northern Region, without prejudice to its rights and contentions in the Appeals in the above referred matter now to be heard by the Appellate Tribunal for Electricity .

The Petitioner craves for the leave of the Hon'ble Commission to reserves its right to amend this petition based on the orders that may be passed by the Appellate Tribunal for Electricity or by reason of any subsequent development.

5.0 **PROJECT SCOPE AND IMPLEMENTATION**

5.1 That the Petitioner has installed Mau- Balia 132 KV S/C Line under system improvement scheme in the State of Uttar Pradesh in Northern Region. Copy of the Memorandum of Understanding between Powergrid and UPPCL in this regard is attached as **Encl-1, (page to page)**. The project specific Transmission service Agreement (TSA) has also been signed between the Petitioner and the respondent, a copy whereof is attached hereto as **Encl-2, (page to)**.

5.2 In line with the powers delegated to them, the expenditure sanction was accorded by the Board of Directors of POWERGRID vide Memorandum letter Ref: C/CP/N60-00 dated 14.01.2002, for Rs 684.00 lakhs, including IDC of Rs 36.00 lakhs, a copy whereof is attached as **Encl-3-, (page to page)**. As per the above investment approval, the project is to be commissioned within 15 months from the date of investment approval i.e. by April,2003 and the same has been completed as per schedule. Hence there is no time over-run in this case.

5.3 All the works necessary to put the System in use has been completed and the system has been put under commercial operation w.e.f. 1.05.2003, vide letter dated 15.05.2003, a copy whereof is attached hereto as **Encl-4, page ... to**

5.4 A schematic diagram of the above transmission system is attached at **Encl.- 5 (page to)**.

5.5 As against approved cost of Rs 684.00 lakh (Including IDC of 36.00 lakh) the estimated completion cost of the asset is Rs. 606.56 lakhs, (including IDC of Rs 35.35 lakh) a copy of Auditor's certificate is attached hereto as **Encl.-6, Page.....to.....** The reason for reduction in the estimated completion cost as compared to approved cost is reduction in line length based on final survey.

6.0 TRANSMISSION TARIFF

6.1 The tariff has been worked out as per notification for CERC (Terms & Conditions of Tariff) Regulations 2001, issued on dtd. 26.03.2001. The relevant information and the calculations for working out the tariff along with supporting documentation (Form 1 to 12) are attached hereto as **Encl.-7(page ... to**).

The details of transmission tariff w.e.f. date of commercial operation (01.05.2003) to 31.03.2004 is summarized below :

Period	Transmission Charges (Rs. in Lakhs)
2003-2004 (for 11 months w.e.f 01.05.2003)	105.30

6.2 The Tariff indicated at para 6.1 above, is exclusive of Income Tax, Incentive, late payment surcharge, any statutory taxes, levies, duties cess, filing fees or any other kind of imposition(s) or & other surcharges etc. whatsoever imposed / charged by any Government (Central/State) and / or any other local bodies/authorities/regulatory authorities in relation to transmission of electricity, environmental protection, and/or in respect of any of its installation associated with the Transmission System and the same shall be borne and additionally paid by the respondent(s) to the petitioner and the same shall be charged in the monthly bills raised by the petitioner on the respondents.

6.3 Sharing of Transmission Charges

The transmission tariff of the above transmission assets will be payable by Uttar Pradesh Power Corporation Ltd, as per Notification dated 26.03.2001 issued by Hon,ble CERC and TSA dated 28.06.2003 (Refer Encl-2).

7.0 As per CERC procedure for making application for determination of tariff, publication of application and other related matters, regulations, 2004, before making the application, the petition is to be put up on POWERGRID website. Further, within seven days after making the application, notice of application is to be published in at least two daily Newspapers. The said procedure is being followed in filing of current petition.

8.0 In the circumstances mentioned above it will be just and proper that the transmission tariff for Mau-Balia 132 KV S/C Line in Northern Region for the period from 01.05.2003 to 31.03.2004 be charged from the Respondents on the basis set out in para-6 above, subject to requisite adjustment to be done after completion of all minor leftover works, determination of final completion cost and approval of final transmission tariff by this Hon'ble Commission.

PRAYER

It is respectfully prayed that the Hon'ble Commission may be pleased to:

- (i) approve the transmission tariff for Mau-Balia 132KV S/C Line in Northern Region on the basis set out in para-6 above, subject to the outcome of Appeals pending before the Appellate Tribunal for Electricity.
- (ii) approve the reimbursement of expenditure by the beneficiaries towards publishing of notices in Newspapers and other expenditure (if any) in relation to the filing of petition and petition filing fee.
- (iii) pass such other relief as Hon'ble Commission deems fit and appropriate under the circumstances of the case and in the interest of justice.

**FILED BY
POWER GRID CORPORATION OF INDIA LTD.**

**Sd/
REPRESENTED BY U.KTYAGI
DY.GENERAL MANAGER (COMMERCIAL)**

**GURGAON
DATED: 03.10.2005**