NEW DELHI

PETITION FOR

Under Regulation 86 of CERC (Conduct of Business) Regulations'1999, and CERC (Terms and Conditions of Tariff) Regulations'2009

Determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for Transmission System associated with

400kV D/C Neemrana – Sikar line alongwith associated bays

under Northern Region System Strenthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

PETITION NO.:.....

TARIFF BLOCK: 2009 - 2014

POWER GRID CORPORATION OF INDIA LTD.

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)

EPABX: 0124-2571 700 TO 719, FAX: 0124-2571989



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PETITION N	
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IN THE MATTER OF:

Approval under regulation-86 of CERC (Conduct of Business) Regulations'1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400kV D/C Neemrana-Sikar line alongwith associated bays under Northern Region System Strengthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

IN THE MATTER OF:

Power Grid Corporation of India Ltd.

---PETITIONER

Registered office: B-9, Qutab Institutional Area,

Katwaria Sarai, New Delhi 110 016 and Corporate office: "Saudamini", Plot no.2, Sector-29, Gurgaon -122 001. (Haryana)

Uttar Pradesh Power Corporation Ltd

--- RESPONDENT

14, Shakti Bhawan, Ashok Marg,

Lucknow - 226 007

Represented by its Chairman & others

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FILED BY POWER GRID CORPORATION OF INDIA LTD.

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REPRESENTED BY S.S.RAJU

GURGAON DY. GENERAL MANAGER (COMMERCIAL)
DATED:33.11.2011

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IN THE MATTER OF:

Approval under regulation-86 of CERC (Conduct of Business) Regulations'1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400kV D/C Neemrana-Sikar line alongwith associated bays under Northern Region System Strengthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

IN THE MATTER OF:

Power Grid Corporation of India Ltd.

lia Ltd. ---PETITIONER

Registered office: B-9, Qutab Institutional Area, Katwaria Sarai, New Delhi 110 016 and

Corporate office: "Saudamini", Plot no.2, Sector-29, Gurgaon -122 001. (Haryana)

Uttar Pradesh Power Corporation Ltd 14, Shakti Bhawan, Ashok Marg, Lucknow – 226 007 Represented by its Chairman & others

--- RESPONDENT

To

The Secretary
Central Electricity Regulatory Commission
New Delhi. 110 001

Sir.

The application filed under Regulation 86 of CERC (Conduct of Business) Regulation, 1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission tariff from DOCO to 31.03.2014 may please be registered.

PETITIONER POWER GRID CORPORATION OF INDIA LTD.

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REPRESENTED BY S.S.RAJU DY. GENERAL MANAGER (COMMERCIAL)

GURGAON DATED:23.11.2011



PETITION	NO ·	
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IN THE MATTER OF:

Approval under regulation-86 of CERC (Conduct of Business) Regulations'1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400kV D/C Neemrana-Sikar line alongwith associated bays under Northern Region System Strengthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

Power Grid Corporation of India Ltd.

---PETITIONER

Registered office: B-9, Qutab Institutional Area,

Katwaria Sarai, New Delhi 110 016 and Corporate office: "Saudamini", Plot no.2, Sector-29, Gurgaon -122 001. (Haryana)

Uttar Pradesh Power Corporation Ltd 14, Shakti Bhawan, Ashok Marg, Lucknow – 226 007 Represented by its Chairman & others

--- RESPONDENT

MEMO OF PARTIES

POWER GRID CORPORATION OF INDIA LTD.

---PETITIONER

VERSUS

NORTHERN REGION BENEFICIARIES

- RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LIMITED VIDYUT BHAWAN, VIDYUT MARG, JAIPUR - 302 005 REPRESENTED BY ITS CHAIRMAN & OTHERS
- 2. AJMER VIDYUT VITRAN NIGAM LTD
 400 KV GSS BUILDING (GROUND FLOOR), AJMER ROAD,
 HEERAPURA, JAIPUR.
 REPRESENTED BY ITS MANAGING DIRECTOR & OTHERS
- 3. JAIPUR VIDYUT VITRAN NIGAM LTD
 400 KV GSS BUILDING (GROUND FLOOR), AJMER ROAD,
 HEERAPURA, JAIPUR.
 REPRESENTED BY ITS MANAGING DIRECTOR & OTHERS
- 4. JODHPUR .VIDYUT VITRAN NIGAM LTD 400 KV GSS BUILDING (GROUND FLOOR), AJMER ROAD, HEERAPURA, JAIPUR.



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REPRESENTED BY ITS MANAGING DIRECTOR & OTHERS

- 5. HIMACHAL PRADESH STATE ELECTRICITY BOARD VIDYUT BHAWAN KUMAR HOUSE COMPLEX BUILDING II SHIMLA-171 004 REPRESENTED BY ITS CHAIRMAN
- 6. PUNJAB STATE ELECTRICITY BOARD THE MALL, PATIALA - 147 001 REPRESENTED BY ITS CHAIRMAN
- 7. HARYANA POWER PURCHASE CENTRE SHAKTI BHAWAN, SECTOR-6 PANCHKULA (HARYANA) 134 109 REPRESENTED BY ITS S.E. / C & R-1
- 8. POWER DEVELOPMENT DEPTT.
 GOVT. OF JAMMU & KASHMIR
 MINI SECRETARIAT, JAMMU
 REPRESENTED BY ITS COMMISSIONER
- UTTAR PRADESH POWER CORPORATION LTD. (FORMARLY UTTAR PRADESH STATE ELECTRICITY BOARD) SHAKTI BHAWAN, 14, ASHOK MARG LUCKNOW - 226 001 REPRESENTED BY ITS CHAIRMAN
- 10. DELHI TRANSCO LTD
 SHAKTI SADAN, KOTLA ROAD,
 NEW DELHI-110 002
 REPRESENTED BY ITS CHAIRMAN
- BSES YAMUNA POWER Ltd,
 2ND Floor, A-Block, Shakti Kiran Building,
 Opp. Karkarduma Court,
 Karkarduma, DELHI- 110092
- 12 BSES RAJDHANI POWER Ltd, BSES BHAWAN, NEHRU PLACE, NEW DELHI REPRESENTED BY ITS CEO
- 13 NORTH DELHI POWER Ltd,
 POWER TRADING & LOAD DISPATCH GROUP
 CENNET BUILDING,
 ADJACENT TO 66/11 kV PITAMPURA-3
 GRID BUILDING, NEAR PP JEWELLERS



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PITAMPURA, NEW DELHI - 110034 REPRESENTED BY ITS CEO

- 14 CHANDIGARH ADMINISTRATION SECTOR -9, CHANDIGARH. REPRESENTED BY ITS CHIEF ENGINEER
- 15. UTTARAKHAND POWER CORPORATION LTD.
 URJA BHAWAN
 KANWALI ROAD
 DEHRADUN.
 REPRESENTED BY ITS MANAGING DIRECTOR
- 16. NORTH CENTRAL RAILWAY
 ALLAHABAD.
 REPRESENTED BY CHIEF ELECTRICAL DISTRIBUTION ENGINEER
- 17. NEW DELHI MUNICIPAL COUNCIL PALIKA KENDRA, SANSAD MARG, NEW DELHI-110002 REPRESENTED BY CHAIRMAN

--- RESPONDENTS

PETITIONER POWER GRID CORPORATION OF INDIA LTD.

REPRESENTED BY S.S.RAJU DY. GENERAL MANAGER (COMMERCIAL)

GURGAON
DATED:3.11.2011





हरियाणाँ HARYANA

19AA 974861

BEFORE THE CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI

PETITION NO.:

INTHE MATTER OF:

Approval under regulation-86 of CERC (Conduct of Business) Regulations'1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400kV D/C Neemrana-Sikar line alongwith associated bays under Northern Region System Strengthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

GURGAON

Power Grid Corporation of India Ltd

Registered office: B-9, Qutab Institutional Katwaria Sarai, New Delhi 110 016 and Corporate office: "Saudamini", Plot no.2, Sector-29, Gurgaon -122 001. (Haryana)

Uttar Pradesh Power Corporation Ltd 14, Shakti Bhawan, Ashok Marg, Lucknow Represented by its Chairman & others ---PETITIONER

- RESPONDENT

Affidavit verifying the Petition

I, S.S.Raju, S/o Shri S.B.Raju, working as Deputy General Manager (Commercial) in the Powergrid Corporation of India Ltd., having its registered Office at B-9, Institutional Area,

Katwaria Sarai, New Delhi-110 016, do hereby solemnly affirm and state as under:-

- 1. I am the Dy. General Manager (Commercial) of Power Grid Corporation of India Ltd., the representative of the Petitioner in the above matter, and am duly authorised to make this affidavit.
- 2. I submit that the enclosed petition is being filed determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400 kV D/C Neemrana-Sikar line alongwith associated bays under Northern region system strengthening scheme-XVII, for tariff block 2009-14 period in Northern Region.
- 3. I submit that no other petition except this petition has been filed directly or indirectly for approval of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400 kV D/C Neemrana-Sikar line alongwith associated bays under Northern region system strengthening scheme-XVII, for tariff block 2009-14 period in Northern Region.
- The statements made in the petition herein are based on petitioner company's official records maintained in the ordinary course of business and I believe them to be true and correct.
- 5. The documents attached with the petition are legible copies and duly attested by me.

हारू र रहे र राष्ट्र (DEPONENT)

VERIFICATION

Solemnly affirmed at Gurgaon on this 2.3. day of November'2011 that the contents of the above affidavit are true to my knowledge and belief and no part of it is false and nothing material has been concealed there from.

त्रः दरः शेष्ट (DEPONENT)



(SAJJAN SINGH)
ADVOCATE & NOTARY
GURGAON (HARYANA)



PETITION NO.:

IN THE MATTER OF:

Approval under regulation-86 of CERC (Conduct of Business) Regulations'1999 and CERC (Terms and Conditions of Tariff) Regulations'2009 for determination of Transmission Tariff from anticipated DOCO (01.01.2012) to 31.03.2014 for 400kV D/C Neemrana-Sikar line alongwith associated bays under **Northern** Region System Strengthening Scheme-XVII, for tariff block 2009-14 period in Northern Region.

Power Grid Corporation of India Ltd.

Registered office: B-9, Qutab Institutional Area,

Katwaria Sarai, New Delhi 110 016 and Corporate office: "Saudamini", Plot no.2, Sector-29, Gurgaon -122 001. (Haryana)

Uttar Pradesh Power Corporation Ltd 14, Shakti Bhawan, Ashok Marg, Lucknow – 226 007 Represented by its Chairman & others

-- RESPONDENT

---PETITIONER

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. The Petitioner herein, Power Grid Corporation of India Ltd. is a Government Company within the meaning of Companies Act, 1956. The Petitioner is also discharging the statutory functions under various applicable provisions, including in particular section 28 and 38 of the Electricity Act, 2003. In exercise of powers under sub-section (1) of section 38(1) the Electricity Act 2003, the Government of India has declared the Petitioner herein as the Central Transmission Utility.
- 2. That, Hon'ble Commission have notified CERC (Terms and Conditions of Tariff) Regulations, 2009, in accordance with which tariff based on capital cost of the transmission projects shall be determined. These Regulations have come in to force on 1.4.2009 and shall remain in force for a period of 5 years, unless reviewed earlier or extended by the Hon'ble Commission.

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- 3. That the petitioner has been entrusted with the implementation of Transmission System associated with Northern Region System Strenthening-XVII in Northern Region. The administrative/Investment approval and expenditure sanction to the transmission project was accorded by Board of Directors of POWERGRID, vide Memorandum ref. C/CP/NRSSXVII dated Feb 16, 2009 at an estimated cost of Rs 210.79 crores including an IDC of Rs 13.77 crores based on 4th quarter, 2008 price level, a copy whereof is attached hereto as Encl.-1, page.14.to..12...
- 4. The scope of work covered under the project is as follows: **Transmission Lines:**
 - 400 kV D/C Neemrana-Sikar line alongwith associated bays 160 KM

Sub-stations:

- . Neemrana 400/220 kV (POWERGRID) Substation Extension
- ii. Sikar 400/220 kV (POWERGRID) Substation Extension

The Schematic diagram of the Transmission System associated with Northern Region System Strenthening-NRSS XVII is attached hereto as Encl. - 2, (page 1.3.). The subject petition covers the complete scope of the project.

5. That, as per the approval, the project scope was scheduled to be commissioned within 30 months from the date of Investment approval. The date of Investment approval is 16.02.2009 and accordingly the schedule of completion works out to 16.10.2011 say September'2011 against which the asset covered in the petition is scheduled to be commissioned as follows:

SI No	Name of the asset	Schedule of Commissioning as per Investment Approval	Leu	Delay in months
01	400 kV D/C Neemrana- Sikar line alongwith associated bays	16.08.2011 say September'2011	01.01.2012	4 months

6. Reasons for delay in completion of project:

There is a delay of four months in completion of the project. The progress of work was mainly hampered due to delayed clearance received from mining department as some portion of the line were falling in their area.

The relevant supporting documents are placed at Encl-3 (Page 20 to 29). It is humbly prayed that the delay was beyond the control of petitioner and may be condoned.

7. Completion Cost

That the present petition covers approval of tariff based on estimated expenditure incurred up to anticipated DOCO (01.01.2012) and additional capitalization projected to be incurred from anticipated DOCO (01.01.2012) to 31.03.2013 in respect of the subject asset and details of apportioned approved cost are given below RORD.

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Name of the asset	incurred as on anticipated		TOTAL Estimated Completion Cost		
		DOCO	DOCO to 31.03.12	2012-13	Completion Cost
400 kV D/C Neemrana-Sikar line alongwith associated bays	21079.00	19008.95	608.41	834.09	20451.45
Total	21079.00	19008.95	608.41	834.09	20451.45

There is no cost overrun incase of 400 kV D/C Neemrana-Sikar line along with associated bays. The detailed breakup of the cost and reasons thereof are given in the individual Form 5-B for the subject asset at Pages 47 to 48. Further it is prayed that the total estimated completion cost of Rs. 20451.45 lakhs which is within the approved cost may be considered for fixation of transmission tariff.

That detail of FR approved cost and total estimated completion cost of the asset covered under Transmission System associated with NRSS-XVII has been given at Form-5D at Page 51 to — of the Tariff forms.

Copy of auditor's certificates in respect of the asset covered under present petition, dated 28.09.2011 is enclosed herewith as Encl-4 (page 40. to 40.).

- 8.0 The admissibility of additional capital expenditure (Add. Cap.) incurred after DOCO is to be dealt in accordance with the provisions of Regulation 9 (1), the extract of clause 9 of the regulations, 2009 is reproduced as under:
 - "Additional Capitalisation": (1) The capital expenditure incurred or projected to be incurred, on the following counts within the original scope of work, after the date of commercial operation and upto the cut-off date may be admitted by the Commission, subject to prudence check:
 - (i) Undischarged liabilities;
 - (ii) Works deferred for execution
 - (iii)Procurement of initial capital spares within the original scope of work, subject to the provisions of regulation 8;
 - (iv)Liabilities to meet award of arbitration or for compliance of the order or decree of a court; and _
 - (v) Change in Law: Provided that the details of works included in the original scope of work along with estimates of expenditure, undischarged liabilities and the works deferred for execution shall be submitted along with the application for determination of tariff.

The additional Capitalisation incurred in the contextual assets is on account of Balance/Retention Payments and hence the Hon'ble Commission may allow the same after its prudence check.

The details of underlying assumptions for additional capitalization of the asset covered under present petition is:

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400 kV	Expenditure upto	204.29	Civil & building
D/C	DOCO	1239.98	S/S
Neemrana-	(01.01.2012)	17462.15	TL
Sikar line		102.53	PLCC
alongwith	TOTAL	19008.95	
associated	2011-12	327.09	TL
bays	(Balance/Retention	228.98	S/S
	payments)	52.34	PLCC
	TOTAL	608.41	
	2012-13	490.63	TL
	(Balance/Retention payments)	343.46	S/S
	TOTAL	834.09	

8.1 That the petitioner as per clause 6 (1) of tariff Regulations'2009 may in its discretion make an application before the Hon'ble commission one more time prior to 2013-14 for revision of tariff.

9.0 TRANSMISSION TARIFF

- 9.1 That as per regulation 13 (3) and regulation 14 of the CERC (Terms and Conditions of Tariff) Regulations, 2009, the tariff for transmission of electricity on ISTS shall comprise transmission charge for recovery of annual fixed cost consisting of (a) Return on Equity, (b) Interest on Loan, (c) Depreciation, (d) Interest on Working Capital and (e) Operation and maintenance expenses. The tariff for block 2009-2014 has been worked out as per Appendix-I of the tariff regulations for period 2009-14 and the Tariff Filing Formats along with the other relevant information and supporting documentation (if any) are attached hereto as Encl. 5, page 4.2 to .70.
- 9.2 The annual transmission tariff for the tariff period 2009-14 is summarized as below:

Runees in lakhs

		xup	CO III ICICIII
Name of the Asset	2011- 12(Prorata)	2012-13	2013-14
400 kV D/C Neemrana-Sikar line alongwith associated bays	914.49	3743.50	3740.73
Total Transmission Charges	914.49	3743.50	3740.73

9.3 That, it is submitted in the Tariff indicated at 9.2 above, the ROE has been calculated @ 17.481 % based on the rate notified by the Hon'ble Commission as per illustration under regulation 15 (4) (i) of the CERC (Terms and Conditions of Tariff) Regulations, 2009. It is further submitted that the above rate of 17.481 % is based on the MAT rate of 11.33 % being applicable for the year 2008-09.

That further in line with the amendment dated 21.06.2011 to Regulation 15 of the Principal Tariff Regulation dated 19.01.2009, the petitioner shall be allowed to recover the shortfall or refund the excess Annual Fixed Charges, on account of Return on Equity due to change in applicable Minimum Alternate/Corporate Income Tax rate as per the Income Tax Act, 1961 (as amended from time to time) of the respective financial year directly without making any application before the Commission.

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Further, Annual Fixed charges with respect to Tax rates applicable shall be trued up in accordance with Regulation 6 of the Principal Regulations.

9.4 Service Tax:

CBEC has exempted service tax on transmission vide notification No.: 11/2010 – Servicer Tax dated 27.02.2010. Further, CBEC also has exempted levy of service tax on transmission for the past period upto 26.02.2010 vide notification No.: 45/2010 – servicer tax dated 20th July 2010.

The Transmission Charges indicated at Para-9.2 above, is exclusive of Service Tax and the same shall be borne and additionally paid by the respondent(s) to the petitioner and the same shall be charged, billed separately by the petitioner in case the exemption as above is withdrawn in future.

That Interest on Loan has been calculated on the basis of rate prevailing as on 01.04.2009. The change in Interest rate due to floating rate of interest applicable, if any, for the project needs to be claimed / adjusted over the tariff block of 05 years directly from / with the beneficiaries as was being followed during the tariff block 2004-09.

The transmission charges at para-9.2 above is inclusive of O&M expenses for the project derived based on the norms for O&M expenditure as specified under regulation 19(g) of the tariff regulations for block 2009-14. It is the understanding of the petitioner that these norms for O&M expenditure been arrived by the Hon'ble Commission after considering (i) normalized actual O&M expenses of the petitioner on its various projects in various regions during the year 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, (ii) the base norms so arrived is escalated at 5.72% per annum to arrive at norms for years of tariff period 2009-14, (iii) and also wage hike of 50% on account of pay revision of the employees of Public Sector Undertakings. It is submitted that the wage revision of employees has been implemented. The petitioner reserves the right to approach the Hon'ble Commission for suitable revision in the norms for O&M expenditure due to impact of wage revision.

Petitioner submits that the Licence fee has been a new component of cost to the Transmission licence under O&M stage of the project and has become incidental to the petitioner / CTU only from 2008-09.

The Hon'ble Commission vide order dated 25.10.2011 in petition no. 21/2011 has allowed the recovery of Licence fee for 2008-09 and directed the staff of Hon'ble Commission for amendment in Regulation for recovery of Licence fee.

The Transmission Charges and other related Charges indicated at para 9.2 above, is exclusive of incentive, late payment surcharge, FERV, any statutory taxes, levies, duties, cess, filing fees, license fee or any other kind of imposition (s) and/ 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, billed separately by the petitioner on the respondents.



10.0 Sharing of Transmission Charges

Tariff for Transmission of Electricity (Annual Fixed Cost) as per para 9.2 above shall be recovered on monthly basis in accordance with Regulation 23 and shall be shared by the respondents in accordance with regulation 33 of CERC (Terms and Conditions of Tariff) Regulations, 2009. Further, billing and payment of charges shall be also in accordance to the Regulation 32 as amended under para 8 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff)(Second Amendment)Regulation, 2011, dated 21.06.2011.

The total list of respondents is enclosed as a part of this petition as Memo of Parties. A copy of updated list of Powergrid assets in NR included in BPTA, including the asset covered under this petition is enclosed herewith as Encl.-6 (page. 7.1.to.?).)

11.0 In the circumstances mentioned above it will be just and proper that the transmission tariff for the assets covered under this petition be allowed to be charged from the Respondents on the basis set out in para-10 above. The Petitioner submits that the Encl.-1 to Encl.-7 may please be treated as integral part of this petition.

PRAYER

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

- 1) Approve the Transmission Tariff for the assets covered under this petition, as per para -9 above. The billing shall be done from the actual date of commercial operation.
- 2) Approve the additional capitalisation during the year 2011-12, 2012-13.
- 3) Allow the petitioner to recover the shortfall or refund the excess Annual Fixed Charges, on account of Return on Equity due to change in applicable Minimum Alternate/Corporate Income Tax rate as per the Income Tax Act, 1961 (as amended from time to time) of the respective financial year directly without making any application before the Commission.
- 4) Approve the reimbursement of expenditure by the beneficiaries towards petition filing fee, and publishing of notices in newspapers in terms of Regulation 42 CERC (Terms and Conditions of Tariff) Regulations, 2009, and other expenditure (if any) in relation to the filing of petition.
- 5) Allow the petitioner to bill and adjust impact on Interest on Loan due to change in Interest rate on account of floating rate of interest applicable during 2009-14 period, if any, from the respondent.
- 6) Allow the Petitioner to bill and recover Service tax on Transmission Charges separately from the respondents, if at any time exemption from service tax is withdrawn and transmission is notified as a taxable service.
- 7) Allow the petitioner to bill and recover License fee separately from the respondent after the amendment in the Regulation' 2009 in line with order dated 25.10.2011 in petition no. 21/2011.

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and 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.

REPRESENTED BY S.S.RAJU DY. GENERAL MANAGER (COMMERCIAL)

GURGAON DATED: 3.11.2011



पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड

(भारत सरकार का उद्यम)

POWER GRID CORPORATION OF INDIA LIMITED

(A Government of India Enterprise)



केन्द्रीय कार्यालय : "सौदामिनी" प्लॉट सं. 2. सैक्टर-29, गुडगॉव-122 001, हरियाणा फोन : 2571700 - 719, फैक्स : 2571760, 2571761 तार 'नेटग्रिड' Corporate Office : "Saudamini" Plot No. 2, Sector-29, Gurgaon-122 001. Haryana Tel.: 2571700 - 719, Fax : 2571760, 2571761 Gram : 'NATGRID'

संदर्भ संख्या/Ref. Number

C/CP/NRSS-XVII

February 16, 2009

MEMORANDUM

SUB: INVESTMENT APPROVAL FOR "NORTHERN REGION SYSTEM STRENGTHENING SCHEME - XVII"

The Board of Directors of POWERGRID, in exercise of powers delegated to it by the Department of Public Enterprises (DPE), Ministry of Heavy Industries and Public Enterprises, Government of India through its Office Memorandum No. 26(3)/2005-GM-GL-92 dated 1st May, 2008 and Office Memorandum No. DPE/11(2)/97-Fin. dated 22nd July, 1997 (modified subsequently through Office Memorandum No. 18(24)/2003-GM-GL.64 dated 5th August, 2005), have accorded investment approval for "Northern Region System Strengthening Scheme - XVII" in its 216th meeting held on January 21, 2009, as per the details given below:

1. Scope of project

The broad scope of works is given below:

Transmission lines

(i) Neemrana – Sikar 400 kV D/C line – 160 km.

Substations

- (i) Neemrana 400/220 kV (POWERGRID) Substation (Extension)
- (ii) Sikar 400/220 kV (POWERGRID) Substation (Extension)

2. Project Cost & Funding

The estimated cost of the project based on 4th Quarter, 2008 price level is Rs. 210.79 Crore including IDC of Rs. 13.77 Crore. The abstract cost estimate is attached as **Annexure-I**.

पंजीकृत कार्यालयः बी-९, कुतब इंस्टीट्यूशनल एरिया, कटवारिया सराय, नई दिल्ली-110016 दूरभाषः 26560121 फैक्सः 011-26560039 तार 'नेटग्रिड' Registered Office: B-9, Qutab Institutional Area, Katwaria Sarai, New Delhi-110016 Tel.: 26560121 Fax: 011-26560039 Gram: 'NATGRID'

स्वहित एवं राष्ट्रहित में ऊर्जा बचाएं

Save Energy for Benefit of Self and Nation Pla

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This project is proposed to be implemented through domestic borrowings (loans/bonds) and Internal Resources of POWERGRID with Debt Equity ratio of 70:30.

3. Commissioning Schedule

The transmission scheme is scheduled to be commissioned within 30 months from the date of investment approval matching with commissioning of Sikar Substation.

This is issued in pursuance of the minutes of meeting of the 216th meeting of Board of Directors held on January 21, 2009.

(A. K. Singhal) Deputy General Manager (CP)

> Power Grid Corporation of India Ltd. Piot No. 2, Sector-29, Gurgaon-122001 (HARYANA)

TUELONY

Distribution:

- 1. PS to Secretary (Power), MoP, Shram Shakti Bhawan, New Delhi-110 001
- 2. Chairman, CERC, Core-3, 6th floor, SCOPE complex, New Delhi- 110 003
- 3. Chairman, CEA, R.K.Puram, New Delhi -66
- Commissioner, Power Development Deptt., Govt. of Jammu & Kashmir, Mini Secretariat, Jammu
- 5. Chairman, Himachal Pradesh SEB, Vidyut Bhawan, Kumar House Complex Building-II, Shimla-171004
- 6. Chairman, Punjab State Electricity Board, The Mall, Patiala-147001
- CMD, Haryana Vidyut Prasaran Nigam Ltd., Shakti Bhawan, sector-6, Panchkula (Haryana) – 134109
- CMD, Rajasthan State Electricity Board, Vidyut Bhawan, Vidyut Marg, Jaipur-302005.
- 9. CMD, UPPCL, Shakti Bhawan, 14, Ashok Marg, Lucknow 226001
- CMD, Uttaranchal Power Corporation Ltd., Kaulagarh Power House, FRI complex, Dehradun-248006.
- 11. CMD, Delhi Transco Limited (DTL), Shakti Sadan, Kotla Road, New Delhi-02
- 12. Chief Engineer, Electricity Deptt., Chandigarh Administration, Mini Secretariat (U.T.), Sector-9, Chandigarh.
- 13. Advisor, PAMD, Planning Commission, Yojana Bhawan, New Delhi
- 14. Additional Secretary, MOP, Shram Shakti Bhawan, New Delhi
- 15. Member Secretary, Planning Commission , Yojana Bhawan, New Delhi
- 16. Member Secretary, NRPC, 18/A, Shaheed Jeet Singh Sansanwal Marg, Katwaria Sarai, New Delhi-110 016
- 17. Member (Power Systems), CEA, R.K.Puram, New Delhi -66
- 18. Secretary, CEA, Sewa Bhawan, R.K.Puram, New Delhi -66 03 copies
- Joint Secretary, Ministry of Patel Bhawan, New Delhi.
 Statistics & Programme Implementation, Sardar
- 20. Joint Secretary & Financial Advisor, MOP, Shram Shakti Bhawan, New Delhi
- 21. Joint Secretary (Plan Finance Div.-II), Ministry of Finance
- 22. Director (Trans), MOP, Shram Shakti Bhawan, New Delhi
- 23. Director, Ministry of Finance (Plan finance Div.) North Block, New Delhi
- 24. Deputy Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi
- 25. Under Secretary, Finance & Budget Section, MoP

(A.K. Singhal) Deputy General Manager (CP)

Power Orid Corporation of India Ltd.
Power Orid Corporation of India Ltd.
Plot No. 2, Sector-29, Gurgaon-122001 (HARYANA)

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GM: NRLDC

Company Secretary

For kind information to:

Director (Projects) / Director (Finance)

CVO

(A. K. Singhal) Deputy General Manager (CP)

Authorised Signatory, Authorised Signatory,

ANNEXURE - I

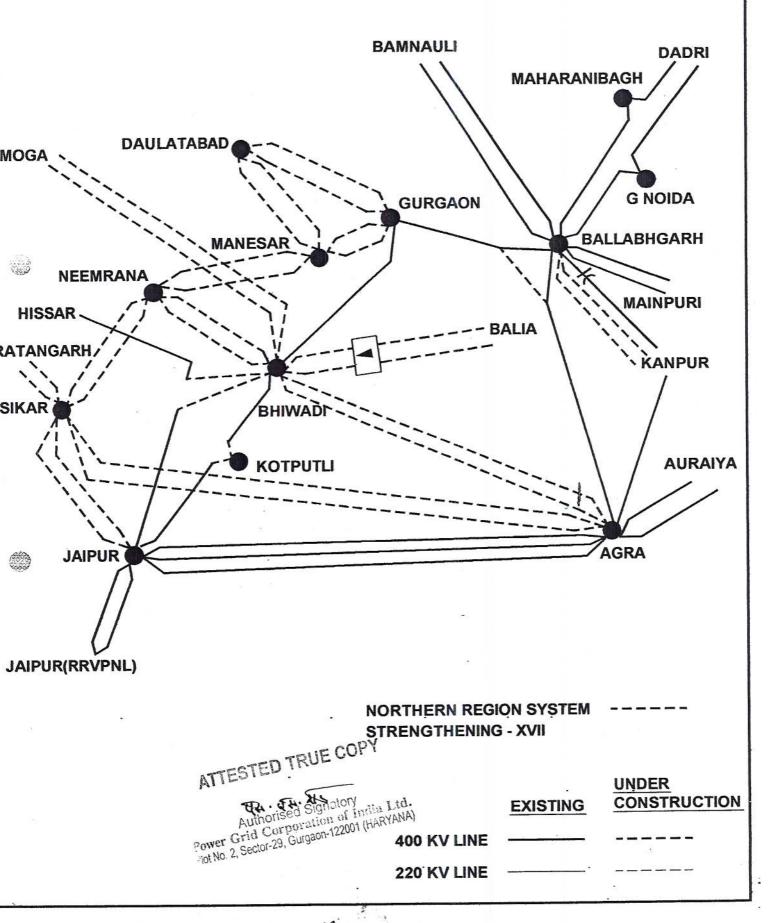
ABSTRACT COST ESTIMATE (BASE COST)

NORTHERN REGION SYSTEM STRENGTHENING SCHEME-XVII

Sr. No.	DESCRIPTION		AMOU (Rs. in Cr
A	Preliminary Survey & Soil Investigation		The state of the s
В	Land acquisition for S/Stn and R&R Comp	ensation	0:
C	Cost of compensation for Trans. Lines		0.0
	i) Compensation towards Crop & PTCC		
	ii) Compensation towards forest		2:
D	Civil Works	A Description	9.0
	i) Infrastructure for substations		0.4
	ii) Non Residential Buildings	的社会企业社会会会会通过	0.0
	iii) Colony for Trans. Lines and S/stn		0.0
E	Equipment (Supply & Erection) Cost	Print Control of the State of	Berner C. Street
	a) Trans Lines		146.3
	b) Sub-Stations	e de la companya de l	16.2
F	Sub Total E		162.6
G	Misc. Tools & Plants	@ 1% of F	1.6
Н	Maintenance during construction	@ 1% of F	1.6
1	Engg. & Administration	@ 8.5% of F	13.8
J	Losses on Stock	@ 0.25% of F	0.4
K	Contingencies @ 3%	@ 3% of F	4.8
	Sub Total (A to K)		197.0
Ľ	Interest During Construction(IDC)		13.7
	GRAND TOTAL		210.7
te:	Loan has been assumed to be available Interest rate on Loan has been considered. Debt:Equity ratio has been considered as	ed @ 10.5% for Domestic Loan sub	

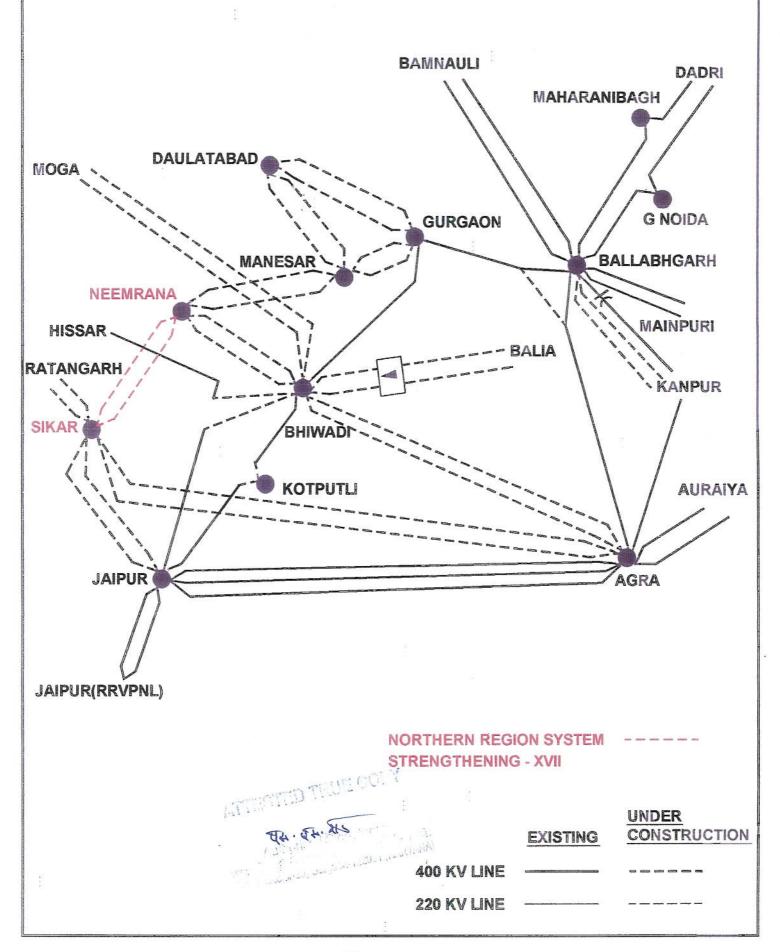
Power Corporation of India Ltd.
Power 2, Sector-29, Gurgaon-122001 (HARYANA)

NORTHERN REGION SYSTEM STRENGTHENING - XVII



End.2

NORTHERN REGION SYSTEM STRENGTHENING - XVII



क्मांक : प.12(35)खान/गुप-2/2005

जयपुर, दिनांक : 2 2 ५०५ २००१

:-आदेश-::

मैसर्स थासिम इण्ड0 लि0 ने वास्ते खनिज लाइमस्टोन(सीमेन्ट ग्रेड) हेतु निकट ग्राम बसावा, खिरोड, तहसील नवलगढ जिला झुंझुनू में क्षेत्र 11.539 वर्ग कि0भी0 हेतु आवेदन पत्र कमांक एम.एल.14/2000 दिनांक 22.09.2000 को प्रस्तुत किया था। राज्य सरकार ने खनन पटटा स्वीकृति हेतु (Letter of Intent) मंशा पत्र कमांक प.16(7)खान/ग्रुप-1/2000 दिनांक 16.3.2002 जारी कर 6 मांड की अवधि में पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करने के निर्देश दिये। आवेदक कम्पनी के अनुरोध पर पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करने हेतु अवधि बढायी गयी। पर्याप्त अवसर देने के बाद भी आवेदन कम्पनी-पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करने में असमर्थ रहीं। अतः राज्य सरकार ने आदेश कमांक 16(7)खान/ग्रूप-1/2000 दिनांक 7.2.05 से खनन पटटा आवेदन पत्र अस्वीकृत कर दिया।

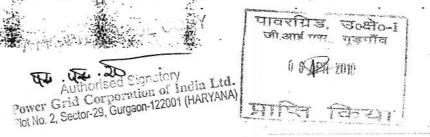
आवेदक कम्पनी ने वास्ते खनिज लाइमस्टोन(सीमेन्ट ग्रेड) हेतु निकट ग्राम खिरोड, सुडो की ढाणी तहसील नवलगढ़ जिला झुंझुनू में क्षेत्र 34.612 वर्ग किंग्मी० हेतु आवेदन पत्र कमांक एम.एल. 6/2001 दिनांक 29.03.2001 को प्रस्तुत किया खनन पटटे के संबंध में भी आवेदक कम्पनी को राज्य सरकार ने आदश कमांक प.16(8)खान/ग्रुप-1/2001 दिनांक 02.04.03 को खनन पटटा स्वीकृति हेतु मंशा पत्र (Letter of Intent) जारी करते हुए यह निर्देशित किया कि माह की अवधि में पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करे । पर्याप्त अपसेर देने के बावजूद भी आवेदक कम्पनी पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करे । पर्याप्त अपसेर देने के बावजूद भी आवेदक कम्पनी पर्यावरण क्लीयरेन्स प्रमाण पत्र प्रस्तुत करने में असफल रहीं । अतः राज्य सरकार ने आदेश कमांक 16(8)खान/ग्रुप-1/2001 दिनांक 7.2.05 से खनन पटटा आवेदन पत्र अस्वीकृत कर दिया ।

उक्त दोंनों अनुदान खनन पटटा आवेदन पत्र के अस्वीकृति आदेश दिनांक 7.2.05 के विरुद्ध आवेदक कम्पनी ने खान मंत्रालय, मारत सरकार के समक्ष रिवीजन खंख्या 25(35)2005/आर.सी.। तथा सं० 25(36)2005/आर.सी.। दिनांक 18.5.2005 को प्रस्तुत की । खान मंत्रालय, भारत सरकार ने उपरोक्त दोनों रिवीजनों में इस्कल अन्तिम आदेश क्रमांक 16/2007 दिनांक 19.9.07 को जारी करते हुये खक्त दोनों अस्वीकृति आदेश दिनांक 7.2.05 को निरस्त(Set-Aside) करते हुये आवेदक कम्पनी को नियमानुसार सुनवाई का अवसर प्रदान कर 90 दिवस

आवेदक कम्पनी के प्रतिनिधि को दिनांक 27.10.07 को निदेशक, खान एवं भूविज्ञान विमाग, राज0 उदयपुर के स्तर पर सुनवाई का अवसर प्रदान किया गया । आवेदक कम्पनी ने बाद सुनवाई उक्त दोनों आवेदित खनन पटटा के आधार पर शपथपत्र दिनांक 31.10.2007 प्रस्तुत कर यह अंडर—टेकिंग दी है कि:—

 खनन पद्दा संविद्धा निषादन के 3 वर्ष की अविध में 3 मि.टन प्रति वर्ष समता का सीमेन्ट प्लांट स्थापित करेंगे ।

एक करोड़ रूपये प्रति मिलियन टन की दर से सीमेन्ट प्लाट स्थापित करने हेतु कीननेस मनी की बँक गारन्टी 4 वर्ष की अवधि की प्रस्तुत करेगें और यदि 3 वर्ष की अवधि में सीमेन्ट प्लान्ट स्थापित नहीं किया



गया तो राज्य सरकार के द्वारा खनन पटटा निरस्त कर दिया जाऐगा और बैंक ग्रांस्टी की जाऐगी

विभागीय पूर्वेक्षण का राशि खनन पटटा संविदा निष्पादन के पूर्व जमा कराई जायेगी: I

अतः खान मंत्रालय, भारत सरकार के आदेश दिनांक 19.9.07 की अनुपालना में बाद सुनवाई आवेदक कम्पनी द्वारा प्रस्तुत उपरोक्तानुसार अंडर—टेकिंग को आधार पर कीननेस मनी और विभागीय पूर्वेक्षण व्यय खनन पटटा संविदा निष्पादन से पूर्व जमा कराने की शर्त पर उक्त दोनों खनन पटटे स्वीकृत करने के संबंध में मंशा पत्र (Letter of Intent) आवेदक कम्पनी के पक्ष में जारी किया जाता है, और कम्पनी को निर्देशित किया जाता है कि इस मंशा पत्र प्राप्ति के अधिकतम 6 माह की अवधि में "वन एवं-पर्यावरण मंत्रालय, भारत सरकार की अधिसूचना दिनांक 14.09.2006 के अनुसार पर्यावरण क्लीयेरेन्स प्रस्तुत करें।"

उप शामन साचिव।

प्रतिलिपि निम्न को सूचना एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. सचिव, खान मंत्रलय, भारत सरकार, नई दिल्ली ।

2. निदेशक, खान एवं मूर्विज्ञान विभाग, राज्य उदयपुर ।

3. खनि अभियन्ता, सीकर् ।

. मैसर्स ग्रासिम इण्डरिट्रेज लिं०, 505, 5th एलोर, सांधी उपसाना टावर, सी–98, सुमाष मार्ग, सी–रकीम, जयपुर ।

75. पत्रावली कमांक प्.12(36)खान / ग्रुप-2 / 2005 6. पत्रावली कमांक प्र.16(7)खान / ग्रुप-2 / 2000

7. पत्रावली कमांक प्र.16(8)खान/ग्रुप-2/2001

8. रक्षित पत्रावली

C.

र्थे २२-१०१७ सहायक शासन सचिव