

TAMIL NADU ELECTRICITY REGULATORY COMMISSION
(Constituted under section 82 (1) of the Electricity Act, 2003)
(Central Act 36 of 2003)

PRESENT:-

Thiru.S.Nagalsamy **Member**

and

Thiru.G.Rajagopal **Member**

P.R.C.No.1 of 2014

Tamil Nadu Generation and Distribution
Corporation Ltd.
(Represented by its Chairman Cum
Managing Director)
No.144, Anna Salai,
Chennai – 600 002.

... **Petitioner**

Vs

1. M/s.D.B.Power Limited
3rd Floor, Express Tower,
Nariman Point, Mumbai – 400 021.
2. M/s.Jindal Power Limited
6th Floor, NTNL Building,
8, Bhikaji Cama Place,
New Delhi – 110 066.
3. M/s.Ind-Barath Energy (Utkal) Ltd.
Plot No.30A, Road No.1,
Film Nagar, Jubilee Hills,
Hyderabad – 500 033.
4. M/s.Bharat Aluminium Company Limited
Balco Nagar, Korba – 495684.
5. M/s.Dhariwal Infrastructure Limited
CESC House, Chowringhee Square,
Kolkatta – 700001.
6. M/s.PTC India Limited
2nd Floor, NBCC Tower,
15, Bhikaji Cama Place,
New Delhi – 110066.

7. KSK Mahanadi Power Company Ltd.
8-2-293/82/A/431/A, Road 22,
Jubilee Hills, Hyderabad – 500 033.
8. M/s.GMR Energy Trading Ltd.
GMR Group, IBC Knowledge Park,
Phase 2, D Block, 9th Floor,
4/1, Bannerghatta Road,
Bangalore – 560 029.
9. M/s.IL & FS Tamil Nadu Power Company Ltd.
B-Block, Navin's Presidium, 4th Floor,
103, Nelson Manickam Road,
Aminjikarai,
Chennai – 600 029.
10. M/s.Coastal Energen Private Ltd.
7th Floor, Buhari Towers,
No.4, Moores Road, Chennai -6.
11. M/s.OPG Power Generation Pvt. Ltd.
No.6, Sardar Patel Road, Guindy,
Chennai – 600 032.

....Respondents

Date of hearing : 19-02-2014

Date of order : 19-02-2014

TANGEDCO represented by its Chairman Cum Managing Director, the petitioner herein, in the Pre-Registration Case, viz, PRC No.1 of 2014 has submitted that it had signed Power Purchase Agreements with 11 bidders for procurement of total quantum of 3330 MW RTC power under long term for a period of 15 years from 2014 to 2028 under Case-1 bidding in Tender No.03/PPLT/2012, based on the Tamil Nadu Electricity Regulatory Commission order dated 18-10-2013.

In this regard, the TANGEDCO proposes to file a P.P.A.P. by way of Tariff Adoption Petition praying the Commission, interalia, to permit the petitioner to adopt levelised tariff of Rs.4.91 per kwh for purchase of 3330 MW base load long term

power as agreed by the petitioner and the respondents in Power Purchase Agreement in terms of section 63 of the Electricity Act, 2003.

In the present P.R.C., the petitioner has submitted that the TANGEDCO has to pay Rs.83,25,000/- @ Rs.2,500/- per MW while filing out Tariff Adoption Petition and that presently TANGEDCO is in stringent financial condition and such a huge amount of fees will be a huge burden to TANGEDCO. The petitioner, submitting that the Commission is empowered to grant waiver of the above said application fee as per clause 3 (iv) of the Fees and Fines Regulations, 2004, has prayed that the Commission may be pleased to waive the application fee for filing of the proposed tariff petition i.e. P.P.A.P. for procurement of 3330 MW base load power for 15 years (Long Term) by TANGEDCO under Case-1 bidding in Tender No.03/PPLT/2012 and pass order or any other orders as deemed fit.

The above P.R.C.No.1 of 2014 has been heard on 19-02-2014. The Executive Engineer (PPP) on behalf of the petitioner presented the case and prayed the Commission to waive the court fee of Rs.83,25,000/- payable to the Commission. The Commission after hearing the arguments passes the following order:-

ORDER

The Executive Engineer (PPP) representing the petitioner herein has submitted that the TANGEDCO is in stringent financial condition and that paying a sum of Rs.83,25,000/- (Rupees Eighty Three Lakhs and Twenty Five Thousand only) by way of court fee towards the proposed P.P.A.P. will be huge financial burden on the TANGEDCO and hence prayed that the Commission may be pleased to waive the said court fee and register the proposed P.P.A.P. and dispose of the same on merits. The argument of the Executive Engineer (PPP) that the stringent financial condition of the TANGEDCO warrants waiver of court fee by the Commission is not

convincing. Therefore, the Commission is not inclined to waive the court fee as prayed for by the petitioner and the petitioner is directed to pay the court fee as prescribed in the Tamil Nadu Electricity Regulatory Commission Fees and Fines Regulations, 2004.

(Sd.....)
(G.Rajagopal)
Member

(Sd.....)
(S.Nagalsamy)
Member

/ True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission