BEFORE THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

**Petition no: 1197 of 2017**

**Quorum**

Shri Desh Deepak Verma, Chairman

Shri S. K. Agarwal, Member

**In the matter of:**

Fixation of transmission tariff for 7.2 KM 400 KV dedicated transmission line constructed to connect Rosa TPP to CTU Network as per memorandum of understanding (MoU) signed between the petitioner and the respondent for FY 2017-18 to FY 2019-20

Rosa Power Supply Co. Ltd.(the Company), 3rd Floor, South Wing, Reliance Centre, Near Prabhat Colony, Off Western Express Highway, Santacruz (East), Mumbai-400055.

……….. Petitioner

Chief Engineer (PPA) U.P Power Corporation Ltd., 14, Ashok Marg, Shakti Bhawan, Lucknow.

 --------- Respondent

**Present in the hearing**:

1. Shri V. P. Srivastava, Chief Engineer (PPA), UPPCL
2. Shri V. K. Asthana, Superintending Engineer (PPA), UPPCL
3. Shri Naeem Khan, Executive Engineer (PPA), UPPCL
4. Shri Manish Garg, Consultant, UPPCL
5. Shri Vibhav Agarwal, Director, RPSCL
6. Shri Sumeet Notani, General Manager, RPSCL
7. Shri Himanshu Agarwal, Sr. Manager, RPSCL
8. Shri Ambuj Shokk, Sr. Manager, RPSCL

 **Order**

(Hearing 06.07.2017)

Whereas the Petition no 1197 of 2017 has been filed by Rosa Power Supply Co. Ltd. (the Company), 3rd Floor, South Wing, Reliance Centre, Near Prabhat Colony, Off Western Express Highway, Santacruz (East), Mumbai-400055, in the matter of fixation of transmission tariff for 7.2 KM 400 KV dedicated transmission line constructed to connect Rosa TPP to CTU Network as per memorandum of understanding (MoU) signed between the petitioner and the respondent for FY 2017-18 to FY 2019-20.

The Petitioner has set up Rosa Thermal Power Project in two stages of 600 MW each with each phase having two units of 300 MW each, at Rosa, District Shahjahanpur in the State of Uttar Pradesh.

The Petitioner has commenced the commercial operation and supply of power to the respondent as per Power Purchase Agreement (PPA) dated 12.11.2006, Supplemental Power Purchase Agreement (SPPA) dated 11.9.2009 and an Amendment to SPPA (ASPPA) dated 19.11.2011, all duly approved by this Hon’ble Commission.

After commissioning of 400 KV Double Circuit dedicated transmission line of 7.2 KM connecting Rosa TPP to CTU network on 15.3.2012, the Petitioner filed a petition on 3.10.2012, for fixation of tariff for the transmission line vide petition no 837 of 2012.

Futher the Hon’ble Commission vide order dated 14.7.2015 directed Rosa Power Supply Company Ltd. (RPSCL) to make the revised submission with the updated capital cost of transmission line.

Subsequently, the petitioner filed the revised submission on 15.7.2015 and the Hon’ble Commission issued the Tariff Order on 29.6.2016 and further issued corrigendum of the Tariff Order on 20.10.2016 for the period FY 2011-12 to FY 2016-17.

The petitioner through this petition submitted the following prayers:

1. The Hon’ble Commission may kindly approve the Capital Cost pertaining to 400 KV Bays.
2. This Hon’ble Commission may kindly approve the Fixed Charges for the transmission line.
3. This Hon’ble Commission may kindly direct UPPCL to admit bills for the aforementioned Fixed Charges for the respective years as per provision of UPERC Tariff Regulations 2004.

Further respondent UPPCL filed the counter affidavit on 28.6.2017 against the petition filed by RPSCL with the following prayers:

1. Expenditure incurred on bays need to be accounted for separately and tariff recovered from date of commissioning i.e. 30.3.2017.
2. Proof of commissioning of Bays by appropriate authorities may be furnished.
3. Incentive for timely completion of 0.5% may be disallowed as the commissioning of bays was inordinately delayed.

Petitioner may be directed to explain treatment of differential amount as the amount capitalized is Rs. 11.49 crores as against deposit made with PGCIL of Rs. 16.28 crores

During the hearing on 6.7.2017 the respondent reiterated its submissions.

Shri Vibhav Agarwal appearing on behalf of Rosa Power Supply Company Ltd. Submitted that the proof of Commissioning of bays by appropriate authority shall be furnished soon. He further submitted that the amount of Rs. 11.49 crore is the actual amount and it is final.

The Commission decided that 0.5 % incentive for timely completion of bays shall not be permissible to RPSCL. The Commission further directed that the transmission tariff for 7.2 KM 400 KV dedicated transmission line constructed to connect Rosa TPP to CTU Network for FY 2017-18 to FY 2019-20 will be finalized on submission of the desired information.

 (S. K. Agarwal) ( Desh Deepak Verma) Member Chairman

Dated: 24.07.2017