

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai – 400 005
Email: mercindia@merc.gov.in
Website: www.mercindia.org.in/www.merc.gov.in

Case No. 28 of 2013

IN THE MATTER OF

Petition filed by MSPGCL for Implementation of ATE Judgment in Appeal No. 34 of 2012 preferred against MERC Order dated 22.12.2011 in Case No. 69 of 2011 on Determination of Final Tariff and Approval of ARR for FY 2010-11 and FY 2011-12 for Paras Unit# 4 and Parli Unit# 7 of MSPGCL and Implementation of ATE Judgment in Appeal No. 47 of 2012 preferred against MERC Order dated 30.12.2011 in Case No. 107 of 2011 on True Up of FY 2009-10 and Annual Performance Review (APR) for FY 2010-11 of MSPGCL

Shri V. P. Raja, Chairman
Shri Vijay L. Sonavane, Member
Smt Chandra Iyengar, Member

Date: 3 September, 2013

ORDER

The Maharashtra State Power Generation Company Limited (MSPGCL) filed a Petition under Section 86 of the Electricity Act, 2003 before the Maharashtra Electricity Regulatory Commission (hereinafter referred as ‘MERC’ or ‘the Commission’) on 22 May, 2013 for implementation of the Hon’ble ATE Judgments in Appeal No. 34 of 2012 and Appeal No. 47 of 2012. The Prayers in the Petition are as follows:

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- a. *Admit this petition.*
- b. *Grant an expeditious hearing of this Petition.*

5.18 The impact of fuel cost based on Bunkered Calorific Value of blended coal and consideration of the CPRI Report Version-2 for FY 2009-10 is shown in the Table below:

Table 5.4: Fuel Cost for FY 2009-10 approved by the Commission (Rs Crore)

Stations	Approved in Case No. 107 of 2011 (a)	Revised as per ATE Judgment		Difference as submitted by MSPGCL (a)-(b)	Difference approved by the Commission (a)-(c)
		MSPGCL (b)	Commission (c)		
Bhusawal	579.58	697.47	697.46	117.89	117.88
Chandrapur	1937.22	2169.48	2169.50	232.26	232.28
Paras	48.13	48.13	48.13	0.00	0.00
Parli	875.89	936.88	936.90	60.99	61.01
Khaparkheda	803.35	903.59	903.59	100.24	100.24
Koradi	778.75	876.36	876.34	97.61	97.59
Nashik	1271.56	1336.12	1336.11	64.56	64.55
Uran	631.85	631.85	631.85	0.00	0.00
Parli 6	221.66	241.65	241.62	19.99	19.96
Paras 3	204.93	204.88	204.88	-0.05	-0.05
Total	7352.92	8046.41	8046.38	693.49	693.46
Actual	8589.84	8589.84	8589.84		
Deviation	-1236.92	-543.53	-543.46		
Sharing of gains/(loss)	-412.31	-181.14	-181.15		
Net Entitlement	7765.23	8227.55	8227.53	462.33	462.31

5.19 MSPGCL in its Petition also included the carrying cost on revision in fuel cost for FY 2009-10. The Commission has separately discussed the carrying cost on the net entitlement due to Hon'ble ATE Judgment in Appeal No. 47 of 2012.

B. Disallowance in Fixed Cost of Uran GTPS due to lower Availability

5.20 MSPGCL in its Petition has submitted the details of monthly gas receipt in FY 2009-10. MSPGCL submitted that based on the actual gas receipt during FY

2009-10, the Availability achieved was only 69.50% and hence, full recovery of AFC should be allowed for FY 2009-10 for Uran GTPS.

5.21 The Commission asked MSPGCL to submit the supporting documents for actual gas receipt during FY 2009-10 and SLDC Certificate for actual Availability of Uran GTPS for FY 2009-10, which were submitted by MSPGCL.

5.22 The Commission based on the details submitted by MSPGCL observed that the achievable Availability for Uran GTPS with the actual gas receipt during FY 2009-10 is around 69%. In view of availability of new information, which was not available earlier and after prudence check of the submitted information, the Commission has allowed the full recovery of AFC of Uran GTPS at actual availability for FY 2009-10. The additional AFC as approved by the Commission on account of the above is as shown in the Table below:

Table 5.5: Additional AFC for Uran GTPS for FY 2009-10 as approved by the Commission

Particulars	Units	Approved in Case No. 107 of 2011	Approved in this Order
AFC after Truing up	Rs. crore	194.14	194.14
Actual Availability	%	69.50%	69.50%
Target Availability for full recovery of AFC	%	78.87%	69.50%
AFC allowed to be recovered	Rs. crore	171.08	194.14
Additional AFC to be allowed	Rs. crore		23.06

C. Depreciation for FY 2009-10

5.23 MSPGCL, in its Petition, submitted the revised computation of depreciation considering the depreciation on the assets added during the year. The Commission has gone through the computations submitted by MSPGCL. The Commission observed that for two stations Paras and Parli, there is discrepancy in figures of Gross Fixed Assets as submitted by MSPGCL in its Petition for APR for FY 2009-10 based on the actual figures for FY 2008-09, opening GFA figures as submitted by MSPGCL in its Petition for APR for FY 2010-11 and as submitted in this Petition. The Commission asked MSPGCL to submit the clarification in regard to the above mentioned discrepancy. MSPGCL in its