

**BEFORE THE HON'BLE CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**PETITION NO.....**

**IN THE MATTER OF** : Petition Under Section 62 and 79 (1) (a) of the Electricity Act, 2003 read with Chapter-III of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Chapter-3, Regulation-9 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 for approval of tariff of **Anta Gas Power Station (419.33 MW) for the period from 01.04.2024 to 31.03.2029.**

**AND**

**IN THE MATTER OF**

Petitioner: : NTPC Ltd.  
NTPC Bhawan  
Core-7, Scope Complex  
7, Institutional Area, Lodhi Road  
New Delhi-110 003.

Respondents

1. Uttar Pradesh Power Corp. Ltd. (UPPCL)  
Shakti Bhawan  
14, Ashok Marg  
Lucknow – 226 001
2. Tata Power Delhi Distribution Ltd. (TPDDL)  
Grid Substation, Hudson Road  
Kingsway Camp, Delhi-110009

3. BSES Rajdhani Power Ltd. (BRPL)  
BSES Bhawan, Nehru Place  
New Delhi – 110019
4. BSES Yamuna Power Ltd. (BYPL)  
Shakti Kiran Building  
Karkardooma  
Delhi- 110092
- 5 J&K State Power Trading Company Ltd  
(on behalf of Power Development Department(PDD),  
J&K)  
Civil Secretariat  
Srinagar
- 6 Electricity Department (Chandigarh)  
Union Territory of Chandigarh  
Addl. Office Building  
Sector-9 D  
Chandigarh
- 7 Uttarakhand Power Corporation Ltd. (UPCL)  
Urja Bhavan  
Kanwali Road  
Dehradun – 248 001

The Petitioner humbly states that:

- 1) The Petitioner herein NTPC Ltd. (hereinafter referred to as '**Petitioner**' or '**NTPC**'), is a company incorporated under provisions of the Company Act, 1956 and a Government Company as defined under Section 2(45) of the Companies Act, 2013. Further, NTPC is a 'Generating Company' as defined under Section 2(28) of the Electricity Act, 2003.

- 2) In terms of Section 79(1)(a) of Electricity Act, 2003, the Hon'ble Commission has been vested with the functions to regulate the tariff of NTPC, being a Generating Company owned and controlled by the Central Government. The regulation of the tariff of NTPC is as provided under Section 79(1)(a) read with Section 61, 62 and 64 of the Electricity Act, 2003 and the Regulations notified by the Hon'ble Commission in exercise of powers under Section 178 read with Section 61 of the Electricity Act, 2003.
- 3) The Petitioner is having power stations/ projects at different regions and places in the country. **Anta Gas Power Station (419.33 MW)** (hereinafter referred to as '**Anta GPS**') is one such station located in the State of Rajasthan. The power generated from Anta GPS is being supplied to the respondents herein above.
- 4) The Hon'ble Commission has notified the Central Electricity Regulatory Commission (Terms & Conditions of Tariff) Regulations, 2024 (hereinafter 'Tariff Regulations 2024') which came into force from 01.04.2024, specifying the terms & conditions and methodology of tariff determination for the period 01.04.2024 to 31.03.2029.
- 5) Regulation 9(2) of Tariff Regulations 2024 provides as follows:

*“(2) In case of an existing generating station or unit thereof, or transmission system or element thereof, the application shall be made by the generating company or the transmission licensee, as the case may be, by 30.11.2024 , based on admitted capital cost including additional capital expenditure already admitted and incurred up to 31.3.2024 (either based on actual or projected additional capital expenditure) and estimated additional capital expenditure for the respective years of the tariff period 2024-29 along with the true up petition for the period 2019-24 in accordance with the CERC (Terms and Conditions of Tariff) Regulations, 2019.”*

In terms of above, the Petitioner is filing the present petition for determination of tariff for Anta GPS for the period from 01.04.2024 to 31.03.2029 as per the Tariff Regulations 2024.

- 6)** The tariff of the Anta GPS for the tariff period 1.4.2019 to 31.3.2024 was determined by the Hon'ble Commission vide its order dated 05.09.2023 in Petition No. 432/GT/2020 in accordance with the CERC (Terms & Conditions of Tariff) Regulations 2019. The petitioner vide affidavit dated 16.11.2024 had filed a separate true up petition for the period 01.04.2019 to 31.03.2024 for revision of tariff in line with the applicable provisions of Tariff Regulations 2019.
- 7)** It is submitted that Hon'ble Commission vide order dated 05.09.2023 in Petition No. 432/GT/2020 has allowed a capital cost of Rs 85,158.49 Lakh as on 31.03.2024 based on the admitted projected capital expenditure for the 2019-24 period. However, the actual closing capital cost as on 31.03.2024 has been worked out in the foresaid true-up petition as Rs. 83,193.80 Lakh based on the actual expenditure after truing up exercise for the period 2019-24. Accordingly, the Petitioner has adjusted an amount of Rs. (-)1,964.69 Lakh from the admitted capital cost as on 31.03.2024 and accordingly the opening capital cost as on 01.04.2024 has been considered as Rs 83,193.80 Lakh in the instant petition. The Hon'ble Commission may be pleased to accordingly adopt this adjustment in the admitted capital cost as on 31.3.2024 and determine the tariff in the present petition for the period 2024-29.
- 8)** The capital cost claimed in the instant petition is based on the opening capital cost as on 01.04.2024 considered as above and projected estimated capital expenditures claimed for the period 2024-29 under Regulation 19 and Regulation 24, 25 and 26 of the Tariff Regulations, 2024.
- 9)** The Petitioner further respectfully submits that as per Regulation 36(1)(6) of the Tariff Regulations 2024, the water charges, security expenses and capital spares consumed for thermal generating stations are to be allowed separately. The details in respect of water charges such as type of cooling water system, water charges as applicable for 2023-24 have been furnished below. In accordance with provision of the Regulations, the petitioner shall be furnishing the details of actual for the relevant year at the time of truing up and the same shall be subject to retrospective adjustment.

Description	Remarks
Type of Plant	Gas
Type of cooling water system	Closed Cycle
Total Water Charges	Rs. 309.55 lacs

- 10) Similarly, the Petitioner is claiming the security expenses based on the estimated expenses for the period 2024-29, the same shall be subject to retrospective adjustment based on actuals at the time of truing up. In respect of capital spares consumption, it is submitted that the same shall be claimed at the time of true-up in terms of the proviso to the Regulation 36(1)(6) based on actual consumption of spares during the period 2024-29.
- 11) The Petitioner further respectfully submits that the wage/ salary revision of the employees of the Petitioner will be due with effect from 1.1.2027. As per Regulation 36(1)(8) of the Tariff Regulations 2024, the impact on account of implementation of wage/ pay revision shall be allowed at the time of truing up of tariff. The Petitioner therefore craves liberty to approach the Hon'ble Commission for allowing the impact on account of implementation of wage/ pay revision of the employees of the Petitioner with effect from 1.1.2027, based on the actual payments whenever paid by it.
- 12) It is further submitted that Anta GPS was commissioned way back in 1990 and has been serving the country for more than 34 years. The extended useful life of station has already completed in 2021.

It is worthwhile to submit that with the advent and integration of cyclic renewables (Solar & wind) into the grid, there has been a paradigm shift in the role of these Gas Plants from earlier catering to the near constant demand of the grid as base load plants to the role of rescuer for grid with balancing/filling energy during the non-solar hours.

While on one hand the station is contributing towards meeting the peak demand of the beneficiaries, on the other hand it is playing an important role of ancillary

support for grid security on account of its inherent nature of fast ramping rate and flexibility to operate in open as well as combined cycle mode, as per the requirement & demand. During the high demand months of the recent years, gas plants, including Anta, have played a significant role for meeting the overall demand of the country and has always responded as per the directions of the grid operator during crunch days/ as per section-11/ non-solar peak hours etc. It is needless to state that such intermittent demands and operation of machines in cyclic mode with increased start-stop have contributed towards increased O&M as well as the equivalent operating hours. The increase in number of start-stops of Anta GPS is evident from the data given below:

Year	No of startups (nos)
2021-22	147
2022-23	442
2023-24	387

As Anta has already outlived its extended life, and the machines are being utilized for serving the nation in various ways, the healthiness & reliability of the machines is of paramount necessity. Considering the requirements of machines in terms of obsolescence (station being more than 33 years old), safety, reliability and sustained operation, the Petitioner is heading for the upgradation of major components like GTs (with upgradation of vanes, blades, heat shields, etc.). The upgradation would result in improved performance and enhanced time interval between inspections and continued availability of spares.

It is further submitted that the OEM has also declared some parts of the GTs as obsolete stating that Anta GTs are the only machines globally which are operating with the standard parts and rest all the machines are upgraded. Similarly, the upgradation of control systems (upgradation of DDCMIS) and some other systems like compressed air system, bus bar etc is also essential for successful and efficient operation of the station.

In view of the already consumed extended life of the station and the increased importance of this national asset in present situation, Hon'ble Commission may be pleased to allow the additional capitalization as claimed in the present petition.

- 13) It is submitted that the Petitioner has already paid the requisite filing fee vide UTR No. 37c568eba62158b7b321 on 24.04.2024 for the year 2024-25. For the subsequent years, it shall be paid as per the provisions of the CERC (Payment of Fees) Regulations, 2012 as amended. Further Regulation 94 (1) of Tariff Regulations 2024 provides that the application fee and publication expenses may be allowed to be recovered directly from the beneficiaries at the discretion of the Hon'ble Commission. Accordingly, it is prayed that Hon'ble Commission may be pleased to allow recovery of filing fee and publication fee directly from the beneficiaries.
- 14) The petitioner has accordingly calculated the tariff for 2024-29 period based on the above and the same is enclosed as **Appendix-I** to this petition.
- 15) The Petitioner humbly submits that the pay/wage revision for the employees of the Petitioner will be due wef 01.01.2027. Further, the wage/pay revision of CISF and Kendriya Vidyalaya employees will also be due for revision during the tariff period 2024-29. Regulation-36(1)(8) of CERC (Terms & Conditions of Tariff) Regulations-2024 provides as below:

*“In the case of a generating company owned by the Central or State Government, the impact on account of implementation of wage or pay revision shall be allowed at the time of truing up of tariff.”*

In accordance with the above said regulation, the Petitioner shall approach the Hon'ble Commission for allowing the impact of Pay/wage revision of employees of the Petitioner i.e. NTPC Limited, CISF and Kendriya Vidyalaya (wherever applicable) as additional O&M at the time of truing-up of tariff for the control period 2024-29. Hon'ble Commission may be pleased to consider the impact of

wage/pay revision as an additional impact on O&M and allow the same as additional O&M over and above the normative O&M.

- 16)** It is submitted the Petitioner has served the copy of the Petition on to the Respondents mentioned herein above and has posted the Petition on the company website i.e. [www.ntpc.co.in](http://www.ntpc.co.in).
- 17)** In accordance with the 'Conduct of Business Regulations 2023' of the Hon'ble Commission, the Petitioner shall, within 7 days after filing the tariff petition, publish a notice about such filing in at least two daily leading digital newspapers one in English language and another in any of the Indian languages, having wide circulation in each of the States and Union Territories where the beneficiaries are situated, as per Form 14 appended to these regulations. Subsequently, the Petitioner shall submit the proof of publications as soft copies of the publications under an affidavit through the e-filing portal of the Hon'ble Commission within one week from the date of publication. Further, the Petitioner shall also submit the detail of expenses incurred for publication of the notice alongwith the prayer for recovery of Publication Expenses as per Regulation-94 of CERC Tariff Regulations 2024.
- 18)** The filing fee for the instant Petition has been paid for FY 2024-25 vide Payment Reference No. 37c568eba62158b7b321 on 24.04.2024 as per Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time. For subsequent years, it shall be paid as per the provisions of CERC (Payment of Fee) Regulations, 2012. Further, the proof of payment of fees is being submitted in Form I specified under Regulation 12 of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time. Hon'ble Commission may be pleased to take the above into consideration and allow the recovery of filing fee for the instant station as per Regulation-94 of CERC Tariff Regulations 2024.
- 19)** It is submitted that the petitioner is filing this tariff petition subject to the outcome of its various appeals/ petitions pending before different courts. Besides, the petitions filed by NTPC for determination of capital base as on 31.3.2024 through true-up exercise are pending before the Hon'ble Commission and



would take some time. The Petitioner, therefore, reserves its right to amend the tariff petition as per the outcome in such appeals/ petitions, if required.

### **Prayers**

In the light of the above submissions, the Petitioner, therefore, prays that the Hon'ble Commission may be pleased to:

- i) Approve tariff of Anta Gas Power Station (419.33 MW) for the tariff period 01.04.2024 to 31.03.2029.
- ii) Allow the recovery of filing fees and publication expenses as & when paid to the Hon'ble Commission and publication expenses from the beneficiaries.
- iii) Allow the recovery of pay/wage revision as additional O&M over and above the normative O&M.
- iv) Pass any other order as it may deem fit in the circumstances mentioned above.

**(Petitioner)**

Noida (U.P.)

25.11.2024