



CENTRAL ELECTRICITY REGULATORY COMMISSION

LICENSE TO TRANSMIT ELECTRICITY AS A TRANSMISSION LICENSEE

1. The Central Electricity Regulatory Commission (hereinafter referred to as "the Commission"), in exercise of the powers conferred under Section 14 of the Electricity Act, 2003 (hereinafter referred to as "the Act"), hereby grants this license to *M/s Powerlinks Transmission Limited, 4th Floor, Kanchenjunga Building, 18, Barakhamba Road, New Delhi 110 001*, (hereinafter referred to as "the licensee") to transmit electricity as a transmission licensee and for that purpose to construct, maintain and operate the transmission system associated with evacuation of power from Tala Hydroelectric Project in Bhutan, more specifically described in the schedule attached, under the direction, control and supervision of the Central Transmission Utility, subject to the terms & conditions contained in the Act, (in particular Sections 17, 18, 19, 20, 21 and 22 thereof) the Rules made by the Central Government (hereinafter referred to as "the Rules") and the Regulations specified by the Commission (hereinafter referred to as "the Regulations") including statutory amendments, modifications, reenactments thereof, which shall be read as part and parcel of this license. Until the fresh terms and conditions are specified by the Commission by the Regulations by virtue of powers under the Act, the license shall be governed by the terms and conditions contained in Part III of the Central Electricity Regulatory Commission (Procedure, Terms & Conditions for grant of Transmission License and other related matters) Regulations, 2003, so far as they are not inconsistent with the Act, and except in respect of the things specifically stated herein.
2. Wherever there is a contradiction between the terms and conditions contained in this license and the agreements signed between the licensee and the Central Transmission Utility, the provisions of this license, as amended from time to time, shall apply.
3. This license is not transferable, except in accordance with the provisions of the Act, the Rules and the Regulations.

4. (I) The licensee shall not without prior approval of the Commission -

(a) undertake any transaction to acquire by purchase or take over or otherwise, the utility of any other licensee; or

(b) merge its utility with utility of any other licensee;

Provided that nothing contained in the above sub-clause shall apply if the utility of the licensee is situate in a State other than the State in which the utility referred to above in this sub-clause is situate.

(II) The licensee shall before obtaining the approval, give not less than one month's notice to every other licensee who transmits electricity in the area of the licensee.

(III) The licensee shall not at any time assign its license, or transfer its utility, or any part thereof, by sale, lease or otherwise without the prior approval of the Commission.

(IV) Any agreement relating to any transaction referred to in sub-clause (I) or sub-clause (III), unless made with the approval of the Commission, shall be void.

5. The grant of this license to the licensee shall not in any way hinder or restrict the right of the Commission to grant a license to any other person within the same area for the transmission system other than the project described in the schedule. The licensee shall not claim any exclusivity.

6. This license shall commence on the date of its issue and unless revoked earlier, shall continue to be in force for a period of 25 (twenty five) years.

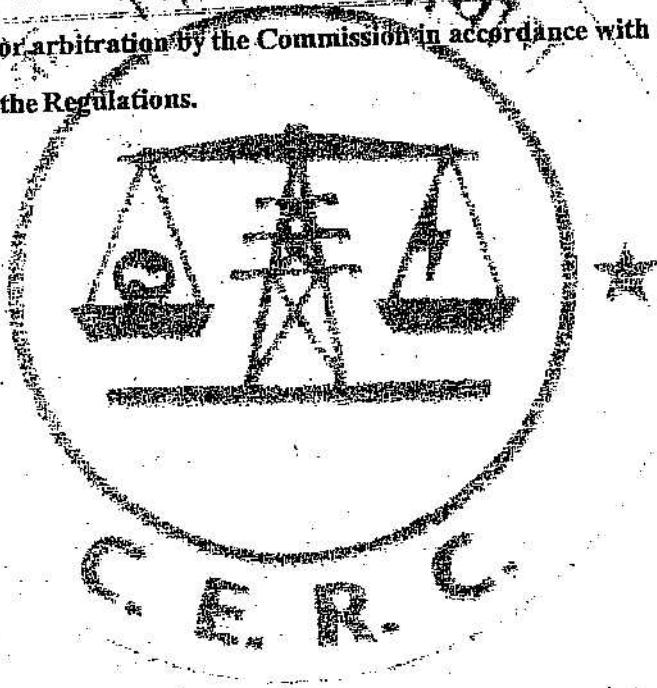
7. The licensee may with prior intimation to the Commission, engage in any business for optimum utilisation of its assets.

Provided that a portion of the revenues derived from such business shall, as may be specified by the Commission in the Regulations, be utilised for reducing its charges for transmission and wheeling;

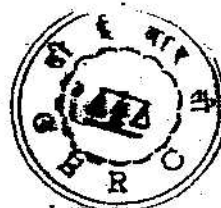
Provided further that the licensee shall maintain separate accounts for each such business undertaking to ensure that transmission business neither subsidises in any way such business undertaking and nor encumbers its transmission assets in any way to support any business;

Provided also that the licensee shall not enter into any contract or otherwise engage in the business of trading in electricity.

8. Unless otherwise specified by the Commission, the licensee shall pay annual license fee of Rs.25 lakh, and license fee for a part of the year shall be paid on pro-rata basis.
The year for the purpose of this clause means a period of twelve months from 1st April of a year to 31st March of the following year.
9. The provisions contained in the Act with regard to revocation of license and sale of utility of the licensee shall apply to the licensee.
10. Notwithstanding anything contained in the Implementation Agreement and Transmission Service Agreement, signed between the licensee and the Central Transmission Utility, all disputes related to the statutory functions of the Commission to regulate inter-state transmission of electricity and determine tariff for inter-state transmission of electricity interpretation of this license, including the terms and conditions thereof, shall be adjudicated upon or referred for arbitration by the Commission in accordance with the provisions of the Act, the Rules and the Regulations.



Place : New Delhi.
Date : 13th November, 2003.



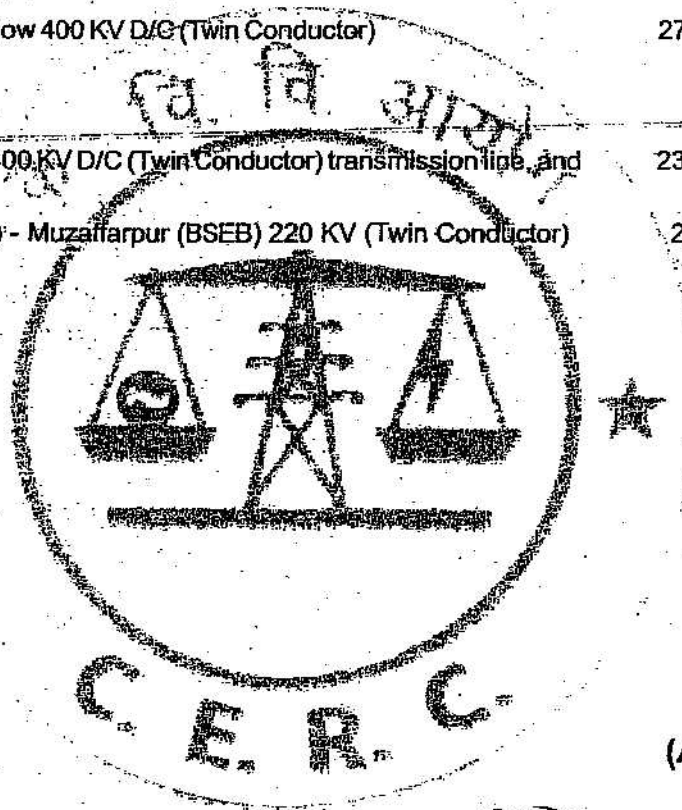

(A.K. SACHAN)
SECRETARY

SCHEDULE

1.0 Details relating to the Transmission System:

The project comprises of following elements of the Inter-State Transmission System, excluding the sub-stations:

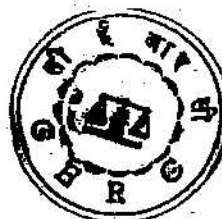
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|-------|--|--------|
| (i) | Siliguri - Purnea 400 KV D/C (Quad. Conductor) transmission line, | 162 KM |
| (ii) | Purnea - Muzaffarpur (New) 400 KV D/C (Quad. Conductor) transmission line, | 242 KM |
| (iii) | Muzaffarpur (New) - Gorakhpur 400 KV D/C (Quad. Conductor) transmission line | 233 KM |
| (iv) | Gorakhpur - Lucknow 400 KV D/C (Twin Conductor) transmission line, | 277 KM |
| (v) | Bareilly-Mandola 400 KV D/C (Twin Conductor) transmission line, and | 237 KM |
| (vi) | Muzaffarpur (New) - Muzaffarpur (BSEB) 220 KV (Twin Conductor) transmission line | 20 KM |



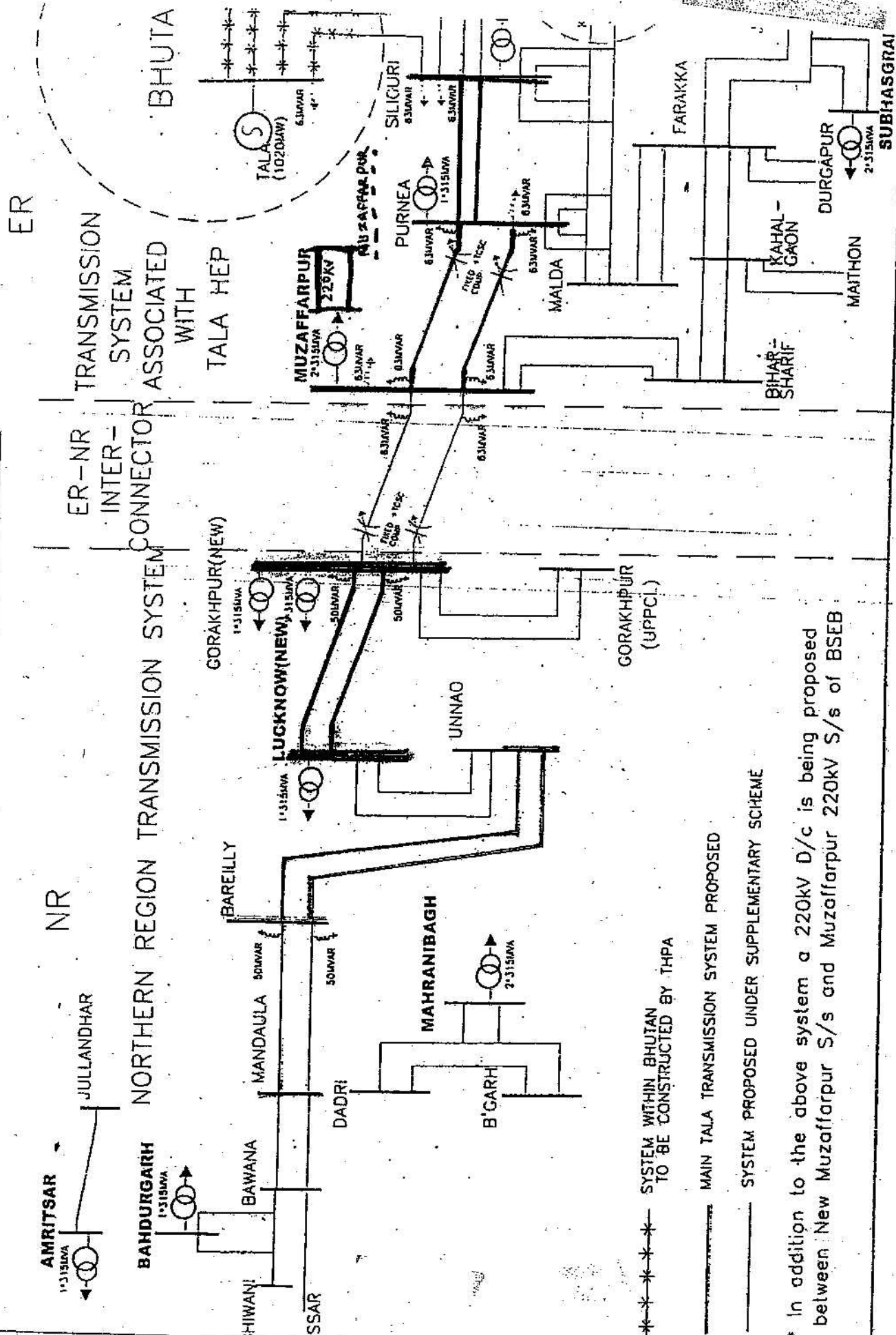
Place : New Delhi.

Date : 13th November, 2003


(A.K. SACHAN)
SECRETARY



TRANSMISSION SYSTEM WITH TALA HEP, EAST-NORTH INTERCONNECTOR AND NORTHERN REGION TRANSMISSION SYSTEM



* In addition to the above system a 220kv D/c is being proposed between New Muzaffarpur S/s and Muzaffarpur 220kv S/s of BSEB

POWERLINKS TRANSMISSION LIMITED

(A Joint Venture of TATA POWER & POWERGRID)

An ISO-9001; ISO-14001 and OHSAS-18001 Certified Company

POWERLINKS

PTL/FIN/06-07/393

August 31, 2006

Member Secretary
Eastern Region Power Committee
14, Golf Club Road
Tollygunj
Kolkata

Sub: Declaration of commercial operation of asset under Tala Transmission System.

Dear Sir,

It is to intimate that under mentioned assets of Powerlinks pertaining to Tala Transmission System have been completed in August 2006 and power flow commenced from August 26, 2006, after synchronization of Eastern Region and Northern Region.

01. 400kV D/C Siliguri – Purnea Transmission Line
02. 400kV D/C Purnea – Muzaffarpur Transmission Line
03. 400kV D/C Muzaffarpur – Gorakhpur Transmission Line
04. 220kV D/C Muzaffarpur (Powergrid) – Muzaffarpur (BSEB)

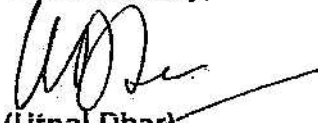
Above said assets are declared under commercial operation with effect from 1st September, 2006 as per Central Electricity Regulatory Commission (Terms & Conditions of tariff) Regulations, 2004.

The Associated Bays (Powergrid's assets) have also been energized & declared under commercial operation with effect from 1st September 2006 vide Powergrid's letter, bearing no. PT/CL/14/924 dated 31st August 2006.

This is for your kind information and necessary action please.

Thanking you,

Yours faithfully,


(Utpal Dhar)
Managing Director

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Cc:

1. Chairman, BSEB, Patna
2. Chairman, DVC, Kolkata
3. Chairman, WBSEB, Kolkata
4. Chairman, JSEB, Ranchi
5. Chairman & Managing Director, GRIDCO, Bhubaneswar
6. Secretary (Power), Power Dept., Govt. of Sikkim, Gangtok
7. CMD, Powergrid, Gurgaon
8. Director (Pers.&Comm.)/ (Projects)/ (Operation)/ (Finance), CC, Powergrid, Gurgaon
9. Executive Director (Comm.)/ (SO)/ (OS), CC, Powergrid, Gurgaon
10. General Manager, I/C, ER-II, Powergrid, Kolkata
11. General Manager, I/C ER-1, Powergrid, Patna



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CENTRAL ELECTRICITY REGULATORY COMMISSION
4th Floor, Chanderalok Building, 36 Janpath, New Delhi-110001
Phone 23353503 Fax No. 23753923

Petition No. 65/2009

Encl-4
New Delhi, Dated: 3/8/2009

To

Powrline

As per list.

Sir,

I am directed to send herewith a copy of order dated 30/7/2009 in
Petition/Review Petition/IA No. 65/2009 for your information and
compliance of Commission's direction(s).

2. The Petitioner is requested to remit the balance filing fee for the
Petition/Review Petition immediately, if it has not been remitted already.

Encl: As above.

Yours faithfully,

Dr 3/8/09

(T.D.PANT)
Bench Officer

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Dr. Pramod Deo, Chairperson
2. Shri R.Krishnamoorthy, Member
3. Shri S.Jayaraman, Member
4. Shri V.S.Verma, Member

Petition No. 65/2009

In the matter of

Revision of transmission tariff due to additional capital expenditure incurred during 2007-08 and 2008-09 for 400 kV D/C Purnea-Muzaffarpur transmission line and 220 kV D/C Muzaffarpur (PGCIL)-Muzaffarpur (BSEB) transmission line in Eastern Region associated with Tala Hydro Electric Project, East-North Inter-connector and Northern Region transmission system. for the period 1.4.2007 to 31.3.2009.

And in the matter of

Powerlinks Transmission Limited, New Delhi

..Petitioner

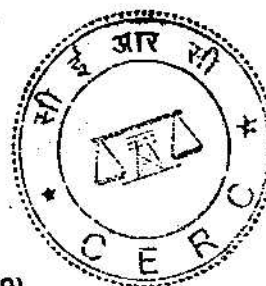
Vs

1. Power Grid Corporation of India Limited, Gurgaon
2. West Bengal State Electricity Board, Kolkata
3. Damodar Valley Corporation, Kolkata
4. Bihar State Electricity Board, Patna
5. Grid Corporation of Orissa Ltd., Bhubaneswar
6. Power Department, Govt. of Sikkim, Gangtok
7. Jharkhand State Electricity Board, Ranchi

..... Respondents

The following were present:

1. Shri Suresh Sachdev, PTL
2. Shri Bharat Chaudhari, PTL
3. Shri Ajay Baghdi, PTL
4. Ms. Nita Jha, PTL
5. Shri U.K.Tyagi, PGCIL
6. Shri R.Prasad, PGCIL



**ORDER
(DATE OF HEARING: 25.6.2009)**

This petition has been filed for revision of transmission tariff on account of additional capital expenditure incurred during 2007-08 and 2008-09 in respect of 400 kV D/C Siliguri-Purnea transmission line, 400 kV D/C Purnea-Muzaffarpur transmission line and 220 kV D/C Muzaffarpur (PGCIL)-Muzaffarpur (BSEB) transmission line (the transmission lines) in Eastern Region associated

3.
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with Tala Hydro Electric Power, East-North Inter-connector and Northern Region transmission system (collectively referred to as the transmission system) for the period from 1.4.2007 to 31.3.2009, based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004, (hereinafter referred to as "the 2004 regulations"). The petitioner has also prayed for reimbursement of the petition filing fee and other expenditure in connection with the filing of the petition.

2. The administrative approval and expenditure sanction for the transmission system was accorded by Ministry of Power under letter dated 2.7.2003 at an estimated cost of Rs.198070 lakh, which included IDC of Rs.21792 lakh. Subsequently, the revised cost estimate for the transmission system was approved by Ministry of Power under its letter dated 29.9.2005, at an estimated cost of Rs.161178 lakh, which included IDC of Rs.12170 lakh for the petitioner's scope of work. The apportioned approved cost of the transmission lines is stated to be Rs.73603 lakh. The transmission lines were declared under commercial operation on 1.9.2006.

3. The transmission charges for the transmission lines were approved by the Commission in its order dated 30.4.2008 in Petition No. 148/2007 for the period from 1.9.2006 to 31.3.2009 based on capital cost of Rs. 64990.72 lakh as on the date of commercial operation and Rs. 67359.36 lakh as on 31.3.2007, after considering additional capital expenditure of Rs. 2368.48 lakh for the period 1.9.2006 to 31.3.2007. The summary of the transmission charges approved by the said order dated 30.4.2008 is extracted hereunder:



(Rs. in lakh)

	2006-07(Pro rata)	2007-08	2008-09
Depreciation	991.18	1728.07	1728.07
Interest on Loan	2269.81	4156.11	3842.24
Return on Equity	1621.29	2829.09	2829.09
Advance against Depreciation	0.00	2135.39	2135.39
Interest on Working Capital	127.55	264.32	263.32
O & M Expenses	121.40	215.73	225.04
Total	5131.24	11328.71	11023.15

4. The relevant details of the capital expenditure of the transmission lines claimed by the petitioner are as under:

(Rs. in lakh)

Capital Expenditure as on 1.4.2007	Additional Capital Expenditure during 2007-08	Additional Capital Expenditure during 2008-09	Capital expenditure as on 1.4.2009
67359.36 (As. per order dated 30.4.2008)	3278.90	81.35	70719.61

5. Based on the above capital expenditure, the petitioner has claimed the revised transmission charges for the years 2007-08 and 2008-09 as under:

(Rs. in lakh)

	2007-08	2008-09
Depreciation	39.28	79.40
Interest on Loan	107.68	208.48
Return on Equity	68.86	139.42
Advance against Depreciation	144.62	109.26
Interest on Working Capital	6.90	10.28
O & M Expenses	0.00	0.00
Sub-total	367.34	546.84
10% Majoration Factor	36.73	54.68
TOTAL	404.07	601.52

6. The details submitted by the petitioner in support of its claim for interest on working capital are given hereunder:

(Rs. in lakh)

	2007-08	2008-09
Maintenance Spares	0.00	0.00
O & M expenses	0.00	0.00
Receivables	67.35	100.25
Total	67.35	100.25
Rate of Interest	10.25%	10.25%
Interest	6.90	10.28

7. No reply has been filed by any respondents.

CAPITAL COST

8. The details submitted by the petitioner in support of its claim for additional capital expenditure are given hereunder:

Year	Amount (Rs. in lakh)	Nature and details of expenditure
2007-08	Colony and office building = Rs. 530.92 lakh Transmission line = Rs. 2685.16 lakh Land = Rs. 62.82 lakh Total = Rs. 3278.90 lakh	Balance payments
2008-09	Colony and office building = Rs. 55.77 lakh Transmission line = Rs. 25.58 lakh Total = Rs. 81.35 lakh	Balance payments

9. It is found that the additional capital expenditure claimed is in respect of committed liabilities. These are part of the deferred liabilities relating to works/services which have since materialised, and are within the original scope of work. Therefore, the additional expenditure sought to be capitalised is allowed under clauses (1) and (2) of Regulation 53 of the 2004 regulations.

TOTAL CAPITAL COST

10. Based on the above, capital cost for the purpose of tariff for transmission lines as on 31.3.2008 and 31.3.2009 works out as under:

(Rs. in lakh)

Capital Expenditure as on 1.4.2007	Additional capital expenditure during 2007-08	Capital expenditure as on 1.4.2008	Additional Capital Expenditure during 2008-09	Capital expenditure as on 1.4.2009
67359.36	3278.90	70638.26	81.35	70719.61

DEBT- EQUITY RATIO

11. The petitioner has considered the amount of additional capitalization in the debt-equity ratio of 70:30. This has been found to be in order. Accordingly, for the purpose of tariff, equity considered for the transmission lines is as under:

(Rs. in lakh)

Equity as on 1.9.2008 (As per order dated 30.4.2008)	Notional additional equity during 2006-07	Equity as on 1.4.2007	Notional additional equity during 2007-08	Average equity for 2007-08	Equity as on 1.4.2008	Notional additional equity during 2008-09	Average equity during 2008-09	Equity as on 1.4.2009
19497.22	710.59	20207.81	983.67	20699.65	21191.48	24.41	21203.68	21215.89

RETURN ON EQUITY

12. As per clause (iii) of Regulation 56 of the 2004 regulations, return on equity shall be computed on the equity base determined in accordance with regulation 54 @ 14% per annum. Equity invested in foreign currency is to be allowed a return in the same currency and the payment on this account is made in Indian Rupees based on the exchange rate prevailing on the due date of billing.

13. Equity as given the table under para 11 above has been considered. The revised tariff for the years 2007-08 and 2008-09 has been allowed on average equity. Accordingly, revised return on equity allowed each year is given as under:

Return on equity		(Rs. in lakh)
2007-08	2008-09	
2897.95	2968.52	

INTEREST ON LOAN

14. Clause (1) of regulation 56 of the 2004 regulations *inter alia* provides that,-

(a) Interest on loan capital shall be computed loan wise on the loans arrived at in the manner indicated in regulation 54.

(b) The loan outstanding as on 1.4.2004 shall be worked out as the gross loan in accordance with Regulation 54 minus cumulative repayment as admitted by the Commission or any other authority having power to do so, up to 31.3.2004. The repayment for the period 2004-09 shall be worked out on a normative basis.

(c) The transmission licensee shall make every effort to re-finance the loan as long as it results in net benefit to the beneficiaries. The costs associated with such re-financing shall be borne by the beneficiaries.

(d) The changes to the loan terms and conditions shall be reflected from the date of such re-financing and benefit passed on to the beneficiaries.

(e) In case of dispute, any of the parties may approach the Commission with proper application. However, the beneficiaries shall not withhold any payment ordered by the Commission to the transmission licensee during pendency of any dispute relating to re-financing of loan;

(f) In case any moratorium period is availed of by the transmission licensee, depreciation provided for in the tariff during the years of moratorium shall be treated as repayment during those years and interest on loan capital shall be calculated accordingly.

(g) The transmission licensee shall not make any profit on account of re-financing of loan and interest on loan;

(h) The transmission licensee may, at its discretion, swap loans having floating rate of interest with loans having fixed rate of interest, or vice versa, at its own cost and gains or losses as a result of such swapping shall accrue to the transmission licensee:

Provided that the beneficiaries shall be liable to pay interest for the loans initially contracted, whether on floating or fixed rate of interest."

15. In our calculation, the interest on loan has been worked out as detailed below:

(a) Gross amount of loan, repayment of instalments and rate of interest and weighted average rate of interest on actual have been considered as per the order dated 30.4.2008 in Petition No. 148/2007. There is addition of actual loan during 2006-07, which has been considered.

(b) Notional loan arising out of additional capitalization from date of commercial operation to 31.3.2009 has been added in loan amount as on date of commercial operation to arrive at total notional loan. This adjusted gross loan has been considered as normative loan for tariff calculations.

(c) Tariff has been worked out considering normative loan and normative repayments. Once the normative loan is arrived at, it is considered for

all purposes in the tariff. Normative repayments are worked out by the following formula:

$$\frac{\text{Actual repayment of actual loan during the year}}{\text{Opening balance of actual loan during the year}} \times \text{Opening balance of normative loan during the year}$$

(d) Moratorium in repayment of loan has been considered with reference to normative loan and if the normative repayment of loan during the year is less than the depreciation during the year, it has been considered as moratorium and depreciation during the year has been deemed as normative repayment of loan during the year.

(e) Weighted average rate of interest on actual loan worked out as per (i) above has been applied on the average loan during the year to arrive at the interest on loan

16. Based on above, revised year-wise interest on loan has been worked out as under:

Details	(Rs. in lakh)	
	2007-08	2008-09
Gross Normative Loan-Opening	47151.55	49446.78
Cumulative Repayment up to Previous Year/date of commercial operation	991.18	5042.70
Net Loan-Opening	46160.37	44404.07
Addition due to Additional Capitalisation	2295.23	56.95
Repayment during the year	4051.52	4059.71
Net Loan-Closing	44404.07	40401.31
Average Loan	45282.22	42402.69
Weighted Average Rate of Interest on Loan	9.41%	9.55%
Interest	4260.79	4049.67

17. The detailed calculations in support of the weighted average rate of interest are contained in Annexure attached.

DEPRECIATION

18. Sub-clause (a) of clause (ii) of Regulation 56 of the 2004 regulations provides for computation of depreciation in the following manner, namely:

(a) The value base for the purpose of depreciation shall be the historical cost of the asset.

(b) Depreciation shall be calculated annually based on straight line method over the useful life of the asset and at the rates prescribed in Appendix II to these regulations. The residual value of the asset shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the historical capital cost of the asset. Land is not a depreciable asset and its cost shall be excluded from the capital cost while computing 90% of the historical cost of the asset. The historical capital cost of the asset shall include additional capitalisation on account of Foreign Exchange Rate Variation up to 31.3.2004 already allowed by the Central Government/Commission.

(c) On repayment of entire loan, the remaining depreciable value shall be spread over the balance useful life of the asset.

(d) Depreciation shall be chargeable from the first year of operation. In case of operation of the asset for part of the year, depreciation shall be charged on pro rata basis.

19. Depreciation allowed has been worked out as below:

	(Rs. in lakh)	
	2007-08	2008-09
Gross block as on 1 st April of the year	67359.36	70638.26
Addition due to Additional Capitalisation	3278.90	81.35
Gross block as on 31 st March of the year	70638.26	70719.61
Rate of Depreciation	2.5614%	2.5573%
Depreciable Value	62070.66	63554.50
Balance Useful life of the asset		
Remaining Depreciable Value	61079.48	58511.80
Depreciation	1767.35	1807.47

ADVANCE AGAINST DEPRECIATION

20. As per sub-clause (b) of clause (ii) of Regulation 56 of the 2004 regulations, in addition to allowable depreciation, the transmission licensee is entitled to Advance Against Depreciation, computed in the manner given hereunder:

AAD = Loan repayment amount as per regulation 56 (i) subject to a ceiling of 1/10th of loan amount as per regulation 54 minus depreciation as per schedule

21. It is provided that Advance Against Depreciation shall be permitted only if the cumulative repayment up to a particular year exceeds the cumulative depreciation up to that year. It is further provided that Advance Against Depreciation in a year shall be restricted to the extent of difference between cumulative repayment and cumulative depreciation up to that year.

22. The petitioner has claimed advance Against depreciation in the following manner:

- (i) 1/10th of gross loan considered for tariff calculations
- (ii) Cumulative loan as well as repayment of notional loan considered during the year.
- (ii) Depreciation as claimed in the petition.

23. In our calculation Advance Against Depreciation has been worked as under:

- (i) 1/10th of gross loan has been worked out from the gross notional loan as per para 16 above.
- (ii) Repayment of notional loan during the year has been considered as per para 16 above.

- (iii) Depreciation as worked out as per para 19 above has been taken into account.

24. The details of Advance Against Depreciation allowed is given hereunder:

	(Rs. in lakh)	
	2007-08	2008-09
1/10th of Gross Loan(s)	4715.15	4944.68
Repayment of the Loan	4051.52	4059.71
Minimum of the above	4051.52	4059.71
Depreciation during the year	1767.35	1807.47
(A) Difference	2284.17	2252.24
Cumulative Repayment of the Loan	5042.70	9102.41
Cumulative Depreciation/ Advance against Depreciation	2758.54	6850.17
(B) Difference	2284.17	2252.24
Advance against Depreciation Minimum of (A) and (B)	2284.17	2252.24

OPERATION & MAINTENANCE EXPENSES

25. In accordance with clause (iv) of Regulation 56 the 2004 regulations, the following norms are prescribed for O & M expenses:

	Year				
	2004-05	2005-06	2006-07	2007-08	2008-09
O&M expenses (Rs in lakh per ckt-km)	0.227	0.236	0.246	0.255	0.266
O&M expenses (Rs in lakh per bay)	28.12	29.25	30.42	31.63	32.90

26. O&M expenses as taken for the tariff calculations as per order dated 30.4.2008 in Petition No. 148/2007 have been considered, since line length and number of bays remain unchanged.

INTEREST ON WORKING CAPITAL

27. The components of the working capital and the interest thereon are discussed hereunder:

(i) **Maintenance spares**

Regulation 56(v) (1) (b) of the 2004 regulations provides for maintenance spares @ 1% of the historical cost escalated @ 6% per annum from the date of commercial operation. The petitioner has claimed maintenance spares after accounting for additional capital expenditure. For the purpose of

computation of maintenance spares, the historical cost is being taken as the cost on the date of commercial operation. Maintenance spares on additional capital expenditure are not being considered for the present. Therefore, the petitioner's claim in this regard is not being allowed. Accordingly, maintenance spares have been worked out on the historical cost and providing escalation from the date of commercial operation.

(ii) O & M expenses

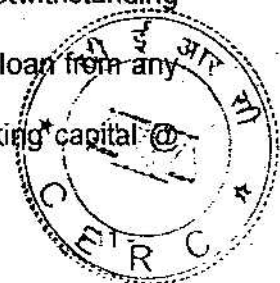
Regulation 56(v)(1)(a) of the 2004 regulations provides for operation and maintenance expenses for one month as a component of working capital. O&M expenses as considered in the order dated 30.4.2008 in Petition No. 148/2007 have been considered.

(iii) Receivables

As per Regulation 56(v)(1)(c) of the 2004 regulations, receivables will be equivalent to two months average billing calculated on target availability level. Accordingly, in the tariff being allowed, receivables have been worked-out on the basis 2 months' transmission charges.

(iv) Rate of interest on working capital

As per Regulation 56(v) (2) of the 2004 regulations, rate of interest on working capital shall be on normative basis and shall be equal to the short-term Prime Lending Rate of State Bank of India as on 1.4.2004 or on 1st April of the year in which the project or part thereof (as the case may be) is declared under commercial operation, whichever is later. The interest on working capital is payable on normative basis notwithstanding that the transmission licensee has not taken working capital loan from any outside agency. The petitioner has claimed interest on working capital @



10.25% based on SBI PLR as on 1.4.2006, which is in accordance with the 2004 regulations and has been allowed.

28. The necessary computations in support of revised interest on working capital, as revised, are appended herein below:

	(Rs. in lakh)	
	2007-08	2008-09
Maintenance Spares	672.65	713.01
O & M expenses	17.98	18.75
Receivables	1949.43	1929.28
Total	2,640.07	2,661.05
Rate of interest	10.25%	10.25%
Interest	270.61	272.76

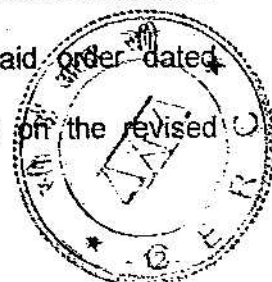
TRANSMISSION CHARGES

29. The revised transmission charges being allowed for the transmission lines for the years 2007-08 and 2008-09 are summarised below:

	(Rs. in lakh)	
	2007-08	2008-09
Depreciation	1767.35	1807.47
Interest on Loan	4260.79	4049.67
Return on Equity	2897.95	2968.52
Advance against Depreciation	2284.17	2252.24
Interest on Working Capital	270.61	272.76
O & M Expenses	215.73	225.04
Total	11696.60	11575.69

TRANSMISSION MAJORATION FACTOR

30. The petitioner has claimed the Transmission Majoration Factor (TMF) @ 10% of the transmission charges as per order dated 23.5.2001 which allowed TMF to new private entrepreneurs entering the transmission sector up to 31.3.2004. This aspect had already been considered in Petition No. 147/2007 and the Commission by its order dated 28.4.2008 has upheld the entitlement of the petitioner to TMF. For the reasons recorded in the said order dated 28.4.2008, we are of the view that 10% mark up (pre-tax) on the revised



transmission charges shall be allowed as the Transmission Majoration Factor in the present petition also.

31. In view of Transmission Service Agreement entered into between the petitioner and respondent No. 1, the petitioner shall claim all the charges from respondent No. 1. It is also noted that BPTAs have been entered into between respondent No. 1 and the beneficiaries, respondents No. 2 to 7. Accordingly, Respondent No. 1 shall raise bills for all the charges, including the Transmission Majoration Factor approved in this order. These charges shall be shared by the beneficiaries in Eastern Regions, respondents No. 2 to 7 in accordance with the 2004 regulations.

32. The petitioner shall recover from the respondent the additional transmission charges in two instalments. The petitioner has also sought reimbursement of filing fee paid. The Commission by its separate general order dated 11.9.2008 in Petition No. 129/2005 (Suo motu) has decided that the petitioner shall not be allowed reimbursement of the petition filing fee.

33. In addition to the transmission charges, the petitioner shall be entitled to other charges like income-tax, incentive, surcharge and other cess and taxes in accordance with the 2004 regulations.

34. This order disposes of Petition No.65/2009.

(V.S.VERMA)
MEMBER

(S.JAYARAMAN)
MEMBER

(R.KRISHNAMOORTHY)
MEMBER

(DR.PRAMOD DEO)
CHAIRPERSON

New Delhi dated the 30th July 2009

CERTIFIED TRUE COPY
Authorized signature
C.E.R.C.

Order July 2009

ORDER July 2009

Annexure

CALCULATION OF WEIGHTED AVERAGE RATE OF INTEREST ON LOAN

(Rs. in lakh)

Details of Loan	2006-07	2007-08	2008-09
1 IFC			
Gross Loan opening	14160.69	14160.69	14160.69
Cumulative Repayment upto DOCO/previous year	0.00	0.00	1180.06
Net Loan-Opening	14160.69	14160.69	12980.63
Additions during the year	0.00	0.00	0.00
Repayment during the year	0.00	1180.06	1180.06
Net Loan-Closing	14160.69	12980.63	11800.57
Average Loan	14160.69	13570.66	12390.60
Rate of Interest	8.80%	8.80%	8.80%
Interest	1246.32	1194.39	1090.53
Repayment Schedule.	24 equal half yearly instalments from 15-7-2007		
2 ADB			
Gross Loan opening	12591.24	12591.24	12591.24
Cumulative Repayment upto DOCO/previous year	0.00	0.00	1049.27
Net Loan-Opening	12591.24	12591.24	11541.97
Additions during the year	0.00	0.00	0.00
Repayment during the year	0.00	1049.27	1049.27
Net Loan-Closing	12591.24	11541.97	10492.70
Average Loan	12591.24	12066.60	11017.33
Rate of Interest	9.14%	9.14%	9.14%
Interest	1150.56	1102.62	1006.74
Repayment Schedule	24 semi annual equal instalments from 15-7-2007		
3 IDFC			
Gross Loan opening	9267.79	9267.79	9267.79
Cumulative Repayment upto DOCO/previous year	0.00	0.00	772.32
Net Loan-Opening	9267.79	9267.79	8495.47
Additions during the year	0.00	0.00	0.00
Repayment during the year	0.00	772.32	772.32
Net Loan-Closing	9267.79	8495.47	7723.16
Average Loan	9267.79	8881.63	8109.32
Rate of Interest	7.75%	10.17%	10.48%
Interest	718.25	903.26	849.86
Repayment Schedule	48 Qly instalments from 15.04.2007		
4 SBI			
Gross Loan opening	9473.79	9473.79	9473.79
Cumulative Repayment upto DOCO/previous year	0.00	197.37	986.85
Net Loan-Opening	9473.79	9276.42	8486.94
Additions during the year	0.00	0.00	0.00
Repayment during the year	197.37	789.48	789.48
Net Loan-Closing	9276.42	8486.94	7697.45
Average Loan	9375.10	8881.68	8092.20
Rate of Interest	8.8%	9.90%	10.19%
Interest	736.76	879.29	824.59
Repayment Schedule	48 Qly instalments from 30.03.2007		
Gross Loan opening	0.00	616.10	616.10
Cumulative Repayment upto DOCO/previous year	0.00	0.00	51.34

	Additions during the year	0.00	234.82	15.30
	Repayment during the year	0.00	19.57	20.84
	Net Loan-Closing	0.00	215.25	209.71
	Average Loan	0.00	107.63	212.48
	Rate of Interest	9.14%	9.14%	9.14%
	Interest	0.00	9.84	19.42
	Repayment Schedule	24 Half yearly instalments from 15.7.2007		
11	IDFC (For 2007-08 & 2008-09 ACE)			
	Gross Loan opening	0.00	0.00	1719.60
	Cumulative Repayment upto DOCO/previous year	0.00	0.00	143.30
	Net Loan-Opening	0.00	0.00	1576.30
	Additions during the year	0.00	1719.60	12.93
	Repayment during the year	0.00	143.30	144.38
	Net Loan-Closing	0.00	1576.30	1444.85
	Average Loan	0.00	788.15	1510.57
	Rate of Interest	0.00%	10.17%	10.48%
	Interest	0.00	80.15	158.31
	Repayment Schedule	48 QTLY instalments from 15.4.2007		
12	SBI (For 2007-08 & 2008-09 ACE)			
	Gross Loan opening	0.00	0.00	176.70
	Cumulative Repayment upto DOCO/previous year	0.00	0.00	14.73
	Net Loan-Opening	0.00	0.00	161.98
	Additions during the year	0.00	176.70	11.51
	Repayment during the year	0.00	14.73	15.68
	Net Loan-Closing	0.00	161.98	157.80
	Average Loan	0.00	80.99	159.89
	Rate of Interest	0.00%	9.90%	10.19%
	Interest	0.00	8.02	16.29
	Repayment Schedule	48 QTLY instalments from 31.3.2007		
	Total Loan			
	Gross Loan opening	45493.51	47151.58	49446.81
	Cumulative Repayment upto DOCO/previous year	0.00	204.56	4325.13
	Net Loan-Opening	45493.51	46947.02	45121.68
	Additions during the year	1658.07	2295.23	56.96
	Repayment during the year	204.56	4120.57	4125.31
	Net Loan-Closing	46947.02	45121.68	41053.32
	Average Loan	46220.26	46034.35	43087.50
	Rate of Interest	8.49%	9.41%	9.55%
	Interest	3924.51	4331.56	4115.07

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