Chhattisgarh State Electricity Regulatory Commission
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Petition No. 38 of 2025

In the Matter of:

Determination of tariff and its true up (Energy Charges) for power supplied to Chhattisgarh State Distribution Company Limited (CSPDCL), at variable cost from the 300 MW Unit II of M/s. Korba Power Limited during FY 2023-24.

M/s Korba Power Limited (M/s KPL)	**...**	**Petitioner**
Vs		
M/s Chhattisgarh State Power Distribution Co. Ltd. (M/s CSPDCL)	**...**	**Respondent**

Present: **Vivek Ganodwale, Member (Law)**

Ajay Kumar Singh, Member (Tech)

Appearance: Shri Avinash Anurag and Shri Amit Kumar Singh for petitioner M/s Adani Power Ltd.

Shri Abhinav Kardekar (appeared online), Shri Ayush Solanki, Counsels and Shri Biplab Dutta, EE for respondent CSPDCL

ORDER

(Passed on 12/11/2026)

This order is passed in petition filed by Korba Power Limited (KPL) under the provisions of Section 62, 86 (1)(a) of the Electricity Act, 2003, for determination of tariff and truing up of Energy Charge Rate as well as for

approval of other reimbursable expenses for power supplied to Chhattisgarh State Power Distribution Company Limited (CSPDCL) during FY 2023-24 at variable cost from Unit-II (300 MW) of thermal generating station located at Pathadi, Korba, Chhattisgarh.

2. Petitioner has sought following reliefs:

i. Determine the tariff and its true-up as per CSERC Tariff Regulations 2021 for supply of five percent (5%) power from 300 MW Unit II coal based thermal power plant of M/s. Korba Power Ltd., Pathadi, Korba, Chhattisgarh for FY 2023-24;
ii. Allow true up of the provisional tariff based on the CSERC Tariff Regulations, 2021 for the energy scheduled to respondent;
iii. Allow the recovery of the filing fees and also the publication expenses from the beneficiary (as and when incurred);
iv. Allow the reimbursement of water charges, reimbursement of electricity duty and reimbursement of WRLDC fees and charges, ULDC charges & NLDC charges on pass through basis;
v. Allow recovery of carrying cost in case of any shortfall of revenue on account of the difference between the provisional rate and the approved tariff along with other charges and reimbursements based on the expenses actually incurred by the Petitioner from the Due date of monthly payments;
vi. Condone any inadvertent omissions/errors/shortcomings and permit the Petitioner to add/alter this filing and make further submissions as may be required by the Commission; and
vii. Pass such further and other orders, as this Commission may deem fit and proper keeping in view the facts and circumstances of the case.

3. The gist of the petition was published on 26.08.2026 in two Hindi newspapers and one English newspaper for inviting objections/suggestions from the stakeholders. Copies of petition were made available for purchase in the office of the Commission. The

petition was also made available on the website of the Commission.

4. The instant petition was filed on 27.06.2026 and registered as petition no. 38/2025 on 03.07.2026. In compliance to the Regulation 6.4 of MYT Regulations, 2021, the Petitioner had published a notice comprising salient features of the Tariff petitions on 26.08.2026 in newspapers for inviting objections/suggestions from the stakeholders.

Table 1: List of Important dates

S. No.	Subject	Date
1	Admittance of Petition	03.07.2025
2	Technical Validation Session (TVS)	06.10.2026
3	Public hearing	07.10.2026
4	Issue of 1st data gaps	24.02.2026
5	Reply received from the Petitioner with regard to 1st data gaps	21.04.2026
6	Issue of 2nd data gaps	24.09.2026
7	Reply received from the Petitioner with regard to 2nd data gaps	05.10.2026
8	Issue of 3rd data gaps	09.10.2026
9	Reply received from the Petitioner with regard to 3rd data gaps	16.10.2026

5. Respondent CSPDCL has submitted objections to the petition on 27.03.2026 and the Petitioner has submitted the Rejoinder to the same on 16.10.2026.

6. The Commission has notified MYT Tariff regulations, 2021 for determination of tariff of conventional plant for the control period from FY 2022-23 to FY 2024-25. As the period of tariff determination i.e. FY 2023-24 falls under aforesaid period. Therefore, the present petition has been disposed off in accordance with the MYT Regulation, 2021.

Methodology for computation of Energy Charge Rate

7. Regulation 45.5 of MYT Regulations, 2021 specifies methodology and principle for determination of energy charges of thermal power generating

stations. The same has been followed for determining energy charge rate for the aforesaid power plant. The Regulation reads as under:

"45.5. The energy charge shall cover the fuel cost (primary fuel as well as secondary fuel), and shall be payable by every beneficiary for the total energy scheduled to be supplied to such beneficiary during the calendar month on ex-power plant basis, at the energy charge rate of the month. Total Energy charge payable to the generating company for a month shall be:

(Energy charge rate in Rs./kWh) x {Scheduled energy (ex-bus) for the month in kwh.)

Energy charge rate (ECR) in Rupees per kWh on ex-power plant basis shall be determined up to three decimal places in accordance with the following formulae for coal-based stations:

ECR: [{(GHR- SFC x CVSF) x LPPF/ CVPF}+ SFC x LPSFi] x 100 /(100- AUX)

Where,

AUX : Normative auxiliary energy consumption in percentage.

CVPF=(a) Gross calorific value of primary fuel as received at generating station, in kCal per kg, per litre or per standard cubic meter, as applicable after prudence check.

Provided where arrangements for taking samples for 'as received basis' is not in place, GCV of coal as received may be computed from GCV of coal "as billed"

Adjustment for total moistures shall be computed as per the CERC formula given as under:

(GCV x (1-TM)) / (1-IM)

Where, GCV = Gross calorific value of coal TM = Total

Moisture

IM : Inherent Moisture

(b) Weighted Average Gross calorific value of coal as received, in kCal per kg for coal-based stations less 85 Kcal/kg on account of variation during storage at generating station;

Provided that at the time of true-up the GCV of coal on account of variation during storage at generating station shall be allowed at maximum value of 85 Kcal/kg.

(c) In case of blending of fuel received through different sources, the weighted average Gross calorific value of primary fuel shall be arrived in proportion to blending ratio;

CVSF : Calorific value of secondary fuel, in kCal per ml. ECR : Energy charge rate, in Rupees per kWh sent out. GHR : Gross station heat rate, in kCal per kWh.

LPPF : Weighted average landed price of primary fuel, in Rupees per kg, per litre or per standard cubic meter, as applicable, during the month.

Provided that, in case of blending of fuel from different sources, the weighted average, landed cost of the primary fuel shall be arrived by considering the blending ratio.

Provided that, in case of primary fuel supply from integrated mines, the cost of fuel shall be computed in accordance with the regulations notified by CSERC. In the absence of State regulation, regulation notified by CERC shall be adopted. SFC= Specific fuel oil consumption, in ml per kWh.

$LPSF_i$: Weighted Average Landed Price of Secondary Fuel in Rs./ml considered Initially."

Parameters for determination of Energy Charge Rate

Auxiliary Energy Consumption (AUX)

Petitioner's Submission

8. Petitioner submitted that Regulation 43.5 (a) of CSERC Tariff Regulations 2021, specifies the Normative Auxiliary Energy Consumption for coal based generating stations except for HTPS. The Petitioner requested the Commission to consider Normative Auxiliary Energy Consumption of the 300 MW set for computation of Energy Charge Rate. Accordingly, the Petitioner considered the normative Auxiliary Energy Consumption of 8.25% for the computation of normative ECR, plant being electrical driven boiler feed pump with induced draft cooling towers. For computing actual ECR, the Petitioner has considered actual auxiliary energy consumption as 8.56 % for FY 2023-24.

Respondent's Submission

9. Respondent submitted that the Petitioner has submitted normative value of Auxiliary Energy Consumption as provided in MYT Regulations, 2021, for determination of ECR. The Respondent requested that the Petitioner maybe directed to provide the data of actual Auxiliary Energy Consumption and after prudence check, if the actual value of AUX is found lower than the Normative value of AUX as specified in MYT Regulations, 2021, then the actual lower value of AUX shall be taken for calculation of ECR.

Commission’s View

10. As per CSERC MYT Regulations, 2021, the Commission has to compute normative ECR and actual ECR so that gains/losses can be shared between generating company and beneficiary. Therefore, the Commission has to consider normative and actual Auxiliary Energy Consumption both. Therefore, the contention of CSPDCL for considering

lower Auxiliary Energy Consumption, cannot be accepted.

11. In CSERC MYT Regulations, 2021, norms for auxiliary energy consumption for thermal generating units of 300 MW sets have been specified as 8.25% for electrical driven boiler feed pump with induced draft cooling towers. Therefore, the Commission has considered normative Auxiliary Energy Consumption as 8.25% for FY 2023-24. The Petitioner submitted actual auxiliary energy consumption as 8.56 % for FY 2023-24. After prudence check, the Commission has considered the same for the purpose of sharing gains/losses.

Table 2: Auxiliary Energy Consumption

S. No.	Particular	Actual as submitted by the Petitioner	Normative as considered by the Commission	Actual as considered by the Commission
1	Auxiliary Energy Consumption (%)	8.56%	8.25%	8.56%

Gross Station Heat Rate (GSHR)

Petitioner's Submission

Respondent's Submission

12. Respondent submitted that the Petitioner has submitted normative value of Gross Station Heat Rate as provided in MYT Regulations 2021 for determination of ECR. The Respondent requested that the Petitioner maybe directed to provide the data of actual Gross Station Heat Rate and after prudence check, if the actual value of GSHR is found lower than the Normative value as provided in MYT Regulations, 2021, then the actual lower value of GSHR shall be taken for calculation of ECR.

Commission's View

13. Petitioner's plant achieved COD in the year 2011, therefore, the Commission has considered plant as existing generating stations as per MYT Regulations, 2021, and computed normative ECR considering

normative GSHR of the Petitioner's plant as 2350 kcal/kwh for FY 2023-24.

14. CSERC MYT Regulations, 2021 also provide for sharing of gains/losses, therefore, the Commission has to determine actual ECR also. For this purpose, the Commission after prudence check, has considered actual GSHR as 2,365.14 kCal/kWh for the computation of actual Energy Charge Rate.

Table 3: Details of Gross Station Heat Rate

S. No.	Particular	Unit	Petitioner's Submission	Normative as considered by the Commission	Actual GSHR as considered by the Commission
1.	Gross Station Heat Rate	kCal/kWh	2,365.14	2,350.00	2365.14

Gross Calorific Value of Primary Fuel (CVPF)

Petitioner's Submission

15. Regulation 45.5 of CSERC Multi Year Tariff Regulations, 2021, specifies the Gross Calorific Value of Primary fuel 'as received' basis will be considered for computation of ECR. Accordingly, the Petitioner has considered GCV 3,550.29 kCal/kg on "as received basis'' for computation of Energy Charge Rate for FY 2023-24.

Respondent's Submission

16. Respondent has submitted that the Petitioner has not submitted the abstract of the data pertaining to daily coal usage and exact data pertaining to the GCV of the coal procured by it along with relevant bills of the coal. Respondent further submitted that in absence of the actual bills pertaining to daily data usage of coal towards purchase of coal by the Petitioner, the tariff cannot be determined. In view of this, respondent requested the Commission to carry out prudence check of the values pertaining to GCV of the coal.

Commission's View

17. It has been found that the petitioner has considered linkage coal only towards the CSPDCL energy requirement for computing CVPF and considered 3,550.29 kCal/kg for computation of ECR. During prudence check, the Commission has found the same in order, therefore, considered CVPF of 3,550.29 kCal/kg and computed ECR accordingly.

Table 4: Gross Calorific Value (CVPF) of Primary Fuel

Particular	Petitioner's Submission	CVPF as considered by the Commission
CVPF (kCal/kg)	3,550.29	3550.29

Calorific Value of Secondary Fuel (CVSF)

Petitioner's Submission

18. The Petitioner has submitted calorific value of secondary fuel as 10 kCal/ml for FY 2023-24.

Respondent's Submission

19. Respondent has not submitted anything in relation to CVSF.

Commission's View

20. After prudence check of the secondary fuel bills, the Commission has considered calorific value of secondary fuel as 10 kCal/ml for FY 2023-24 for computation of energy charge rate.

Weighted Average Landed Price of Primary Fuel (LPPF)

Petitioner's Submission

21. The Petitioner submitted that as per Regulation 45.10 of the CSERC

MYT Regulations, 2021, the weighted average landed cost of blended primary fuel procured from different sources during the month, along with normative transit and handling losses of 0.8% will be considered for computation of LPPF.

The Petitioner further submitted that under the PPA executed between KPL and CSPDCL, KPL is obligated to supply 5% of the net energy generated from its 300 MW Unit II to CSPDCL, while the remaining 95% power is supplied to Haryana Discoms through PTC India Ltd. To declare 95% availability of Unit II to Haryana Discoms, KPL seeks quarterly approval from HPPC, as authorized by Haryana Discoms, for procurement of alternate coal, including e-auction coal, trader coal and imported coal, to meet any shortfall in the receipt of linkage coal from SECL under the FSA. KPL procures non-linkage coal from different sources only after obtaining the requisite approval from HPPC and operates Unit II at an appropriate PLF based on the availability of linkage coal stock at the generating station.

22. The Petitioner states that during certain months, particularly the monsoon period from July to October in the Korba area of Chhattisgarh, the available coal stock may be insufficient to declare full availability of Unit II. In such circumstances, KPL procures non-linkage coal to build up the required coal stock and declare availability to Haryana Discoms. Based on the capacity declared for Haryana Discoms, the corresponding balance 5% capacity is declared for Chhattisgarh Discom.

23. The Petitioner further submitted that the availability of linkage coal stock should be assessed on a month-wise basis rather than with reference to the total quantity of coal required for annual power generation. The quantum of linkage coal varies from month to month depending upon the receipt of coal rakes from SECL under the FSA. The allocation of such rakes is decided in sub-group meetings comprising representatives of the Ministry of Coal, Ministry of Power, CEA, CIL, SECL, Railways, State GENCOS and IPPs. Due to rationing of rakes by the sub-group, the linkage coal quota of a particular quarter under the FSA, through both rail and road modes, may be carried forward to the subsequent quarter.

24. Accordingly, the Petitioner submitted that it has been using non-linkage coal to complement the shortfall in receipt of linkage coal on monthly

basis to generate power and supply the same from its Unit II in the ratio of 95%:5% to Haryana Discoms: Chhattisgarh Discom.

25. In the petition, the Petitioner has submitted normative LPPF of 2,406.63 Rs/MT for the FY 2023-24.

Respondent's Submission

26. Respondent submitted that as per recital Regulation (e) (iii) of the PPA signed between the Petitioner and the Respondent, provides that the Petitioner would be supplying 5% power to Respondent by using linkage coal only. Thus, only the cost of linkage coal can be taken into consideration for determining the tariff of power to be supplied by Petitioner to Respondent. However, Petitioner has not provided the data of the linkage coal procured by it which was further used for supplying power to Respondent and, therefore, the Respondent requested that the Petitioner maybe directed to provide the same and only the cost of linkage coal maybe taken to determine the tariff of the power being supplied by Petitioner to Respondent.

Commission's View

27. The Commission does not agree with the submission of respondent CSPDCL that coal procured through e-auction and open market should not be considered for computation of landed price of coal. The Commission in previous orders related to the present power plant, has considered coal procured from e-auction and open market for computation of LPPF after consuming entire allocated linkage coal. In the present case, the Commission has observed that quantum of linkage coal received by the Petitioner during FY 2023-24, was sufficient to generate 90.74 MU which was supplied to the respondent CSPDCL during FY 2023-24. Therefore, while computing the LPPF, the Commission has considered the landed price and quantum of linkage coal only.

28. The Commission has verified the submission of the Petitioner and found the same in order, therefore, has considered Linkage coal for computing ECR. Further, the opening and closing stock of coal, is provided in the table below:

Table 5: Details of Coal Stock

S. No.	Particular	Opening Stock		Purchase		Received in Stock Yard	Consumption as per book		Closing Stock	
		Qty in MT	Amount in Rs.	Qty in MT	Amount in Rs.	Qty in MT	Qty in MT	Amount in Rs.	Qty in MT	Amount in Rs.
1	Linkage Coal (MCL-FSA)	127,976	285,481,519	1,310,706	3,179,158,564	1,310,706	1,312,268	3,158,145,381	126,413	306,494,702
2	E-Auction	13,360	29,802,759	59,808	277,754,888	59,808	70,081	296,735,334	3,087	10,822,312
	Total	**141,336**	**315,284,278**	**1,370,514**	**3,456,913,452**	**1,370,514**	**1,382,350**	**3,454,880,715**	**129,500**	**317,317,014**

29. The Commission has examined the coal bills submitted by the Petitioner so as to ascertain the price and quantum of coal and after being satisfied, the Commission has considered the LPPF as Rs. 2.41/- per kg for FY 2023-24.

Table 6: Landed Price of Primary Fuel

S. No.	Particular	Unit	As submitted by the Petitioner	As considered by the Commission
1.	Weighted Average Landed Price of Primary fuel	Rs./kg	2.41	2.41

Specific Fuel Oil Consumption (SFC)

Petitioner's Submission

30. The Petitioner has considered normative SFC for the plant as 0.50 ml/kWh in accordance with 43.4 of CSERC MYT Regulation 2021 for computation of Energy Charges. For computation of actual ECR, the petitioner has submitted actual SFC of 0.07 ml/kWh for FY 2023-24.

Respondent's Submission

31. Respondent has submitted that the Petitioner has not submitted the abstract of the data pertaining to secondary fuel procured by it which was further used for supplying power to Respondent and therefore, it is requested that the Petitioner maybe directed to provide the same and only the cost of secondary fuel used by the Petitioner in supplying power to Respondent maybe taken to determine the tariff of the power being supplied by Petitioner to Respondent.

Commission's View

32. The Commission has considered normative Specific Fuel Oil

consumption for the Petitioner's plant as 0.50 ml/kWh in accordance with 43.4 of CSERC MYT Regulation 2021 for computation of normative ECR. Further, in the rejoinder to reply of CSPDCL, the Petitioner requested the Commission to consider normative value of SFC and actual SFC for the computation of normative and actual Energy Charge Rate respectively.

33. The Commission after prudence check, has considered actual SFC as 0.07 ml/kWh FY 2023-24.

Table 7: Secondary Fuel Oil Consumption

S. No.	Particular	Unit	Petitioner's Submission	Normative SFC as considered by the Commission	Actual SFC as considered by the Commission
1.	Secondary Fuel Oil Consumption	ml/kWh	0.07	0.50	0.07

Weighted Average Landed Price of Secondary Fuel ($LPSF_i$)

Petitioner's Submission

34. The Petitioner has considered weighted average landed price of secondary fuel as Rs. 0.07 /ml for FY 2023-24.

Respondent's Submission

35. Respondent has submitted that the Petitioner has not provided the abstract of the data pertaining to Landed Price of Secondary Fuel procured by it which was used for supplying power to Respondent and therefore, the Respondent requested that the Petitioner maybe directed to provide the same and only the cost of secondary fuel used by the Petitioner in supplying power to Respondent maybe taken to determine the tariff of the power being supplied by Petitioner to

Respondent.

Commission's View

36. After prudence check, the Commission has considered weighted average landed price of secondary fuel Rs. 0.07 /ml for FY 2023-24.

Table 8: Stock detail of Secondary fuel

Particular	Opening Stock		Purchase		Consumption as per book		Closing Stock	
	Qty in KL	Amount in ₹	Qty in KL	Amount in ₹	Qty in KL	Amount in ₹	Qty in KL	Amount in ₹
LDO	209.05	13,725,180.05	114.00	9,863,150.28	143.12	10,292,343.68	179.93	13,295,986.65
HFO	294.92	15,333,865.81	132.00	8,063,004.38	143.26	7,792,735.38	283.66	15,604,134.81
Total	**503.97**	**29,059,045.86**	**246.00**	**17,926,154.66**	**286.38**	**18,085,079.06**	**463.59**	**28,900,121.46**

Table 9: Landed Price of Secondary Fuel

S. No.	Particular	Unit	As submitted by the Petitioner	As considered by the Commission
1.	Weighted Average Landed price of Secondary fuel	Rs/ml	0.07	0.07

Energy charge rate considering sharing of gains and losses:

37. Regulation 11 of MYT Regulations, 2021 specifies controllable and uncontrollable factors which re as under:

"11.1 For the purpose of these Regulations, the term "uncontrollable factors" shall comprise of the following factors, but not limited to, which were beyond the control of the applicant, and could not be mitigated by the applicant:

(a) Force Majeure events;

(b) Change in law,

(c) *Judicial pronouncements,*

(d) *Fuel prices i.e. price of coal, oil and all primary-secondary fuel;*

(e) *Sales mix and quantum of sales;*

(f) *Cost of power purchase;*

(g) *Costs on account of inflation;*

(h) *Taxes and Statutory levies.*

11.2. For the purpose of these Regulations, the term "Controllable factors" shall comprise of the following:

(a) *Capitalization on account of cost overruns in the implementation of a capital expenditure project not attributable to an approved change in scope of such project, change in statutory levies or circumstances beyond control of the generating company orthe licensee, as the case may be.*

(b) *Generation performance parameters like PLF, SHR, Auxiliary consumption, PAF etc;*

(c) *Energy losses computed in accordance to Regulation 7 (d)Operation & Maintenance expenses;*

(d) *Failure to meet the standards specified in the Standards of Performance Regulations, except where exempted;*

(e) *Variation in Wires Availability and Supply Availability."*

38. MYT Regulations, 2021, specifies generation performance parameters

like PLF, SHR, Auxiliary consumption, PAF as controllable factor. Regulation 13 of MYT, Regulations, 2021 specifies mechanism for sharing of gains and losses on account of controllable factors. Accordingly, aggregate net gain on account of over achievement or aggregate net loss on account of under achievement in reference to the norms set in tariff order for efficiency linked controllable items shall be passed on to the beneficiary/consumer(s) and retained by the generating company in the ratio of 1/3:2/3 in case of losses and 2/3:1/3 in case of gains.

Table 11: Energy Charge rate as approved by the Commission

S. No.	Particular	Unit	FY 2023-24			
			Petitioner's Submission		Approved by the Commission	
			Normative	Actual	Normative	Actual
1	Aux	%	8.25	8.56	8.25	8.56
2	CVPF	kCal/kg	3,550	3,550	3,550	3,550
3	CVSF	kCal/ml	10.00	10.00	10.00	10.00
4	GSHR	kCal/kWh	2,350.00	2,365.14	2350.00	2,365.14
5	LPPF	Rs./Kg	2.41	2.41	2.41	2.41
6	SFC	ml/kWh	0.50	0.07	0.50	0.07
7	$LPSF_i$	Rs./ml	0.07	0.07	0.07	0.07
8	ECR (Ex-Bus)	Rs./kWh	1.772	1.759	1.772	1.759
9	**ECR (after sharing of Gains and Losses)**	**Rs./kWh**	**1.763**		**1.763**	

Reimbursement of water charges, electricity duty on auxiliary consumption and electricity duty on sale of electricity.

Petitioner's Submission

39. The Petitioner claimed water charges on monthly basis based on the actual water charges paid to the Water Resources Department, Govt. of Chhattisgarh. The Petitioner submits that the Contracted Capacity defined as per signed PPA between the Petitioner and CSPTCL is 5% of 300 MW Unit II i.e. 15 MW. However, the Petitioner is obligated to supply only 5% of the net power generated from the 300 MW Unit II, which will depend on the generation from the Unit. It is further submitted that the Water Resource Department (WRD), Chhattisgarh have allocated water on annual basis with minimum monthly Charges for given monthly allotment. The water charges is being paid on monthly basis based on the monthly invoices raised by it. WRD has been raising invoices for minimum 90% of water usage. The Petitioner has to pay at least 90% of the amount specified in the monthly water charges bills raised by WRD irrespective of the usage, such as even during Annual Overhauling, Emergency Breakdown/forced outage even though the generating unit may not consume much water during the outages. It is further submitted that the demands/ bills raised by the Petitioner are for the entire Power Plant of the Petitioner and not specific to the quantum of power supplied. As the Petitioner has contracted the entire capacity of the Power Plant with the beneficiaries on long term basis viz. 300 MW Unit I to MP State and 300 MW Unit II in the ratio of 95% to Haryana State and 5% to Chhattisgarh State. Thus, the reimbursement to the Petitioner shall be in proportion to the Contracted Capacity to be supplied by the Petitioner to the Respondent No. 1, i.e., 5% of 300 MW Unit II. Therefore, the charges ought to be paid by State Trading Company / CSPDCL to the Petitioner at 5% of 300 MW and not in

proportion of quantum of power purchased by State Trading Company/CSPDCL as the Petitioner is obligated to supply only 5% of the net generation from 300 MW Unit 2.

40. Accordingly, the Petitioner requested the Commission to allow reimbursement of water charges based on actual amount paid corresponding to the contracted capacity under the PPA i.e. 5% of 300 MW Unit II.

In addition to above, the Petitioner requests the Commission to allow reimbursement of electricity duty on auxiliary consumption and electricity duty on sale of electricity on actual basis under the PPA i.e. contracted capacity of 5% of 300 MW Unit 2.

Respondent's Submission

41. Respondent submitted that MYT Regulations 2021, are applicable for FY 2023-24. In this Regulation, water charges are kept as part of fixed cost expense as the same are under the head of annual fixed charges. Further, the Respondent states that under Regulation 40.5.2 "Maintenance & General (M&G) Expense", water charges are included and the only difference is that the same are allowed as pass-through in tariff on actual basis, however, the nature of water charge is still unchanged and the same is part of fixed cost expense. The Petitioner which is supplying 5% of net generated power to the Respondent on variable charge only, should not be entitled for reimbursement of water charges and electricity duty. Therefore, respondent requested the Commission not to allow water charges and electricity duty.

Commission’s View

42. In regards to the submission of the Petitioner to allow reimbursement of water charges based on actual amount paid corresponding to the

contracted capacity under the PPA i.e. 5% of 300 MW Unit II, the Commission is of the view that we have allowed reimbursement of water charges limited only to the proportion of quantum of power purchased by CSPDCL vide order dated 01.01.2020, 28.10.2022, 10.05.2023 and 26.06.2024 passed in petition no. 41 of 2017, petition no. 31 of 2020, petition no. 101 of 2022 and petition no. 98 of 2023 respectively. As the Commission has allowed genuine claim of reimbursement of the water charges in proportion to power supplied by the Petitioner, we don't find any infirmity in the same. Therefore, water charges, statutory taxes, such as electricity duty, cess etc. shall be recoverable by the generating company on reimbursement basis limited only to the proportion of quantum of power supplied to CSPDCL.

WRLDC fees and charges, ULDC charges and NLDC charges.

Petitioner's Submission

43. Similar to the water charges and electricity duty, the Petitioner requested the Commission to allow reimbursement of WRLDC, ULDC and NLDC charges paid by the Petitioner on actual basis under the PPA i.e., the contracted capacity of 5% of 300 MW Unit 2.

Respondent's Submission

44. Respondent has submitted that the Petitioner has not submitted the abstract of the data pertaining to WRLDC fees and charges, ULDC charges and NLDC charges and therefore, the Respondent requested that these charges shall be as per the MYT Regulations 2021 subject

to 5% of the net power supplied by the Petitioner to the Respondent.

Commission's View

45. As per the MYT Regulations 2021, the respondents are mandated to pay WRLDC, ULDC and NLDC charges on actual basis for the share of power purchased from Petitioner. Hence, the Commission is of the view that WRLDC, ULDC and NLDC charges paid by the Petitioner shall be pass through on reimbursement basis.

Issue of recovery of petition filing fees and expenses incurred on publication of notices.

Petitioner's Submission

46. The Petitioner has submitted that it has deposited the requisite filing fees of Rs. 5,00,000/-for determination of the tariff and its true up as per CSERC MYT Regulations 2021 against supply of five percent (5%) power from 300 MW Unit II coal based thermal power plant of M/s. Korba Power Ltd., Pathadi, Korba, Chhattisgarh to the Respondent during FY 2023-24. In addition, the Petitioner submitted that it shall also be allowed to incur publication expenses for publishing the gist of the tariff under the tariff petition in local newspapers and get reimbursement of the same from the Respondent.

Respondent's Submission

47. Respondent has not submitted anything in relation to filing fees and expenses.

Commission's View

48. As regards the above claim of the Petitioner, the relevant provision of the MYT regulations 2021 reads as under;

"The application filing fee and the expenses incurred on publication of notices in the application for approval of tariff, be allowed to be recovered by the generating company or the transmission licensee/STU or the distribution licensee, as the case may be, directly from the beneficiaries or the transmission customers, as the case may be:"

49. In the light of the aforesaid provision, the claim of Petitioner is allowed. Accordingly, the Petitioner is at liberty to recover the said amount from the beneficiary i.e. CSPDCL.

Issue of recovery of carrying cost/holding cost

50. Regulation 32 and 26.4 of the CSERC MYT Regulations, 2021, provides for computation of applicable rate of carrying cost. The same are given below:

> ***"32 The Commission shall compute carrying cost holding cost as the case may be for a particular year, at the rate equal to the rate of interest rate as allowed for computation of Interest on Working Capital Loan for the said year."***
>
> ***"26.4 Interest on working capital shall be estimated at the rate equal to the Marginal Cost of Fund based Lending Rate (MCLR - one year tenor) of State Bank of India plus 200 basis point prevailing on 30th September of current financial year. During truing-up, the interest on working capital shall be computed at an average actual sanctioned rate of interest during the year."***

In view of the above, for the computation of carrying cost, the Petitioner was directed to submit the details of the actual working capital loans availed during FY 2024-25 as additional information along with supporting documents for prudent check. The Petitioner in

its reply has submitted that it has met the working capital requirement through internal resources.

As the petitioner has not availed actual working capital loan for FY 2024-25, therefore, the Commission decides to allow the petitioner to recover carrying cost or to pay holding cost, as the case may be, at a rate equal to normative interest rate i.e. SBI MCLR plus 200 basis point as per Regulation 26.4 of MYT Regulations, 2021. The issue of recovery of the carrying cost is pending before the hon'ble Supreme Court in civil appeal no. 11317 of 2025 filed by M/s CSPDCL, therefore, the Commission has decided to maintain its earlier approach adopted in similar cases, whereby, carrying cost shall be allowed from the date of filling of the petition, in cases where the petitioner fails to file the petition within prescribed time. In the present case, petitioner failed to file the petition within prescribed time i.e. by 30.11.2024. Therefore, the carrying cost, if any, will be recoverable from the date of filing of the petition whereas holding cost, if any, will be paid from the date it became due. Carrying cost/holding cost should be computed in line with the computations done by the Commission while passing the tariff orders for State Power Companies.

Summary of truing up of energy charge rate of FY 2023-24

(i) Considering the gains and losses with respect to normative parameters, ex-bus energy charge rate for FY 2023-24 shall be Rs. 1.763 per kWh.

(ii) During scrutiny, the Commission has observed that the Petitioner has supplied approximately 5.06% of net generated energy during FY 2023-24.

51. We order accordingly.

Sd/-	**Sd/-**
Ajay Kumar Singh	**Vivek Ganodwale**
Member (Tech)	**Member (Law)**