

**Filing of**

**Reply**

**to**

**Hon'ble UERC's Letter No. 63/UERC/MB-II/08 dated  
17.04.08**

*to*

**UTTARAKHAND ELECTRICITY REGULATORY  
COMMISSION**

**For**

**Maneri Bhali-II Large Hydro Generating  
Station**

**UTTARAKHAND JAL VIDYUT NIGAM LIMITED  
UJJWAL, Dehradun**

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

At 80, Vasant Vihar, Phase-I, Dehradun, Uttarakhand.

FILING NO. \_\_\_\_\_

CASE NO. \_\_\_\_\_

**In the matter of: Filing of Reply to the Hon'ble UERC Letter No. 63/UERC/MB-II/08 pertaining to determination of PROVISIONAL Tariff for Maneri Bhali-II generating station of Uttarakhand Jal Vidyut Nigam Ltd. under Section 62 and 86 of the Electricity Act, 2003 read with the relevant regulations and guidelines of the Commission**

**AND**

**In the matter of: Uttrakhand Jal Vidyut Nigam Limited (hereinafter referred to as "UJVNL"), a Company incorporated under the provisions of the Companies Act, 1956 and having its registered office at UJJWAL, Maharani Bagh, GMS Road, Dehra Dun – Petitioner.**

## **A. Specific Legal Provisions under which the Petition is being filed**

1. The Uttarakhand Jal Vidyut Nigam Limited (hereinafter referred to as "UJVNL"), under Section 16 of the Uttarakhand Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 is filing this supplementary Petition before the Hon'ble Commission for approval of **Provisional Tariff** of its Maneri Bhali-II Power Station.

## **B. Limitation**

2. The petition is not barred by any Limitation.

## **C. Facts of the case**

3. The Petitioner, Uttarakhand Jal Vidyut Nigam Limited (hereinafter referred to as "UJVNL") is a company incorporated under the provisions of the Companies Act, 1956, having its registered office at UJJWAL, Maharani Bagh, GMS Road, Dehradun.
4. The petitioner submitted the petition for determination of provisional Tariff of its Maneri Bhali-II power station on 14.11.2006.
5. It is further submitted that the above stated petition was returned by the Hon'ble UERC along with the filing fees vide its letter No. 674/UERC/Misc. App. No. 38/2006 dated 04/12/2006 on the following grounds: -

- The anticipated date for completion of the Project based on the Current Status was not indicated.
  - The details of capital expenditure actually incurred, duly audited and certified by statutory auditors upto the date of making application or a date prior to this date has not been submitted.
  - The authorization as per the Board resolution dated 14.08.2006 does not cover authorisation for filing the Petitions pertaining to Maneri Bhali- II.
6. It is further submitted that the above stated petition along with supplementary petition was submitted with the Hon'ble commission vide letter no. 104/Tariff/UERC/MB-II dated 25/02/08.
7. It is further submitted that the Hon'ble UERC vide its Letter No 63/UERC/MB-II/08 dated 17.04.08 informed certain deficiencies in the above certain petition.
8. Further to the submissions in the above referred petition filled, point wise replies to the above referred letter of the Hon'ble commission are submitted as follows:
- i) Reference is invited to the "Para 29" of the supplementary petition filled with the Hon'ble Commission on 25/02/08 wherein it was requested as follows:
- "Kind attention of the Hon'ble Commission is invited to the matter pertaining to refund of excess amount of Rs. 40 Lacs paid along with Tariff petitions filled by UJVNL. Copy of letter no. 680/ED (B&C)/ UJVNL/2006 dated 05/05/06 and letter no. 105/ED (B & C)/UJVNL/2006 dated 23/01/06 are placed on **Annexure-14** for ready reference, the contents of which are self explanatory.*

*It is humbly requested that an amount of Rs. 10 Lacs towards filling fee of the current petition may kindly adjusted from the above amount refundable.”*

However, As desired the requisite fee amounting to Rs. 10 lacs is being deposit herewith vide DD no. Dated .....

- ii) The accounts of UJVNL have already being audited for the FY 2001-02, 2002-03 and 2003-04. Copies of the audited balance sheet incorporating therein the capital expenses incurred on MB-II project have already being submitted with the Hon'ble Commission. For the FY 2004-05 to 2006-07, copies of provisional accounts have already being submitted with Hon'ble commission incorporating therein the capital expenditure incurred on MB-II project.

It is respectfully submitted that though all efforts are being taken for expeditious finalization and audit of accounts, the Hon'ble Commission may kindly consider provisional accounts for the FY 2004-05 to 2006-07 for determination of provisional tariff of MB-II Generating Station.

- iii) Financial assistance amounting to Rs. 800 Crores (loan no. 09202001) towards the project cost of Rs. 1249.18 Crores was sanctioned by Power Finance Corporation Ltd. vide letter no. 03/05/ UJVNL/ Maneri-II/ 2002/ Vol.-I dated 27/03/2002. Further, additional financial assistance amounting to Rs. 400 Crores (loan no. 09202002) towards the project cost of Rs. 1714.40 Crores was sanctioned vide letter no. 03/05/ UJVNL/ Vol.-I/ 05-06/Maneri Bhali-II<sup>nd</sup> loan dated 20/10/05. The photocopy of the above referred letter is placed on **Annexure-I**.

Details of amount disbursed by PFC, Rs 800 Crores and Rs. 400 Crores, of the sanctioned loan is placed on **Annexure-II**.

#### **D. Cause of Action**

9. As per Hon'ble UERC Letter No 63/UERC/MB-II/08 dated 17/04/2008 UJVNL is required to submit the additional information/ explanations on Petition for determination of provisional tariff for Maneri Bhali-II Hydro Generation station of Utrakhand Jal Vidyut Nigam Limited under Section 62 and 86 of the Electricity Act, 2003 read with the relevant regulations and guidelines of the Commission.

#### **E. Ground of Relief**

10. The Petitioner hopes that Hon'ble Commission finds the above in order. The petitioner would be pleased to furnish any other Clarification/information in the matter as and when required. The same may be suitably considered for the orders of the Hon'ble Commission.

#### **F. Detail of Remedies Exhausted**

11. Not Applicable.

#### **G. Matter Not Previously Filed or Pending With any Court**

12. The petitioner (s) further declares that he has not previously filed any petition or writ petition or suit regarding the matter in respect of which this petition has been made, before the Commission, or any other court or any other authority, nor any such writ petition or suit is pending before any of them.

#### **H. Relief Sought**

13. It is respectfully submitted that In view of the facts mentioned above, the Petitioner prays for the following relief:

- Treat the present filing as complete in view of substantial compliance with justification placed on record;
- Condone any inadvertent omissions/ errors/ shortcomings and permit the Petitioner to add/ change/ modify/ alter this filing and make further submissions as may be required at a future date;
- Consider and approve the Petitioner's application including all requested regulatory treatments in the filing;
- Consider relaxation in the submissions of Petitioner that could be at variance with the orders and regulations of the Hon'ble Commission;
- Pass such orders, as the Hon'ble Commission may deem fit and proper in view of the facts and circumstances of the case.
- The Hon'ble Commission may kindly consider provisional accounts for the FY 2004-05 to 2006-07 for determination of provisional tariff of MB-II Generating Station.

**I. Interim Order, in any, prayed for**

14. Not applicable

**J. Details of Index**

15. The list of enclosures is detailed below: -

- a. Copy of sanctioned letter of PFC pertaining to loan of Rs. 1200 Crores.
- b. Statement of amount disbursed by PFC.

**K. Particulars of Fee Remitted**

1) The details of the fee remitted are as follows:

Bank Draft No

In favour of- Uttaranchal Electricity Regulatory Commission

Drawn at - PNB - Yamuna Colony

Dated -

**L. List Of Enclosures**

18. This Petition containing the following documents/ annexure:

- a) **Annexure – 1:** Copy of sanctioned letter of PFC pertaining to loan of Rs. 1200 Crores
- b) **Annexure – 2:** Copy Statement of amount disbursed by PFC.

**Uttarakhand Jal Vidyut Nigam Limited**  
**Petitioner**

Dehradun

Dated: