

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 56/SM/2013 (Suo Motu)

Coram:

Shri V.S. Verma, Member

Shri M Deena Dayalan, Member

Date of Hearing: 23.07.2013

Date of Order: 19.12.2013

In the matter of:

Show cause notice under Section 142 of the Electricity Act, 2003 for non-Compliance of Commission's direction dated 26.9.2012 in Petition No.168/MP/2011.

And

In the matter of:

1. Uttar Pradesh State Load Despatch Centre, Lucknow
Shakti Bhawan,
14- Ashok Marg,
Lucknow- 226001
2. SLDC, Power Development Deptt.,
SLDC Building, Narwalbala,
Gladini, Jammu – 180016.
3. Rajasthan Rajya Vidyut Prasaran Nigam Ltd.,
Vidut Bhawan, Vidyut Marg, Janpath,
Jaipur – 302005
4. SLDC, Punjab State Electricity Transmission Corp. Ltd.,
SLDC Building, near 220 kv grid,
Substation, PSTCL, Ablawal
Patiala- 147001
5. Haryana Vidyut Prasaran Nigam Ltd.,
Shakti Bhawan,
Sector-6, Panchkula- 134109
6. SLDC, Delhi Transco Ltd.,
SLDC Building, 2nd Floor,
33 Kv Substation, Minto Road,
New Delhi -110002

7. SLDC, Himachal Pradesh State Electricity Board,
SLDC Complex, Totu,
Shimla – 171011
8. SLDC, Power Transmission Corp. of Uttarakhand Ltd.,
7-B, Lane-1, Vasant Vihar Enclave,
Dehradun-248001
9. NRTS-I, PGCIL,
B-9, Qutub institutional area, Katwaria Sarai,
New Delhi – 110016
10. NRTS-II, PGCIL,
OB-26 Grid Bhawan Rail Head Complex
Jammu 180012
11. Narora Atomic Power Station,
Narora , Distt. Bulandshahar,
Uttar Pradesh- 202389
12. Rajasthan Atomic Power Station – A,
Anu Shakti Vihar, Kota
Rajasthan- 323303
13. Rajasthan Atomic Power Station – B,
Anu Shakti Vihar, Kota
Rajasthan- 323303
14. Rajasthan Atomic Power Station – C,
Anu Shakti Vihar, Kota
Rajasthan- 323303
15. Sewa-II Hydro Electric Project, NHPC Limited,
Surangini, Distt.
Chamba -176317
16. Salal Hydro Electric Project, NHPC Limited,
Jyotipuram, Distt.
Udhampur -18231
17. Bairasiul Hydro Electric Project, NHPC Limited,
Surangini, Distt.
Chamba – 176317
18. Dhauliganga Hydro Electric Project, NHPC Limited,
Tapovan, Dharchula,
Pittoragarh, Uttarakhand -262545

19. Dulhasti Hydro Electric Project, NHPC Limited,
Chenab Nagar, Distt. Kishtwar,
J&K – 182206
20. Koteswar Hydro Electric Project,
Tehri Hydro Development Corporation Limited,
Koteshwar Puram via Bhagirathipuram,
Tehri Garwal, Uttarakhand -249124
21. Tehri Hydro Development Corp. Ltd.,
Pragatipuram,
Rishikesh , Uttarakhand -249201
22. Jhajjar Thermal Power Project,
Aravali Power Co. Ltd.,
1st floor, pawan Hans Towers,
C-14, Sector-1,
Noida -201301.
23. Allain Duhangan HEP,
Kullu, Himachal Pradesh
24. Karcham- Wangtoo H.E. Project,
Jaypee- Karcham Hydro Corporation Limited,
Sholtu Colony, Dist, Kinnaur,
Tapri, Himachal Pradesh -172104
25. Ramgundam STG I & II,
NTPC, RSTPS,
Jyotinagar, dist.
Karim Nagar, Andhra Pradesh -505215
26. Ramagundam STG I & III,
NTPC, RSTPS,
Jyotinagar, dist.
Karim Nagar, Andhra Pradesh -505215
27. NTPC Talcher STG II,
Deepshikha (Kaniha)- 759147
Angul, Orissa
28. NLC TPS II STG I,
Neyveli Lignite Corp. Ltd., Thermal Power Station II,
Neyveli – 607807 , Tamil Nadu
29. NLC TPS II STG II,
Neyveli Lignite Corp. Ltd., Thermal Power Station II,

Neyveli – 607807 , Tamil Nadu

30. NLC TPS I Expansion,
Neyveli Lignite Corp. Ltd., Thermal Power Station I (Expn.),
Tamil Nadu -607807
31. Madras Atomic Power Station,
Kalpakkam, Tamil Nadu -603102
32. KGS UNITS 1 and 2, NPCIL,
Kaiga Generating Station,
Kaiga -581400, Karwar, Karnataka
33. KGS UNITS 3 and 4, NPCIL,
Kaiga Generating Station,
Kaiga -581400 ,Karwar, Karnataka
34. Lanco Kodapalli Power Pvt. Ltd.,
Kondapalli , Ibrahimpatnam, Mandal- 521228
35. Transmission Corporation of Andhra Pradesh Ltd.,
Vidyut Soudha,
Hyderabad -500082
36. Karnataka Power Transmission Corporation Ltd.,
Bangalore -560009
37. Kerala State Electricity Board,
Vaidyuthi Bhavanam, Pattom,
Trivandrum -695004
38. Tamil Nadu Transmission Corporation Ltd.,
144, Anna Salai, Chennai 600002
39. Puducherry Electricity Deptt.,
Electricity Deptt. of Puducherry,
Puducherry -605001
40. Goa Electricity Board,
Viduy Bhawan Panaji,
Goa- 403001
41. SR-I, Power Grid Corporation of India, SRTS-I,
Commercial complex, R.P. road,
Secunderabad -500003
42. SR-II, Power Grid Corporation of India, SRTS-II,

Race Course road, Bangalore 560001

43. Maharashtra State Electricity Transmission Co. Ltd.,
HSBC Bank Building,
M.G. Road, Fort, Mumbai -400001.
44. State Load Depstach Centre, GETCO,
Gotri, Vadodara -390021
45. M.P. Power Transmission Co. Ltd., SLDC,
Nayagaom, Rampur, Jabalpur -482008
46. Goa Electricity Department,
Vidyut Bhawan, Pananji
Goa- 403001
47. Electricity Department, Dadar Nagar Haveli,
U.T. Silvassa -396230
48. Electricity Department,
Power House Building 2nd floor,
Daman and Diu, Daman -396210.
49. Narmada Control Authority,
Narmada Sadan, block-B,
Scheme 74, Vijay Nagar,
Indore (MP)
50. WRTS-I, PGCIL,
Sampriti Nagar, P.O Uppalwwadi,
Nagpur -440026
51. WRTS-II, PGCIL,
5th and 6th floor, VUDA Bhawan,
Vadodara, Gujarat -390018
52. SLDC, Chhattisgarh State Power Transmission Co. Ltd.,
CS Power Transmission Co. Ltd.
Danganiya,
Raipur , Chhattisgarh- 492013
53. Bihar State Electricity Board,
Vidyut Bhawan, Bailey Road,
Patna -800021
54. Orissa Power Transmission Corp. Limited,
Bhubaneswar 751022

55. WBSETCL,
Vidyut Bhawan, Bidhannagar,
Block-DJ, Sector- II,
Kolkata -700091
56. Jharkhand State Electricity Board,
Doranda, Ranchi 834002
57. Energy and Power Deptt.,
Govt. of Sikkim,
Kazi Road, Gangtok -737101
58. Damodar Valley Corporation,
DVC Tower, VIP Road,
Kolkata -700054
59. ERTS-I, Power Grid Corporation of India Ltd,
2nd, 5th &6th floor, Alankar Place, Boring Road,
Patna -800001
60. ERTS-II, Power Grid Corporation of India Ltd,
J-1-15, Block EP Sector-V, Bidhanagar, Salt Lakh,
Kolkata- 700091
61. Sterlite Energy Ltd.,
Bhurkahamunda, Jharsuguda,
Bhubaneswar -768202
62. Maithon Power Limited,
C-43, sector-62, Noida 201307
63. NTPC,ER-I,
IInd floor, Lok Nayak Jai Prakash Bhawan,
Dak Bunglaow Chowk,
Patna -800001
64. NTPC,ER-II,
OLIC Building, Plot no. – N17/2, Nayapalli,
Bhubaneswar – 751012
65. NHPC Ltd
NHPC Office Complex,
Sector-33, Faridabad -121003
66. NTPC, Farakka Super Thermal Power Station,
Nabarun, Murshidabad -742236

67. NTPC, Talcher Super Thermal Power Station,
Deepshikha, Angul -759147
68. NTPC, Kahalgaon Super Thermal Power Station,
KahalgaonSTP,
Bhagalpur -813214
69. Assam Electricity Generation Company Limited,
Bijulee Bhawan, Paltan Bazar,
Guwahati -781001
70. Meghalaya Energy Corporation Ltd.,
LumJingshai, Short round road,
Shillong -793001
71. Tripura State Electricity Corporation Ltd.,
Bidhut Bhavan, Banamalipur, Agartala, Tripura
72. Department of Power,
Govt. of Arunachal Pradesh,
Itanagar 791111
73. Department of Power and Electricity,
Govt. of Mizoram,
Aizwal -796001
74. Department of Power,
Govt. of Nagaland,
Kohima -797001
75. Department of Power,
Govt. of Manipur,
Imphal -795001
76. NEEPCO Ltd.,
Brookland compound,
Lower New Colony,
Shillong -793003
77. NHPC Ltd.,
Manipur
78. Power Grid Corporation of India Limited,
Dongtieh, Lapalang, Shillong 793001.

... Respondents

The following were present:

Shri P.K. Agarwal, NLDC
Ms. Jyoti Prasad, POSOCO
Shri Raj Porwal, NRLDC
Shri Naveen Nath Das, NCA
Shri Sudip Goswami, WBSETCL
Shri P.L. Gouda, OPTCL
Shri Amit Singh
Shri J. Mazumder
Shri Shashi Bhushan
Shri S. Ganguly, Sterlite Energy Ltd
Shri J.M. Bansod
Shri Pushpendra Singh
Shri K.N. Madhusoodhawan
Shri H.K. Rathore
Shri Debasis De
Shri M.K. Ramesh
Shri S. Sen
Shri F.E. Kharshing, MECL
Shri B.C. Bordoloi, AEGCL
Shri H.M. Sharma, AEGCL
Shri Sajeev .R, THDC
Shri Ng. Sarat Singh, Manipur Power Deptt.
Shri Mohd. Anwaruddin, APTRANSCO
Shri D. Vasudeva Rao, APTRANSCO
Shri S.P. Barnwal, ERLDC
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri V.G.Manoharan, TANTRANSCO
Shri Harish Gupta
Shri A. Senshami
Shri V. Kaikhochin, POSOCO
Shri Arvind Agrawal,RVPNL
Shri A.K.Baid, RVPNL
Shri Y.K .Dixit, PGCIL
Shri Mahesh Tiwari, PGCIL
Shri Rohit Chhabra, NTPC
Shri Ajay Dua, NTPC
Ms. Swapna Seshadri, Advocate, SLDC, Karnataka
Shri Sunder Singh, SLDC, Delhi
Shri R.B.Sharma, Advocate, GRIDCO, JSEB and BRPL
Shri Anuj V.J ,
Shri Bhaskar Keswani, NEEPCO
Shri Nava Kamal Bara, NEEPCO
Shri Kapil Ahuja, JPVL

ORDER

The Commission, in its order dated 26.9.2012 in Petition No. 168/MP/2011, had observed as under:-

45. We also observe that many State Transmission Utilities, State Power Departments/Electricity Departments have not responded to our directions to submit a clear-cut action plan for the establishment of the communication system for the existing system and the time schedule for completion including the provisioning for integration of new generating stations and the substations coming in future. We direct all users to submit the information by 31.10.2012 to the NLDC. We direct NLDC to submit a report by 10.11.2012 about the status of implementation of the telemetry system. If any user does not comply with our directions, it will be construed as non-compliance of the order of the Commission and appropriate proceedings under Section 142 of the Electricity Act, 2003 shall be initiated against such users"

2. In this connection, Regulation 4.6.2 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 (hereinafter "the Grid Code") which mandates the provision of telemetry system is extracted hereunder for ease of reference:

"4.6.2. Reliable and efficient speech and data communication systems shall be provided to facilitate necessary communication and data exchange, and supervision/ control of the grid by the RLDC, under normal and abnormal conditions. All Users, STUs and CTU shall provide Systems to telemeter power system parameter such as flow, voltage and status of switches / transformer taps etc. in line with interface requirements and other guideline made available by RLDC. The associated communication system to facilitate data flow up to appropriate data collection point on CTU's system shall also be established by the concerned User or STU as specified by CTU in the Connection Agreement. All Users/STUs in coordination with CTU shall provide the required facilities at their respective ends as specified in the Connection Agreement."

3. On examination of the status of provisions of telemetry system in the light of NLDC report under letter dated 9.11.2012, the Commission, vide its order dated 13.3.2013, directed the respondents to show cause by 28.3.2013 as to why appropriate action under Section 142 of the Electricity Act, 2003

(hereinafter “the Act”) should not be taken against them for non-compliance of the relevant regulations.

4. During the course of hearing on 16.4.2013, the representative of the POSOCO submitted that users of Northern Region and Eastern Region are not complying with the Commission`s directions. In these regions, real-time visibility problems have been found due to RTUs not being integrated in the system or intermittency of data.

5. As mentioned hereinabove, under the Grid Code, all users, STUs and CTU are required to provide systems to telemeter power system parameters in line with interface requirements and other guidelines made available by RLDC and associated communication system to facilitate data flow up to appropriate data collection point on CTU`s system. In view of the requirement of communication system for a generating station and sub-station, planning should be done in advance by the generating company and transmission licensee to ensure that necessary systems are in place before commissioning of generating station or sub-station to take care of the communication requirements even at the time of injection of infirm power by a generating station or a sub-station during testing.

6. It was noted that the following respondents had not filed reply to the show cause notice dated 13.3.2013:

- (i) Power Grid Corporation of India Limited,
- (ii) Rajasthan Rajya Vidyut Prasaran Nigam Limited,
- (iii) SLDC, Madhya Pradesh Power Transmission Co. Ltd.,
- (iv) Haryana Vidyut Prasaran Nigam Ltd,
- (v) Himachal Pradesh State Electricity Board, SLDC,
- (vi) Narora Atomic Power Station,

- (vii) Rajasthan Atomic Power Station,
- (viii) Koteshwar Hydro Electric Project,
- (ix) Tehri Hydro Development Corporation Ltd.,
- (x) Neyveli Lignite Corporation,
- (xi) Madras Atomic Power Station,
- (xii) Transmission Corporation of Andhra Pradesh Ltd.,
- (xiii) Karnataka Power Transmission Corporation Ltd.,
- (xiv) Tamil Nadu Transmission Corporation Ltd.,
- (xv) Electricity Deptt, Puducherry,
- (xvi) Goa Electricity Deptt.,
- (xvii) Electricity Deptt, Dadra Nagar Haveli,
- (xviii) Daman and Diu,
- (xix) Chhattisgarh State Power Transmission Co. Ltd.,
- (xx) Orissa Power Transmission Corporation Ltd,
- (xxi) Jharkhand State Electricity Board,
- (xxii) Energy Deptt. Govt. of Sikkim,
- (xxiii) Sterlite Energy Ltd,
- (xxiv) Assam Electricity Generation Company Ltd.,
- (xxv) Department of Power, Govt. of Arunachal Pradesh,
- (xxvi) Mizoram, Nagaland and
- (xxvii) Manipur,
- (xxviii) NEEPCO

7. Consequent to the failure to submit reply, the Commission directed the Chairman/Managing Director and Secretary (Power) of the said respondents to explain by 21.6.2013 as to why he should not be held personally liable for non-compliance with the directions dated 13.3.2013. Further, the Chairman/Managing Director and Secretary (Power) of those respondents who have not filed any reply and not complied with the Commission's directions were directed to appear before the Commission on the next date of hearing to explain the reasons for non-compliance of the order dated 13.3.2013.

8. Besides, the Officer-in-Charge of the National Load Despatch Centre and Regional Load Despatch Centres or their representatives were also directed to be present on the date of hearing to assist the Commission in proceedings.

9. During the hearing on 23.7.2013, the representative of NLDC submitted that large amount of data is not available from SLDCs and STUs. It has emerged that if we consider the telemetry not provided and telemetry provided but not working it becomes almost 52% of the overall system. Needless to add that this is very alarming.

10. Besides, the following submissions were made by the representatives and learned counsels of the respondents:

(a) The representative of Haryana submitted that ₹ 52 crore has been approved by the Electricity Department for implementation of telemetry system and within 36 months telemetry system would be implemented in all generating stations.

(b) The representative of NLDC submitted that the telemetry provided in generating stations must work properly so that the data can be made available at the concerned Load Despatch Center.

(c) Learned counsel for SLDC, Karnataka submitted that in all generating stations telemetry system are working and status report in this regard has already been submitted to NLDC on 6.11.2012.

(d) Learned counsel for GRIDCO, JSEB and BRPL submitted that replies have already been filed before the Commission. According to them major problem in Eastern Region is that the optical fibers are damaged during the road widening. Under the ULDC Scheme, PGCIL is responsible to repair the damaged optical fiber.

11. After hearing the parties, the Commission directed POSOCO to publish immediately, the latest status of telemetry in all utilities on the website of respective RLDCs, clearly indicating the sub-stations where (a) telemetry is not present at all (b) telemetry is present but not working.

12. The Commission directed all the utilities to submit information to POSOCO/RLDCs within 10 days of publishing of information by RLDCs failing which serious action would be taken against defaulting entities.

13. The Commission also directed POSOCO/NLDC to verify the information submitted by the utilities and submit the combined verified information by 25.9.2013 with an advance copy to RPCs. The Commission directed RPCs to monitor rectification of the defects in the telemetry system by the utilities.

14. Consequent to the above directions, POSOCO vide its affidavit dated 25.9.2013 has submitted the following:

(a) Updated telemetry status was uploaded in the RLDC's website by the respective RLDC's for the comments (if any) of the utilities, who were also informed through mail/letter/telephonically and requested to furnish comments on the current telemetry status.

(b) Region wise summary of the information on the current status of implementation of telemetry system as received from utilities and compiled by RLDCs and forwarded to NLDC.

(c) Details of the utilities who have responded and not responded.

(d) Advance copy of the complied telemetry status is being furnished to respective RPC's.

15. On the basis of report submitted by NLDC on 25.9.2013, the status of Powergrid net work telemetry availability is given below:

POWERGRID	% of availability of Telemetry	Intermittent Data
NR	68.33%	19 Sub-stations out of 60
WR	82.1%	5 Sub-stations out of 28
SR	97.4%	1 Sub-stations not provided out of 39
ER	88%	4 Sub-stations out of 33
NER	94.4%	1 Sub-station out of 18

16. Summary of the regional telemetry based on the available data is as under:

Date	Region	Total		Telemetry not provided		Telemetry intermittent	
		GS	SS	GS	SS	GS	SS
23-9-2013	NR	114	579	14	175	25	91
12-9-2013	WR	106	428	2	49	3	21
19-9-2013	SR	136	343	13	4	0	0
18-9-2013	ER	75	213	5	31	6	41
15-9-2013	NER	23	93	3	7	4	22

17. We are at pains to observe that despite the Commission's sustained initiative for the implementation of the statutory mandate, the progress achieved is far from satisfactory. We are constrained to place on record that

the overall scenario is very precarious. Accordingly, we issue the following directions:

(a) POWERGRID shall complete the telemetry on all its sub-stations within six months of the issue of order failing which action under Section 142 of the Act may be initiated. After six months, NLDC/ RLDC shall submit status report in this regard.

(b) Notice under section 142 of the Electricity Act, 2003 be issued against utilities which have not responded to NLDC as contained in the **Annexure** to this order.

(c) The State Load Despatch Centres shall be responsible for arranging compliance of the relevant telemetry provision viz. Regulation 4.6.2 of the Grid Code in their respective control area. They need to take necessary action including reporting the method to respective State Regulatory Commissions for taking action against utilities not complying with the Grid Code.

(d) Clause 6 (3) of the Central Electricity Authority (Technical Standard for connectivity to the grid) Regulations provides;

....."The requester and user shall provide necessary facilities for voice and data communication and transfer of online operational data, such as voltage, frequency, line flows and status of breaker and isolator position and other parameters as prescribed by the appropriate load dispatch centre".

In view of above, it is necessary to provide these facilities by the user/requester.

(e) If it is found that after six months any utility has not provided required telemetry, a disconnection notice may be sent to them by concerned State Utilities.

(f) RLDCs should upload latest status of telemetry as submitted to the Commission vide affidavit dated 25.09.2013 in the RLDC web site. The progress of compliance from various utilities shall be mentioned with respect to this data.

18. This order disposes of Petition No. 56/SM/2012.

Sd/-

(M Deena Dayalan)
Member

sd/-

(V. S. Verma)
Member

Annexure

List of utilities which have not responded to NLDC

S. No.	User Name
Northern Region	
1.	Delhi
2.	JK
3.	NTPC/JV
4.	NHPC
5.	NPCIL
6.	NJPC/THDC
7.	IPP
Western Region	
8.	Goa
9.	D D
10.	DNH
Eastern Region	
11.	JSEB
12.	Sikkim
13.	IPP (Maithon RB, Gati)
Southern Region	
14.	Karnataka
15.	Tamil Nadu
16.	ISGS (NTPC)
17.	Powergrid
Northern Eastern Region	
18.	TSECL
19.	Nagaland
20.	Mizoram
21.	Manipur
22.	Arunachal Pradesh