

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 209/MP/2015

Coram:

Shri Gireesh B. Pradhan, Chairperson

Shri A.K. Singhal, Member

Shri A.S. Bakshi, Member

Dr.M.K.Iyer, Member

Date of Hearing: 3.9.2015

Date of Order : 7.9.2015

In the matter of

Petition under Section 79 (1) (f) of the Electricity Act, 2003 read with Regulation 8 (7) of the Central Electricity Regulatory Commission (Grant of connectivity, Long-term Access and Medium-term Open access in inter-State transmission and related matters) Regulations, 2009 and clause 6.4 of the procedure for drawl of start-up power for new generating station, 2014.

And

In the matter of

R.K.M. Powergen Pvt. Ltd.
14, Dr. Giriappa Road,
T.Nagar, Chennai-600 017

...Petitioner

Vs

Western Regional Load Despatch Centre
F-3, M.I.D.C. Area, Marol,
Andheri (East), Mumbai-400 093

.....Respondent

Following were present:

Shri Rajiv Yadav, Advocate for the petitioner
Ms. Abiha Zaidi, POSOCO

ORDER

This petition has been filed by the petitioner, R.K.M. Powergen Pvt. Ltd under Clause (7) of Regulation 8 of the Central Electricity Regulatory Commission (Grant of connectivity, Long-term Access and Medium-term Open access in inter-State transmission and related matters) Regulations, 2009 as amended from time to time (Connectivity Regulations) and Central Electricity Regulatory Commission (Deviation Settlement Mechanism) Regulations, 2014 with the following prayers:

"(a) Condone the delay in filing the present petition;

(b) Extend the time period for achieving Commercial operation date and injection of infirm power into the grid by six months with effect from 31.8.2015;

(c) extend the time period for drawal of start-up power by the Petitioner by six months with effect from 31.8.2015 ; and

(d) Pass such other order(s), as this Hon`ble Commission may deem fit and proper in the facts and circumstances of the present case."

2. Learned counsel for the petitioner submitted that the petitioner has set up one unit of 4x360 MW thermal power project ("unit") at Village Uchpinda, P.O. Dhurkut, Janjgir Champa District, in the State of Chhattisgarh. The unit was synchronized with the grid on 28.2.2015 and upon synchronization, the petitioner commenced injection of infirm power into the grid. Western Regional Load Despatch Centre vide its email dated 18.8.2015 informed the petitioner that the period of six months for achieving COD would expire on 31.8.2015 whereafter, no infirm injection into the grid shall be allowed after 31.8.2015.

3. Learned counsel submitted that unit was synchronized with oil firing with grid on 28.2.2015 but due to reasons beyond the control of the petitioner, the COD of the unit

could not be achieved within the stipulated time due to non-availability of the coal from SECL. Learned counsel submitted that the petitioner is earnestly pursuing coal allocation with SECL and the issue of allocation of coal is expected to be resolved shortly.

4. Learned counsel submitted that the petitioner is facing the risk of cessation of start-up power in terms of clause 6.4 of the Detailed Procedure approved under Connectivity Regulations. Learned counsel submitted that the operation of the petitioner would be gravely affected if the supply of startup power is to be terminated after 31.8.2015.

5. We have considered the submission of the learned counsel for the petitioner. The fourth proviso to Regulation 8 (7) of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 as amended from time to time provides as under:

"Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view."

6. Taking into consideration the submission of the learned counsel for the petitioner and keeping in view the difficulties being faced by the petitioner, we allow extension of time for injection of infirm power into the grid and drawal of start-up power for the commissioning

tests including full load test of unit up to 28.2.2016 or actual date of commercial operation, whichever is earlier. We expect the petitioner to make all efforts to ensure the commercial operation of project by this date. The petitioner is directed to submit on affidavit, by 30.9.2015 activity-wise time schedule for achieving COD of the unit.

7. With the above, the Petition No. 209/MP/2015 is disposed of.

Sd/-
(Dr. M.K.Iyer)
Member

sd/-
(A.S. Bakshi)
Member

sd/-
(A. K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson