

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.365/MP/2022

- Subject : Petition under Section 142 of the Electricity Act, 2003 read with Regulation 6.4 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 in regard to the non-compliance by the Respondents No. 1 - 5 with the provisions of the Indian Electricity Grid Code and other allied Regulations of this Commission and directives issued by the Petitioner - State Load Despatch Centre, Gujarat under Section 33 of the Electricity Act, 2003.
- Date of Hearing : 24.4.2023
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : State Load Despatch Centre (SLDC)
- Respondents : Western Railways (WR) and 6 Ors.
- Parties Present : Ms. Srishti Khindaria, Advocate, SLDC
Ms. Ashabari Thakur, Advocate, SLDC
Ms. Puja Priyadarshini, Advocate, WR

Record of Proceedings

At the outset, learned counsel for the Petitioner sought time to file rejoinder to the reply filed by the Respondent No.1, Western Railways (WR).

2. In response to the specific query of the Commission regarding compliance with the direction issued vide Record of Proceedings for the hearing dated 17.1.2023, learned counsel for the Petitioner submitted that the discussions with the stakeholders with regard to suggesting some mechanism to resolve the issues of deviation by Indian Railways are yet to take place and that the Commission may permit some additional time to the Petitioner in this regard.

3. Learned counsel for the Respondent, WR submitted that since WR is not mapped on e-filing portal of the Commission, it could not upload its reply in e-filing portal. Learned counsel further, referring to the reply, submitted that WR faced genuine and grave difficulties in arranging for the source of power. Learned counsel pointed out that despite it having entered into an agreement for supply of 90 MW power with RGPPL for a period of five years, RGPPL could not ensure the continuity of power to WR due to the issues relating to scarcity of domestic gas and WR was required to make concerted efforts to tide over the acute power requirements. Learned counsel added that the State of Gujarat does not have a DSM mechanism in place and despite this, GETCO has consistently been raising DSM invoices on

WR by applying this Commission's DMS Regulations – which are only applicable to 'regional entities' and not to STU connected entities like WR.

4. In response to the further query of the Commission regarding subsistence of the deviations by WR, if any, after it having increased the open access to 120 MW, learned counsel for the Petitioner sought liberty to take necessary instructions in this regard.

5. Considering the submissions made by the learned counsel for the parties, the Commission ordered as under:

(a) The Petitioner to comply with the directions issued vide Record of Proceedings for the hearing dated 17.1.2023 and to file the outcome of the discussions in terms thereof, on affidavit, within three weeks.

(b) Keeping in view that WR have increased its open access to 120 MW, the Petitioner to submit present trend of WR for adherence to the schedule.

(c) WR may approach the registry for its mapping on the e-filing portal of the Commission.

6. The Petition shall be listed for hearing on 9.8.2023.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**