

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Diary (Petition) No.416/2023

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 57 and 58 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 seeking relaxation of the Regulation 43(9), Regulation 45(5)(a)(v) & 45(5)(a)(vi) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023.

Date of Hearing : **27.9.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Damodar Valley Corporation (DVC)

Parties Present : Shri Venkatesh, Advocate, DVC

Record of Proceedings

Citing the urgency involved, the matter was mentioned by the learned counsel for the Petitioner. The learned counsel submitted that the present Petition has been filed seeking relaxation/removal of difficulties being faced by the Petitioner by Regulations 43(9), 45(5)(a)(v) and 45(5)(a)(vi) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 ('IEGC, 2023'). Learned counsel for the Petitioner mainly submitted as under:

(a) Under Regulation 43(9) of the IEGC, 2023, the Control Area jurisdiction of the generating stations of the Petitioner (i) which are connected to the transmission lines of ISTS licensees including those owned and operated by the Petitioner, which are included in monthly transmission charges under Sharing Regulations, 2020 shall be under the Control Area jurisdiction of RLDC, (ii) which are connected to the transmission system owned and controlled by the Petitioner but are not included in the monthly transmission charges under Sharing Regulations, 2020 shall be under the Control Area jurisdiction of Load Despatch Centre of Petitioner, and (iii) which are connected to the ISTS and the transmission system owned and controlled by the Petitioner shall be within the jurisdiction of RLDC if more than or equal to 50% of quantum of electricity is with the transmission system covered under (i).

(b) Under IEGC, 2010, the Petitioner had been scheduling the load dispatch in the Control Area of the Petitioner through DVC SLDC, including the scheduling from the generating entities therein. However, in IEGC, 2023, there is a change in the historical treatment of the Petitioner from being treated similarly to a State Electricity Board to being treated as a Regional Entity.

(c) Draft IEGC, 2022 did not include the provisions related to change in the scheduling modalities of the Petitioner i.e. Regulation 43(9), which was introduced for the first time in IEGC, 2023, was not part of Draft IEGC, 2022 and therefore, the Petitioner was not able to comment upon or explain the



difficulties that the Petitioner would face in implementation of Regulation 43(9) of IEGC, 2023.

(d) After IEGC, 2023 having been issued on 29.5.2023 incorporating Regulation 43(9) therein, the Petitioner had taken up the aspects/difficulties associated with the provisions contained therein with various authorities including this Commission.

(e) Keeping in view that IEGC, 2023 is coming into the force w.e.f. 1.10.2023, it would not be possible for the Petitioner to transfer the Control Areas jurisdiction of its certain thermal generation stations to ERLDC in such a short period and if the present petition is not taken up, it will, *inter alia*, lead to a restriction on the generation and as a result, the consumers of the Petitioner will be deprived of getting the power from such generating stations.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission ordered as under:

(a) The Petitioner to implead NLDC, ELRDC and CTUIL as parties to the Petition and to file a revised memo of parties within a day;

(b) Issue notice to these Respondents; and

(c) The Registry is directed to register the Petition after completion of all the formalities.

3. The Petition will be listed for hearing on **29.9.2023 at 10:30 A.M.**

By order of the Commission

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