

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

1. Shri D.P. Sinha, Member
2. Shri G.S. Rajamani, Member
3. Shri K.N.Sinha, Member

Review Petition No.4/2001
in Petition
No.48/2000

In the matter of

Approval of Tariff for Malda-Bongaigaon Line.

And in the matter of

Power Grid Corporation of India Ltd

.... Petitioner

VS

Assam State Electricity Board & Others

.... Respondents

The following were present:

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| 1. | Shr | S.S. Sharma, AGM, PGCIL |
| 2. | Shr | U.K. Tyagi, PGCIL |
| 3. | Shr | C. Kannan, PGCIL |
| 4. | Shr | K.K.S. Babu, PGCIL |
| 5. | Shr | Sanjay Mehra, PGCIL |
| 6. | Shr | S. Gopal, PGCIL |
| 7. | Shr | A.K. Nagpal, PGCIL |
| 8. | Shr | S.S. Vindal, PGCIL |
| 9. | Shr | D. Sen, PGCIL |
| 10. | Shr | H.K. Sharma, ASEB |

**ORDER (DATE OF HEARING
19-2-2002)**

In terms of its interim order dated 9-11-2000, in Petition No.48/2000, the Commission had directed that the constituents of North Eastern Region would pay 50% tariff for 400 KV Malda -Bongaigaon Transmission Line between Eastern and North Eastern Regions, subject to a maximum tariff @ 35 paise per unit for the power transmitted to North Eastern Region States. The balance of 50% of the tariff was to be paid by the constituents of Eastern Region.

2. The present review petition has been filed by the petitioner PGCIL, against the order dated 9-11-2000 seeking review of the directions regarding payment of tariff by the North Eastern Regions State. In the review petition the petitioner has prayed that the constituents of North Eastern Region be directed to pay the entire balance of 50% of tariff claimed by the petitioner in petition No.48/2000 based on Ministry of Power's notification dated 16-12-1997.

3. We have heard Shri S.S. Sharma, AGM, appearing on behalf of the petitioner.

4. In another petition No.40/2000 (Power Grid Corporation of India Ltd. Vs. Assam State Electricity Board and others) the petitioner had prayed for approval of tariff on the basis of the said notification dated 16-12-1997. Petition No.40/2000 was finally disposed of by the Commission vide its order dated 1-1-2002. In the order dated 1-1-2002 the Commission has directed as under:-

"In the light of the foregoing, we direct that the respondents shall be liable to pay the transmission charges @ 35 paise/kwh of the power transmitted in the region. This tariff shall be applicable from 1.2.2000 to a period up to 31.3.2004 or till such time the power generation matching the transmission capacity is available, whichever is earlier. However, we wish to advise the Central Government to finalise an appropriate relief package for the NE region. If the Central Government finalise relief package, then the difference between actual tariff and the tariff of 35 paise/kwh which we have ordered, shall be provided from the relief package to the petitioner. If this does not happen, petitioner would have to bear the difference. We expect that the petitioner, however, would pursue the matter and obtain an early favourable decision from the Central Government. The petitioner may get this petition revived in that eventuality. As a corollary of this direction, the petitioner need not file transmission tariff petitions for any other transmission system in the region since other transmission systems get covered by these directions, which are in the context of the power transmitted and not based on the terms and conditions notified by the Ministry of Power on 16.12.1997."

5. The petitioner has not shown any grounds for distinction from the earlier order.

6. In view of the directions contained in the Commission's order dated 1-1-2002 *ibid*, the present review petition does not survive. The review petition is dismissed, with no order as to costs.

7. The main petition 48/2000 has also been heard separately. An appropriate order will be passed therein.

(K.N. Sinha)
Member

(G.S. Rajamani)
Member

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(K.N. Sinha)
Member

New Delhi dated: 22nd February, 2002

BEFORE THE CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 97/2000

Coram:

1. Shri DP. Sinha, Member
2. Shri G.S. Rajamani, Member

In the matter of

Maintaining the regional grid frequency above 49.0 Hz. by curbing overdrawals in line with section 6.4.2. (a) of the Indian Electricity Grid Code (IEGC)

And

In the matter of

Northern Regional Load Despatch Centre

-Petitioner

Vs

Haryana Vidyut Prasaran Nigam Ltd.& others

-Respondents

The following were present:

1. Shri Alok Roy, AGM, NRLDC, Powergrid
2. Shri S.R. Narasimhan, Manager, NRLDC, Powergrid
3. Shri Ashwini Kumar, Advocate, DVB
4. Shri M.K. Choudhary, SE (Prot/SO), DVB
5. Shri H.N. Lamba, XEN (SIO-ISC), DVB
6. Shri Ashok Srivastava, Advocate, HVPN
7. Shri N.K. Gupta, Director/Const. O&M, HVPN
8. Shri M.L. Jain, SE/SO, HVPN
9. Shri Santosh Kumar, MS, NREB
10. Shri V.J. Talwar, SE (OP), NREB
11. Shri Satjit Singh, Dy. Dir./ISB, PSEB

**ORDER (Date of Hearing :
14-02-2001)**

This petition has been filed by NRLDC seeking directions to respondent states viz Haryana, J&K and Dettif -to-eurtatt their overdrawals from the grid by regulating their drawals as per the hourly schedules issued by NRLDC and to abide by the instructions of NRLDC for ensuring the security and stability of Northern Regional grid and continuity of supply. A direction has been sought to other constituent states/UTs of the region to follow the directives of the Commission so as to avoid acts of grid indiscipline in future and for expeditious introduction of Availability Based Tariff (ABT) in Northern Region. In addition to the constituents of the region, Member-Secretary, NREB is also impleaded as a respondent.

2. Shri Alok Roy appearing on behalf of NRLDC submitted that the petition had been filed on the basis of operation of the Northern Region during the month of September 2000. He pointed out that month of September is generally considered to be a comfortable month. However, during September 2000, the grid consistently operated at low frequency basically due to overdrawals resorted to by the constituents namely states of Haryana, J&K and Delhi. He stated that the grid indiscipline was still persisting and prayed that the Commission may direct the defaulting constituents i.e. HVPNL, State of J&K and DVB for adopting appropriate measures towards maintenance of grid parameters.

3. Shri Santosh Kumar, Member Secretary, NREB, was in agreement with NRLDC that during September 2000, the frequency was not in the range stipulated in the IEGC. However, he has submitted that as per Section 55 of the Electricity (Supply) Act, 1948 RLDC is the apex body to ensure integrated operation of the regional power system in real time. He pointed out that under the Act and IEGC.

the responsibilities of REBs have been clearly defined and none of these activities are real time activities. Hence REBs cannot be made responsible for regulating the grid frequency and, therefore, should not have been impleaded as a respondent.

4. Shri Ashok Srivastava, Advocate, appearing on behalf of HVPNL submitted that certain information was asked for from NRLDC but the same had not been received. He mentioned that the radial feeders of HVPNL have been opened up by NRLDC, even when HVPNL was under drawing from the grid He sought directions to NRLDC to furnish the information about overdrawals by other States and hourly overdrawals by HVPNL for the period under reference, so that an exhaustive reply could be filed on behalf of HVPNL. He admitted that due to failure of rain, HVPNL overdrew from the grid, so as to save the standing crops. Helalso questioned the preparation of Schedules by NRLDC. He has suggested that in regard to overdrawal under low frequency conditions, the code of conduct as per IEGC should be enforced uniformly to all the constituents.

5. ■ Shri Ashwini Kumar, Sr. Advocate appearing for DVB explained that Delhi being a capital State, power supply to important installations is required to be inaintaineci uninterruptedly. He further submitted that the Supreme Court had directed DVB to minimise load shedding. According to him, DVB is following the drawal schedule prepared by NRLDC except under situations when in compliance of the directives of Supreme Court supply is to be maintained. It has also been pointed out that real time data flow from NRLDC to DVB control room is yet to be made fully functional and at times there is difference of drawal figures furnished by NRLDC.

6. Shri Alok Roy the representative of NRLDC responded that HVPNL has no real time information about their drawal to enable necessary control and the present approach is quite primitive in nature. He further informed that HVPNL is

not participating in the scheduling process and their share from central sector stations is always fixed at the ceiling level. In regard to the information about overdrawals/under draws, he stated that the said information is being passed on

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to all the constituents in the form of weekly reports. Shri Alok Roy further informed that DVB has been participating in the scheduling process and effecting load shedding as directed by NRLDC. However, at times the control room operator of DVB has to seek clearance/ instructions from senior officials for complying with NRLDC directives. He mentioned that the performance of DVB has improved since September 2000. The representative of NRLDC further informed that the

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voltage profile in Delhi, Western UP and Haryana system is anticipated to be low during ensuing summer months and this might result in a situation where load shedding may have to be effected for reactive supply management.

7. No one has appeared on behalf of state of J&K, UPPCL, Rajasthan Rajya Vidhyut Prasaran Nigam Ltd. and HPSEB.

8. We have considered the rival contentions. The issues that emerge out of the submissions made by the parties are that all the constituents are not participating in the scheduling process, under the persistent deficit conditions, the beneficiaries continue to over-draw. We expect that all the constituents including HVPNL shall give their schedule of drawal to NRLDC as per the provisions of IEGC so that the same is finalised. Subsequent to finalisation of schedule by NRLDC, all the constituents shall adhere to schedule which shall form basis for assessing over-drawal/under drawal by the constituents. We are of the opinion that NRLDC does not have much of the options to control grid operation in case of over-drawal by the constituents except the opening of radial feeder to prevent grid collapse in a meshed network. It has been argued on behalf of HVPNL and DVB that over-drawal is resorted to only in exceptional circumstances to meet the requirement of power under certain compelling circumstances. We are not

satisfied with the justification given by the constituents in support of over-drawal of

34

power. In case any of the constituents faces shortage of power supply the only appropriate course open to it is to approach Ministry of Power/CEA for enhancement of Central Sector allocation of power or to arrange power through bilateral arrangements with the constituents/States in the region or from outside the region. Once the schedule has been finalised by NRLDC in consultation with the Central Generating Station and the constituents, it had to be honored, subject to relevant provisions of IEGC. On the question of mis-match of information on drawal of power, we direct that NRLDC shall take appropriate steps to keep the constituents informed of their over-drawal/under-drawal. We further make it clear that the role of NREB is to act as an associate of NRLDC in the maintenance of grid discipline.

9. As it is the first instance where over-drawal by Northern Regional constituents has been brought to the notice of the Commission, we restrain from taking any penal action. However, in future, if such instances are brought to the notice of the Commission it may visit with penal consequences.

10. With the above directions, the petition stands disposed of.

Sd/-
(G.S. Rajamani)
Member

Sd/-
(D.P. Sinha)
Member

New Delhi dated the 14th February, 2001.

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9. The petitioner had sought clarifications on certain other aspects like, sharing of transmission charges, calculation of interest on working capital, levy of late payment surcharge, the criteria for determination of date of commercial operation and the norms for auxiliary power consumption in the sub-stations. The learned counsel for petitioner did not press these issues at the time of hearing of the application for review as many of these issues already stand addressed in the Commission's notification dated 26th March, 2001.

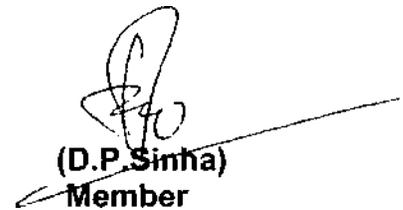
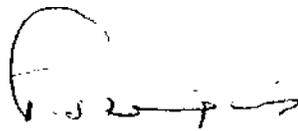
10. In the circumstances, the review petition is dismissed at admission stage as not maintainable.



(KIN. £iriha)
Member

New Delhi dated the
9ⁱⁿ July, 2001. th

(G.S.Rajamani)
Member



(D.P. Sinha)
Member