

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.215/MP/2011**

Sub: Petition under Section 28 (e) of the Electricity Act, 2003 read with clause 1.5 of IEGC for establishment and maintenance of data and communication facilities by the USERS of the Northern Region in terms of clause 4.6.2 of IEGC, 2010 read with clause 5 (3) of the CEA (Technical Standards for Connectivity to the Grid) Regulations, 2007 to ensure availability of reliable real time data at ERLDC.

Date of hearing : 15.12.2011

Coram : Shri S.Jayaraman, Member  
Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member

Petitioner : Eastern Regional Load Despatch Centre, New Delhi

Respondents : M.D.,OPTCL, Bhubaneswar and others

Parties present : Shri S.K. Chandrakar, ERLDC  
Ms. Joyti Prasad, NRLDC  
Shri R.B.Sharma, Advocate for BSEB and JSEB

**Record of Proceedings**

Through this application, the petitioner Eastern Regional Load Despatch Centre has prayed to issue directions to all the respondents to establish and maintain the data telemetry and communication facilities in terms of the Indian Electricity Grid Code, Grid Standard and other various Regulations issued by CERC from time to time.

2. Learned counsel for the BSEB and JSEB submitted that as per the minutes of the 8th SCADA-O&M committee meeting at page 21 of the petition, timely payment is required to be made against the Annual Maintenance Charge (AMC) to facilitate payment to M/s Areva. The learned counsel further submitted that the petitioner has already got tariff for ERLDC in Petition No. 95/2010 which also includes AMC charges. The petitioner has therefore, claimed the AMC charges twice. The learned counsel further submitted that before approaching the Commission, the petitioner has not brought the matter before ERPC forum as required under Section 29 (4) of the Electricity Act, 2003 and therefore, the petition is premature.

3. The representative of the petitioner clarified that this petition has not been filed for seeking any payment from the beneficiaries. Through this petition, the petitioner has requested the Commission to issue directions to all the respondents to establish and maintain the data telemetry and communication facilities as per various regulations issued by the Commission from time to time. The representative of the petitioner further clarified that the matter was brought before the ERPC forum and copies of the OCC meetings have been enclosed with the petition.

4. After hearing representative of the petitioner and learned counsel for BSEB and JSEB, the Commission directed to admit the petition and issue notice to the respondents.

5. The petitioner was directed to serve copy of the petition to all the respondents by 23.12.2011. The respondents may file their reply on affidavit latest by 6.1.2012, with advance copy to the petitioner. Rejoinder, if any, may be filed by the petitioner, latest by 17.1.2012.

6. The petition shall be listed for hearing on 24.1.2012.

Sd/-  
(T. Rout)  
Joint Chief (Law)