

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

1. Dr. Pramod Deo, Chairperson
2. Shri S.Jayaraman, Member
3. Shri V.S.Verma, Member

DATE OF HEARING: 19.1.2012

DATE OF ORDER: 25.1.2012

Petition No. 205 of 2011

In the matter of

Appropriate directions to be passed on the Southern Regional Load Despatch Centre and Power System Operation Corporation Limited to recognize the 1000 MW project being developed as an independent generating station and to treat the thermal power projects developed by the petitioner and by Simhapuri Energy Private Limited as separate and independent generating stations for the purpose of scheduling and dispatch, metering, energy accounting including UI computation.

**And
In the matter of**

Meenakshi Energy Private Limited, Hyderabad

..Applicant

Vs

1. Southern Regional Load Despatch Centre, Bangalore
2. Power Systems Operation Corporation Ltd, New Delhi
3. Power Grid Corporation of India Limited, Gurgaon
4. Southern Regional Power Committee, Bangalore
5. Simhapuri Energy Private Limited, Hyderabad

.Respondents



I.A.No. 2/2012

In the matter of

Simhapuri Energy Private Ltd., Hyderabad ..**Applicant/Respondent No. 5**

Following were present:

1. Shri Sitesh Mukherjee, Advocate for the petitioner
2. Shri Sakia Choudhery, Advocate for the petitioner
3. Miss Anuish, Advocate for the petitioner
4. Shri N.P.Hanagoov, MEPL
5. Shri S.K.Kathuria, MEPL
6. Shri V. K. Agarwal, NLDC
7. Shri S. S. Barpanda, NLDC
8. Miss Joyti Prasad, NRLDC
9. Miss Vaishally Bhardwaj, NLDC
10. Shri Nripen Mishra, NLDC
11. Shri Gaurav Verma, NLDC
12. Miss Joyti Prasad, NRLDC
13. Shri Dilip Rozekar, PGCIL
14. Shri V. Suresh, SRPC
15. Shri Amit Kapoor, Advocate, SEPL
16. Shri Aproova Mishra, Advocate, SEPL
17. Shri K. C. Middha, SEPL
18. Shri Ravi Prakesh, Advocate, PTC India
19. Shri Varun Pathak, Advocate, PTC India

ORDER

The Commission in order dated 5.12.2011 had directed as under with regard to availing of start-up power by the petitioner and the Fifth Respondent:-

"10. The learned counsel for the petitioner has sought an interim direction to first respondent so that the start-up power for testing and commissioning of the generating station of the petitioner and fifth respondent is available.

11. Since the metering arrangement at Nellore end is already existing, we direct the first respondent to temporarily disconnect the inter-connection between the petitioner and fifth respondent and do the meter reading of start-up power at Nellore end in order to facilitate drawal of start-up power for commissioning of the

generating station. With the inter-connection between generating stations removed, the transmission lines from Nellore to fifth respondent and petitioner generating station, respectively, would become dedicated lines connected at Nellore pooling station. This arrangement will be in force for a period not exceeding three months from the date of start of availing of start-up power or until further orders of the Commission, whichever is earlier.

12. The above interim arrangement is only for availing start-up power. Prior to commencement of availing start-up power, the petitioner and fifth respondent shall ensure availability of required data and communication facilities available to Southern Regional Load Despatch Centre in line with Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 (Grid Code) and Central Electricity Authority (Grid Standards) Regulations.

13. This interim arrangement is subject to the final decision on this issue and other relevant issues by the Commission.

14. The first and fourth respondents are directed to facilitate the scheduling and energy accounting at Nellore end, in accordance with Grid Code, after disconnection of inter-connection between generating station of petitioner and fifth respondent and receipt of declaration from both the parties in this regard."

2. The Fifth Respondent Simhapuri Energy Private Limited (SEPL) has filed Interlocutory Application (I.A.) for modification/clarification of Commission`s said order dated 5.12.2011 in Petition No. 205/MP/2011 with following prayers:

"(a) Allow the present applicant and modify/provide clarification that the interim arrangement as provided for in the order dated 5.12.2011 is not only limited to availing start-up power but also for injecting infirm power generated from SEPL`s and petitioner power plant; and

(b) To pass such other and further orders which may be deemed fit and necessary in the interest of Justice."

3. Fifth Respondent has submitted that the petitioner and SEPL are similarly placed in all respects and the directions contained in order dated 5.12.2011 were also applicable to SEPL. Pursuant to the direction contained in the order dated 5.12.2011, the Fifth Respondent approached SRLDC for availing start-up

power. As a pre-requisite, a tripartite agreement was executed between the petitioner, Third Respondent and Fifth Respondent on 10.12.2011. Accordingly, Southern Regional Load Despatch Centre (SRLDC) had granted short-term open access for drawing start-up power from 0.00 hours of 12.12.2011 and since then the following activities has been undertaken by the Fifth Respondent:

- (a) Commencement of trial run of high capacity motors;
- (b) Acid cleaning of the stream lines;
- (c) Commencement of stream blowing activities from 2.1.2012 which would continue till 10 to 15 days; and
- (d) Commissioning of turbine barring gear.

4. It has been further submitted that after completion of above activities, first unit of 150 MW capacity is likely to be synchronized by 20.1.2012 and the second unit by the end of February, 2012. The Fifth Respondent vide letter dated 31.12.2011 informed the SRLDC that it is in the process of synchronizing the generating units and both the units would be synchronized by last week of February, 2012. However, SRLDC has not responded to the letter dated 31.12.2011. On oral inquiry, officials of the Fifth Respondent were informed by the officials of SRLDC that directions contained in order dated 5.12.2011 are only with regard to availing of start-up power and Commission has not permitted injection of infirm power in to the grid. Fifth Respondent has submitted that the directions of Commission in the order dated 5.12.2011 were to *"facilitate drawal of start-up power*

for commissioning of the generating station". Since synchronization and generation of infirm power are inherent to the process of achieving commercial operation of unit or generating station, the stand taken by SRLDC is not the correct interpretation of the order of the Commission. Accordingly, Fifth Respondent has approached the Commission seeking modification/clarification of the order dated 5.12.2011 to the extent that the generating units of the petitioner and Fifth Respondent be allowed to be synchronized and inject infirm power till the date of commercial operation of their respective units/generating stations.

5. Learned counsel for Fifth Respondent submitted during the hearing that in response to the Fifth Respondent's letter dated 31.12.2011, SRLDC in its letter dated 17.1.2012 had sought certain clarifications with regard to schedule date of commissioning, detailed programme of testing and day-wise programme. The information in regard to day-wise programme has already been furnished to the SRLDC and other information would be submitted shortly.

6. The learned counsel for the petitioner supported the prayer of the learned counsel for Fifth Respondent for permission to inject infirm power into the grid prior to commissioning of the units or the generating stations.

7. In response to a query of the Commission, the representative of the SRDLC submitted that infirm power would be injected into the grid subject to the grid conditions.

8. We have considered the submissions made by the learned counsels for the petitioner, Fifth Respondent and representative of the SRLDC. In para 11 of our order dated 5.12.2011, we had allowed both the petitioner and Fifth Respondent, for drawal of the start-up power for the commissioning of their generating stations by directing temporary disconnection of the inter-connection between the petitioner and the Fifth Respondent. Since, the Fifth Respondent has prayed for extending the arrangement for injecting infirm power generated by its generating units as a consequence of testing and commissioning of the power plants which has also been supported by the learned counsel for the petitioner, we direct the SRLDC to allow injection of power during testing by both the generating stations, subject to the provisions of Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 amended from time to time. The other directions contained in our order dated 5.12.2011 shall remain in operation till further orders.

9. I.A. No. 2/2011 is disposed of with the above directions.

10. We have heard the learned counsels and representatives of the parties at length on the various issues raised in the Petition No. 205/MP/2011 and order will be issued in due course.

Sd/-
(V. S.VERMA)
MEMBER

sd/-
(S.JAYARAMAN)
MEMBER

sd/-
(Dr. PRAMOD DEO)
CHAIRPERSON