

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 190/MP/2012

Coram:

**Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M. Deena Dayalan, Member**

Date of Hearing: 13.12.2012

Date of order: 18.12.2012

In the matter of

Petition under Central Electricity Regulatory Commission (Measure to relieve congestion in real time operation) Regulations, 2009 with respect to the order dated 17.3.2010 determining the rate of the congestion charge and the directions contained in para 22 of the said order and amendment to relevant provisions of the 'Detailed Procedure for Relieving congestion in real time operation' read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

And

In the matter of

National Load Despatch Centre, New Delhi

....Petitioner

The following were present:

Shri S.K.Sonee, NLDC
Shri V.V.Sharma, NLDC.
Shri V.K.Agarwal, NLDC.
Miss Joyti Prasad, NRLDC
Shri S.S.Barpanda, NLRDC
Shri Rajiv Porwal, NRLDC



ORDER

The petitioner, National Load Despatch Centre has filed the present petition for amendment of the directions contained in para 22 of the order dated 17.3.2010 and amendment of 'Detailed Procedure for Relieving Congestion in Real Time Operation' (hereinafter referred to as "Detailed Procedure") approved by the Commission vide its order dated 11.6.2010 to incorporate the changes suggested in the petition:

2. The petitioner has also submitted that in the wake of recent grid disturbance, the Government of India had appointed an Enquiry Committee under Chairmanship of Chairman, CEA. The Enquiry Committee has identified overdrawal as one of the causes of grid disturbance. The enquiry Committee has *inter-alia* recommended as under:

"5.2.3.2 ..The Committee has gone through relevant regulations of Central Commission. However, there is no provision which restrains NLDC from applying congestion charges. Further, para 5.4 of the 'Detailed procedure for relieving congestion in real time operation' prepared by NLDC and approved by Central Commission does not restrain NLDC from applying congestion charges in such situation but requires curtailment of transactions followed by revision of TTC. Thus, the procedure prepared under the provisions of a Regulation is not consistent with the Regulation. This aspect needs to be reviewed.

9.5.1 POSOCO should take up with Central Commission the issue of inconsistency between congestion regulation and the detailed procedure framed there under so that congestion due to forced outages and Unscheduled Interchange (UI) can be handled effectively."

3. The petitioner has submitted that apart from above, a few other procedural related issues have also been observed as a result system



operator is feeling constrained in applying of relevant regulations. Accordingly, the petitioner has proposed the following changes in 'Detailed Procedure for Relieving Congestion in Real Time Operation':

- (a) In Clause 6.2 of the Detailed Procedure, congestion charge be applied on entities both upstream as well as downstream of congested corridor irrespective of frequency;
- (b) Provision on non-imposition of congestion charge in case of forced outage vide clauses 5.4 and 5.5 of the Detailed Procedure be withdrawn; and
- (c) Ambiguity in clause 5.3 of the Detailed Procedure be modified to avoid delay in imposition of congestion charge.

4. The petitioner has submitted that the congestion charge is a tool to relieve congestion through commercial signals which is important in case of forced outages. Therefore, in order to operate the grid in a safe and secure manner, imposition of congestion charges should be allowed in case of forced outages as well. Accordingly, the petitioner has requested to amend the relevant clauses of Detailed Procedure.

4. During the course of hearing of the petition, the representative of the petitioner submitted that the purpose of the present petition is to bring to the notice of Commission the difficulties being faced by the system operator for operation of the grid so that necessary process to amend the Detailed Procedure is initiated by the Commission.

5. We have perused the petition and heard the representative of the petitioner. After going through the contents of the petition, it appears to us that the petitioner is seeking amendments to certain provisions of the Detailed Procedure in order to address the problems arising out of the requirements to operate the grid in a safe and secure manner. Without going into the merit of the issues raised, we intend to clarify that filing of the petition is not the proper process for initiating the amendment to the existing regulations. The Commission under Section 178 of the Act has been vested with the power to make, amend and repeal the regulations on the subjects which have been authorized under various provisions of the Act. Action to make or amend the regulations or Detailed Procedure is initiated when the Commission is satisfied that there is need for such regulations or amendment to the regulations and Detailed Procedure. The petitioner being a statutory body and vested with specific statutory functions is at liberty to approach the Commission with concrete proposal for making any regulations or for amendment of any regulation and Detailed Procedure which is considered necessary to enable it to discharge its statutory functions effectively. There is no requirement to file a petition for the purpose.

6. The representative of the petitioner submitted that a self-contained proposal has been made out in the petition for amendment of the Detailed Procedure. Noting the submission of the petitioner, we direct that the present petition be treated as a proposal of POSOCO for amendment of the Detailed Procedure and further direct the staff to examine the proposal and submit to the Commission for consideration in a time-bound manner.



POSOCO is permitted to submit further information as may be considered necessary in furtherance of the proposal.

7. The petition is disposed of terms of the above.

Sd/-	sd/-	sd/-	sd/-
(M.Deena Dayalan) Member	(V.S.Verma) Member	(S.Jayaraman) Member	(Dr. Pramod Deo) Chairperson

