

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 245/MP/2012

Subject : Petition under Section 79 (1) (c) of the Electricity Act, 2003 read with Part 7 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 .

Date of hearing : 27.11.2012

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

Petitioner : Essar Steel India Limited, Surat

Respondent : POSOCO, Western Regional Load Despatch Centre, Mumbai
Gujarat State Load Despatch Centre,Ahmedabad
Power Grid Corporation of India Limited, Gurgaon

Parties present : Shri Amit Kapur, Advocate for the petitioner
Miss Aprova Mishra, Advocate for the petitioner
Shri S.K.Sonee, POSOCO
Miss Swapna Seshadri, Advocate, GETCO
Shri B.B.Mehta

Record of Proceedings

The petitioner, Essar Steel India Limited has filed this petition seeking direction to WRLDC to transfer the load control area jurisdiction from SLDC, Gujarat to WRLDC, Mumbai.

2. Learned counsel for the petitioner submitted that the petitioner is procuring power on long term basis from Essar Power Madhya Pradesh Limited (EPML), a sister concern of the petitioner. In this regard, petitioner and EPML have entered into a Power Purchase Agreement(PPA) for sale and purchase of 700 MW. EPML has been granted Long Term Open Access (LTOA) for supply of power to the petitioner. The petitioner has been granted connectivity to the inter-State transmission system by CTU vide its letter dated 18.4.2008 on the condition that the petitioner shall be connected to the inter-State transmission system on a radial mode and will have to get itself disconnected from the system of State Transmission Utility of Gujarat. The petitioner vide its letter dated 12.10.2012 had *inter-alia* requested WRLDC to transfer of load control area jurisdiction and grant the petitioner the status of a regional entity for the purpose of using open access power. In response, WRLDC in its letter dated 18.10.2012 relying on Regulation 6.4.2 and 6.4.3 of the Grid Code replied that the said provisions in the Grid Code is silent about transferring a load control area for the SLDC to RLDC or vice-versa.

3. Learned counsel submitted that Regulations 6.4.(3) of the Grid Code provides for exception to the principles laid down the Regulation 6.4 (1) and (2) for the reasons of operational expediency with the approval of the Commission. Learned counsel requested for necessary directions for transfer of the control area from SLDC to RLDC and to confer the status of a regional entity on the petitioner for the purpose of scheduling of power and unscheduled Interchange accounting.

4. Learned counsel for GETCO submitted that the petitioner is a consumer of Dakshin Gujarat Viji Company Limited (DGVCL) and any decision to transfer the control area from SLDC Gujarat to WRLDC should be taken after hearing the beneficiaries of the Western Region. She requested the Commission to issue direction to WRLDC to implead all beneficiaries of Western Region as parties to the petition.

5. CEA, POSOCO submitted that since the issue raised in the petition pertains to determination and transfer of load control area jurisdiction, the Commission may consider to issue notices to WRPC, CEA and CTU.

6. After hearing of the learned counsel, the Commission directed to admit the petition. The Commission further directed the petitioner to implead the Western Region constituents, CEA and WRPC as respondents to the petition and file revised memo of parties.

7. Accordingly, the petitioner was directed to serve copy of the petition on the respondents by 10.12.2012. The respondents were directed to file their responses by 26.12.2012. The petitioner was allowed to file its rejoinder, if any, by 9.1.2013.

8. The petition shall be listed for hearing on 17.1.2013.

By order of the Commission,

**SD/-
(T. Rout)
Joint Chief (Law)**