

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 261/MP/2012

Coram:

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

Date of Hearing: 15.1.2013

Date of Order: 28.5.2013

IN THE MATTER OF

Seeking permission to allow extension of the period for injection of infirm power for testing including full load testing for Vindhyachal STPP Stage IV Unit-I (500 MW), beyond six months from initial synchronization.

IN THE MATTER OF

NTPC Ltd

...Petitioner

Vs

1. Madhya Pradesh Power Management Company Ltd. Jabalpur
2. Maharashtra State Electricity Distribution Company Ltd, Mumbai
3. Gujarat Urja Vikas Nigam Ltd, Vadodara
4. Chhattisgarh State Electricity Distribution Company Ltd, Raipur
5. Electricity Department, Government of Goa, Panaji, Goa
6. Electricity Department, Administration of Daman & Diu, Daman
7. Electricity Department, Administration of Dadra & Nagar Haveli**Respondents**

Parties present:

Shri Ajay Dua, NTPC
Shri M.K.V.Ramarao, NTPC
Shri Rohit Chhabra, NTPC
Shri S. N Tripathi, NTPC
Ms. Suchitra Maggon, NTPC
Shri Rajesh Jain, NTPC
Shri S. Sabharwal, NTPC
Shri V. Ramesh, NTPC

ORDER

This petition has been filed by the petitioner, NTPC under Clause (7) of Regulation 8 of the Central Electricity Regulatory Commission (Grant of connectivity, Long-term Access and Medium-term Open access in inter-state transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Unscheduled interchange charges and related matters) Regulations, 2012 with the following prayers:

(a) *Allow the petitioner extension of time for injection of infirm power for testing including full load testing by the Vindhyachal STPP, Stage-IV, Unit-I (500 MW), six months beyond initial synchronization (beyond 12.12.2012) upto COD of Unit-I;*

(b) *Pass any other order as it may deem fit in the circumstances mentioned above.*

2. The first unit of Vindhyachal STPS Stage-IV (500 MW) has already been test synchronized on 13th June, 2012 and the work required for declaration of commercial operation is in the advanced stage of completion. However, due to various teething troubles unit could not be declared under commercial operation and the generating station continues to inject infirm power due to non-declaration of commercial operation.

3. The petitioner in its petition, while praying for extension of time for testing and full load testing and consequent injection of infirm power, has mainly submitted as under:

(a) In order to ensure availability of coal, new railway lines were proposed to be laid in addition to existing lines in NTPC exchange yard. Despite taking up the matter, approval from railways is awaited affecting completion of work necessary for augmentation of coal supply system.

(b) Due to above reasons, interconnection of conveyors from existing Stage-I conveyors on priority basis was envisaged instead of completing other CHP works so that coal though existing Stage-I could be fed to Stage-IV unit, but due to long duration rain the progress of work suffered heavily and interconnection work could not be completed as envisaged.

(c) The civil work of cooling tower started later and the stone aggregate which is required for cast in situ civil work and being procured from Dala quarry, was not available due to shutting down of all stone crushers in Dala quarry due to ban on its mining imposed by the State Government of Uttar Pradesh on environmental issues. However, the required stone aggregate was arranged from Makrohar mines having less crushers, for completion of the project. The alternative quarry did not provide the required demand and hence the delay in completion of the works. Though civil work of cooling towers for the unit is in advance stage, mechanical works are pending.

4. During the hearing on 15.1.2013, the representative of the petitioner reiterated the above submissions. On a specific query by the Commission during the hearing on 15.1.2013, as to the expected date of commercial operation of the said unit of the project, the learned counsel for the petitioner submitted that the unit was expected to achieve commercial operation by end of March, 2013. The Commission admitted the petition and directed the petitioner to furnish the following information:

- (a) Complete details of activities undertaken along with their time schedule before test synchronization of unit along with original PERT chart;*
- (b) Also, details of the activities to be undertaken after completion of pending works and their time schedule and expected date of COD along with revised PERT chart.*

5. In response, the petitioner vide its affidavit dated 11.2.2013 has submitted the details of activities undertaken before test synchronization of unit along with their time schedule with PERT chart giving details of activities to be undertaken for completion of pending works and the time schedule up to the expected COD of 29.3.2013.

6. During the pendency of the petition, the petitioner vide its letter dated 28.2.2013 submitted that the Unit-I (500 MW) of the generating station has been declared under commercial operation on 1.3.2013.

7. As stated, the petitioner has filed this petition in terms of Clause (7) of Regulation 8 of the Connectivity Regulations, amended on 21.3.2012, which provides as under:

“(7) Notwithstanding anything contained in clause(6) of this regulation and any provision with regard to sale of infirm power in the PPA, a unit of a generating station, including a captive generating plant which has been granted connectivity to the grid shall be allowed to inject infirm power into the grid during testing including full load testing before its COD for a period not exceeding six months from the date of first synchronization after obtaining prior permission of the concerned Regional Load Despatch Centre:

Provided that the Commission may allow extension of the period of testing including full load testing, and consequent injection of infirm power by the unit, beyond six months, in exceptional circumstances on an application made by the generating company at least two months in advance of completion of six month period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view:

Provided also that the onus of proving that the injection of infirm power from the unit(s) of the generating station is for the purpose of testing and commissioning shall lie with the generating company and the respective RLDC shall seek such information on each occasion of injection of power before COD. For this, the generator shall provide RLDC sufficient details of the specific testing and commissioning activity, its duration and intended injection etc."

Provided also that the infirm power so injected shall be treated as Unscheduled Interchange of the unit(s) of the generating station and the generator shall be paid for such injection of infirm power in accordance with the provisions of the Central Electricity Regulatory Commission (Unscheduled Regulations, 2009, as amended from time to time."

8. Taking into consideration the submissions of the petitioner and the documents available on record, we are of the view that there has been delay in the declaration of commercial operation of Unit-I of the project beyond six months from the date of first synchronization for adequate reasons. In view of this, we allow the extension of time for injection of infirm power into the grid for the purpose of commissioning tests including full load test of Unit-I up to 1.3.2013. Consequently, the accounting of the sale of infirm power up to the COD of Unit-I (1.3.2013) is allowed in terms of Regulation 11 of the 2009 Tariff Regulations. A copy of the order shall be sent to WRLDC for accounting and releasing payment to the petitioner for injection of power under UI from Unit-I of this project in accordance with the UI rate as specified under clause 2(f) of the schedule to the Central Electricity Regulatory Commission (Unscheduled interchange charges and related matters) Regulations, 2012.

9. Petition No. 261/MP/2012 is disposed of in terms of the above.

Sd/-
[M. Deena Dayalan]
Member

Sd/-
[V.S. Verma]
Member

Sd/-
[Dr. Pramod Deo]
Chairperson