

**Central Electricity Regulatory Commission
New Delhi**

Petition No. 230/MP/2012

Coram:

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

Date of Hearing: 20.11.2012

Date of Order: 8.2.2013

In the matter of

Petition for permission to allow extension for the period for injection of infirm power for testing for Unit-I (500 MW) of Mauda STPP of NTPC beyond six months from initial synchronization.

And in the matter of

NTPC Ltd, New Delhi

....**Petitioner**

Vs

1. Madhya Pradesh Power Trading Company Ltd., Jabalpur
2. Maharashtra State Electricity Distribution Company Ltd., Mumbai
3. Gujarat Urja Vikas Nigam Ltd, Vadodara
4. Chattisgarh 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, Silvassa

..**Respondents**

Parties present:

1. Shri S. K Sharma, NTPC
2. Shri Rajesh Jain, NTPC
3. Shri N.Natesan, NTPC
4. Shri Ajay Dua, NTPC
5. Shri Rohit Chhabra, NTPC
6. Shri A.P.Nair, NTPC
7. Shri A.K.Choudhury, NTPC
8. Ms. Suchitra Maggon, NTPC

ORDER

The petitioner, NTPC Ltd has filed this petition in terms of 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) and Central Electricity Regulatory Commission (Unscheduled Interchange and related matters) Regulations, 2009 as amended *vide* notification dated 21.3.2012, with the following prayers:

- (a) Allow the petitioner extension of time for injection of infirm power for testing including full load testing by Mauda Unit-I, beyond 7.10.2012 (i.e six months beyond initial synchronisation) upto the COD of Unit-I;
- (b) Pass any other order as it may deem fit in the circumstances mentioned above.

2. Mauda Super Thermal Power Station ('the project') of the petitioner is located in Nagpur District in the State of Maharashtra and is being implemented in two stages, with Stage-I consisting of two units of 500 MW each and Stage-II consisting of two units of 660 MW each. Unit-I (500 MW) of Stage-I of the project has already been test synchronised on 8.4.2012 and the work leading to declaration of commercial operation (COD) is in an advanced stage.

3. The petitioner has submitted that coal linkage for the project was granted by Standing Linkage Committee from IB valley coal fields of Mahanadi Coal fields and Ministry of Railways agreed for movement of coal. The petitioner has also submitted that for coal transportation and coal handling plant, feasibility studies were conducted and a scheme for making a dedicated railway line from Chacher station on Nagpur-Gondia line, which is 8 Kms (approx) from project site, was envisaged and based on feasibility studies, the work of Detailed Engineering, Project Management & Construction (PMC) of Railway line upto the station including siding system and in-

plant rail facilities package was entrusted by the petitioner to M/s RITES on 10.12.2008 with a completion period of 24 months i.e by 10.12.2010.

4. The petitioner has further submitted that immediately after first synchronization, the status of Railway siding package was reviewed and commitments were made by RITES to complete all work related to load line by June, 2012. It has also been submitted that all possible help by supplying cranes, hydras, steel and cement to ensure work was not hampered was extended by the petitioner and it was also anticipated that during the period between initial synchronization and COD, the Railways/RITES would be able to complete the rail link between the railway station and the project site. However, it has be submitted by the petitioner that RITES/Railways have not yet completed the work due to delays in approvals from Railways and on account of heavy rains in the area. Thus, the petitioner has sought for the reliefs as prayed for in clause (a) in paragraph 1 above.

5. The matter was heard on 18.10.2012 and the petitioner in support of its prayer of grant of extension of time had submitted the following as reasons for the delay in the declaration of commercial operation of the Unit-I of the project:

(a) Civil work of 4 no. bridges could not be completed because of Monsoon and black cotton soil;

(b) Around 60000M³ earth work of 20000M³ of Moorum work on railway tracks siding area could not be completed due to heavy rains and also due to Kharif crop standing in the route of railway tracks to be laid and also on barrow area;

(c)Erection of overhead electrification and signaling and telecommunication works, being deposit works, is to be done by Railways only; and

(d)Readiness of all the facilities in the Chacher station by Railways and their permission for rolling NTPC loco in the tracks. The movement of coal is possible only after the railway track is stabilized by movement of locos and thereafter by movement of empty rakes.

6. The Commission in its record of proceedings directed the petitioner to submit the following information:

- (i) The completion schedule of works enlisted in the paragraph 5 (a) to (d) above giving firm dates;
- (ii) The details of activities to be undertaken after completion of above works and their schedule and expected date of COD giving PERT chart.

7. In response, the petitioner has submitted the relevant information as called for vide its affidavit dated 9.11.2012. In the said affidavit, the petitioner has given the current status of the said works along with their completion schedules as under:

(i) The work corresponding to 2 nos. of bridges have been completed and for the remaining 2 no of bridges, the slab of one bridge is to be cast by 15.11.2012 and the work on other bridge was stopped as approval of drawing from Railways were pending. Drawing approvals are expected by 10.11.2012 and the civil works of all the 4 bridges is expected to be completed by 30.12.2012.

(ii) The Earth work and Moorum work are under progress and are expected to be completed by 5.1.2013.

(iii) The Erection of Overhead Electrification (OHE) and Signaling and Telecommunication (S&T) work corresponding to Chacher station is being done by Railways as deposit work. The contract for S&T work for Chacher station which involves shifting of signals, cable laying, and modification in existing S&T panel by Railways has been awarded on 17.10.2012. Both the works are expected to be completed by 4.2.2013.

(iv) Formation work for about 600 metre at Chacher Railway area can be taken up only after rerouting of S&T cables of main line railways. This work is in progress and expected to be completed by 10.11.2012. Formation of work and track laying and linking expected to be completed by 6.1.2013. It is respectfully submitted that for Turn Out insertion Railway Supervision and Commissioner of Railways safety clearance is required for which application has been submitted on 8.9.2012 and clearance expected by 6.1.2013. Engine rolling is expected by 26.1.2013 and after engine rolling stabilization period for another 20 days is required i.e up to 15.2.2013 and after Railway inspection, coal rake movement will start by 15.2.2013.

(v) The PERT chart giving details of activities to be undertaken after completion of above works giving time schedule for achieving COD by 28.2.2013 is enclosed.

8. During the hearing, the learned counsel for the petitioner reiterated its submissions made in the petition and prayed that extension of time for completion of

balance works as mentioned above may be allowed for bonafide reasons as stated and not for trading in infirm power or to derive any undue advantage.

9. 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.”

10. Heard the petitioner. Regulation 8 (7) of the Connectivity Regulations, as amended on 21.3.2012, provides that a generating company 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 the COD for a period not exceeding 6 months from the date of first synchronization after obtaining the prior approval of the concerned RLDC. The synchronization of Unit-I of the project has taken place on 8.4.2012. It is noticed from the PERT chart that the Railway siding work to ensure

readiness of coal transportation for the project would be completed by 28.2.2013 within duration of 114 days from the date of start of work on 6.11.2012. Similarly, the duration for completion of balance works in load line, Chacher station work and works after readiness of load line is 100 days, 90 days and 23 days respectively from the date of start of the respective work. Thus, the Unit was expected to achieve commercial operation by 28.2.2013. Though the work of Detailed Engineering, Project Management & Construction (PMC) of Railway line upto the station including siding system and in-plant rail facilities package given to M/s RITES on 10.12.2008, with the completion period of 24 months i.e 10.12.2010, M/s RITES/Railways have not been able to complete the said work on account of delay in approvals from Railways and as well as heavy rains in the area. From the status report of the work submitted by the petitioner vide affidavit dated 9.11.2012, it is noticed that some of the civil works corresponding to bridges in railway line had been delayed due to pendency of approval of drawings from Railways. Also, in respect of other works like Earth and Morrum works, formation work and track laying and linking work, OHE and S&T works, Safety clearance from Commissioner of Railway safety etc., there has been considerable delay in completion of the work. Though the petitioner was expected to take more effective and proactive steps to pursue the matter with the M/s RITES / Railways for completion of the project within schedule, after considering the totality of the factors affecting the project, we are of the view that the project execution has been delayed due to the reasons beyond the control of the petitioner. Since most of the works in respect of the project are nearing completion and the unit is to achieve commercial operation, we, allow the extension of time to the petitioner for injection of infirm power for testing including full loading by Unit-I of the project beyond 7.10.2012 and upto 28.2.2013. We expect the petitioner to take all efforts to ensure the

commercial operation of Unit-I of the project by this date. A copy of the order be sent to WRLDC for accounting and releasing payment to the petitioner for injection of power under UI from 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.

11. Petition No. 230/MP/2012 is accordingly disposed of at the admission stage.

Sd/-
[M. Deena Dayalan]
Member

Sd/-
[V.S. Verma]
Member

Sd/-
[S. Jayaraman]
Member

Sd/-
[Dr. Pramod Deo]
Chairperson