

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Miscellaneous Petition No. 318/2013**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson**

**Shri V.S.Verma, Member**

**Shri M.Deena Dayalan, Member**

**Shri A.K.Singhal, Member**

**Date of Hearing: 19.12.2013**

**Date of Order: 31.12.2013**

**In the matter of**

Petition under Clause (7) of Regulation 8 of 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, seeking approval of the Hon'ble Commission for further extension of period of injection of infirm power in to the grid beyond six months (beyond 31st December, 2012 till 31<sup>st</sup> March, 2014 or till COD of Unit-I, whichever is earlier) from the date of first synchronisation of Unit-I of 726.6 MW (3 x 363.3 MW) of Palatana Combined Cycle Gas Based Power Project of ONGC Tripura Power Company Ltd.

**And In the matter of**

ONGC Tripura Power Company Ltd, New Delhi

**...Petitioner**

Vs

1. Assam Power Distribution Company Ltd, Guwahati
2. Department of Power, Government of Arunachal Pradesh, Itanagar
3. Department of Power, Government of Nagaland, Kohima
4. Electricity Department, Government of Manipur, Imphal
5. Power and Electricity Department, Govt. of Mizoram, Aizwal
6. Meghalaya Energy Corporation Ltd, Meghalaya
7. Tripura State Electricity Corporation Ltd, Agartala
8. North Eastern Regional Power Committee, Shillong
9. North Eastern Regional Load Despatch Centre, Shillong

**....Respondents**

**Present:**

1. Shri G.R.Nagendran, OTPCL
2. Shri Arup Ch. Sarmah, OTPCL

**ORDER**

This petition has been filed by the petitioner, ONGC Tripura Power Company Ltd (OTPCL) 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 the Central Electricity Regulatory Commission (Unscheduled interchange charges and related matters) Regulations, 2012 with the following prayers:

- (a) *Admit the petition 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.*
- (b) *Allow OTPC to inject infirm power into the grid beyond 31.12.2013 upto 31.3.2014 or COD of the Unit-1, whichever is earlier, for undertaking the pre-commissioning activities of the project.*
- (c) *Allow OTPC to conduct the balance commissioning tests and declare the COD of Unit-1 at full load as soon as the fuel supplier is able to provide clean fuel gas to OTPC.*
- (d) *Allow the petitioner accounting of the sale of infirm power after 31.12.2013 till 31.12.2014 or till the COD of Unit-1 of Palatana Project of OTPC, as per Regulation 11 of CERC (Terms and Conditions of Tariff) Regulations, 2009.*
- (e) *Kindly condone the delay in submitting the petition and accept the petition at this point of time for injection of infirm power, as the present circumstances could not be visualised earlier and are beyond the control of the petitioner.*
- (f) *Kindly admit the petition for an early hearing on the matter as the previously allowed date for injection of infirm power by the Hon'ble Commission till 31.12.2013 is near.*
- (g) *Allow any other relief or/and pass any other order as the Hon'ble Commission may deem fit in the circumstances of the case.*
- (h) *Allow alterations/modifications/addition/changes to the petition at a future date.*
- (i) *Condone any inadvertent omissions/errors/differences/shortcomings.*

2. The petitioner is a joint venture company promoted by Oil and Natural Gas Corporation Limited ("ONGC"), Infrastructure Leasing and Financial Services Limited ("IL&FS") and Government of Tripura, and is a public limited company. The petitioner is setting up a Combined Cycle Power Project ('the project') at Palatana, which is about 60 km from the capital city of Agartala in the State of Tripura, with an approved capacity of 726.6 MW (2 x 363.3 MW). The EPC contract for the project has been selected through a process of International Competitive Bidding (ICB) where under M/s BHEL, emerged as the successful bidder since it was not only commercially competitive but was also guaranteeing shorter delivery/implementation schedule

3. Since Unit-I of the project was expected to be declared under commercial operation on 31.10.2012, the petitioner filed Petition No. 199/GT/2013 (Docket No. 57/GT/2012) for approval of

tariff of Unit-I of the project in terms of the provisions of the Central Electricity Regulation Commission (Terms & Conditions of Tariff) Regulations, 2009 and the same is pending. However, after synchronization of Unit-I with NER grid, the petitioner has not been able to complete the trial run and full load testing due to following reasons:

- (a) Unavailability of adequate evacuation system leading to unavailability of load for full load testing of the unit;
- (b) Faults detected in the Heat Recovery Steam generator; and
- (c) Problem with the quality of the fuel gas supplied by ONGC
- (d) Contamination in fuel gas at higher loads (above 180 MW) and
- (e) Need for pigging using imported PIG under supervision of US experts and installation of cyclone separator.

4. Accordingly, the petitioner filed Petition No.66/MP/2013 before the Commission seeking extension of time for injection of infirm power for testing including full load testing of Unit-I of project beyond 21.4.2013 and the Commission vide its order dated 20.5.2013 in Petition No. 66/MP/2013 had allowed the petitioner to inject infirm power into the grid till 31.7.2013.

5. However, in view of the problems faced by the petitioner with the quality of the fuel gas supplied by ONGC, Petition No.144/MP/2013 was filed by the petitioner seeking extension of time for testing including full load testing and consequent injection of infirm power in to the grid from 31.7.2013 till the date of commercial operation of Unit-I of the project or till 31.12.2013, whichever is earlier. Consider the special circumstances of the case, the Commission by its order dated 26.8.2013 permitted the petitioner to inject infirm power into the grid for testing and commissioning up to the date of commercial operation of Unit-I or till 31.12.2013, whichever was earlier.

6. The petitioner in its petition, while praying for extension of time for testing and full load testing and consequent injection of infirm power has submitted that due to the following reasons, the commercial operation of the Unit-I is not possible within te time frame of 31.12.2013 allowed by the Commission

**(a) Persistent contamination of fuel gas:** The problem of contamination in gas was started from 25.5.2013 and since then ONGC has carried out pigging of the entire 53 Km pipeline for 48 times to remove the contamination in fuel gas. However the contamination, in form of black dust, has persisted at higher loads in spite of pigging of the entire 53 Km pipeline by ONGC for 48 times, making it difficult to complete the balance trial run/commissioning tests. ONGC is also undertaking the pigging of the pipeline again using PIGs imported from USA under the supervision of US experts. Meanwhile ONGC is making further efforts to provide clean gas to OTPC by changing some of the filters and scrubbers and also by installing a cyclone separator, to ensure supply of clean fuel gas to OTPC. Some parts of the cyclone separator are also being imported, further leading to the delay. The Cyclone Separator is likely to be commissioned at the site by 15<sup>th</sup> December 2013 and the remaining trial run/commissioning tests on Unit-I can then be undertaken.

**(b) Problem in Heat Recovery Steam Generator (HRSG):** In addition to the problem of contamination of fuel gas, BHEL had detected some hotspots in the Heat Recovery Steam Generator (HRSG) and these were rectified. Now BHEL has detected leakage in the performance heater, which is being looked into, further adding to the delay. Also, the unit has been tripping frequently due to malfunctioning of the Gas Turbine Generator rotor earth fault relay. BHEL is trying to address the tripping problem but at present this issue still remains unresolved.

7. We have considered the prayer of the petitioner. This petition has been filed under Clause (7) of Regulation 8 of the Connectivity Regulations, 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. 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. It is noted that the synchronization of Unit-I of the project has taken place on 22.10.2012. However, the commercial operation of the unit could not be declared by the petitioner for various reasons. The petitioner had earlier been allowed extension of time, first upto 31.7.2013 by order dated 20.5.2013 in Petition No.66/MP/2013 and subsequently upto 31.12.2013 vide order dated 26.8.2013 in Petition No.144/MP/2013. However, we notice that there has been delay in declaration of commercial operation of Unit-I due to contamination in fuel gas and frequent tripping of Unit-I due to malfunctioning of the Gas Turbine Generator rotor earth fault relay.

9. During the hearing, the petitioner has explained in detail the reasons for delay in declaring COD of the Unit-I. The petitioner has submitted that ONGC has imported PIGs from USA for pigging gas pipeline and also installed cyclone separators in addition to filters and scrubbers for cleaning gas. The petitioner has further submitted that all out efforts are being made by them to declare the commercial operation of Unit-I before 31.12.2013 i.e. before the expiry of the extended time period for injection of infirm power. However, the petitioner has sought approval of the Commission to grant further extension of time up to 31.3.2014 or till COD of Unit-I, whichever is earlier, in order to accommodate any unforeseen events/slippage in the declaration of COD of Unit-I despite best efforts on the part of the petitioner.

10. Considering the special circumstances of the case, we are of the view that extension of the period of injection of infirm power can be granted beyond 31.12.2013 in exercise of our power under Regulation 8 (7) of the Connectivity Regulations. Accordingly, we direct NERLDC to permit

the petitioner to inject infirm power into the grid for testing and commissioning up to the date of commercial operation of Unit-I or till 31.3.2014, whichever is earlier. However, the petitioner shall not be entitled to any increase in IDC and IEDC due to time overrun or any other benefit /relaxation of availability or efficiency norms for this period.

11. Miscellaneous Petition No. 318/2013 is disposed of with the above directions.

*Sd/-*  
**(A.K.Singhal)**  
Member

*Sd/-*  
**(M. Deena Dayalan)**  
Member

*Sd/-*  
**(V.S. Verma)**  
Member

*Sd/-*  
**(Gireesh B. Pradhan)**  
Chairperson