

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 40/MP/2016

Subject : Petition under Regulation 31(3) of the Central Electricity Regulatory Commission (Terms and Conditions of tariff Regulations, 2014 for declared capacity and certification thereof by State Load Dispatch Center of MP in respect of NHDC's hydro generating stations i.e. Indira Sagar Power Station (ISPS) and Omkareshwer Power Station (OSPS).

Date of hearing : 21.7.2016

Coram : Shri Gireesh B. Pradhan, Chairman
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : NHDC Limited

Respondent : Madhya Pradesh State Load Despatch Center & Others

Parties present : Shri Harshul Singh, Advocate, NHDC
Shri Vinod Kumar Singh, NHDC
Shri Manish Kumar Choudhary, NHDC
Shri Ashutosh Kumar, NHDC
Ms. Pooja Katara, NHDC
Shri Manoj Dubey, Advocate, MPPTCL
Shri R.A. Sharma, MPPTCL
Shri Ajasra Gupta, Advocate, MPPMCL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking direction to State Load Despatch Centre, Madhya Pradesh to consider the generating station's daily ex-bus declared capacity for certifying DC and regularization thereof by issuing revised PAF for that period. He further submitted that SLDC, MP has restricted the Declared Capability (DC) of OSP and ISP for the period from 10.2.2015 to 18.2.2015 based on restrictions imposed on releases of water by local authorities for enabling various religious functions being celebrated downstream of these plants and for construction of Ghats. Learned counsel submitted that as per the provisions of Regulation 6.5.10 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 (Grid Code), the limitation on generation capacity can be considered only if the restriction is specifically on account of restriction(s) on water use due to irrigation,

drinking water, industrial, environmental considerations, etc. and not for any other restrictions.

2. Learned counsel for SLDC, MP submitted that the petitioner in its rejoinder has indicated three instances regarding computation of PAF. However, SLDC, MP has responded to two instances in its reply and requested for time to make further submission in this regard. Learned counsel for SLDC, MP further submitted as under:

(a) The Collector Khandwa, vide its letter No. 03/2015/NL/1359 dated 5.2.2015 directed SLDC, MP to maintain constant schedule in the downstream of river Narmada from 06:00 Hrs of 10.2.2015 to 18.00 Hrs of 18.2.2015. He also instructed that during the constant schedule period, the turbines at ISP and OSP Hydel Power Stations should be run at the Minimum level. However, the Indira Sagar and Omkareshwar generating stations have given their daily DC for running of all the 8 (eight) machines for six hours. However, as the Collector, Khandwa had not imposed restriction for running of a specific number of machines or restriction on discharge of water from the OSP reservoir, MP, SLDC has considered the DC given by NHDC for computation of PAF. Accordingly, the Plant Availability Factor for the period from 10.2.2015 to 13.2.2015 (3 days) has been verified by SLDC, considering the DC as furnished by generating stations, as there was no constant schedule and restrictions for running the machines.

(b) As per telephonic instructions of the Collector Khandwa, the constant schedule period was extended and issued w.e.f. 06:00 Hrs of 13.2.2015 to 18.00 Hrs of 18.2.2015. Since, the Collector Khandwa had instructed to stop 5 machines out of 8 machines, it was possible to run maximum three machines only in order to ensure the safety of temporary sand bridge being constructed at the downstream of OSP.

(c) During the period in question, the constant schedule for running of two machines at ISP and OSP was issued by SLDC as per system requirement.

(d) Since there is no enough margin to store the water at OSP reservoir, it is necessary to run the equivalent machines at Indira Sagar generating station also during the constant schedule. Accordingly, DC of three machines has been accepted by SLDC and PAF of ISP and OSP was computed for three machines DC, though only two machines were run during the period.

(e) As per Regulation 6.5.10 of the Grid Code, SLDCs are required to ensure that generating stations are declaring their capabilities as per the

provisions of the Grid Code and are not manipulating the declaration with the intent of making undue money through UI. Accordingly, OSP should have declared their availability after taking into account the restrictions imposed by the local authorities.

(f) SLDC, MP has computed the Plant Availability Factor of ISPS and OSPS as per guidelines mandated in the Tariff Regulations and Grid Code.

3. In its rebuttal, learned counsel for the petitioner submitted as under:

(a) The Sardar Sarovar reservoir Regulatory Operation committee (SSRRC) issues Reservoir Operation Table (ROT) which includes EX-OSPS release (as Ex-MP Releases), reservoir level of ISPS, SSP, etc. after due consultation and agreement by the party States.

(b) The EX-OSP releases in ROT are made after considering all aspect of water utilization/Uses like irrigation, drinking water, industrial, environmental consideration etc. as stipulated in Regulation 6.5.(10) of the Grid Code.

(c) Learned counsel referred to the details of water availability and submitted that the available daily average releases to the extent of 50 MCM as finalized by SSRRC, during period under dispute, were more than the requirement for declaring all machines of ISP and OSP available for more than three hours.

4. After hearing the learned counsel for the petitioner and SLDC, MP, the Commission directed SLDC, MP to file its additional reply by 10.8.2016 with advance copy to the petitioner who may file its rejoinder, if any by 19.8.2016. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. Subject to above, the Commission reserved order in the petition.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**