

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.222/MP/2015

Coram:

Shri Gireesh B.Pradhan, Chairperson

Shri A.K.Singhal, Member

Shri A.S.Bakshi, Member

Dr. M.K.Iyer, Member

Date of Hearing: 21.7.2016

Date of order: 30.8.2016

In the matter of

Petition under Regulation 24 read with regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) (Amendment) Regulations, 2009 and Regulation 35 (Power to Relax) and Regulation 36 (Removal of Difficulty) of the Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2015.

And

In the matter of

Power System Operation Corporation Ltd.
B-9, Qutab Industrial Area, 1st Floor,
Katwaria Sarai, New Delhi-110 016

..... **Petitioner**

Vs

NRLDC

1. CMD, Uttar Pradesh Power Corporation Limited,
Shakti Bhawan, 14-Ashok Marg, Lucknow-226001
2. Principal Secretary, Government of J&K,
Civil secretariat, Srinagar,J&K.
3. CMD, Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Vidyut Marg, Jaipur-302005
4. Chairman, Punjab State Electricity Board,
The Mall, Patiala-147 001
5. Managing Director, Haryana Vidyut Prasaran Nigam Limited,
Shakti Bhawan, Sector-6, Panchkula-134109.
6. CMD, Delhi Transco Limited,
Shakti Sadan, Kotla Road,
New Delhi-110 002



7. Chairman, Himachal Pradesh State Electricity Board,
Kumar House, Vidyut Bhawan,
Shimla-171004

8. Chief General Manager (Commercial),
Uttaranchal Power Corporation Ltd., Kanwali Road,
Urja Bhawan, Dehradun-248001.

9. Chief Engineer, Electricity Department,
UT Chandigarh, Sector 9-D,
UT Chandigarh-160019

10. Chief Electrical Engineer,
North Central Railway, GM Office Building,
Allahabad, UP.

11. Executive Director, NRTS-I,
Power grid Corporation of India Ltd.,
B-9, Qutab Institutional Area, New Delhi- 110016

Users under the category of Generating Stations and Sellers

12. General Manager, Singrauli Super Thermal Power Station,
Shakti Nagar, UP- 231222

13. General Manager, Rihand Super Thermal Power Station-I,
Rihand Nagar, UP- 231223

14. General Manager, Rihand Super Thermal Power Station-II,
Rihand Nagar, UP- 231223

15. General Manager, Rihand Super Thermal Power Station-III,
NTPC Rihand, Dist-Sonbhadra, UP- 231223

16. General Manager, Dadri National Capital Power Project,
Dadri Dhaulana Road, Distt. Gautam Buddh Nagar, UP-201008

17. General Manager, Dadri-Stage-II,
National Capital Power Project,
Dadri Dhaulana Road, Distt. Gautam Buddh Nagar,
UP-201008

18. General Manager, Firoz Gandhi Unchahar Thermal Power Project-I,
Unchahar, Distt. Raibareilly, UP

19. General Manager, Firoz Gandhi Unchahar Thermal Power Project-II,
Unchahar, Distt. Raibareilly, UP

20. General Manager
Firoz Gandhi Unchahar Thermal Power Project-III,



Unchahar, Distt. Raibareilly, UP

21. General Manager,
Firoz Gandhi Unchahar Solar PV Power Project,
Unchahar, Distt. Raibareilly, UP
22. General Manager, Dadri Gas Power Project,
Dhaulana Road, Distt. Gautam Buddh Nagar,
UP-201008
23. General Manager, Dadri Gas PV Power Project,
Dhaulana Road, Distt. Gautam Buddh Nagar, UP-201008
24. General Manager,
Auraiya Gas Power Project (Gas Fired, RLNG Fired, Liquid Fired),
Dibiyapur, Distt Etawah, UP-206244
25. General Manager
Anta Gas Power Project (Gas Fired, RLNG Fired, Liquid Fired),
Distt. Baran, Rajasthan-325209
26. Station Director,
Narora Atomic Power Station,
Narora, Distt. Bulandshahar, UP- 202389
27. Station Director, Rajasthan Atomic Power Station-B,
JAnu Shakti Vihar, Kota, Rajasthan-323303
28. Station Director,
Rajasthan Atomic Power Station-C,
(RAPS-5&6) PO-Anushakti,
Kota, Rajasthan-323304
29. General Manager,
Bairasiul Hydro Electric Project,
NHPC Ltd.,Surangini, Distt. Chamba, HP-176317
30. General Manager,
Salal Hydro Electric Project,
NHPC Ltd, Jyotipuram, Distt. Udhampur, J&K-182312
31. General Manager,
Tanakpur Hydro Electric Project,
NHPC Ltd., Banbassa, Distt. Champawa, Uttrakhand- 262310
32. General Manager,
Chamera-I Hydro Electric Project,
NHPC Ltd., Khairi, Distt. Chamba, HP-176310



33. General Manager,
Uri Hydro Electric Project,
NHPC Ltd., Mohra, Distt. Baramulla, J&K-193122
34. General Manager,
Chamera-II Hydro Electric Project,
NHPC Ltd., Karian, Distt. Chamba, HP-176310
35. General Manager,
Chamera-III Hydro Electric Project,
NHPC Ltd., Dharwala, Distt. Chamba, HP-176311
36. General Manager,
Dhauliganga Hydro Electric Project,
NHPC Ltd., Tapovan, Dharchula, Pithoragarh, Uttrakhand-262545
37. General Manager,
Dulhasti Hydro Electric Project,
NHPC Ltd., Chenab Nagar, Distt. Kishtwar, J&K-182206
38. General Manager,
Satluj Jal Vidyut Nigam Ltd. Power Project,
Jhakri, Rampur, Distt. Shimla, HP-172201
39. General Manager,
Tehri Hydro Development Corporation Ltd.,
Pragatipuram, Rishikesh, Uttrakhand-249201
40. General Manager,
Uri 2 Hydro Electric Project, NHPC Ltd.,
Nowpura, Distt. Baramulla, J&K-193 123
41. General Manager,
Parbati HE Project Stage-III Behali,
P.O.-Lajri kullu-175122
42. General Manager, Sewa-II Power Station,
Mashke, P.O.-Khari,
Tahsil-Dalhousie, Dist-Champa, HP-176325
43. General Manager, Rampur HEP,
Satluj Jal Vidyut Nigam Ltd. Power Project,
Jhakri, Rampr, Distt. Shimla, HP-172201
44. General Manager, Koteshwar HEP,
THDCIL, Koteshwarpuram,
Tehri Garwal-249002
45. General Manager, ADHPL Prini,
Tehsil Manali,



Distt-Kullu (H.P.)

46. General Manager, Indra Gandhi Super Thermal Power Project
VPO-Jharli, Tahsil Matanhail,
Dist Jhajjar (Haryana)-124125

47. General Manager, Karcham Wangtoo HEP,
Jaiprakash Power House Ventures Limited Baspa-II,
Hydro Electric Project Sholtu Colony,
PO-Tapti,
Dist. Kinnaur-172104

48. Director, Malana-II Everest Power Pvt. Ltd.,
1st Floor, Hall-1,
NBCC Tower Bhikaji Cama Place,
New Delhi-110066

49. Plant In Charge,
Shree Cement Thermal Power Project,
Bangurnagar, Beawar, Dist. Ajmer,
Rajasthan-305901

50. Company Secretary,
Greenco Budhil HPS Ltd.,
Plot No. 1367, Road No.-45, Jubilee Hills,
Hyderabad-500033

Users under the category of Inter-State Transmission Licensees

51. Executive Director, NRTS-I,
Power Grid Corporation of India Ltd.,
B-9, Qutab Institutional Area,
New Delhi-110016

52. Director, Operations ,
Powerlinks Transmission Ltd.,
10th Floor, DLF Tower-A,
District Centre, Jasola,
New Delhi-110044

53. Director, Jaypee Powergrid Ltd.,
House No.-7, Housing Board Colony,
Chuha Bagh,
Khaneri Rampur, Bushahr Shimla

54. Director, APL, Business Development,
Achalraj, Opp Mayor Bungalow,
Law Garden, Ahmedabad-380009



55. Executive Director,
Parbati Koldam Transmission Company Ltd.,
B-9, Qutab Institutional Area, New Delhi-110016

WRLDC

Distribution List

I. Users under the category of Distribution Licensees and Buyers

1. Managing Director, MSEDCL,
Prakashgad, 5th Floor, Bandra (East), Mumbai-400051.
2. Managing Director, GUVNL,
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara-390 007.
3. Managing Director, M.P Power Trading Co. Ltd,
3rd Floor, Block No. 11, Shakti Bhavan,
Rampur, Jabalpur-482008
4. Managing Director, CSPDCL, P.O. Sunder Nagar,
Chhattisgarh, Raipur, Dangania-492013.
5. Secretary (Power), Electricity Department,
UT of Daman & Diu, Sachivalaya,
Daman & Diu, Moti Daman-396210.
6. Secretary (Power), UT of Dadra Nagar & Haveli,
Secretariat, Electric Department, 66kV Amla Road,
Dadra Nagar & Haveli, Silvassa-396230
7. Managing Director, ESSAR Steel India Ltd.,
27th KM, Surat Hazira Road, Gujarat, Surat-394270
8. Chief Electrical Engineer, Goa Electricity Department,
Government of Goa, 3rd Floor,
Vidyut Bhavan, Panaji, Goa-403001
9. General Manager, Bhadravathi HVDC,
Power Grid Corporation of India Ltd.,
Sumthana Village, Bhadravathi(Tahsil),
Bhadravathi, Chandrapur(Dist), Maharashtra-442 902
10. General Manager, Vindhayachal HVDC,
Power Grid Corporation of India Ltd, P. O. Vindhyanagar,
P. Box No. 12, Singrauli (Dist), Madhya Pradesh-486 885

II. Users under the category of Generating Stations and Sellers

11. General Manager, Korba STPS STG (I & II),
National Thermal Power Corporation Ltd.,



P.O. Vikas Bhavan, Jamnipali, Korba(Dist),
Chhattisgarh- 495 450

12. General Manager, Korba STPS STG (III),
National Thermal Power Corporation Ltd.,
P.O. Vikas Bhavan, Jamnipali, Korba(Dist),
Chhattisgarh- 495 450

13. General Manager, VSTPS STAGE-I,
Vindhayachal STPS,
National Thermal Power Corporation of India Ltd,
P.O Vindhyanagar, Sidhi(Dist), Madhya Pradesh – 486 885

14. General Manager, VSTPS STAGE-II,
Vindhayachal STPS,
National Thermal Power Corporation of India Ltd.,
P.O Vindhyanagar, Sidhi(Dist),
Madhya Pradesh – 486 885

15. General Manager, VSTPS STAGE-III,
Vindhayachal STPS,
National Thermal Power Corporation of India Ltd,
P.O Vindhyanagar, Sidhi(Dist),Madhya Pradesh – 486 885

16. General Manager, VSTPS STAGE-IV,
Vindhayachal STPS,
National Thermal Power Corporation of India Ltd,
P.O Vindhyanagar, Sidhi(Dist),Madhya Pradesh-486 885

17. General Manager, VSTPS Stage-V,
Vindhayachal STPS, National Thermal Power Corporation of India Ltd,
P.O Vindhyanagar, Sidhi(Dist),Madhya Pradesh – 486 885

18. General Manager, Kawas Gas Power Project,
National Thermal Power Corporation of India Ltd ,
P.O.Aditya Nagar, Surat- 394 516

19. General Manager, Gandhar Gas Power Project,
National Thermal Power Corporation of India Ltd,
P.O.NTPC Township, Bharuch(Dist), Gujarat- 392215

20. General Manager, SIPAT TPS Stg-I,
National Thermal Power Corporation of India Ltd,
SIPAT, Chhattisgarh-495558

21. General Manager, SIPAT TPS Stg-II,
National Thermal Power Corporation of India Ltd,
SIPAT, Chhattisgarh-495558



22. General Manager, Mouda STPP Stage-I, NTPC Ltd.,
Mouda Ramtek Round,
P.O. Mouda, Nagpur (Dist.), Maharashtra
23. General Manager,
Mouda STPP Stage-II,
NTPC Ltd., Mouda Ramtek Round,
P.O. Mouda, Nagpur (Dist.), Maharashtra
24. General Manager,
2x135 MW Kasaipali Thermal Power Project,
ACB (India) Ltd. Dist.-Korba, Chhattisgarh,
Chakabura-495445
25. General Manager,
Bharat Aluminum Co. Ltd. Captive Power Plant-II,
BALCO Nagar Chhattisgarh, Korba-495684
26. Executive Director, Costal Gujarat Power Ltd. (CGPL-UMPP),
Tunda Vandh Road, Tunda Village, Mundra,
Gujarat Kutch-370 435
27. Executive Director, DB Power, Village-Baradarha,
Post-Kanwali, Dist-Janjgir, Champa,
Chhattisgarh, Baradarha-495695
28. Executive Director, Jindal Power Limited, Stg-I,
O.P.Jindal Super Thermal Power Plant,
Village & P.O: Tamnar, Tehsil: Gharghoda,
Dist: Raigarh, Chhattisgarh- 496107
29. Executive Director, Jindal Power Limited, Stg-II,
O.P.Jindal Super Thermal Power Plant,
Village & P.O: Tamnar, Tehsil: Gharghoda,
Dist: Raigarh, Chhattisgarh- 496 107
30. Executive Director, DGEN Mega Power Project,
Plot No. Z-9, Dahej SEZ Area (Eastern Side),
At: Dahej, Taluka-Vagra, Dist-Bharuch,
Gujarat-392130
31. Executive Director, EMCO Power Ltd.,
Plot No. B-1, Mohabala MIDC Growth Center Post Tehsil-Warora,
Dist-Chandrapur, Maharashtra-442907
32. Executive Director, ESSAR Power Ltd.,
Plot No. B-1, Mohabala MIDC Growth Center Post Tehsil-Warora,
Dist-Bharuch, Gujarat-392130



33. Executive Director,
GMR Chhattisgarh Energy Ltd.,
Skip House, 25/1, Museum Road,
Bangalore, Karnataka-560025
34. Executive Director,
Jaippee Nigrie Super Thermal Power Project,
Nigri District, Singrauli, Madhya Pradesh-486668
35. Executive Director, DCPP,
O.P. Jindal Super Thermal Power Plant,
Village & P.O: Tamnar, Tehsil: Gharghoda,
Dist: Raigarh, Chhattisgarh- 496 107
36. Station Director,
Nuclear Power Corporation of India Ltd.,
Kakrapara Atomic Power Station,
PO-via Vyara, Dist-Surat, Gujarat-395651
37. Station Director, Tarapur Atomic Power Station 1&2,
Nuclear Power Corporation of India Ltd.,
P.O. TAPP, Thane (Dist.), Maharashtra-401504
38. Station Director, Tarapur Atomic Power Station
3&4, Nuclear Power Corporation of India Ltd.,
P.O. TAPP, Thane (Dist.), Maharashtra-401504
39. Managing Director, Korba West Power Co. Ltd.,
Village-Chhote Bhandar,
P.O.-Bade Bhnadar, Tehsil-Pussore,
District-Raigarh, Chhattisgarh-496100
40. Managing Director, KSK Mahanadhi,
8-2-293/82/A/431/A, Road No. 22,
Jubilee Hills Andhra Pradesh,
Hyderabad-500033
41. General Manager (Comml),
LANCO Power Pvt. Ltd.,
Plot No. 397, Phase-III, Udyog Vihar,
Gurgaon-122016, Haryana
42. General Manager, NTPC-SAIL Power Company Private Ltd.,
Puranena Village, Chhattisgarh Dist-Durg,
Bhilai-490021
43. General Manager, Ratnagiri Gas & Power Pvt. Ltd.,
2nd Floor, Block-2, IGL Complex,
Sector-126, Express-way,
NOIDA, Uttar Pradesh-201304



44. Managing Director, Sasan Power Ltd.,
DAKC, I Block, 2nd Floor, North Wing, Thane Belapur Road,
Koparkhairana Maharashtra New Mumbai-400710
45. Member (Power), Narmada Control Authority,
Narmada Sadan, Sector-B, Scheme No. 74, Vijaynagar,
Indore, Madhya Pradesh-452010
46. Managing Director, Vandana Vidyut Bhavan,
M. G. Road Chhattisgarh, Raipur-492001
47. CEO, MB Power (Madhya Pradesh) Ltd.,
Corporate Office: 239, Okhla Industrial Estate Phase-III,
New Delhi-110020
48. Chief General Manager, RKM Powergen Pvt. Ltd.,
Village: Uchpinda, PO: Dhurkot, Dist: Janjgir-Champa,
Chhattisgarh-495692
49. Head (Commercial), Jhabua Power Ltd.,
Village-Barrella, Post-Attaria, Tahsil-Ghansor,
Dist-Seoni, Madhya Pradesh-480997
50. Head (Commercial), Dhariwal Infrastructure Ltd.,
CESC House, Chowringhee Square, Kolkata-700001
51. Head (Commercial), SKS Power Generation Chhattisgarh Ltd.,
501B, Elegant Business Park, Andheri Kurla Road,
J B Nagar, Andheri (East), Mumbai-400059
52. General Manager/Plant Head, NTPC Ltd.,
Solapur Super Thermal Power Station,
PO: Hotgi Station, Taluka: South Solapur,
District: Solapur, Maharashtra-413003
53. Sr. Vice President (Power),
M/s TRN Energy Pvt. Ltd.,
18, Vasant Enclave, Rao Tula Ram Marg,
New Delhi-110057

III. Users under the category of Inter State Transmission Licensees

54. General Manager, Power Grid Corporation of India Ltd.
Western Region-I Headquarters,
PO-Uppalwadi,
Sampritinagar, Nagpur, Maharashtra-440026
55. Managing Director, ESSAR Power Transmission Co. Ltd.,
A-5, Sector-3, Gautam Budha Nagar,
Uttar Pradesh, NOIDA-201301



56. Executive Director, Jindal Power Ltd.,
OP Jindal STP, OP Jindal STPS, PO-Tamnar,
Chhattisgar, District-Raigarh-496107
57. Executive Director, Torrent Power Grid Ltd.,
Torrent House, Off Ashram Road, Gujarat Ahmedabad-380009
58. Vice President, Western Region Transmission (Gujarat) Pvt. Ltd.,
12th Floor, Building No.-10-B, DLF,
Cyber City, Haryana Gurgaon-122002
59. Vice President, Western Region Transmission (Maharashtra) Pvt. Ltd.,
12th Floor, Building No.-10-B, DLF,
Cyber City, Haryana Gurgaon-122002
60. General Manager (Comml), Adani Power Ltd.
Achalraj, Opp Mayor Bungalow,
Low Garden, Ahmedabad, Gujarat-380006
61. Head (Commercial), Bhopal Dhule Transmission Company Ltd.,
C-2, Mitra Corporate Suite, Iswar Nagar,
Mathura Road, New Delhi-110065
62. Head (Commercial),
Raichur Solapur Power Transmission Company Ltd.,
Patel Estate, SV Road, Jogeshwari West,
Mumbai-400102
63. Head (Commercial),
Jabalpur Transmission Company Ltd.,
Tower-B, 1st Floor, Logix Techno Park, Sector-127, NOIDA,
Uttar Pradesh-201301

ERLDC

Users under the category of Distribution Licensees and Buyers

1. Chairman,
Bihar State Holding Co. Ltd.,
Vidyut Bhavan, Bailey Road, Patna, Bihar-800021
2. Chairman,
Jharkhand Urja Vikash Nigam Ltd.,
Dhurwa Road, Ranchi, Jharkhand-834002
3. Chairman,
Damodar Valley Corporation,
DVC Tower, VIP Road, Kolkata, WB-700054



4. Chairman,
Grid Corporation of India Ltd.,
Janpath, Bhubaneswar, Odisha-751022
5. Secretary, Power Deptt.,
Govt. of Sikkim, Kaji Road, Sikkim, Gangtok-731101
6. Chairman,
West Bengal State Electricity Distribution Corporation Ltd.,
Bidyut Bhavan, Saltlake, Kolkata, WB-700091
7. Executive Director, ER-I,
Power Grid Corporation (I) Ltd.,
Boring Road, Patna-800001
8. Addl. General Manager,
NTPC Vidyut Vyapar Nigam Ltd.,
Lodhi Road, New Delhi-110003

Users under the category of Generating Stations & Sellers

9. General Manager,
Farakka Super Thermal Power Plant-I & II,
NTPC Ltd., Farakka, WB-742236
10. General Manager,
Kahalgaoon Super Thermal Power Plant-I,
NTPC, Bhagalpur, Bihar-813 214
11. General Manager,
Kahalgaoon Super Thermal Power Plant-II,
NTPC, Bhagalpur, Bihar-813 214
12. Executive Director,
Talcher Super Thermal Power Plant,
Stn-I, NTPC, Nayapalli, Odisha-751 012.
13. Chief Engineer (Elect),
Teesta-V Hydro Electric Project,
NHPC, East Sikkim-737134.
14. Chief Engineer,
Rangit Hydro Electric Project NHPC,
P.O. Rangit Nagar South Sikkim-737111
15. Chairman, Damodar Valley Corporation,
DVC Tower, VIP Road West Bengal,
Kolkata-700054
16. General Manager,



Farakka Super Thermal Power Plant-III,
NTPC Ltd., Farakka, WB-742236

17. Plant Head (4*600 MW), Sesa Sterlite Ltd.,
IPP Administrative Building,
Village-Bhurkhamunda, Jharusuguda, Odisha-768202

18. CEO, Maithon Power Ltd.
MA-5, Gogna Colony, P.O. Maithon,
Dhanbad, Jharkhand-828027

19. Addl. General Manager,
National Thermal Power Corporation Ltd.,
BARH thermal Power Station, Patna, Bihar-803213

20. Chairman, GATI Infrastructure Ltd.,
268, Udyog Vihar, Phase-IV, Gurgaon, Haryana-122001

21. DGM (Electrical), Adhunik Power & Natural Resource Ltd.,
Village: Padampur, PS: Kandra Tata-Seraikela Road,
Jharkhand-832105

22. Addl. General Manager (Commercial), Talchar Solar PV,
ER-II Headquarters, NTPC Ltd.,
3rd Floor, OLIC Building, Plot No.: N-117/2, Nayapalli,
Odisha Bhubaneswar-751012

23. GM (Power Sales & Regulatory),
GMR Kamalanga Energy Ltd., Plot No.-29,
Satyanagar, Bhubaneswar, Odisha-751007

24. Head Power & Sales, Jindal India Thermal Power Ltd.,
Plot No. 12, Local Shopping Complex,
Sector-B1, Vasant Kunj, New Delhi-110070

25. Chief Engineer (PTR), WBSEDCL,
Power Trading & Regulatory Cell, Bidyut Bhavan, Block-A,
Sector-II, Saltlake, Kolkata, West Bengal-700091

26. Advisor (Power), Ind-Barath Energy Utkal Ltd.,
Sahajbahal, PO Cgarpali Barpali,
Dist-Jharsuguda, Odisha-768211

27. Head Commercial,
Tata Power Trading Co. Ltd.,
C-43, Sec-62, UP NOIDA-201307

28. Sr. General Manager (PP),
Grid Corporation of India Ltd., Janpath, Orissa,
Bhubaneswar-751022



Users under the category of Inter-State Transmission Licensees

29. Chairman,
East North Interconnection Company Ltd.
F-1, 1st Floor, the Mira Corporate Suite,
Ishwar Nagar, Mathura Road, New Delhi-110065

30. Executive Director, ER-I,
Power Grid Corporation (I) Ltd. Boring Road,
Patna-800001

31. General Manager,
Powerlinks Transmission Limited,
Vidyut Nagar, P.O. Satellite Township,
Siliguri – 734015

SRLDC

Users under the category of Distribution licensees and buyers

1. The General Manager (O&M and Commercial),
POWERGRID, SRTS-II, Pragati Mahalaxmi,
South Block, (2nd & 3rd Floor) No. 62, 3rd Cross,
MEI Road, Industrial Suburb, Yeshwantpur, Bangalore-560022

2. The Chief Engineer (Commercial),
Andhra Pradesh Power co-ordination Committee,
4th Floor, Room No: 451, Vidyut Soudha,
Kairatabad, Hyderabad-500082

3. The Addl. Director (Projects),
Power Company of Karnataka Ltd.,
KPTCL Building, Kaveri Bhavan,
Bangalore-560009

4. The Chief Engineer (Commercial & Tariff),
Kerala State Electricity Board, Vidyuthi Bhavanam,
Pattom, Thiruvananthapuram-695004

5. The Chief Financial Controller (Revenue),
7th Floor, Eastern Wing, NPKRR Maaligai,
TANGEDCO, TNEB Ltd., 144, Anna Salai, Chennai-600002

6. The Superintending Engineer-I,
I Floor, Main Building, Electricity Department,
Govt. of Puducherry-605001

7. The Executive Engineer,
Electricity Department,
Division No. III, Curti, Ponda, GOA-403401



Users under the category of Generating Stations and Sellers

8. AGM (Commercial),
National Thermal Power Corporation Ltd.,
SR Headquarters II & V Floors,
MCH Complex, R. P. Road,
Secunderabad-500003
9. The Additional General Manager (Commercial),
Eastern Region-II Head Quarters,
National Thermal Power Corporation Ltd.,
3rd Floor, OLIC Building, Plot No.-N-17/2, Nayapalli, Khurda,
Bhubaneswar-751012
10. The Deputy General Manager,
Commercial Dept,
Neyveli Lignite Corporation Ltd., Corporate Office,
Block-01, PO Neyveli-607801
11. The Station Director,
Madras Atomic Power Station,
Nuclear Power Corpn. Of India Ltd.,
Kalpakkam-603102
12. The Deputy General Manager (F&A),
Finance & Accounts Group, Kaiga Generating Station,
Nuclear Power Corpn. Of India Ltd., P. O. Kaiga, via Karwar,
Karnataka-581400
13. The Station Director,
Kudankulam Nuclear Power Project,
Nuclear Power Corporation of India Ltd.,
P.O. Kudankulam, Radhapuram Taluk Tirunelveli District,
Tamil Nadu-627106
14. The Chief Operating Officer,
LANCO-Kondapalli Power Ltd.,
Plot No. 4, Software Units Layout,
Hitech City, Madhapur, Hyderabad-500081
15. General Manger (O&M),
NTPC Tamil Nadu Energy Company Ltd.,
Vallur Thermal Power Project, Vellivoyalchavadi P.O.,
Ponneri Taluk, Tiruvallur Dist., Chhennai-6000103
16. The General Manager (Projects),
Simhapuri Energy Pvt. Ltd.,
Madhucon Greenlands, 6-3-866/2,
3rd Floor, Begumpet, Hyderabad-500016



17. Sr. Vice President (Finance),
Meenakshi Energy Pvt. Ltd.,
Meenakshi, Plot No. 119, road No. 10, Jubilee Hills,
Hyderabad-500033

18. Managing Director,
Coastal Energent Pvt. Ltd.,
7th Floor, Buhari Towers, 4 Moores Road,
Chennai-600006

19. Chief Financial Officer,
Thermal Powertech Corporation India Ltd.,
A-Block, 5th Floor T.S.R. Towers, Raj Bhavan Road,
Somajiguda, Hyderabad-500082

20. The Chief Executive Officer,
NLC Tamil Nadu Ltd., 2*500 MW,
JV Thermal Power Project, Harbour Estate,
Tuticorin-628004

Users under the category of Inter-State Transmission Licensees

21. The General Manager (O&M and Commercial),
Power Grid Corporation of India,
Southern Regional Transmission System-II Pragati
Mahalaxmi, South Block, (2nd & 3rd Floor) No. 62,
3rd Cross, MEI Road, Industrial
Suburb, Yeshwantpur, Bangalore – 560 022

NERLDC

Users under the category of Distribution licensees and Buyers

1. Chairman, APDCL,
Bijuli Bhava, Paltan Bazar, Guwahati-781001

2. Chairman, MeCEL,
Lumjingshai, Short Round Road, Shillong-793001

3. Chairman & Managing Director,
TSECL, Agartala-799001

4. Chief Engineer (W Zone), Dept. of Power,
Govt. of Ar. Pradesh, Itanagar-791111

5. Engineer-in-Chief, Dept. of Power,
Govt. of Mizoram, Aizwal-796001

6. Chief Engineer (Power),
Dept. of Power,



Govt. of Nagland, Kohima-797001

7. Managing Director,
Manipur State Power Distribution Co. Ltd.,
Keishanpat, Imphal-795001

Users under the category of Generating Stations and Sellers

8. General Manager, Doyang HEP,
NEEPCO, Wokha, Nagaland

9. General Manager, Ranganadi HEP,
NEEPCO, P.O. Ranganadi Proj. Dist. Subansiri,
Arunachal Pradesh-791121

10. General Manager, AGBPP,
NEEPCO, Kathalguri, Tinsukia, Assam

11. General Manager, AGTPP,
NEEPCO, Ramchandranagar, Agartala, Tripura

12. General Manager, KHANDONG HEP,
NEEPCO, Umrangsoo, N.C.Hills, Assam

13. General Manager, KOPI LI HEP,
NEEPCO, Umrangsoo, N.C.Hills, Assam

14. General Manager, KOPI LI-2 HEP,
NEEPCO, Umrangsoo, N.C.Hills, Assam

15. Chief Engineer, NHPC Loktak HEP Leimatak-795124,
Manipur

16. Managing Director, ONGC Tripura Power Company Ltd.,
6th Floor, A Wing, IFCI Tower-61,
Nehru Place, New Delhi-110019

Users under the category of Inter-State Transmission Licensees

17. Executive Director, NERTS,
Power Grid Corporation of India Ltd., Lapalang, Shillong-793006,
Meghalaya

18. The Managing Director,
North Eastern Transmission Company Ltd.,
1st Floor, Ambience Corporate Tower,
Ambience Mall, Gurgaon-122001



The following were present:

Shri R.K.Bansal, POSOCO
Shri K.V.S Baba, POSOCO
Shri S.S.Barpanda, POSOCO
Shri R.Piplonia, POSOCO
Ms. Supriya Singh, NLDC
Shri Rajiv Porwal, NLDC
Ms. Abiha Zaidi, NLDC
Shri M.K.Gupta, NLDC

ORDER

The petitioner, Power System Operation Corporation Limited, has filed the present petition seeking relaxation of the provisions of Regulation 12 (3) of the Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2015 to allow the petitioner to utilize the LDC Development Fund for funding of training for System Operators from SLDCs for capacity building programs conducted by NPTI and funding the expenditure on Corporate Social Responsibility (CSR) activities. The petitioner has made the following prayers:

“(a) The provisions of Regulation 12(3) of RLDC Fees and Charges Regulations, 2015 may be relaxed to allow the utilization of the LDC Development Fund for:

(i) Funding of training for System Operators from State Load Despatch Centre (SLDCs) for capacity building programs conducted by NPTI

(ii) Funding of Corporate Social Responsibility activities.

(b) The word "depreciation" may be deleted from the provisions of Regulation 12(5) and the computation of same may be allowed in accordance with the provisions of Regulation 19 of the RLDC Fees and Charges Regulations 2015.”

2. According to sub-section (4) of Section 28 of the Electricity Act, the Regional Load Despatch Centres are authorized to levy and collect such fees and charges from the generating companies or licensees engaged in inter-State transmission of electricity as may be specified by the Commission. The Commission, in exercise of



powers under Section 28 (4) read with Section 178 of the Electricity Act, 2003 has specified the Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2015 (RLDC Regulations, 2015).

3. The petitioner has projected the following difficulties in operationalization of the provisions of the RLDC Regulation, 2015:

(a) Funding of Training Programs for State Load Dispatch Centers (SLDCs) through the LDC Development Fund: One of the functions of POSOCO includes the function of training i.e. "advise and assist State level Load Despatch Centers, including specialized training etc". The Commission vide order dated 6.11.2013 in Petition No. 117/MP/2012 relaxed Regulation 9(3) of the erstwhile RLDC Fees and Charges Regulations to include expenditure on activities like training programs under the LDC Development fund. Accordingly, as per the Commission's directions dated 6.11.2013, the petitioner has taken up the funding of training programs of System Operators from SLDCs. As per Regulation 12 (3) of the RLDC Fees and Charges Regulations, LDC Development Fund is to be utilised for creation of new assets, loan repayment, servicing the capital raised in the form of interest and dividend payment, meeting stipulated equity portion in asset creation, margin money for raising loan from the financial institutions and funding of R & D projects. However, in the said Regulation, there is no provision for activities like training of system operators of State Load Despatch Centre (SLDCs). To encourage professional excellence and as a special drive to motivate the State LDC executives, funding of the training programs (conducted by NPTI) for System Operators



from SLDCs should be allowed to be undertaken from LDC development fund. This would be in line with the Guidelines approved by the POSOCO in its 30th Board meeting held on 13.2.2014.

(b) Meeting the Statutory Obligations under the Companies Act, 2013 towards Corporate Social Responsibility (CSR) related activities: As per the provisions of the Companies Act, 2013, it shall be ensured that the company spends for CSR activities, in every financial year at least two percent of the average net profits of the company made during the three immediately preceding financial years. The Commission vide order dated 28.9.2012 in Petition No. 200/MP/2011 by relaxing the provision of Regulation 9(2) of the erstwhile RLDC Fees and Charges Regulations, 2009 allowed the expenditure on Corporate Social Responsibility (CSR) to be met from the LDC Development Fund. Earlier the CSR activities were part of the annual MoU signed between POSOCO and POWERGRID as per the Guidelines issued by Department of Public Enterprises. In the financial year 2015-16, CSR is no longer a part of the MoU as the CSR activities have become mandatory under the provisions of the Companies Act, 2013. However, there is no provision in Regulation 12 (3) of the RLDC Fees and Charges Regulations, 2015 with regard to expenditure on CSR activities. Accordingly, the petitioner has prayed that the expenditure on CSR should be allowed to be undertaken from LDC Development Fund.

(c) Depreciation: Regulation 12(5) of the RLDC Fees and Charges Regulations, 2015, lays down that any assets created by POSOCO, out of the money deposited into LDC Development Fund, shall not be considered for



computation of ROE, interest on loan and depreciation on the same principle, as in case of grant. The petitioner has submitted that with no depreciation on the assets funded from the LDC Development Fund, this fund shall start depleting and shall not be available for future CAPEX/REPEX needs of POSOCO. The petitioner has submitted that the word "**depreciation**" should be deleted from the provision of Regulation 12(5) and the computation of same should be allowed in accordance with the provisions of Regulation 19 of the RLDC Fees and Charges Regulations.

4. The petitioner was directed to confirm that during the period 2009-14, POSOCO did not book the expenditure towards the training program for SLDC's Executives under O & M expenses and it was adjusted from LDC Development Fund. The petitioner, vide its affidavit dated 2.12.2015, has submitted that no expenditure towards the training program for SLDC's Executives during the control period 2009-14 was booked by POSOCO under O & M expenses and the expenditure towards trainings have been adjusted from LDC Development Fund.

5. Rajasthan Rajya Vidyut Prasaran Nigam Limited (RRVPL) in its reply dated 2.12.2015 has submitted that the provisions to the Regulation 12 (3) of the RLDC Regulations, 2015 should be relaxed to allow the utilization of the LDC Development Fund for funding of training of System Operators from SLDCs for capacity building program conducted by NPTI and for funding CSR activities.

Analysis and decision:

6. The petitioner has filed the present petition seeking relaxation of provision of Regulation 12 (3) of the RLDC Fees and Charges Regulations in order to fund the



expenditure on the training of System Operators in Load Despatch Centres and to fund the CSR activities which is mandatory in accordance with the provisions of the Companies Act, 2013. The petitioner has further sought deletion of the word “depreciation” from the provisions of Regulation 12 (5) of the Fees and Charges Regulations. The prayers of the petitioner have been dealt with hereinafter.

Expenditure on Training of SLDC Personnel

7. The petitioner has submitted that in order to encourage professional excellence and as a special drive to motivate the State LDC executives, funding of the training programs conducted by NPTI for System Operators from SLDCs may be allowed to be undertaken from LDC Development Funds. The petitioner has submitted that there is no provision in the RLDC Regulations, 2015 for utilization of the funds out of the LDC Development Funds for the purpose of training of System Operators of SLDC. The petitioner has prayed that relevant provisions of the RLDC Regulations be relaxed to enable POSOCO to meet the expenditure on the training of SLDC personnel out of the LDC Development Funds.

8. In the order dated 6.11.2013 in Petition No. 117/MP/2013, the Commission while allowing the expenditure on training to be met from the LDC Development Funds, had directed POSOCO to furnish a Procedure for selection of personnel for training in consultation with the Load Despatch Centres and include the topics like compliance of relevant sections of Electricity Act, Grid Code, Grid Standards and other Regulations so that the executives involved with the functions of system operations are made well aware about the need for maintain discipline in the integrated operation of the Grid and the penal consequences in case of non-



compliance with the provisions of the law. The petitioner has framed the “Procedure for selection of personnel from State Load Despatch Centre for System Operators training funded through LDC Development Fund” and placed the same on record as Annexure 1 to the petition. On perusal of the Procedure, it is observed that the petitioner has included in the training program the areas like (a) Power sector overview, policies, legal and regulatory framework; (b) Power system reliability; (c) Power system operation; (d) Power market operation; (e) Power system logistics; and (f) Skill based training. It has been further provided in the Procedure that a Coordination Committee comprising of three representatives each from NPTI and POSOCO shall be constituted for finalizing training programs, course content, faculty and participants. The Procedure also provides that the Coordination Committee while approving the Training Programs for funding shall also specify the details of reimbursement of training charges to NPTI. POSOCO shall release the fund to NPTI after NPTI submits the expenditure details as per actual after completion of each program. The Procedure has been approved in the 30th meeting of Board of Directors of POSOCO held on 13.2.2014.

9. The System Operators Training organized by POSOCO in consultation with NPTI for the personnel from SLDC is a pioneering initiative to equip these personnel to learn about the latest development and challenges in system operations, particularly in a large massed network, and the legal, commercial and market aspect of system operations. This will help the personnel from SLDCs to not only achieve professional excellence but will help in operation of the grid in a safe, secure and integrated manner. Recognizing the benefits of the training, the Commission during the 2009-14 period had allowed the expenditure on training of SLDC personnel from



LDC Development Funds by relaxing the provisions of Regulation 9(3) of RLDC Regulations, 2009 as there was no provision in the said regulations to fund the expenditure. In the RLDC Regulations, 2015, no provision has been made to meet the expenditure on training of personnel from SLDC. Therefore, the Commission considers it appropriate to allow POSOCO to incur the expenditure from the LDC Development Funds. The Commission in exercise of its power under Regulation 35 of RLDC Regulations, 2015 relaxes the provisions of Regulation 12(3) to permit POSOCO to incur the expenditure on training program of SLDC personnel out of the LDC Development Funds in accordance with the Procedure made by POSOCO in this regard. POSOCO is directed to furnish a comprehensive report after completion of each training program for the information of the Commission.

Expenditure on CSR activities

10. The petitioner has submitted that earlier, CSR activities were part of the annual MoU signed between POSOCO and PGCIL as per the Guidelines issued by Department of Public Enterprises, Govt. of India. As CSR activities have become mandatory under the provisions of the Companies Act, 2013, it is no longer a part of MoU for the year 2015-16. The petitioner has submitted that the LDC Development Fund is to be utilized in accordance with the provisions of Regulation 12 (3) of the RLDC Regulations, 2015. However, CSR activities are not covered under the said Regulation. Since CSR activities are statutory obligations under the Companies Act, 2013, the expenditure on Corporate Social Responsibility may be allowed to be funded from LDC Development Fund by relaxing the provisions of Regulation 12(3) of the RLDC Regulations, 2015.



11. We have considered the submission of the petitioner. Section 135 of the Companies Act, 2013 provides as under:

“Section 135 (1) Every company having net worth of rupees five hundred crore or more, or turnover of rupees one thousand crore or more or a net profit of rupees five crore or more during any financial year shall constitute a Corporate Social Responsibility Committee of the Board consisting of three or more directors, out of which at least one director shall be an independent director.

(2) The Board's report under sub-section (3) of section 134 shall disclose the composition of the Corporate Social Responsibility Committee.

(3) The Corporate Social Responsibility Committee shall,—

(a) formulate and recommend to the Board, a Corporate Social Responsibility Policy which shall indicate the activities to be undertaken by the company as specified in Schedule VII;

(b) recommend the amount of expenditure to be incurred on the activities referred to in clause (a); and

(c) monitor the Corporate Social Responsibility Policy of the company from time to time.

(4) The Board of every company referred to in sub-section (1) shall,—

(a) after taking into account the recommendations made by the Corporate Social Responsibility Committee, approve the Corporate Social Responsibility Policy for the company and disclose contents of such Policy in its report and also place it on the company's website, if any, in such manner as may be prescribed; and

(b) ensure that the activities as are included in Corporate Social Responsibility Policy of the company are undertaken by the company.

(5) The Board of every company referred to in sub-section (1), shall ensure that the company spends, in every financial year, at least two per cent. of the average net profits of the company made during the three immediately preceding financial years, in pursuance of its Corporate Social Responsibility Policy:

Provided that the company shall give preference to the local area and areas around it where it operates, for spending the amount earmarked for Corporate Social Responsibility activities:

Provided further that if the company fails to spend such amount, the Board shall, in its report made under clause (o) of sub-section (3) of section 134, specify the reasons for not spending the amount.

Explanation.—For the purposes of this section “average net profit” shall be calculated in accordance with the provisions of section 198.”



12. As per the above provision, every company is required to spend at least two percent of the average net profits towards CSR activities. The Board of the company is required to constitute a Corporate Social Responsibility (CSR) Committee which shall formulate and recommend a Corporate Social Responsibility Policy. The said Policy will indicate the activities to be undertaken by the Company as specified in Schedule VII of Companies Act, 2013. Expenditure on Corporate Social Responsibility is an expenditure incurred by a company to discharge its statutory responsibility under the Companies Act, 2013.

13. POSOCO is a statutory organization discharging certain assigned statutory functions under the Electricity Act, 2003 and for discharging its statutory functions, the Commission has specified the RLDC Regulations, 2015 which allows POSOCO to levy fees and charges from the generating companies and licensees. The fees and charges allowed to POSOCO are deposited into LDC Development Fund after meeting the statutory tax requirement. Clause (1) to (4) of Regulation 12 of RLDC Regulations, 2015 provide as under:-

“12. LDC Development Fund:

(1) The Power System Operation Company shall create and maintain a separate fund called ‘Load Despatch Centre Development Fund’ (“LDCD Fund”) for administering capital expenditure.

(2) The charges on account of return on equity, interest on loan, depreciation of the Regional Load Despatch Centres and National Load Despatch Centre including the registration fee, shall be deposited into the LDCD Fund after meeting the statutory tax requirements: Provided that short term open access charges and other income of RLDCs or NLDC, if any, shall not form part of the LDCD Fund.

(3) The Power System Operation Company shall be entitled to utilise the money deposited in the LDCD Fund for creation of new assets, loan repayment, servicing the capital raised in the form of interest and dividend payment, meeting stipulated equity portion in asset creation, margin money for raising loan from the financial institutions and funding of R & D projects.



(4) The LDCD Fund shall not be utilized for any other revenue expenditure. However, in case of shortfall in meeting the revenue expenditure including human resource expenses, Power System Operation Company shall be entitled to take interest free advance from LDCD Fund which shall be recouped from the expenditure allowed by the Commission under the respective heads at the time of truing up to be carried out after the expiry of the control period 2014-19.”

14. It is observed that LDC Development Funds have been created to enable POSOCO to meet its capital expenditure. The charges on account of return on equity, interest on loan, depreciation of the RLDC and NLDC, Registration fees etc. are deposited into the LDC Development Funds after meeting statutory tax requirement. Further, LDC Development Funds are to be utilized for creation of new assets, loan repayment, servicing of capital raised in the form of interest and dividend payment, meeting stipulated equity portion in asset creation, margin money for raising loans for the financial institution and funding of R&D projects. Meeting the expenditure on CSR activities is not included in any of the heads mentioned in Regulation 12(3) of the RLDC Regulations. Since CSR activities are statutory obligations to be performed under the Companies Act, 2013, we relax the provisions of Regulation 12(3) of the RLDC Regulations, 2015 and permit POSOCO to incur the expenditure on CSR activities by utilising LDC Development Funds. It is further directed that the expenditure on CSR activities should be made strictly in accordance with the relevant provisions of the Companies Act, 2013. POSOCO shall also submit an annual report to the Commission regarding the funds spent and the works undertaken under CSR activities.

Deletion of the word “depreciation’ from Regulation 12(5) of the RLDC Regulation

15. POSOCO has prayed for deletion of the word ‘depreciation’ from Regulation 12 (5) of the RLDC Regulations, 2015. Regulation 12 (5) of the RLDC Regulations, 2015 provides as under:



“(5) Any asset created by the Power System Operation Company out of the money deposited into the LDCD Fund shall not be considered for computation of return on equity, interest on loan and depreciation on same principles as in case of grant. Power System Operation Company shall submit details of such assets in the CAPEX plan.”

16. As per the above provision, asset created by POSOCO out of the money deposited into the LDC Development Fund is not required to be considered for computation of return on equity, interest on loan and depreciation on same principles as in case of grant. POSOCO has submitted that the purpose of allowing depreciation for assets is to make available fund to the company to replace those assets once their economic life is over. If no depreciation on the assets funded from the LDC Development Fund is allowed, the fund shall start depleting and will not be available for future CAPEX/REPEX needs of POSOCO. In our view, although the interpretation taken by the Commission is correct as any amount allocated out of Reserve Fund are in the form of grant. However this aspect needs detailed examination and deliberation. Accordingly, we direct the staff to make a detailed analysis of the impact of disallowance of depreciation and treating it as grant on the assets funded out of LDC Development Funds on the future asset of POSOCO and submit for consideration of the Commission.

17. Petition No. 222/MP/2015 is disposed of in terms of the above.

Sd/-
(Dr. M.K.Iyer)
Member

Sd/-
(A.S. Bakshi)
Member

Sd/-
(A. K. Singhal)
Member

Sd/-
(Gireesh B. Pradhan)
Chairperson

