

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. : 225/MP/2016**

**Coram:**

**Shri Gireesh B. Pradhan Chairperson**

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

**Shri A.S.Bakshi, Member**

**Dr. M.K.Iyer, Member**

**Date of Order: 6<sup>th</sup> of December, 2016**

**In the matter of**

Petition under 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 seeking permission to allow extension of the period for drawal of start-up power and injection of infirm power for testing including full load trial operation of Unit-1 & Unit-2 of Muzaffarpur Thermal Power Station (MTPS) Stage-II, (2X195 MW) of KBUNL, beyond six months from initial synchronization.

**And**

**In the matter of**

Kanti Bijlee Utpadan Nigam Limited (KBUNL)  
NTPC Bhawan, Core-7, Scope Complex,  
7- Institutional Area, Lodhi Road,  
New Delhi – 110003

**..Petitioner**

**Vs**

1. Bihar State Power Holding Company Limited (BSPHCL)  
Vidyut Bhawan, Bailey Road  
Patna-800001

2. Eastern Regional Load Despatch Centre (ERLDC)  
14, Golf Club Road, Tollygunge  
Kolkata-700033

3. Eastern Regional Power Committee (ERPC)  
14, Golf Club Road, Tollygunge  
Kolkata-700033

**.....Respondents**

**Parties Present:**

Shri Ramachandran, Advocate, KBUNL  
Ms. Poorva Saigal, Advocate, KUBNL

**ORDER**

This petition has been filed by the petitioner, Kanti Bijlee Utpadan Nigam Limited seeking permission of the Commission for drawl of start-up power and injection of infirm power into the grid during testing including full load testing beyond the period of six months from initial synchronization up to declaration of commercial operation of unit-I and-II of Muzaffarpur Thermal Power Station, Stage-II 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) Regulations, 2009 (Connectivity Regulations) as amended from time to time.

2. The petitioner, Kanti Bijlee Utpadan Nigam Ltd., a Government company, is a subsidiary of NTPC Ltd. and Bihar State Power Holding Corporation Limited. The unit-I and unit-II of Muzaffarpur Thermal Power Station (MTPS) Stage-II (2X195 MW) (hereinafter referred to 'the project') at Kanti, Muzaffarpur district in the State of Bihar were synchronized on 31.3.2015 and 24.3.2016 respectively. The petitioner has submitted that due to delay in acquisition of land for make-up water corridor, unit-I and unit-II of the project could not be declared under commercial operation within the stipulated time and are expected to be declared under commercial operation by January, 2017 and March, 2017 respectively.

3. The petitioner has submitted that since the unit-I and unit-II of the project could not be declared within six months of first synchronization due to non-availability of make-up water system, the petitioner filed petition for extension of time for injection of infirm power for unit-I. The Commission vide order dated 21.10.2015 in

Petition No.210/MP/2015 granted liberty to the petitioner to approach the Commission, one month prior to the intended date of drawal of startup power and injection of infirm during testing including full load testing from unit-1 of the project.

4. The petitioner has submitted that completion of Make-up water system is getting delayed in absence of consent by villagers for acquisition of the land required for make-up water pipelines. As on date, around 50% of land required for Stage-II make-up water corridor is yet to be taken in possession by the petitioner. The petitioner has submitted that the construction of make-up water pump house is in advanced stage and the issue of make-up water corridor land possession was expected to be resolved by the end of November, 2016.

5. The petitioner has submitted that it is seeking extension of time for *bona fide* reasons for readiness of make-up water system which is required for reliable unit operation and not for the purpose of deriving any undue advantage of the same. The petitioner has requested to grant time up to the date of commercial operation of unit-I and unit-II for drawal of start-up power and injection of infirm power for commissioning and testing including full load testing of the units.

6. The matter was heard on 1.12.2016. None was present on behalf of the respondents despite notice. During the course of hearing, the representative of the petitioner reiterated the submissions made in the petition and requested to grant permission to draw start-up power for commissioning activities and grant time for injection of infirm power into the grid for commissioning tests including full load testing from unit I and II of the project upto the date of commercial operation till 31.3.2017.

7. We have considered the submission of the petitioner. The Fourth proviso to Regulation 8 (7) of the Connectivity Regulations, as amended from time to time, provides as under:

"Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

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

8. The petitioner has submitted that it is seeking extension of time for *bonafide* reasons for completion of make-up water system which was delayed due to non-availability of land. Taking into consideration the problems faced by the petitioner, we allow extension of time for injection of infirm power into the grid and drawal of start-up power for the commissioning tests including full load testing of the units till 31.3.2017 or actual date of commercial operation of the units, whichever is earlier. We expect the petitioner to make all efforts to ensure the commercial operation of the units by this date. It is, however, clarified that extension of time granted as above shall not automatically entitle the petitioner for IEDC/IDC for the delay in declaration of COD from the scheduled COD which will be decided in accordance with the relevant provisions of the Tariff Regulations.

9. With the above, the Petition No. 225/MP/2016 is disposed of.

Sd/-	sd/-	sd/-	sd/-
<b>(Dr. M. K. Iyer)</b> <b>Member</b>	<b>(A.S. Bakshi)</b> <b>Member</b>	<b>(A. K. Singhal)</b> <b>Member</b>	<b>(Gireesh B. Pradhan)</b> <b>Chairperson</b>