

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.118/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 Hearing: 28.7.2016

Date of Order : 29.7.2016

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 of the Commission to allow extension of the period for drawal of startup power and injection of infirm power for commissioning and testing including full load testing of Unit 1 (300x4 MW) Binjkot TPP of SKS Power Generation (Chhattisgarh) Limited, beyond six months from expected initial synchronization date of 30.9.2016.

And

In the matter of

SKS Power Generation (Chhattisgarh) Limited.
501B, Elegant Business Park,
Andheri-Kurla Road, JB Nagar,
Andheri (East), Mumbai-400 059

...Petitioner

Vs

Power System Operation Corporation Limited
WRLDC, F-3, MIDC Area,
Marol, Andheri (East), Mumbai-400 093

.....Respondent

Following were present:

Shri Buddy Ragnadhan, Advocate, SKS
Ms. Divya Chaturvdi, Advocate, SKS
Shri Vaibhav Joshi, Advocate, SKS
Shri Prabal Mehrotra, Advocate, SKS

ORDER

This petition has been filed by the petitioner, SKS Power Generation (Chhattisgarh) Limited, 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 as amended from time to time (Connectivity Regulations) with the following prayers:

"(a) Allow the petitioner extension of time for interchange of power i.e. drawal of start-up power from the grid for synchronization and injection of infirm power for testing including full load trial operation by the Binjkote TPP Unit-1 to 30.3.2017;

(b) Pass any such other order (s) as this Hon`ble Commission may deem fit and proper under the facts and circumstances of the present case and in the interest of justice."

2. The petitioner is setting up 1200 MW (4X300 MW) thermal power project ("the project") at Villages Binjkote and Darramura of Kharsia Tehsil, Raigarh district in the State of Chhattisgarh.

3. The petitioner has submitted that COD of first unit (unit) of the project was to be achieved by 31.3.2016. However, COD of unit could not be achieved within the stipulated time due to financial stress, namely cost over-run and technical reasons, etc. The petitioner has submitted that the work of unit is progressing and boiler light-up has been achieved on 9.7.2016. ERLDC vide its letter dated 9.5.2015 granted permission to draw start-up power from the grid till 1.8.2018. The petitioner vide its letter dated 20.7.2016 requested ERLDC to grant further time for availing start up power. In response, ERLDC vide its e-mail dated 21.7.2016 informed the petitioner that since the desired extension is

beyond 15 months period, as per clause 6.4 of the Detailed procedure approved under Connectivity Regulations, it is not in a position to give further time for availing of start-up power without approval of CERC.

4. The petitioner has submitted that boiler light up was achieved on 9.7.2016 and steam blow out and synchronization is planned on 5.9.2016 and 30.9.2016 respectively. COD of the unit is expected to be achieved by 31.3.2017. The petitioner has submitted that despite making best efforts, there is requirement of further period of six months to complete the required work related to coal transportation, make up water system, ash dyke and rectification of teething problems to carry out the trial operation and subsequent declaration of commercial operation of the unit from planned first synchronization of 30.9.2016.

5. The petitioner has submitted that it is seeking extension of time for drawal of start-up power and injection of infirm power into the grid for *bonafide* reasons and not to take undue advantage of the same.

6. During the course of hearing, learned counsel for the petitioner reiterated the submission made in the petition and requested to grant permission for drawal of start-up power for unit and extend the time for injection of infirm power into the grid for testing including full load testing from unit of the project upto 31.3.2017 or the date of commercial operation of unit, whichever is earlier.

7. We have considered the submission of the learned counsel of the petitioner. The petitioner has sought permission for drawal of start-up power and extension of time for injection of infirm power into the grid from unit of the project by eight months. 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 Despatch Centre while granting such permission shall keep the grid security in view."

8. The petitioner has submitted that for running unit auxiliaries during commissioning activities, start-up power from the grid and injection of infirm power into the grid are necessary for it. We are of the view that non-availability of start-up power would hamper the progress of commissioning work which would jeopardize the commissioning activities and result in further delay in declaring COD of unit. Accordingly, 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 test of unit up to 31.1.2017 or actual date of commercial operation, whichever is earlier. We expect the petitioner to make all efforts to ensure the commercial operation of the project by this date.

9. The approval of extension of time for drawal of startup power from the grid and injection of infirm power shall not be taken as a ground for allowing time over-run and cost over-run of the project.

10. With the above, the Petition No. 118/MP/2016 is disposed of.

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