

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 274/MP/2018

**Coram:
Shri P.K.Pujari, Chairperson
Dr. M. K. Iyer, Member**

Date of Order: 7th of September, 2018

In the matter of

Petition under 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) Regulations, 2009 for seeking permission to allow interchange of power for testing including full load testing and trial run operation of Unit-I of Lara STPP (2X800 MW), beyond the period of six months from the date of first synchronization, i.e., beyond 8.3.2018

And

In the matter of

Seeking extension for the interchange of power for the second time (extension beyond the allowed extension period of 6 months ending on 7.9.2018)

And

In the matter of

NTPC Limited,
NTPC Bhawan, Core-7, Scope Complex,
7, Institutional Area, Lodhi Road, New Delhi-110 003

...Petitioner

Vs.

1. Chairman and Managing Director
Power System Operation Corporation Limited
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi -110016

2. Managing Director
MPPMCL, Shakti
BhawanVidyut Nagar,
Rampur Jabalpur-110003

3. Managing Director
CSPDCL
P.O.-Sundernagar
Danganiya, Raipur-492013

4. Managing Director
MSEDCL, Prakashgad,
Bandra (East),
Mumbai-400051

5. Managing Director,
GUVNL, Sardar Patel Vidyut Bhawan, Race Course,
Vadodara Gujarat-390007

6. Superintending Engineer
Electricity Department,
Govt. of Goa, Vidyut Bhawan,
Panaji, Goa-403001

7. Superintending Engineer
Electricity Department,
Administration of Daman and Diu,
Daman-396210

8. Chief Engineer
Electricity Department,
Administration of Dadra and Nagar Haveli,
Silvasa-396 230

...Respondents

The following were present:

Shri Shyam Kumar, NTPC
Shri Parimal Piyush, NTPC

ORDER

This petition has been filed by the Petitioner, NTPC Ltd. seeking permission of the Commission for injection of infirm power into the grid including drawal of start-up power upto 7.3.2019 or till declaration of commercial operation of Unit-I of 1600 MW (2x800 MW) Lara Super Thermal Power Project (the project) at Rajgarh district in the State of Chhattisgarh 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 has submitted that Lara STPP consists of two units of 800 MW each. Unit-I was synchronized with grid on 9.9.2017. The Commission vide order dated 8.3.2018 in Petition No. 66/MP/2018 had allowed injection of infirm power into the grid for commissioning tests including full load test of Unit-I upto 7.9.2018 or actual date of commercial operation, whichever is earlier. The Petitioner has submitted that COD of Unit-I could not be achieved due to the following reasons:

(a) Delay in completion of MGR corridor due to change in law/court order, etc: MGR corridor has not been completed yet in view of various external factors, namely promulgation of the Land Acquisition Act, 2013 in the State of Chhattisgarh, stay on land acquisition process by Hon'ble High Court, Bilaspur, delay in handing over of awarded land after necessary tree cutting approval by District Administration, hindrance by sale deed owners (whose mutation was annulled by the State Authorities), delay in gazette notification for R&R award, cancellation of stone mining lease by district administration causing delay of MGR work for 450 meters stretch and unprecedented protest by villagers for higher compensation, etc.

(b) Right of Use (ROU) issue in pipe laying work for make-up water: The work of laying of make-up water pipeline from Saradih barrage to Lara STPS has been severely affected on account of ROU issue and IR issues raised by the villagers of the area. Various notices have been issued by the Treasury Officer to the farmers to accept the compensation of the land as per the Land Compensation Act, 2013. After several efforts by the Petitioner, the problem at some stretches has resolved. However, the dispute for a stretch of around 400 meters is still to be resolved.

(c) Delay in the work of transmission line for make-up water pump

house: The villagers of the surrounding area are demanding higher compensation and their protest have severely affected the work of transmission towers, being erected for make-up water pump house.

(d) Court order cancelling land acquisition by State Govt. for Saradih

Barrage: The construction of Saradih barrage, being constructed by the Govt. of Chhattisgarh for supply of water to different upcoming projects including Lara STPS was severely affected and got delayed on account of the order of Hon'ble High Court of Chhattisgarh. The Hon'ble High Court of Chhattisgarh had cancelled the acquisition of land by the State Govt. for the construction of barrage. It came up as a big setback to all the projects, including Lara STPS. After several efforts made by the project developers before the State Govt. and in turn jointly before the Hon'ble High court, the construction of barrage was allowed. Although, the Saradih barrage has been constructed, the gates have not yet been made operational. The work of closing of the gates and impounding of the barrage for water drawal is still pending. Further, on account of the above various unforeseen and uncontrollable reasons, the water from the barrage could not be made available on the anticipated schedule, and the Petitioner was compelled to make contingency arrangement for the same. Expecting the delay in readiness of the barrage for water impounding new pipe line has been laid up to the nearest point of Kelo River and with the permission of Water Resource Department, the Petitioner has

achieved readiness for drawal of water on temporary basis for filling reservoir for testing/commissioning of Unit-I.

3. The Petitioner has submitted that it is seeking extension of time for Unit-I of Lara STPP for injection of infirm power into the grid, for *bona-fide* reasons for completion of the balance works and not for the purpose of trading of infirm power or otherwise to derive any undue advantage out of it.

4. During the course of hearing, the representative of the Petitioner reiterated the submissions made in the Petition and requested to allow the Petitioner for injection of infirm power with the grid for completion of works required for trial operation of Unit-I upto 7.3.2019.

5. 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 Despatch Centre while granting such permission shall keep the grid security in view.”

6. The Petitioner has submitted that it is seeking extension of time for bonafide reasons for completion of balance works. The Petitioner has submitted that due to various reasons, namely MGR issue, ROU issue in pipe laying work for make-up water, protest by villagers for higher compensation, delay in the work of transmission line for make-up water pump house and order of the Hon`ble High

Court of Chhattisgarh cancelling land acquisition by the State Govt. for Saradih Barrage, it could not complete testing including full load testing of Unit-I upto 7.9.2018. Considering these facts, the Petitioner has requested for permission for injection of infirm power till 7.3.2019. Taking into consideration the difficulties projected by the Petitioner, we allow injection of infirm power into the grid for commissioning tests including full load test of Unit-I upto 7.3.2019 or actual date of commercial operation, whichever is earlier. It is clarified that the extension of time as allowed in this order shall not automatically entitle the Petitioner for IDC/IEDC for delay in declaration of COD which shall be considered on merit at the time of determination of tariff of the unit/generating station.

7. With the above, the Petition No. 274/MP/2018 is disposed of.

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

sd/-
(P.K. Pujari)
Chairperson