

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 334/MP/2019

- Subject : Non-compliance of Section 29 of the Electricity Act, 2003, Regulation 2.3.1 (5), 2.3.1(6) and 2.3.1(7) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 and Regulation 8(6) 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 and Regulation 6 and Regulation 8 of the Central Electricity Authority (Grid Standards) Regulations, 2010 with Regulation 1.5 of the Indian Electricity Grid Code, Section 29(6) and Section 142 of the Electricity Act, 2003.
- Petitioner : Eastern Regional Load Despatch Centre
- Respondents : Odisha Power Generation Corporation Limited and Ors.
- Date of Hearing : 17.10.2019
- Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member
- Parties Present : Shri Ashok Rajan, ERLDC
Shri Gajendra Sinh, ERLDC
Shri Nadim Ahmed, ERLDC
Shri Sitesh Mukherjee, Advocate, OPGC
Shri Arjun Agarwal, Advocate, OPGC
Shri Arjit Maitra, Advocate, GRIDCO

Record of Proceedings

The Representative of the Petitioner submitted that the present Petition has been filed *inter alia*, seeking direction to the Respondent 1, Odisha Power Generation Corporation Limited to open the bus sectionaliser breakers between Unit-3 (connected to STU) and Unit-4 (connected to CTU) and direction to Respondent 2 to stop scheduling of Unit-4 (connected to CTU) immediately. The Representative of the Petitioner further submitted that by closing the bus sectionaliser breaker between Unit-3 and Unit-4 without any concurrences/switching-in code from the Petitioner and by scheduling of the power of Unit- 4 to the State of Odisha, Respondents 1 and 2 have violated the Regulations 6 and 8 of the Central Electricity Authority (Grid Standards) Regulations, 2010, Sections 29 (2) and 29(5) of the Electricity Act, 2003 and Regulations 2.3.1 (5), 2.3.1(6) and 2.3.1(7) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010.

2. Learned counsel for the Respondent 1, Odisha Power Generation Corporation Limited submitted that bus sectionaliser breaker between Unit-3 and Unit-4 is not a



new element introduced in the grid and as per the understanding of the Respondent, it did not require any permission from the Petitioner in terms of Grid Code. Learned counsel submitted that the Respondent had in fact requested ERLDC for approval in this regard. In response, ERLDC informed the Respondent to approach the Commission for resolution of technical/commercial matters rather than deciding on the technical feasibility. Learned counsel submitted that the Respondent, however, is willing to open the bus sectionaliser breaker and will make application to ERLDC in this regard. Learned counsel requested to tag the present matter along with the Petition filed by the Respondent 1.

3. Learned counsel for the Respondent 4, Grid Corporation of Orissa Limited (GRIDCO), submitted that GRIDCO is off-taker of the power generated from the Respondent No.1's Plant and any direction to open the bus sectionaliser breaker by the Commission in the present Petition will adversely affect the GRIDCO. Learned counsel further submitted that Petition is listed today only for admission and giving any direction to the Respondent 1 to open the bus sectionaliser breaker at this stage would not be appropriate and sought direction for maintaining status quo.

4. After hearing the representative of the Petitioner and learned counsels for the Respondents, the Commission admitted the Petition and directed to issue notice to the Respondents.

5. Considering the submission made by the learned counsel for the Respondent 1 and taking into consideration that while closing the bus sectionaliser, requisite approvals have not been taken, the Commission directed the Respondent 1 to open the bus sectionaliser breaker between Unit-3 and Unit-4 and make an application to ERLDC for necessary permission as per applicable Regulations. The Commission directed ERLDC to decide the application of the Respondent 1 within seven days.

6. The Commission directed the Petitioner to serve copy of the Petition on the Respondents, if not served already. The Respondents were directed to file their replies by 25.10.2019 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 29.10.2019. The Commission directed that due date of filing the reply and/or rejoinder should be strictly complied with.

7. The Petition shall be listed for hearing on 31.10.2019 along with the Petition filed by the Respondent 1.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**

