

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 62/MP/2019

Subject : Petition under Section 79(1) (c) of the Electricity Act, 2003 read with Regulations 5 and 7 of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 as amended by the Fourth Amendment Regulations, 2018 effective from 1.1.2019.

Petitioner : Noida Power Company Limited (NPCL)

Respondents : Power Grid Corporation of India Limited (PGCIL) and Others

Petition No. 66/MP/2019

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulations 5 and 7 of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 as amended by the Fourth Amendment Regulations, 2018 effective from 1.1.2019.

Petitioner : Punjab State Power Corporation Limited (PSPCL)

Respondents : Power Grid Corporation of India Limited (PGCIL) and Others

Date of Hearing : 23.7.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member

Parties present : Shri M. G. Ramachandran, Sr. Advocate, NPCL & PSPCL
Shri Vishal Gupta, Advocate, NPCL
Shri Nikhil Kumar, Advocate, NPCL
Shri Rahul Srivastava, Advocate, UPSLDC
Shri S. C. Gautam, Advocate, UPSLDC
Shri Piyush Shukla, Advocate, UPSLDC
Ms. Swapna Seshadri, Advocate, PSTCL
Ms. Kavita Parihar, NRLDC,
Shri Vardeep Mandar, PSPCL
Shri Sanket Srivastava, NPCL
Shri Alok Sharma, NPCL

Record of Proceedings

At the outset, learned senior counsel for the Petitioners referred to the data indicating the mismatch between the SCADA data and SEM data and submitted that the Respondents are proceedings with the recovery and enforcement of the claims



against the Petitioners despite the existence of serious anomalies in the implementation of 4th Amendment to the DSM Regulations on account of the absence of real time data and more importantly, after the Commission has issued the 5th Amendment to the DSM Regulations to modify the implication of the 4th Amendment to the DSM Regulations. Learned senior counsel submitted that Petitioners have paid all the charges pertaining to deviation except for Sustained Deviation Charges and are seeking relaxation from payment of such charges as the Petitioners have acted as per the data received by them. Learned senior counsel submitted that there are serious anomalies in the real time SCADA data available to PSPCL and other grid connected entities to adjust the under-drawal and over-drawal. The real time data is at great variance from the actual data.

2. Learned counsel for PSTCL submitted that SLDC, Punjab is using the data of SCADA System. Learned counsel submitted that the real time data on SEM basis is not being displayed by NRLDC. Such data is available only after the week is over and only then the variation between the data gets noticed.

3. Learned counsel for the Respondent, NRLDC referred to the Commission's orders dated 8.5.2009 and 19.12.2013 in Adjudication Case No. 2/2009 and Petition No. 56/SM/2013 respectively and submitted that the Commission in the above orders had observed that the SCADA data is instantaneous whereas the SEM data is averaged over 15 minutes and ensuring the correctness of SCADA data is a collective responsibility of NRLDC and SLDC. The Commission in the above orders had directed that SLDC shall be responsible for arranging compliance of the relevant telemetry provision. Learned counsel submitted that the ISTS line has two ends - one at ISTS interface point and the other in the State and it is the responsibility of the STU and entities of the State grid to ensure the correctness of the State's end telemetered data and also to continuously monitor the real time SCADA data of both ends of the line. Learned counsel submitted that SCADA have different purposes. The energy accounting is done using special energy meter data whereas SCADA is for real time grid monitoring which have telemetered data. Regular monitoring and corrections are required to avoid differences. Learned counsel further submitted that NPCL is an intra-State entity and is governed by the relevant regulations of UPERC.

4. Learned counsel for SLDC, UP reiterated the submissions made in its reply.

5. Based on the request of the learned senior counsel and counsels for the parties, the Commission directed the Petitioners and the Respondents to file their respective written submissions with copy to each other, by 9.8.2019. The Commission directed that due date of filing the written submissions should be strictly complied with. No extension shall be granted on that account.

6. Subject to the above, the Commission reserved order in Petitions.

By order of the Commission

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

