

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 290/MP/2018**

**Coram:**

**Shri P.K.Pujari, Chairperson**

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

**Shri I.S.Jha, Member**

**Date of Order: 3<sup>rd</sup> April, 2019**

**In the matter of**

Petition under Section 79 (1) (c) read with 79 (1) (k) of the Electricity Act, 2003 for allowing M/s S.V. Power Private Limited to use the dedicated transmission line (Petitioner's plant to Bharari, Bilaspur Pooling Station of PGCIL) on sharing basis along with other beneficiaries.

**And**

**In the matter of**

ACB India Limited  
7<sup>th</sup> Floor, Office Tower, Ambiance Mall,  
N.H-8, Gurgaon-122 002

**...Petitioner**

**Versus**

1. S.V.Power Private Limited  
Flat No. 18, SFS, First Floor,  
Vasant Enclave, Rao Tula Ram Marg,  
New Delhi-110 057
2. Power Grid Corporation of India Limited  
B-9, Qutab Institutional Area,  
Katwaria Sarai, New Delhi-110 016
3. Spectrum Coal and Power Limited  
18, Vasant Enclave, Rao Tula Ram Marg,  
New Delhi-110 057
4. Maruti Clean Coal and Power Ltd.  
7<sup>th</sup> Floor, Office Tower, Ambiance Mall,  
NH-8, Gurgaon-122 002
5. Gujarat Urja Vikas Nigam Limited  
Sardar Patel Vidyut Bhawan,  
Red Crouse,

**The following were present:**

Shri Matrugupta Mishra, Advocate, ACBIL

Ms. Ankita Bafna, Advocate, ACBIL

**ORDER**

The Petitioner, M/s. ACB India Limited, has filed the present Petition for seeking permission to evacuate power of M/s. S. V. Power Private Limited (hereinafter referred to as 'SVPPL') by utilizing the dedicated transmission line from the Petitioner's plant to Bharari, Bilaspur Pooling station of PGCIL, on sharing basis along with the Petitioner, M/s. Spectrum Coal and Power Ltd. (hereinafter referred to as 'SCPL') and M/s. Maruti Clean Coal and Power Ltd (hereinafter referred to as 'MCCPL').

2. The Petitioner has set up a 270 MW (2x135 MW) Thermal Power Plant at Chakabura in Korba district in the State of Chhattisgarh. As a part of the generation project, the Petitioner has established 55.54 km dedicated transmission line i.e. 400 kV D/C transmission line from the place of generation to the inter-connection point for onward inter-State transmission. Since the above transmission line is a dedicated transmission line, the Petitioner was not required under Sections 7 and 10 of the Electricity Act, 2003 to obtain a transmission licence to establish the transmission line. The Petitioner has entered into PTA with M/s. Gujarat Urja Vikas Nigam Ltd. (GUVNL), the Respondent No. 5, for selling 200 MW power through Case I competitive bidding for 25 years.

3. SCPL is a subsidiary of the Petitioner company and has independently established generation station of 100 MW (2X50 MW) at Ratiza, district Korba in the

State of Chhattisgarh. SCPL has been granted long term open access for evacuation of power from its plant which is an embedded plant of the Petitioner. SCPL has been granted LTOA for the evacuation of power from its plant by utilizing the dedicated transmission line of the Petitioner, whereby the power of SCPL would be stepped up at 132 kV and then transmitted through 132 kV D/C dedicated transmission line (12 km) from Ratiza to 400/132 kV sub-station of the Petitioner at Chakabura. The power of SCPL would be further stepped up at 400 kV through 132/400 kV ICT installed at sub-station of the Petitioner at Chakabura. Then the power is stepped up at 400 kV through 132/ 400 kV ICT installed at sub-station of the Petition at Chakabura and the same would be evacuated through 400 kV dedicated transmission line of ACBIL from its switchyard to 765/400 kV WR Pooling station at Bilaspur of PGCIL.

4. The Respondent No. 3, Maruti Clean Coal and Power Limited (has set up a 300 MW power plant at Ratiza and intended to connect to the 400 kV dedicated transmission line of the Petitioner through LILO up to the inter-connection point of PGCIL to its sub-station at Bharari, Bilaspur whenever surplus capacity was available in the said line of the Petitioner after fully providing for the needs of the Petitioner.

5. In order to allow evacuation of power from the generating station of MCCPL through the 400 kV dedicated transmission line of the Petitioner, the Petitioner approached the Commission through Petition for seeking grant of transmission licence for the subject dedicated transmission line. The Commission, after considering the submissions of the parties, in its order dated 12.8.2013 in Petition No. 170/TL/2012 observed that since the other two generators, namely SCPL and MCCPL can evacuate their power utilizing the balance capacity available in the dedicated transmission line after evacuation of power by the Petitioner, there is no

requirement of transmission licence for the subject transmission line. The Commission while granting permission for utilization of the Dedicated Transmission Line by three entities on sharing basis, also laid down a protocol under para 31 of its order, which deals with scheduling, metering and sharing of transmission charges and losses and other aspects related to coordination between evacuation of power by the entities through the Dedicated Transmission Line and the statutory authorities.

6. The Commission in the above order further clarified that the dedicated transmission line shall be used on sharing basis by ACBIL, MCCPL and SCPL and directed that no other generator/user shall use the transmission line without seeking transmission licence. Relevant portion of the said order dated 12.8.2013 is extracted as under:

“32. It is clarified that the dedicated transmission line shall be used on sharing basis by ACBIL, MCPPL and SCPL. Use of the transmissions line by any other generator/user cannot be allowed by the Petitioner without seeking transmission licence.”

### **Submission of the Petitioner**

7. The Petitioner mainly has submitted as under:

(a) As per the guidelines issued by the Central Electricity Authority, the single circuit of the dedicated transmission line is capable of evacuating 1121 MW power from the generating plant. At present, out of 1121 MW, the Petitioner, SCPL and MCCPL are evacuating 330 MW, 100 MW and 300 MW power respectively through the dedicated transmission line. Therefore, after utilizing the capacity of 730 MW of dedicated line out of total 1121 MW, there is surplus capacity available for further evacuation of the power.

(b) The Respondent No. 1, SVPPL, is a 95.81% subsidiary of SCPL and step-down subsidiary of the Petitioner company. The Respondent No. 1 has set up a 63 MW power plant at Village Renki, Tehsil Palli, district Korba in the State of Chhattisgarh. Chhattisgarh State Transmission Utility has granted connectivity to SVPPL at 132 kV sub-station at Renki. SVPPL does not have long term PPA apart from its commitment in the form of PPA to supply of power to CSPTCL for 5% of its generation capacity i.e. 3.15 MW. In order to make alternative arrangement or additional connectivity to make the project viable, SVPPL vide its letter dated 4.9.2015 sought permission/No Objection Certificate from CSPTCL for change of connectivity from STU to CTU. CSPTCL vide its letter dated 12.6.2018 granted NOC to SVPPL to shift the grid connectivity from STU to CTU.

(c) In order to achieve viability for the power plant, SVPPL intends to evacuate power from its power plant through the surplus capacity available in 400 kV dedicated transmission line of the Petitioner. For this purpose, SVPPL proposed to construct about 9 km 132 kV D/C dedicated transmission line from the generating station switchyard of SCPL TPS and from there, total power of SCPL and SVPPL would be evacuated through 400 kV dedicated transmission line of the Petitioner. In this regard, on 28.06.2018, the Petitioner, the lead generator, SCPL, SVPPL and MCCPL entered into a Consortium Agreement to share the dedicated transmission line or transmission system by providing indiscriminate open access without undertaking any commercial transaction.

(d) On 29.6.2018, the Petitioner, being the lead generator, made an application to CTU for grant of additional connectivity of 63 MW on behalf of SVPPL. The

Petitioner vide its letter dated 3.7.2018 has explained to the CTU the modalities for evacuation of power by the Petitioner along with SCPL, MCCPL and SVPPL from the respective generating stations. The Petitioner's application for grant of additional connectivity was discussed in the 29<sup>th</sup> meeting of Western Region Constituents regarding LTA and Connectivity Application in Western Region held on 17.08.2018. In the said meeting, the Petitioner was advised to approach the Commission for sharing of said dedicated transmission line by SVPPL.

(e) Pursuant to deliberations in 29<sup>th</sup> meeting of WR, SVPPL along with SPCL and MCCPL can be allowed open access through the dedicated transmission line of the Petitioner using its surplus capacity as and when available without affecting the transmission of power by the Petitioner through the dedicated line in any manner. Since the Commission has already allowed to other subsidiaries of the Petitioner, namely SPCL and MCCPL, to utilize the dedicated transmission line on a sharing basis, the Petitioner through this Petition has approached the Commission to allow SVPPL to utilize the dedicated transmission line in terms of the protocol laid down under para 31 of order dated 12.8.2013.

(f) The Petitioner has been duly complying with the protocol laid down by the Commission in its order dated 12.8.2013. The other users i.e. SCPL and MCCPL along with the Petitioner are following the detailed procedure of (i) setting up common control room, (ii) providing metering as per WRLDC, (iii) SCADA communication of all generating units to WRLDC, (iv) monitoring common schedule at Bilaspur, and (v) making payment of POC charges to PGCIL and DSM charges to WRLDC without default for the last 3 years.

8. Against the above background, the Petitioner has filed the present Petition along with the following prayers:

“(a) Allow the respondent No.1 to evacuate its power by utilizing the dedicated transmission line from the Petitioner`s plant to Bharari, Bilaspur Pooling Station of PGCIL, on sharing basis along with the petitioner, the Respondent Nos. 3 and 4; and

(b) Pass such other and further order or order as this Commission deems appropriate under the facts and circumstances of the present case.”

9. Notices were issued to the respondents to file their replies. No reply has been filed by the Respondents. None was present on behalf of the Respondents despite notice. During the course of hearing on 27.2.2019, the Petitioner was directed to submit the revised scheme of arrangement. The Petitioner vide its letter dated 9.3.2019 has submitted the revised Schematic Diagram proposing to connect SVPPL TPS directly at 132 kV ACBIL Bus Chakabura by laying 132 kV D/C dedicated transmission line from SVPPL TPS to 132/400 kV sub-station Chakabura.

### **Analysis and Decision**

10. We have considered the submission of the Petitioner. Pursuant to the Commission`s direction in Petition No. 170/TL/2012, the Petitioner has filed the present Petition for seeking permission to evacuate power of SVPPL which is a 95.81% subsidiary of SCPL, which is 100% subsidiary of the Petitioner and step down subsidiary of the Petitioner, by utilizing the dedicated transmission line from the Petitioner`s plant to Bharari, Bilaspur Pooling station of PGCIL, on sharing basis along with the Petitioner, SCPL and MCCPL. The Petitioner has submitted that subsequent to the Commission`s order, the Petitioner, SCPL and MCCPL are evacuating 330 MW, 100 MW and 300 MW power respectively through the dedicated transmission line and out of 1121 MW, total

730 MW power is being utilized and remaining 391 MW surplus power is available for further evacuation of power.

11. The Petitioner on behalf of SVPPL made an application to CTU for grant of additional connectivity for evacuation of 63 MW power. The Petitioner's application was discussed in the 29<sup>th</sup> meeting of Western Region Constituents regarding LTA and Connectivity Applications in Western Region in which the Petitioner was directed to approach the Commission for sharing of dedicated transmission line by SVPPL within one month. Relevant portion of the minutes of the meeting are extracted as under:

**“4.0 Connectivity Application from ACB (India) Ltd. on behalf of SV Power Private Limited 63 MW thermal power plant**

CTU informed that M/s ACB (India) Ltd. has applied as a lead generator on behalf of M/s SV Power Private Limited 63 MW thermal power plant, which is currently connected with CSPTCL (STU) network.

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It is informed that CERC in its order dated 12.08.2013 in Petition No. 170/TL/2012 filed by ACB(I)L [for grant of transmission licence for its dedicated line upto WR Pool for sharing it with MCCPL (300 MW) & SCPL (1000 MW) has stated that the Petitioner does not require a transmission licence for the subject transmission line and that ACBIL, MCCPL & SCPL shall inform a coordination center/control area with one of the generators to act as lead generator. In the order, it has been specifically clarified that the DTL shall be used on sharing basis by ACBIL, SCPL and MCCPL and its use by any other generator/user cannot be allowed by the Petitioner without seeking transmission licence.

The matter was deliberated in details and the applicant was advised to approach CERC for sharing of the DTL by SV Power. Applicant was requested to approach CERC within one month time from the date of issuance of the MOM.”

12. According to the Petitioner, it is technically feasible on the part of SVPPL to evacuate its 63 MW power through the dedicated transmission line to its power plant to the 132 kV sub-station of SCPL which is the holding company of SVPPL. The Petitioner has submitted that all the cost pertaining to such dedicated transmission line and system augmentation required shall be borne by SVPPL. The Petitioner has submitted that after



obtaining permission from the Commission, the power of SVPPL shall be wheeled through 132 kV D/C transmission line from SCPL to 132/400 kV sub-station at Chakabura of the Petitioner and through 400 kV for evacuation of power from dedicated transmission line till the pooling station of PGCIL on sharing basis.

13. The Petitioner has submitted that based on detailed survey of 132 kV dedicated transmission line from SV Power to SCPL, the feasibility studies carried out for augmentation required at SCPL sub-station/augmentation of ACSR conductor from ACBIL to SCPL has not been found techno economical feasible. The Petitioner has submitted that it has accordingly modified the proposal and the Petitioner has proposed to connect SV Power TPS directly at 132 kV ACBIL Bus Chakabura by laying 132 kV dedicated transmission line from SP Power TPS to 132/400 kV sub-station, Chakabura. Accordingly, the Petitioner has placed on record the revised Schematic Diagram.

14. Considering the submissions of the Petitioner, we direct that the dedicated transmission line shall be used on sharing basis by ACBIL, MCCPL, SCPL and SVPPL. The Petitioner shall comply with for the scheduling, metering and sharing of transmission charges and losses as under:

(a) A coordination center/control area comprising of generating plants of ACBIL, SCPL, MCCPL and SVPPL and the 400 kV D/C transmission line from ACBIL to Bilaspur pooling station including the LILO of the said transmission line at MCCPL switchyard shall be established to coordinate on behalf of the said generators. ACBIL as lead generator shall operate the coordination center.

(b) The Coordination center/control areas shall inter-alia carry out the following functions:

- (i) Coordinate with concerned RLDC/SLDC and with individual generators on all matter of system operation and market operation.
- (ii) Represent in various forums of Regional Power Committees.
- (iii) Metering, protection coordination, shutdown coordination, outage coordination, switching instruction, scheduling and accounting within control area.
- (iv) Submission of meter reading of all three individual generating stations connected to ISTS through the same dedicated line and ratio of injection by each station in each 15 minutes block to RLDC.
- (v) Payment of transmission charges, losses, UI charges, reactive energy charges, LDC fee and charges to the concerned pool/authority for ISTS usages on behalf of the control area.
- (vi) Calculation/exchange of individual schedules, accounts for individual deviations, computation of individual charges/losses for the dedicated portion as well apportioning of ISTS portion, which could be communicated by concerned RLDC for entire control area.
- (vii) Online communication and real time data telemetry to RLDC.
- (viii) Offline data about various information to RLDC.
- (ix) Sending meter data of interface meters installed by CTU to RLDC.

(c) For energy accounting, metering, scheduling and settlement of UI, the interface ISTS point shall be at Bilaspur pooling station.

(d) Since losses of the dedicated system are to be borne by the generators and not be pooled, meter reading at Bilaspur end would have to be considered for arriving at total injection. In order to segregate injection by individual generating stations, special energy meters shall be installed at all the generating stations concerned and also at Bilaspur pooling station. Meter reading of all three individual generating stations connected to ISTS through the same dedicated line and ratio of injection by each station in each 15 minute block shall be furnished by the lead generator to WRLDC in a format to be devised by WRLDC for the purpose. Based on the ratio, WRLDC shall compute injection by individual generating station at Bilaspur pooling station.

15. It is clarified that the dedicated transmission cannot be used by any other generator or user without seeking permission of the Commission where at the Commission will consider whether the proposed use by such generator or user is in the nature of dedicated transmission line or not before granting permission.

16. The Petition No. 290/MP/2018 is disposed of in terms of the above.

Sd/-  
**(I.S.Jha)**  
Member

sd/-  
**(Dr. M.K.Iyer )**  
Member

sd/-  
**(P.K.Pujari)**  
Chairperson