

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 309/MP/2019**

**Coram:**

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

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

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

**Date of Order: 1<sup>st</sup> October, 2019**

**In the matter of**

Seeking Commission`s permission to allow interchange of power for testing including full load testing of trial run operation of Unit-I of Darlipalli STPS (2X800 MW), beyond the period of six months from the date of its first synchronization, i.e. beyond 3.10.2019.

**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. Power System Operation Corporation Limited  
B-9, Qutab Institutional Area, Katwaria Sarai,  
New Delhi-110 016

2. Eastern Southern Regional Power Committee  
14, Golf Club Road,  
Tollygunge, Kolkata, West Bengal-700 033

3. Eastern Regional Power Committee  
14, Golf Club Road,  
Tollygunge, Kolkata, West Bengal-700 033

**...Respondents**

**The following were present:**

Shri Rohit Chabra, NTPC  
Shri S. Singh, NTPC

**ORDER**

This Petition has been filed by the Petitioner, NTPC Limited, seeking permission of the Commission for inter-change of power including drawal of start-

up power into the grid upto 31.3.2020 or till declaration of commercial operation of Unit-I of 1600 MW (2X800 MW) Darlipalli Super Thermal Power Plant (hereinafter referred to as 'generating station') at Sundargarh district in the State of Odisha 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 (hereinafter referred to as 'Connectivity Regulations') as amended from time to time.

2. The Petitioner has submitted that the generating station consists of two units (2x800 MW). Scheduled COD of Unit-I of the generating station is 3.10.2019. Unit-I of the generating station was first synchronized with grid on 4.4.2019 However, CoD of Unit-I could not be declared due to the following reasons:

(a) Delay in Railway siding/MGR works due to land acquisition: The coal transportation to Darlipalli is envisaged through MGR connected to Dulanga mines and also through Railway siding including MCL mines. The total land requirement for Railway siding including MGR is approximately 275 acres which includes private, forest and Govt. land. The land acquisition permissions for Govt. land started from June, 2015. While possession certificate for the land for MGR was handed over in November, 2016, the physical possession of various patches including major bridge areas was delayed due to resistance from the villagers. The handover of the land for taking up MGR works is mostly completed, except for the stretch of 320 meter which was handed over only in July, 2019. The works of MGR including construction of five major bridges is under advanced stages of completion and is likely to be completed in the month of December, 2019.

(b) The land for Railway siding is essential for coal sourcing from MCL and as part of bridge linkage it is still under acquisition. Out of 149 acres of land for Railway siding, possession for approximately 58 acres of private land is still pending due to reason beyond the control of the Petitioner. Since, possession of land for the full stretch is critical for sustainable operation of the Project, the issue was flagged in various CCI-PMG reviews since 2016 and is being constantly pursued for expeditious conclusion with State Govt. of Odisha.

(c) Though the coal for unit testing and commissioning is being transported through road, completion of MGR is essential for sustainable operations of the unit considering the logistics limitation of road transportation.

3. The Petition was heard after notice to the Respondents. None was present on behalf of the Respondents.

4. During the course of hearing, the Representative of the Petitioner submitted that due to certain developments beyond the control of the Petitioner, the Petitioner is not able to declare commercial operation of the project by 3.10.2019 and requested to grant permission for injection of infirm power into the grid for testing including full load testing and trial run operation of Unit-I of the generating station beyond 3.10.2019 upto 31.3.2020 or the date of its commercial operation, whichever is earlier.

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 due to delay in physical possession of land, Railways siding/MGR works could not be completed and the same is expected to be completed in December, 2019. The Petitioner has submitted that it is seeking extension of time for *bona-fide* reasons for completion of balance works and not for the purpose of trading in infirm power or otherwise derive any undue advantage. The Petitioner has submitted that time is required beyond 3.10.2019 for completion

of MGR works and to carry out the operation of testing and commissioning including injection of infirm power into the grid. Considering these facts, the Petitioner has requested for permission to inject infirm power till 31.3.2020 or actual date of commercial operation, whichever is earlier.

7. Taking into consideration the difficulties expressed by the Petitioner and in terms of the proviso to Regulation 8(7) of the Connectivity Regulations as quoted in Para 5 above, we allow injection of infirm power into the grid for commissioning tests including full load test of Unit-I upto 31.3.2020 or actual date of commercial operation, whichever is earlier. We expect the Petitioner to make all efforts to ensure the commercial operation of the unit by this date. It is, however, clarified that extension of time granted as above shall not automatically entitle the Petitioner for IEDC/IDC for the delay in declaration of COD from the scheduled COD which will be decided in accordance with the relevant provisions of the Tariff Regulations.

8. With the above, the Petition No. 309/MP/2019 is disposed of.

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

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

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