

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 74/MP/2020**

**Coram:**

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

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

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

**Date of Order: 22<sup>nd</sup> January, 2020**

**In the matter of**

Seeking Commission`s permission to allow interchange of infirm power beyond period of six months from the date of first synchronization, i.e beyond 26.12.2019 for the declaration of commercial operation of Unit-1 of Khargone STPS (2X660 MW).

**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. MPPMCL, Shakti Bhawan  
Vidyut Ngar, Rampur,  
Jabalpur-110 003

3. CSPDCL  
P.O. Sundernagar,  
Danganiya, Raipur-492 013

4. MSEDCL, Prakashgad,  
Bandra (East), Mumbai-400 051

5. GUVNL  
Sardar Patel Vidyut Bhawan  
Race Course, Vadodara,  
Gujarat-390 007

6. Electricity Department, Govt. of Goa,  
Vidyut Bhawan,  
Panaji, Goa-403 001

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

8. Electricity Department  
Administration of Dadra and Nagar Haveli,  
Silvassa-396 230

...Respondents

**The following were present:**

Shri A.S.Pandey, NTPC,  
Shri Parimal Singh , NTPC  
Shri Sachin Jain, NTPC

**ORDER**

The Petitioner, NTPC Limited has filed the present petition for seeking permission to allow infirm power into grid for Unit-I of 1320 MW (2X660 MW) Khargone Super Thermal Power Project (the Project”) at Khargone District in the State of Madhya Pradesh, beyond 26.12.2019 in terms of Regulation 8 (7) 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 as amended from time to time (hereinafter referred to as “Connectivity Regulations”) with the following prayers:

“(a) Allow inter-change of infirm power with the grid, including the drawl of start-up power, to the Petitioner for another six months i.e beyond 26.12.2019 and upto 26.6.2020 or the date of commercial operation declaration, whichever is earlier;

(b) Pass any other order as it may deem fit in the circumstances mentioned above.”

2. The Petitioner has submitted that the generating station consists of two units (2x660 MW). Unit-I of the generating station was first synchronized with grid on 27.6.2019 However, CoD of Unit-I could not be declared due to the following reasons:

(a) The Petitioner has applied to Madhya Pradesh State Pollution Control Board for grant of consent to operate. However, the same was not granted

due to non-installation of Flue Gas De-sulfurization (FGD) and NOx Control equipments for meeting revised emission norms (Sox and NOx) as specified in the Notification dated 7.12.2015 issued by the Ministry of Environment, Forest and Climate Change, Government of India (hereinafter referred to as "MoEF&CC").

(b) The Petitioner vide its letters dated 11.10.2019 and 21.10.2019 informed Madhya Pradesh State Pollution Control Board that tender for installation of FGD has already been awarded on 31.7.2017 and the same is likely to be completed in financial year 2020-21 and accordingly, requested for issuance of consent to operate for Unit-I.

(c) Joint Secretary (Thermal and IC) vide its letter dated 22.11.2019 informed the Joint Secretary (MoEF&CC) that since the environmental clearance of the Project was accorded on 31.3.2015 i.e before the issuance of revised norms of MoEF&CC, Unit-I may be allowed to operate and time line for FGD installation as requested by the Petitioner may be agreed to. Accordingly, necessary direction may be issued to CPCB.

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

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 could not declare commercial operation of the project and requested to grant permission for injection of infirm power into the grid beyond 26.12.2019 upto 26.6.2020 or the date of its commercial operation, whichever is earlier.

5. We have considered the submission of the Petitioner. The Provisos 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 *bona-fide* reasons and not for the purpose of trading in infirm power or otherwise derive any undue advantage. The Petitioner has submitted that trial run operation of Unit-I has already been completed in the month of September, 2019 and Unit is ready for declaration of commercial operation. However, due to non-availability of consent to operate from Madhya Pradesh State Pollution Control Board, it was not able to declare commercial operation within the prescribed period from the date of first synchronization of Unit-I of the generating station. The Petitioner has submitted that time is required beyond 26.12.2019 for running the critical equipments, drawing start-up power and ensuring the healthiness of the systems. Considering these facts, the Petitioner has requested for permission to inject infirm power till 26.6.2020 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 26.6.2020 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. 74/MP/2020 is disposed of.

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

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

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