

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Record of Proceedings

Petition No.293/2010

- Subject: Petition under Section 62(6) read with Section 94 of the Electricity Act, 2003 and Regulation 22(iii) of the CERC Tariff Regulations, 2004.
- Petitioner: Steel Authority of India Ltd-Bokaro Steel Ltd
- Respondents: Damodar Valley Corporation and another
- Date of Hearing: 8.2.2011
- Coram: Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri Deena Dayalan, Member
- Parties present:
1. Shri Rajiv Ranjan, Advocate, SAIL-BSL
 2. Shri Rajiv S. Dwivedi, Advocate, SAIL-BSL
 3. Shri P.S.Dwivedi, SAIL-BSL
 4. Shri B.N.P.Singh, SAIL-BSL
 5. Shri Ajay Kumar, SAIL-BSL
 6. Shri M.G.Ramachandran, Advocate, DVC
 7. Ms. Ranjitha Ramachandran, Advocate, DVC
 8. Shri D.K.Aich, DVC
 9. Shri C.Karmarkar, DVC
 10. Shri A.K.Sil, DVC
 11. Shri A.Biswas, DVC
 12. Shri P.K.Chakraborty, DVC

This petition has been filed by Steel Authority of India Ltd-Bokaro Steel Ltd (SAIL-BSL) (hereinafter referred to as ' the petitioner') for appropriate directions upon Damodar Valley Corporation (DVC) the respondent herein, for computation of correct level of capacity charges and Fuel Price Adjustment (FPA) in terms of the Commission's order dated 6.8.2009 in Petition No. 66/2005.

2. The learned counsel for the petitioner submitted as under:
- (a) The respondent has been worked out the capacity charge in terms of Rupees/kWh instead of Rupees/month. The computation of capacity charges and billing by the respondent should be on a monthly basis in proportion to the percentage share of the beneficiary in the installed capacity of the generating station in accordance with Regulation 30 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004.
 - (b) The petitioner has firm allocation of power to the order of 170 MW (200 MVA) which constitute to 7.93% (approx) of the total installed capacity of the

generating station of the respondent. Accordingly, the respondent should recover capacity charge only on monthly basis instead of on kWh basis which varies every month.

3. The learned counsel for the respondent clarified as under:
 - (a) There was no direct allocation of power to the petitioner from any of the generating stations of the respondent.
 - (b) The allocation of power from Central sector generating stations are made by the Ministry of Power, Govt. of India from time to time and at present there was no such allocation of power to the petitioner from any of the generating stations.
 - (c) The petitioner may, if so advised, apply to the Govt. of India for allocation of power from Central generating stations and the respondent being a Public Sector Undertaking would be considered by the Govt. of India for allocation of certain quantum of power to the petitioner from its generating stations.
 - (d) At present, the petitioner was only a consumer of the respondent which receives power on connected load at pooled price, based on the Power Supply Agreement entered into between the parties.
4. The Commission after hearing the parties sought information from the petitioner as to whether it was a direct beneficiary of supply of power from a specific generating station of the respondent or was a consumer within the control area of the respondent.
5. The Commission also sought information /submission from the respondent as under:
 - (a) Details of the beneficiaries of each generating station in relation to the fixed charges as per capacity share allocation, the procedure for declaring capacity, scheduling, metering, energy accounting etc.
 - (b) To furnish copies of the power supply agreement between the respondent and the petitioner and between the respondent and Bhaskar Shrichi Alloys Ltd.
6. The above information may be exchanged by the parties and responses be filed on affidavit, accordingly, within 17.3.2011. Matter shall be listed for hearing on 29.3.2011.

Sd/-
(Dr. N.C.Mahapatra)
Chief Advisor (Law)