

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 142/MP/2012 with I.A. 7/2013**

Subject : Petition under Regulation 20 of the CERC (Regulation of Power Supply) Regulations, 2010-Non-payment of transmission charges by the beneficiaries to the petitioner.

Date of hearing : 28.5.2013

Coram : Shri V.S.Verma, Member  
Shri M. Deena Dayalan, Member

Petitioner : Power Grid Corporation of India Limited

Respondents : NTPC Limited and others.

Parties present : Shri Mahender Singh, PGCIL  
Shri N.K.Jain, PGCIL  
Shri S.S. Barpanda, NLDC  
Shri Rajiv Porwal, NRLDC  
Shri Rohit Chabra, NTPC  
Ms Shilpa Agarwal, NTPC  
Shri S.K. Sharma, NTPC  
Shri Ajay Dua, NTPC  
Shri Uday Shankar, NTPC  
Shri Sarosh.M. Siddiqi, THDC

**Record of Proceedings**

The representative of NTPC submitted that the present Interlocutory Application (IA) No. 7/2013 has been filed to bring to the notice of the Commission various issues that emerged during the period of Regulation of power supply of BRPL and BYPL carried out by Power Grid which includes consultation process to be followed, scheduling below the technical minimum generation level of the units, restriction of STOA/MTOA of the regulated entities and sale of regulated power to third parties. The representative of the NTPC further submitted that subsequent to the filing of IA, NTPC and PGCIL have agreed on the consultation process to be followed in future. Power Grid has also agreed that the quantum of regulation shall be chosen in such manner that NTPC stations would not be required to be scheduled below their technical minimum level.

2. The representative of NTPC submitted that it was agreed that in case of Regulation of power supply, all forms of access for the Regulated Entity i.e. STOA, MTOA and LTA need to be curtailed in case of non-payment of dues so that the Regulation of power supply is effective. Also on the issue of sale of regulated power to third parties, there are issues in case of thermal stations like implication of UI, etc., which needs to be resolved. As in case of any outage of any equipment of UI application, UI is to be paid by the generating company. The representative of NTPC requested that the staff of the Commission may be of help in resolving the issue. He further submitted that the Regulations of power supply do not specifically provide certain issues relating to UI implementation. The UI in such cases should also be chargeable under incidental expenses.

3. The representative of PGCIL submitted as under:

(a) The issues were discussed with NTPC, and Power Grid is in agreement with NTPC.

(b) The views of CEA should be taken on the issue of technical minimum. As per the Regulation of Power Supply, the technical minimum is with RLDC before implementation.

(c) STOA must also be curtailed to effectively implement Regulation of power supply.

(d) The representative of PGCIL suggested that NTPC and PGCIL should have meeting with staff of the Commission for resolving the issues pointed out by NTPC.

(e) The defaulting entity drawing power through short term transaction needs to be taken into consideration. The whole purpose of regulation will defeat if drawal of power is allowed through short term.

(f) POSOCO should also be made party to the present petition, as it is concern with both regulations by generating and transmission entities.

4. In response to Commission`s query regarding the level of technical minimum and the basis for the same, the representative of NTPC submitted that the same was considered as 70% based on the operational procedures which have been evolved over a period of time and the same is considered reasonable. The Commission desired to know the technical basis for the same. In response, the representative of NTPC sought time to file written submission in this regard.

5. The Commission directed the Central Electricity Authority to submit its views on technical minimum for thermal generating station by 13.9.2013.

6. The Commission directed the NTPC to discuss the matter with PGCIL, POSOCO and staff of the Commission to resolve the outstanding issues and submit the outcome of the discussion on or before 30.9.2013.

7. The petition and IA shall be listed for further hearing, if required, after receipt of report on the discussion as mentioned above.

By order of the Commission

Sd/-  
(T. Rout)  
Chief (Legal)