

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. MP/310/2014

- Subject : Petition under section 79 (1) (c) read with Section 79 (1) (h) and Section 79 (1) (k) of the Electricity Act, 2003 read with para 6.5 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 read with Commission's order dated 11.1.2010 in Petition No. 134/2009 for regulation/ utilization of unrequisitioned power.
- Date of hearing : 16.9.2014
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
- Petitioner : Sasan Power Limited
- Respondents : Western Regional Load Distribution Centre and others
- Parties present : Shri J.J. Bhatt, Senior Advocate, SPL
Shri Hasan Murtaza, Advocate, SPL
Ms Supriya Singh, NRLDC
Shri Pragya Singh, POSOCO
Shri Rahul Dhawan, Advocate, BRPL/BYPL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed seeking direction to WRLDC to allow and treat the scheduling of (Un-requisitioned Surplus) URS quantum of power among the procurers of Sasan UMPP or to third parties as reallocation of power on temporary basis and not as open access transaction. Learned senior counsel submitted that WRLDC has refused to schedule URS on the ground that the provisions of scheduling URS as per the Grid Code, to other procurers without short term open access, is applicable only in case of NTPC as per the Commission's order dated 11.1.2010 in Petition No. 134/2009. Learned senior counsel submitted that since the petitioner is supplying power to distribution companies and its tariff has been adopted by this Commission under Section 63 of the Electricity Act, 2003, the said order dated 11.1.2010 would be applicable in case of the petitioner. Learned senior counsel submitted that if the URS is not scheduled to the other procurers without obtaining the STOA, this will render the provisions of Articles 4.4.2

and 4.4.3 of the PPA regarding supply of URS power to other procurers/third parties redundant.

2. Learned senior counsel for the petitioner submitted that the petitioner has also filled IA No. 44/2014 seeking direction to WRLDC to schedule the unrequisioned surplus power of the petitioner without obtaining short term open access to the other procurers and third parties.

3. Learned counsel for BYPL and BRPL and representatives of NRLDC and WRLDC sought time to file their replies.

4. After hearing the learned senior counsel for the petitioner and learned counsel for BYPL and BRPL and representatives of NRLDC and WRLDC, the Commission directed to admit the petition and issue notice to the respondents.

5. The Commission directed the petitioner to serve copy of the petition on the respondents immediately, if already not served. The respondents were directed to file their replies by 1.10.2014 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 10.10.2014

6. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with.

7. The petition along with I.A. No. 44/2014 shall be listed for hearing on 14.10.2014.

By order of the Commission

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