

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 80/MP/2015

- Subject : Petition under Section 66 read with Section 79 (1) (k) and other appropriate provisions of the Electricity Act, 2003 seeking directions to the respondents to allow/enable the Petitioner to sell the power procured by it from the hydro generation project being developed by Dagachhu Hydro Power Corporation, in Bhutan, through Power Exchanges in terms of Order of the Commission dated 11.9.2014 in Petition No 187/MP/2014.
- Date of hearing : 12.3.2015
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
- Petitioner : Tata Power Trading Company Limited
- Respondents : National Load Despatch Center and others
- Parties present : Shri Hemant Sahai, Advocate, TPTCL
Shri Bikram Singh, TPTCL
Shri Sanjeev Mehra, TPTCL
Shri R.S. Mirji, TPTCL
Shri Saurabh Srivastava, TPTCL
Shri Aniket, TPTCL
Shri S.S. Barpanda, NLDC

Record of Proceedings

Learned counsel for the petitioner submitted as under:

(a) The Commission, vide order dated 11.9.2014 in Petition No. 187/MP/2014, had approved an interim arrangement and allowed the petitioner to import power from Dagachhu Project and sale thereof to diverse buyers in India.

(b) Since Unit 1 of the Dagachhu Project has achieved commercial operation on 20.2.2015, the transaction of power Project has started on bilateral basis.

(c) Pursuant to the interim arrangement, Indian Energy Exchange had filed Petition No. 483/MP/2014 seeking direction of the Commission for enabling cross-border transactions through its Power Exchange. During the course of hearing of said petition, NLDC had submitted that the Commission has to take a decision as the transactions would amount to a multilateral transaction where an entity from one country may trade power with another country via Indian grid serving as a transit. Therefore, the petitioner cannot sell power from the Dagachhu Project on Power Exchange.

(d) Since the power utilities in Bangladesh are presently not transacting any power through Indian Power Exchange(s), therefore, IEX had filed the petition before the Commission. Till the time power utilities of Bangladesh are allowed to transact through Power Exchange(s), the objections raised by NLDC are not relevant. Therefore, the petitioner may be allowed to trade through Power Exchange(s).

(e) The power import from Dagachhu Project is presently done through an interim arrangement and is designated for the Indian consumers. The petitioner is not going to sell it to any consumer outside India.

(f) The petitioner is incurring loss in the present bilateral transactions and the transaction through Power Exchange would facilitate the petitioner in finding wider avenues for sale of more power from the generating station.

2. The representative of NLDC submitted as under:

(a) The Dagachhu project was scheduled for commissioning in the month of September, 2014. However, 1st unit of project has been put under commercial operation on 20.2.2015. The petitioner is importing power from Dagachhu Project and selling to beneficiaries in WR, ER and NR on bilateral basis and the transactions is going on very smoothly.

(b) ERPC is getting meter reading and have also issued REA. Further, two DSM accounts have also been issued by ERPC.

(c) The petition filed by IEX is pending before the Commission and the outcome of the same will be binding on the petitioner also.

3. After hearing the learned counsel for the petitioner and the representative of NLDC, the Commission directed to admit the petition and issue notices to the respondents.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies by 27.3.2013 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 10.4.2015.

5. The Commission specifically directed Ministry of Power and Central Electricity Authority to file their comments/inputs to assist the Commission in taking a view on the issue raised in the petition.

6. The Commission directed that due date of filing the reply and rejoinders should be strictly complied with. The reply and rejoinders filed after due date shall not be considered.

7. The petition shall be listed for hearing on 21.4.2015.

By order of the Commission

**SD/-
(T. Rout)
Chief (Law)**