

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Review Petition No. 10/RP/2014  
in  
Petition No. 208/SM/2011**

**Coram:  
Shri Gireesh B. Pradhan, Chairperson  
Shri M. Deena Dayalan, Member  
Shri A.K. Singhal, Member**

**Date of Hearing: 22.05.2014  
Date of order: 05.01.2015**

**In the matter of**

Review of order dated 18.12.2013 passed in Petition No.208/SM/2011 on implementation of the Automatic Demand Management Scheme.

**And  
In the matter of**

State Load Despatch Centre  
Madhya Pradesh Power Transmission Co. Ltd.  
Nayagaon, Rampur, Jabalpur-482 008

**Review Petitioner**

**The following were present:**

1. Shri Aashish Bernard, Advocate, MPPTCL
2. Shri P.A.R.Bende, MPPTCL
3. Shri R.A.Sharma, MPPTCL

**ORDER**

The Review Petitioner, State Load Despatch Centre, Madhya Pradesh, has filed this Review Petition seeking review of the Commission`s order dated 18.12.2013 in Petition No. 208/SM/2011 wherein the Commission had directed for initiation of action under Section 142 of the Electricity Act, 2003 against the Officers-in-charge of STUs/SLDCs of the respondent States.



2. The Review Petitioner has submitted that the order dated 18.12.2013 has been passed by the Commission without considering the earlier Record of Proceedings and various other materials available on record which are errors apparent on the face of the record, requiring review. The Review Petitioner has submitted that there is otherwise sufficient cause for review of the order dated 18.12.2013.

3. The Review Petitioner has submitted that in reply to the Commission's order dated 1.12.2011 in *Suo Motu* Petition No. 208/2011, the Review Petitioner had filed an affidavit dated 17.12.2011 explaining the status of the Automatic Load Management Scheme and contingency procedures, etc. Accordingly, the Review Petitioner has complied with the Commission's direction dated 1.12.2011. The Review Petitioner has further submitted that the Commission in the Record of Proceedings dated 10.1.2012 had taken note of the submission of the representative of State Load Despatch Centre (SLDC), Madhya Pradesh explaining the position for implementation of the Automatic Demand Management Scheme (ADMS).

4. The Review Petitioner has submitted that the following steps have been taken by the Review Petitioner for implementation of the scheme:

(a) The issue of implementation of Automatic Demand Management Scheme (ADMS) was discussed with distribution companies in line with Regulation 5.4.2(d) of the Grid Code. The distribution companies had earlier planned to include the ADMS as part of their Enterprise Resource Planning (ERP) package. However, recently the distribution companies have confirmed that this would be done separately. The ADMS implementation shall also need to develop sufficient

logics so that load is interrupted automatically without affecting the reliability, security and stability of the system as a whole.

(b) Presently, automatic demand management is done through under frequency relays installed on various 33 KV feeders at EHV sub-stations to obtain required load relief automatically under defined low frequency conditions. The df/dt relays are also installed to get automatically load relief to arrest rapid fall in system frequency.

(c) On 6.2.2012, in compliance with the provisions of Regulation 5.2(d) of Grid Code, meeting was convened with distribution companies to discuss ADMS in which it was informed that the scheme could be implemented by distribution companies through Programmable Logic Controllers (PLC) for which SLDC will provide frequency and overdrawal inputs to them in its website which could be captured for triggering ADMS commands. Accordingly, the real time schedule, drawal, under/overdrawal of distribution companies and Madhya Pradesh (MP) along with system frequency and time is made available on the SLDC's website.

(d) In the 44<sup>th</sup> OCC meeting of Western Regional Power Committee (WRPC) held on 12.2.2013 the distribution companies of Madhya Pradesh were of the view that the ADMS Master Control Centre should be located in SLDC instead of control centre of distribution companies. In the said meeting, it was also decided that the recommendation/decision of the RPCs should be placed before the Commission for consideration and necessary directions.

(e) The matter was further discussed in 27<sup>th</sup> Operation Coordination Committee Meeting (OCCM) of MP held on 27.2.2012 in which distribution companies were requested to give their action plan for implementation of ADMS for information to the Central Commission.

(f) In the 30<sup>th</sup> OCC meeting held on 29.9.2012 the provisions of Regulation 5.4.2 (c) of the Grid Code was discussed. It was apprised to the Committee members that on insistence of WRLDC, SLDC has prepared a list of non-industrial/non-railway 132 KV radial feeders for hand tripping on advice of RLDC/SLDC, when the grid is subjected to danger on account of overdrawal.

(g) In the 32<sup>nd</sup> OCC meeting held on 18.2.2013, it was informed to distribution companies of MP that the ADMS shall be discussed in RPC for technology, coordination and funding. Recommendations/decision of RPC shall be placed before the Commission for consideration.

(h) In the 22<sup>nd</sup> WRPC meeting held on 26.2.2013, the implementation of GSES and ADMS were agreed in principle.

(i) In the 1<sup>st</sup> meeting of National Power Committee (NPC) and 1st meeting of WRPC held on 15.4.2013 and 22.4.2014 respectively, issues pertaining to implementation of Protection Audit and GSES Scheme were discussed.

(j) In the 33<sup>rd</sup> OCC meeting of MP held on 26.4.2013, SLDC, MP informed that in compliance to the Commission's order dated 14.1.2013, the ADMS shall

be implemented in the first phase and the scheme shall be submitted to WRPC for approval.

(k) A meeting was held on 1.6.2013 at SLDC, Jabalpur in which it was also decided that the distribution companies shall prepare their load mapping for ADMS for which total 30 groups in each distribution companies would be formed and the load mapping formed shall be submitted by the distribution companies to SLDC by 20.6.2013.

(l) In the 23<sup>rd</sup> WRPC meeting held on 11.6.2013 it was clarified that the ADMS shall be separate from GSES and SLDC through its Distribution companies have to implement the same.

(m) In the 34<sup>th</sup> OCC meeting held on 24.6.2013, the decision taken by the distribution companies of MP was discussed and SLDC proposed that the cost towards consultancy service for ADMS may be shared with the distribution companies in proportion to their normative percentage allocation of power which shall be confirmed to SLDC for further action.

(n) In the 35<sup>th</sup> OCC meeting held on 23.8.2013 it was clarified that the scheme for ADMS shall be prepared after finalization of new under frequency plan approved by NPC and CEA to avoid overlapping with under frequency plan.

(o) On 5.9.2013, a special meeting was convened by SLDC, MP to finalize implementation of revised Automatic Under Frequency Load Shed (AULFS) plan as approved by CEA and review of load mapping under ADMS.

(p) In the 24<sup>th</sup> WRPC meeting held on 9.10.2013, SLDC, MP informed that it has completed the load mapping and identification of feeders for ADMS and existing AULFS. However, it has to repeat the exercise with new settings of under frequency relays.

(q) The issue of ADMS was last discussed in the 37<sup>th</sup> OCC meeting held on 21.12.2013, wherein load mapping plan for ADMS was submitted and it was decided that SLDC shall prepare a specification and after discussion with distribution companies and MPPTCL, the tender for consultancy services shall be invited. SLDC, MP has finalized the logic in consultation with intra-State entities. In the said meeting the possibility of integration of ADMS in Transco SCADA of MPPTCL on techno-commercial basis was also explored.

5. The Review Petitioner has submitted that Regulation 5.4.2 of the Grid Code talks about principle only, and not about the methodology for implementation of ADMS. Though the Review Petitioner has formulated certain broad guidelines to implement ADMS, issues like technological challenges, clarity regarding availability of proven software or supplier to implement ADMS fully remains to be resolved. The Review Petitioner has submitted that it has held a number of meetings with the distribution companies to implement the scheme and therefore, the Review Petitioner cannot be held to have not complied with the provisions of the Grid Code and order of the Commission.

6. In the meanwhile show cause notices were issued to Officers-in-charge of STUs/SLDCs, as directed in our order dated 18.12.2013. During the hearing on

15.4.2014, we directed to hear the Review Petitioner together with the show cause notice. Accordingly, the matter was heard on 22.5.2014. During the course of hearing, learned counsel for the Review Petitioner submitted that ADMS is being implemented and the State of MP is very serious in implementing the scheme as it is of national importance. Learned counsel submitted that the issues involved are technology challenge and lack of clarity on what was to be done and there were no proven software or supplier to implement the ADMS fully. Learned counsel further submitted that there had been no wilful non-compliance of the order of the Commission and requested the Commission to review the impugned order and discharge the notice issued under Section 142 of the Act against the Officer-in-charge of SLDC, MP as the Review Petitioner had taken necessary steps.

7. We have considered the submission of the Review Petitioner. In the present petition, the Review Petitioner has sought review of the order of the Commission proposing to initiate action against MPPTCL as well as against SLDCs of other States for their failure to implement ADMS as required under the Grid Code. The Review Petitioner has submitted that it has taken several steps for implementation of ADMS which have not been considered by the Commission and therefore, the order suffers from the error apparent on the face of the record requiring review.

8. The Review Petitioner has submitted that the order dated 18.12.2013 was received by it on 22.1.2014 and Review Petition has been filed on 26.3.2013. The impugned order was sent by Speed Post to the Review Petitioner on 21.12.2013. Though the Review Petitioner at para 18 of the Review Petition has admitted delay in filing the Review Petition, the Review Petitioner has neither sought condonation of

delay nor has supported the delay in filing the Review Petition with proper explanation. Counted from the date of despatch, the Review Petition has been filed after a period of 95 days and from the stated date of receipt, it has been filed after a period of 65 days. As per Regulation 103 of the Conduct of Business Regulations, a period of 45 days is allowed to file the review petition from the date of order. It is noted that the Review Petitioner has not explained the reason for not filing the review petition in time nor has sought condonation of delay with reasons. In the absence of any prayer or cogent explanation, the delay in filing the review petition cannot be condoned.

9. Next we consider whether the grounds raised in the Review Petition meet the requirements of Order 47 Rule 1 of the CPC read with Section 94 of the Act. Under the provisions of Order 47 Rule 1 of CPC, any person feeling aggrieved by any order may apply for review on the following grounds:

- (a) Discovery of new and important matter or evidence which, after exercise of due diligence was not within the knowledge of the person seeking review or could not be produced by him at the time when order was made, or
- (b) On account of some mistake or error apparent on face of record, or
- (c) For any other sufficient reason.

10. The Review Petitioner has filed the review on the ground of error apparent on face of record and sufficient reason.



## **Error apparent on face of record.**

11. In the Review Petition, the Review Petitioner has submitted that the order dated 18.12.2013 was passed by the Commission without considering the earlier records of proceedings and various other materials on records.

12. In our order dated 1.12.2011 in Petition No. 208/SM/2011, we had *inter-alia* directed STUs to submit status of the ADMS, indicating the date of implementation of the scheme and if not implemented, reasons for not implementing the scheme. The petitioner in its affidavit dated 17.12.2011 had submitted as under:

“(a) That there are three distribution companies in MP, viz MP Poorva Kshetra Vidyut Vitran Co. Ltd., MP Paschim Kshetra Vidyut Vitran Co. Ltd. and MP Madhya Kshetra Vidyut Vitran Co. Ltd. Each DISCOM has Distribution Control Centre (DCC). The demand management functions within the jurisdiction of particular DISCOM falls under the purview of its DCC. The DCCs formulate the schedule power supply plan from time to time based on the availability furnished by SLDC, Jabalpur.

(b) SLDC, Madhya Pradesh in July 2010 had taken up the matter for formulating contingency procedures by the DISCOMs. All the DISCOMs have confirmed that the contingency procedures as formulated have been made available in the control room of DCC which are being regularly updated.

(c) The schedule and drawal with over/under drawal quantum of each DISCOM is being displayed on the real time SCADA system overview, and is also available on SLDC website. A remote real time display has been provided on each DCC from SLDC SCADA system and the DCC officials can view the same in real time.

(d) Demand control messages are sent by MP SLDC to DCCS, in case of repeated violation. The DISCOMs take necessary action to curtail their drawal within schedule by exercising manual unscheduled load shedding measures as per contingency plan. The SLDC, Jabalpur also takes necessary steps by regulating Hydel generation as per real time system requirement to ensure load generation balance to the extent possible. In case DCCs fails to ensure compliance of WRLDC/SLDC instructions the demand curtailment is also done by SLDC by operating 33 k V group feeders from EHV substations.

(e) MP, SLDC has taken with DISCOMs for implementation of automatic demand management schemes in line with Regulation 5.4 (d) of IEGC-2010. The DISCOMs had earlier planned to include the ADMS as part of their ERP package, but recently the DISCOMs have confirmed that this would be done separately. The automatic demand management scheme implementation shall also need to develop sufficient logics so that load is interrupted automatically without affecting the reliability, security and stability of the system as a whole.

(f) At present automatic demand management is done through under frequency relays installed on various 33 kV feeders of EHV sub-stations to obtain required load relief automatically under defined low frequency conditions. The df/dt relays are also installed to get automatically load relief to arrest rapid fall in system frequency.

(g) MP, SLDC is also exploring the possibility of operating selected 132 kV Radial feeders through SCADA system from SLDC, Jabalpur and Sub LDC Bhopal & Indore. In case of non-compliance of WRLDC/SLDC instructions by DISCOMs, such feeders may be operated under distress conditions when frequency is falling and overdrawal is not curtailed by State DISCOMs within safe limits.

(h) The DISCOMs are exercising demand management procedures through schedule power supply plan and contingency plan. In case of sudden reduction in availability SLDC takes contingency actions to match the load generation balance. The DISCOMs are, in general, complying to the instructions of LDC, Jabalpur.

(i) The contingency procedures are being prepared by the DISCOMs since September 2010 and are updated regularly and are available in DCC of respective DISCOMs. The demand control under normal condition is done through schedule power supply plan and under normal/contingent situation the unscheduled load shedding is done by the DCCs to curtail their drawal within schedule as per Contingency.”

It is noted from the above reply that SLDC, MP had not indicated any concrete plan for implementation of the ADMS scheme. After taking note of the submission of SLDCs including the Review Petitioner and the report of NLDC, the Commission directed initiation of proceedings under Section 142 of the Act against the Officer-in-charge of STUS/SLDCs for non-compliance with our directions and the provisions of the Act and the Grid Code. The Review Petitioner has submitted that issue of implementation of ADMS was discussed in 32<sup>nd</sup>, 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup> and 38<sup>th</sup> OCC meetings, 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> WRPC meetings and special meetings at WRPC and SLDC. It is noted that the Review Petitioner is relying on the subsequent events which took place after filing of the affidavit dated 17.12.2011 in Petition No. 208/SM/2011 which were not available to the Commission while passing the order dated 18.12.2013. Moreover, these information were available to the Review Petitioner who could have sought leave of the Commission to place them on record before passing of the impugned order. The

Review Petitioner having failed to bring these information to the notice of the Commission at the relevant time cannot seek review of the impugned order on the basis of the said information. We are however not expressing any view on the merit of the submission made in the Review Petition. In view of the above, we do not find any error in the impugned order and accordingly, Review Petition is dismissed.

13. The Commission vide order dated 25.4.2014 in Petition No. 5/SM/2014 issued show cause notice under Section 142 of the Act against the Officers-in-charge of STUs/SLDCs for non-compliance with the Commission`s directions and the provisions of the Act and the Grid Code with regard to implementation of the Automatic Load Management Scheme. In response to show cause notice dated 25.4.2014, the Review Petitioner has filed its reply dated 14.6.2014. The petitioner vide its affidavit dated 15.7.2014, has also filed the status of the implementation of ADMS in the State of MP. The submissions dated 22.5.2014 and 15.7.2014 made by the Review Petitioner in Petition No. 5/SM/2014 including those made in the Review Petition would be taken into consideration while passing the order in Petition No. 5/SM/2014.

14. Review Petition No. 10/RP/2014 is disposed of in terms of the above.

Sd/-  
**(A.K.Singhal)**  
Member

sd/-  
**(M. Deena Dayalan)**  
Member

sd/-  
**(Gireesh B.Pradhan)**  
Chairperson