

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.192/MP/2016

Subject :Petition under Section 79(1)(f) read with Section 79(1)(c) of the Electricity Act, 2003 and under Regulation 31(3) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for declared capacity and certification thereof by WRLDC/WRPC in respect of the petitioner's 1320 MW(2X660 MW) coal based power project at Nigrie, District Singrauli, State of Madhya Pradesh.

Date of hearing : 19.1.2017

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner :Jaiprakash Power Venture Limited (JPVL)

Respondents :Western Regional Load Despatch Centre (WRLDC) and others

Parties present : Shri Sakya SinghaChoudhuri, Advocate, JPVL
Ms. Molshree Bhatnagar, Advocate, JPVL
Ms. Manpreet Kaur, Advocate, JPVL
Shri Alok Shankar, Advocate, MPPMCL
Ms. Pragya Singh, WRLDC
Ms. Jayantika Singh, WRLDC
Shri Aditya P. Das, WRLDC

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed *inter-alia* seeking direction to WRLDC/WRPC to certify the availability/PAFM of the petitioner's generating station. Learned counsel for the petitioner further submitted as under;

(a) The petitioner has set up a 1320 MW (2 X 660MW) coal based power project at Nigrie, District Singrauli in the State of Madhya Pradesh. Unit-I and Unit-II of the generating station were declared under commercial operation on 30.9.2014 and 21.2.2015 respectively.

(b) On 5.1.2011, the petitioner entered into Power Purchase Agreement with MPPMCL. MPPMCL has been granted 465.3 MW LTOA. Out of which, 232.65 MW has been effective after the commissioning of Unit-I of the generating station. The balance power is being sold in short-term market through Power Exchange.

(c) As per the PPA, the petitioner is required to submit the monthly bill including Availability and Energy Account for the relevant month as per State

Energy Accounts/Regional Energy Accounts (SEA/REA). However, the REA prepared by WRPC from the month of September 2014 does not contain the Plant Availability Factor (PAF) achieved during the month.

(d) The petitioner vide its letter dated 8.10.2014 requested WRPC and WRLDC to incorporate the PAF and PAFY of the generating station in monthly REA.

(e) In the meeting of Western Region Constituents held on 23.1.2015, the petitioner requested WRPC/WRLDC to certify the PAFM and PAFY of its generating station. However, WRPC/WRLDC directed the petitioner to approach SLDC.

(f) Subsequently, MPPMCL vide its letter dated 24.8.2015 requested POSOCO to direct WRLDC to resolve the issue so that the PAFM/PAFY achieved could be counted in the monthly REA issued by WRPC.

(g) As per Regulation 6.4 of Central Electricity Regulatory Commission (Indian Electricity Grid Code), 2010, there is "demarcation of responsibilities" which clearly states that if a generating station is connected only to the ISTS, RLDC shall coordinate the scheduling, except for ISGS where full share is allocated to one State.

2. On a specific query of the Commission as to whether the generating station has achieved 72 hours performance test with a 100% capacity utilisation, the learned counsel for the petitioner submitted that it has achieved the 72 hours performance test and the petitioner will submit details in this regard.

3. Learned counsel appearing on behalf of MPPMCL accepted the notice.

4. After hearing the learned counsel for the petitioner, the Commission admitted the petition and directed to 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 20.2.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 3.3.2017. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

6. The petition shall be listed for hearing on 23.3.2017.

By order of the Commission

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