

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 114/MP/2017

Coram:

Shri Gireesh B Pradhan, Chairperson

Shri A.K. Singhal, Member

Shri A.S Bakshi, Member

Shri M.K Iyer, Member

Date of Order: 22nd June, 2017

IN THE MATTER OF:

Petition under Sections 79 (1) (c) read with Sections 28 and 29 of the Electricity Act, 2003 and the applicable Regulations notified by the Commission in respect of transmission capacity allocation to the generating projects in Sikkim qua Teesta-V 400 kV line i.e. Rangpo-Siliguri 400 kV D/C line inter State transmission System of PGCIL pending the construction and completion of the Teesta-III-Kishanganj 400 kV D/C quad-moose line by Teesta Valley Power Transmission Limited

AND

IN THE MATTER OF:

- 1) DANS Energy Private Limited
5th Floor, DLF Building
No. 8 Tower C, DLF Cyber City
Phase II, Gurgaon-122002
Haryana
- 2) Shiga Energy Private Limited
5th Floor, DLF Building
No. 8 Tower C, DLF Cyber City
Phase II, Gurgaon-122002
Haryana
- 3) Gati Infrastructure Private Limited
1-7-293 MG Road
Secundrabad-540043

.....Petitioner

VERSUS

- 1) Power System Operation Corporation Limited
National Load Despatch Centre
B-9 (1st Floor), Qutab Institutional Area
Katwaria Sarai
New Delhi-110016

- 2) Eastern Regional Load Despatch Centre
14 Golf Club Road
Tollygunj, Kolkatta-700033
- 3) Eastern Regional Power Committee
14 Golf Club Road
Tollygunj, Kolkatta-700033
- 4) Powergrid Corporation of India Limited
B-9, Qutab Institutional Area
Katwaria Sarai
New Delhi-110016
- 5) Teesta Urja Limited
2nd Floor, Vijaya Building
17, Barakhamba Road
New Delhi-110001
- 6) Teesta Valley Power Transmission Corporation Limited
2nd Floor, Vijaya Building
17, Barakhamba Road
New Delhi-110001
- 7) PTC India Limited
2nd Floor, NBCC Road
15 Bhikaji Cama Place
New Delhi-110066

....Respondents

Parties Present:

- 1) Shri Ananad K. Ganesan, Advocate for the Petitioners
- 2) Shri Vihrov Mukherjee, Advocate, SEPL
- 3) Shri N.K.S.N Rao, DANS Energy Limited
- 4) Shri Ramchandra, Powergrid
- 5) Ms. Jyoti Prasad, Powergrid
- 6) Shri A.K. Bandyopadhyaya, ERPC
- 7) Shri Subkendu Mukherjee, ERLDC
- 8) Shri S.K. Bhowmick, TPTL
- 9) Shri Neeraj Singh, PTC
- 10) Ms. Swati Jindal, TUL
- 11) Shri Satyam Sood, TUL
- 12) Shri Jaideep Lakhtakia, TUL
- 13) Shri Victor V.M., TUL
- 14) Shri Ashok Rajan, NLDC
- 15) Shri UK Verma, NLDC
- 16) Shri S.S. Barpanda, NLDC
- 17) Shri SC Saxena, NLDC
- 18) Shri Anshuman, GIPL

19)Shri Janmali. M, SEL

ORDER

The present petition has been filed by three Petitioners, namely, DANS Energy Private Limited, Shiga Energy Private Limited and Gati Infrastructure Private Limited seeking a direction to the Respondents to follow the decisions taken by the Eastern Regional Power Committee in the meetings on 14.10.2016, 30.11.2016 and 29.3.2017 without any change with regard to their entitlement to evacuate the power generated at their hydro power stations to the extent of 96 MW, 97 MW and 99 MW respectively through the 400 kV DC Teesta Valley-Siliguri Line till completion of 400 kV DC Teesta-III-Kishanganj Transmission Line by Teesta Urja Limited/Teesta Valley Power Transmission Limited.

2. The Petition was heard on 6.6.2017. The Commission through the RoP of the same date directed POSOCO (ERLDC) to maintain status quo prevailing as on 30.5.2017 till the next date of hearing, keeping the decision regarding operationalization of E3 bid area in abeyance till further orders. The petition was taken up for further hearing on 15.6.2017. During the hearing, the representative of the ERPC submitted as under:-

“3. The representative of ERPC submitted that keeping in view the water spillage during monsoon season, there is a requirement to review the loadability of 400 kV DC Rangpo-Siliguri transmission line in line with the decisions taken in the previous meetings of ERPC. However, for enhancement of transmission capacity, full proof SPS operation is required. The representative of ERPC further submitted that in the meeting held on 13.6.2017, it was inter-alia unanimously agreed that (i) PGCIL would implement the modified SPS at Rangpo before 19.6.2017 and the SPS under modified version would be tested with breakers open on 19.6.2017, (ii) the complete response from signal initiation to tripping of CB at site may be measured and placed in the next meeting that is scheduled for 21.6.2017, and (iii) based on the performance of SPS testing, decision on step-wise enhancement of the optimum transfer capability of Rangpo-Siliguri line would be taken in the next meeting. The representative of ERPC further requested the Commission to advise PGCIL to implement TUL-Rangpo tripping scheme from Rangpo end in SPS at the earliest.”

3. Taking note of the submission of the representative of ERPC, we had directed ERPC to place on record the outcome of the meeting scheduled on 21.6.2017. Further, the Commission extended the operation of the stay granted in the RoP dated 6.6.2017 till the next date of hearing scheduled for 22.6.2017.

4. During the hearing on 22.6.2017, the representative of ERPC submitted that with reference to the decision of special ERPC Meeting of 13.6.2017 and in compliance with the directions of the Commission, a review meeting was held in ERPC Secretariat on 21.6.2017 with the participation of all concerned. The representative of ERPC submitted that as per the decision in the said meeting, the maximum power flow through 400 kV Rangpo-Siliguri transmission line should be enhanced to 1700 MW in the first stage and the allowable evacuation of generation of Sikkim HEPs should be as per the table given in the minutes. The representative of ERPC further submitted as under:-

(a) To allow enhancement of line loading, Powergrid may be advised to implement the new threshold limit in the existing SPS at 400 kV Rangpo S/S.

(b) Further enhancement of loading of 400 kV Rangpo-Siliguri D/C may not be entertained till the commissioning of 400 kV Teesta-III-Dikchu-Rangpo line.

(c) The above arrangement needs to be declared only as an interim measure for the ensuing rainy season only.

(d) For declaration of bid areas, ERPC should be involved.

5. Learned counsel for Teesta Urja Limited (TUL) submitted that they have reservation with regard to the allocation of capacity for Teesta-III HEP as evacuation

capacity has been restricted to 879 MW before the COD of Tashiding HPS and to 782 MW after the COD of Tashiding HPS on account of non-availability of Teesta-III-Kishanganj transmission line which is being implemented by TPTCL. Learned counsel submitted that though TPTCL is subsidiary of TUL, it is a separate legal entity and TUL cannot be made to suffer on account of failure of another company to complete the transmission line. Learned counsel submitted that it is against the principle of non-discriminatory open access as enshrined in the Electricity Act, 2003.

6. Learned counsel for the petitioners and learned counsel for Sneha Kinetic Power Project Limited submitted that they are agreeable to the decision taken in ERPC. The representative of NLDC submitted that considering the fact of spillage of water during the raining season, ERLDC agreed to the enhancement of the evacuation capacity of Rangpo-Siliguri Transmission Line from 1500 MW to 1700 MW through SPS operation. He requested the Commission to clarify that this is an interim arrangement keeping in view the special circumstances of the case and should not be quoted as a precedent for enhancement of the transfer capacity of the transmission line which should be invariably be decided in accordance with the Regulations of the Commission. This submission will be considered in the final order. We are of the view that NLDC and ERLDC should ensure that 1700 MW flows on the 400 kV Rangpo-Siliguri transmission line as agreed in the meeting of ERPC and during the hearing before the Commission.

7. The representative of ERPC brought to the notice of the Commission the following observations of PGCIL recorded in the minutes of the meeting dated 21.6.2017:

“Powergrid observed that given the terrain the design limit of loading of 400 kV Rangpo-Siliguri lines could be only 650 MW per circuit. So, if there is tripping of 400 kV Rangpo-Siliguri, Powergrid should not be held responsible.”

It is clarified that PGCIL cannot abdicate its responsibility as a deemed transmission licensee and should take steps to maintain 400 kV Rangpo-Siliguri transmission line in proper condition in order to ensure that the agreed capacity of 1700 MW is evacuated through the said line.

8. We have considered the submission of the parties. ERPC carried out SPS test on 19.6.2017 and shared the results of the said test with all concerned in the meeting held on 21.6.2017. After detailed discussion, the following decisions were taken in the meeting:

(1) The power flow through the 400 kV Rangpo-Siliguri DC line will be enhanced to 1700 MW till further reviewing on commissioning of 400 kV Teesta-III-Dikchu-Rangpo line.

(2) The allowable evacuation of generation of Sikkim HEPs will be allocated as give below:

IPPs	Evacuation Capacity before COD of Tashiding HPS (MW)	Evacuation Capacity after COD of Tashiding HPS (MW)
Teesta-V HPS	530	530
Dikchu HPS	96	96
Jorethang HPS	96	96
Chuzachen HPS	99	99
Teesta-III HPS	879 (1700-530-96-96-99)	782 (1700-530-96-96-99-97)
Tashideng HPS	0	97

(3) Teesta-III evacuation quantum could be enhanced if there is margin available in transmission corridor due to less generation/back down/shutdown by any of the other generators.

(4) Threshold limit for existing SPS at Rangpo will be revised to 850 MW.

(5) Powergrid would implement the revised setting (threshold limit) of existing SPS at Rangpo after the decision of the Commission.

(6) While commissioning of full fledged SPS in coordination with ERLDC, Powergrid would implement the agreed modification in the existing SPS as suggested by ERLDC for increasing the effectiveness of the SPS in case the Rango-Siliguri line is tripped from Siliguri end only.

(7) All the respective generators will submit the healthiness certificate for the SPS at their end on monthly basis in OCC meetings.”

9. We find that the interim arrangement decided by ERPC as above will meet the requirements of the HEPs in the Sikkim Region during the ensuing rainy season and accordingly, the same is accepted. In supersession of our interim directions in RoPs dated 6.6.2017 and 15.6.2017, we direct that the scheduling of power of the HEPs in the Sikkim Region shall be regulated as per the interim arrangement as quoted in para 8 above. It is clarified that no overload capacity over and above the evacuation capacity allocated to the HEPs shall be allowed. PGCIL is directed to implement the new threshold limit in existing SPS at 400 kV Rangpo sub-station as suggested by ERPC. This interim arrangement shall remain valid for the current rainy season.

10. We have heard the submission of the parties on various other issues raised in the petition. Parties are permitted to make their written submission within one week. The same shall be dealt with while issuing the final order.

sd/-
(Dr M. K. Iyer)
Member

sd/-
(A. S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(Gireesh B Pradhan)
Chairperson