

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.122/MP/2018  
Alongwith I.A. No. 26/2018**

Subject : Petition for seeking declaration that Petitioner can declare and Schedule power on the basis of its actual Auxiliary consumption as per Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, as amended from time to time, for fulfilling its obligations under two different Power Purchase Agreements.

Date of hearing : **3.5.2018**

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

Petitioner : Lanco Anpara Power Ltd. (LAPL)

Respondents : NRLDC and Others

Parties present : Shri Sanjay Sen, Senior Advocate, LAPL  
Shri Gaurav Dudeja, Advocate, LAPL  
Shri Arun Tholia, LAPL  
Shri Sidharth Jalali, LAPL  
Shri Ashok Rajan, NRLDC

**Record of Proceedings**

Learned Senior Counsel for the Petitioner submitted that the present petition has been filed for seeking declaration that Petitioner can declare and schedule power on the basis of actual auxiliary consumption in terms of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 for fulfilling its obligations under two different Power Purchase Agreements. He further submitted that pursuant to the Fifth Amendment of the Grid Code, on 29.4.2017 NRLDC issued the direction to all regional entities providing that all generators shall ensure that declared capacity on ex-bus does not exceed capacity at bar less normative auxiliary consumption. Accordingly, the restriction imposed by NRLDC to consider net generation at bar on normative basis is erroneous and is in contravention of the Grid Code. Learned Senior counsel further submitted that NRLDC has misinterpreted the Regulation 5.2 (h) of the Grid Code which provides that a generating company operates upto 100% of MCR and should not resort to valve wide open.

2. The representative of NRLDC accepted notice and requested for one week time to file reply.

3. The Commission, after hearing the learned Senior counsel for the Petitioner and representative of NRLDC admitted the Petition and directed to issue notice to the respondents.

4. The Commission directed the petitioner to serve the copy of the petition on the respondents immediately, if not served already. The respondents are directed to file their



replies on or before 16.5.2018, with advance copy to the petitioner, who may file its rejoinder, if any, by 25.5.2018. 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.

5. The Commission disposed of the I.A. No. 26/2018 filed by the petitioner for early hearing of the matter.

6. The petition shall be listed for hearing on 29.5.2018.

**By order of the Commission**

**-Sd/-**

**(T. Rout)**

**Chief (Law)**