

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.142/MP/2017

Subject : Petition under Section 79(1) (c) and Section 79(1) (k) of the Electricity Act, 2003 read with Regulation 8 of the CERC (Grant of Connectivity, Long Term Access and Medium Term Open Access in inter-state Transmission and related matters) Regulations, 2009 and Regulations 111 to 113 (Inherent Powers) and Regulation 115 (Power To Remove Difficulties) of the CERC (Conduct of Business) Regulations, 1999 with respect to applicability of Reliability Support Charges on the petitioner in terms of the Order dated 16.5.2016 of the Commission in Petition No. 9 /MP/2016.

Date of Hearing : 15.2.2018

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

Petitioner : National High Power Test Laboratory Private Limited

Respondents : Power Grid Corporation of India Limited and Others

Parties present : Ms. Swapna Seshadri, Advocate, NHPTL
Shri Aditya P. Das, WRLDC
Shri V. Srinivas, PGCIL
Shri G. Chakraborty, POSOCO
Shri Gaurav Verma, POSOCO
Shri Ashok Rajan, POSOCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed for seeking to set aside the Reliability Support charges (RSC) bills raised by Central Transmission Utility (CTU). Learned counsel for the Petitioner further submitted as under:

- a) The Commission vide order dated 16.5.2016 in Petition No. 9/MP/2016 allowed the NHPTL's laboratory to sign the Connectivity Agreement with CTU as special dispensation. The Commission in the said order has decided that RSC will be levied on the Petitioner when the dependence on the grid is taken

for the commercial operation. The Petitioner has not taken any support from the grid and has not conducted any commercial tests, but still RSC charge has been levied upon the Petitioner.

b) The Commission vide order dated 16.5.2016 directed POSOCO to compile pattern of short circuit drawn MVA by the Petitioner and to file the report to the Commission for a six month period from the date of first commercial test.

c) The Connection Agreement dated 25.5.2016 entered into between the Petitioner and CTU also provides that the agreement shall be effective from the date of commercial operation and CTU shall permit the petitioner to conduct short circuit test on the transformers which are required for testing/commissioning of the laboratory. The agreement was to be made effective from the commercial operation

d) RSC is for the support drawn by the Petitioner from the grid during commercial testing, and, if such support is not taken, RSC cannot be levied upon the Petitioner.

2. The representative for WRLDC requested for time to file the reply. She submitted that the grid does not know whether the transformer is connected for commercial testing or non-commercial. The coordination efforts for ensuring grid security while facilitating the short circuit tests before or after the commercial operation remains the same. The petitioner has carried out 36 tests during June 2016 to June 2017 before declaring CoD. During such testing WRLDC has to find fault level, undertake system study, and accommodate the test for the testing other outages. It does not make any difference whether testing is carried out before or after the commercial operation. The system does not know whether the transformer is gaining commercially. RSC remains the same before and after the commercial operation.

3. The representative for POSOCO submitted that the Commission in the said order dated 16.5.2016 had observed that the charges recovered from the Petitioner shall be reimbursed back to the LTA and MTOA customers in next month bill.

4. After hearing the leaned counsel for the Petitioner and representatives for the respondents, the Commission directed WRLDC to file its reply by 1.3.2018 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 9.3.2018. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with, failing which the order shall be passed on the information available on record.

5. Subject to the above, the Commission reserved the order in the petition.

By order of the Commission

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