

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 185/MP/2019
With IA No. 62/2019**

**Coram:
Shri P.K.Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I.S.Jha, Member**

Date of Order: 22nd of July, 2019

In the matter of

Petition under the fourth proviso to sub-clause (b) of Clause (7) of Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term and medium term open access in inter-State transmission and related matters) Regulations, 2009, as amended from time to time, seeking permission for allowing drawal of start-up power and injection of infirm power from Unit-4 of the Petitioner's Thermal Power Plant at Jharsuguda to complete the auto loop tuning and unit stabilization on full load for the period beyond 6 months upto 23.10.2019 or the declaration of commercial operation of Unit-4, whichever is earlier.

And

In the matter of

Odisha Power Generation Corporation Limited
Zone-A, 7th Floor, Fortune towers,
Chandrashekharpur, Bhubaneshwar,
Odisha-751023

...Petitioner

Vs.

1. Eastern Southern Regional Power Committee
14, Golf Club Road,
Tollygunge, Kolkata, West Bengal-700 033

2. Eastern Regional Power Committee
14, Golf Club Road,
Tollygunge, Kolkata, West Bengal-700 033

...Respondents

The following were present:

Shri Sitesh Mukherjee, Advocate for the Petitioner
Shri Aryman Saxena, Advocate for the Petitioner
Shri Arjun Agarwal, Advocate for the Petitioner
Shri Haresh Kumar Sathpaty, OPGCL
Shri Parkash Kumar Dora, OPGCL

ORDER

This Petition has been filed by the Petitioner, Odisha Power Generation Corporation Limited, seeking permission of the Commission for drawal of start-up power and injection of infirm power into the grid upto 23.10.2019 or till declaration of commercial operation of Unit-4 of 1740 MW of Thermal Power Project (hereinafter referred to as 'generating station') at Jharsuguda district in the State of Odisha in terms of clause (7) of Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State transmission and related matters) Regulations, 2009 (hereinafter referred to as 'Connectivity Regulations') as amended from time to time. The Petitioner has made the following prayers:

“(a) Condone the inadvertent and unintentional delay, if any, in filing the present Petition;

(b) Admit the instant Petition and list the same for urgent hearing;

(c) During the pendency of the present Petition, allow the Petitioner to draw start-up and inject infirm power in order to complete the auto loop tuning and unit stabilization on full load; and

(d) Allow the Petitioner to draw start-up power and inject infirm power in order to complete the auto loop tuning and unit stabilization on full load, upto 23.10.2019 or the commercial operation of Unit-4 of the Petitioner's plant, whichever is earlier.”

2. The Petitioner has submitted that the generating station consists of four units (2X210 MW and 2X660 MW). Unit-I and Unit-II of the generating station have been operationalized since 1996. The Petitioner has further submitted that it is in the process of setting up Unit-III and Unit-IV of the generating station. Unit-IV of the generating station was synchronized with grid on 23.1.2019. However, CoD of Unit-IV could not be declared under commercial operation by 23.7.2019 due to the following reasons:

(a) Failure of the low pressure turbine blade: During coal synchronization, failure of low pressure blade turbine occurred on 12.2.2019. The Petitioner vide letter dated 14.2.2019 informed EPC Contractor, namely Bharat Heavy Electricals Limited (BHEL) in this regard. BHEL vide its letter dated 18.2.2019 informed that the problem would be resolved immediately. Owing to non-availability of spare blades, BHEL decided to replace the entire low pressure rotor by substituting it with an existing rotor available with BHEL. Initially, BHEL tried to shift the rotor available at DVC`s Raghunathpur Thermal Power Station, but could not succeed due to commercial issues.

(b) Subsequently, BHEL located another rotor available at TANGEDCO`s Ennore Thermal Power Station. After due approval process, the rotor from TANGEDCO Ennore was loaded for shifting from Ennore on 6.3.2019. However, transportation was further delayed at the stage of obtaining railway crossing approval. The low pressure rotor was replaced and the turbine was put back on barring gear on 30.4.2019. Thereafter Unit-IV was synchronized on 5.5.2019 and full load was achieved on 11.5.2019. The failure of low pressure turbine blade and the consequential rectification works have substantially contributed to the resultant loss of around 90 days in the commissioning schedule of Unit-IV.

(c) Due to commercial issues, such as instrument/distributed control system failure, electrical faults, equipment failure, the turbine and boiler of Unit-IV have tripped eleven and fifteen time respectively. These unexpected technical issues have caused further 90 days delay.

3. The Petitioner has filed IA No. 62/2019 for urgent listing of the Petition.

4. None was present on behalf of the Respondents despite notice. During the course of hearing, learned counsel for the Petitioner reiterated the submissions made in the Petition and requested to allow the Petitioner for injection of infirm power into the grid for commissioning tests including full load test of Unit-IV beyond 23.7.2019 upto 23.10.2019.

5. We have considered the submission of the Petitioner. The Fourth Proviso to Regulation 8 (7) of the Connectivity Regulations, as amended from time to time, provides as under:

“Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view.”

6. The above proviso in the Connectivity Regulations provides that the Petitioner can seek extension of the period for interchange of power on an application to be filed atleast two months in advance of the completion of the prescribed period. The Petitioner has submitted that last minute technical failures were faced right before and after the stipulated deadline of 23.5.2019. The Petitioner was hopeful to achieve commercial operation of Unit-IV of the generating station by 23.7.2019. However, as tripping instances and others technical failures occurred around 23.5.2019, the Petitioner had no opportunity to approach the Commission within the stipulated time and the same was beyond the control of the Petitioner. Therefore, it was constrained to file the present Petition after the deadline of 23.5.2019, seeking extension of time for drawal of infirm power. In consideration of the submissions of the Petitioner, we condone the delay in filing the Petition for reasons which are apparently beyond the control of the Petitioner.

7. The Petitioner has submitted that it has made all efforts to ensure completion of activities of Unit-IV of the generating station within stipulated time but could not succeed for reasons beyond its control. The Petitioner has submitted that due to failure of low pressure blade triune, etc., it was not able to complete testing

including full load testing within the prescribed period from the date of first synchronization of Unit-IV of the generating station. The Petitioner has further submitted that it is seeking extension of time for drawal of start-up power and injection of infirm power into the grid for commissioning tests including full load test of Unit-IV of the generating station upto 23.10.2019 for *bona-fide* reasons. The Petitioner has submitted that it does not intend to trade infirm power or derive any other undue advantage out of the present Petition. Considering these facts, the Petitioner has requested for permission to inject infirm power till 23.10.2019 or actual date of commercial operation, whichever is earlier.

8. Taking into consideration the difficulties expressed by the Petitioner and in terms of the proviso to Regulation 8(7) of the Connectivity Regulations as quoted in Para 7 above, we allow injection of infirm power into the grid for commissioning tests including full load test of Unit-IV upto 23.10.2019 or actual date of commercial operation, whichever is earlier. We expect the Petitioner to make all efforts to ensure the commercial operation of the unit by this date. It is, however, clarified that extension of time granted as above shall not automatically entitle the Petitioner for IEDC/IDC for the delay in declaration of COD from the scheduled COD which will be decided in accordance with the relevant provisions of the Tariff Regulations.

9. With the above, the Petition No. 185/MP/2019 along with IA 62/2019 is disposed of.

Sd/-
(I.S.Jha)
Member

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

sd/-
(P.K. Pujari)
Chairperson