

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 186/MP/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

Seeking Commission`s permission to allow interchange of power for testing including full load testing of trial run operation of Unit-I of Nabinagar STPS Stage-I (3X660 MW), beyond the period of six months from the date of its first synchronization, i.e beyond 13.7.2019 maintain status-quo for drawal of start-up power and injection of infirm power under UI mechanism till declaration of COD of Unit-I and Unit-II or 31.12.2019, whichever is earlier.

And

In the matter of

Nabinagar Power Generating Company Limited
NTPC Bhawan, Core-7, Scope Complex,
7 Institutional Area, Lodhi Road,
New Delhi-110 003

...Petitioner

Vs.

1. Power System Operation Corporation Limited
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi-110 016

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

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

1. Southern Regional Power Committee
29, Race Course Cross Road,
Bangalore- 560 009.

...Respondents

The following were present:

Mis Swapna Seshadri, Advocate, NPGCL
Shri Lalit Gupta, NPGCL
Shri Sukhjinder Singh, NPGCL

ORDER

This Petition has been filed by the Petitioner, Nabinagar Power Generating Company Limited, seeking permission of the Commission for inter-change of power including drawal of start-up power into the grid upto 13.1.2020 or till declaration of commercial operation of Unit-I of 1980 MW (3X660 MW) Thermal Power Plant (hereinafter referred to as 'generating station') at New Nabinagar district in the State of Bihar 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.

2. The Petitioner has submitted that the generating station consists of three units (3x660 MW). Scheduled COD of Unit-I of the generating station was 31.5.2017. Unit-I of the generating station was first synchronized with grid on 14.1.2019. However, CoD of Unit-I could not be declared under commercial operation due to the following reasons:

(a) Delay in land acquisition/Physical possession of Ash Dyke area: As on date, Bottom Ash Lagoon-2 & 3 embankment work could not be completed due to hindrance created by villagers. Some villagers of Baghi Village are claiming ownership of the Gair Mazarua Malik (GMM) land. Approximately 3.34 acres of GMM land has been affected. Matter is continuously being taken up with District Administration and Ministry of Power to resolve the issue.

(b) Delay due to Railway siding land: Readiness of coal transportation system is delayed due to non-availability of land for Railway siding/coal transportation of rake movement as per envisaged rout from Barkishliya Railway station. As on date, physical possession of approximately 6.08 acres of land towards Barkisaliya Railway station end is still not available. The matter regarding 0.5 acre land at village Shivanpur (300 M Patch in R & D yard of Railway siding) was resolved in

February, 2019. After physical possession of the above land, full rake movement from Ankorah Railway station end (as an alternate arrangement) to plant was made possible. Coal stacking is being done for trial operation and COD of Unit-I.

(c) Delay due to MUW Switchgear and Corridor land: Due to non-availability of Approximately 28.33 acres of land for MUW Switchgear and Pipe Corridor, there is some delay in availability of Make-up Water. The matter was taken up with Ministry of Power and various levels in District Administration. Alternate arrangement has been made through placement of Barge mounted Pump (3x1100m³/hr) and laying of alternate line.

3. The Petition was heard after notice to the Respondents. During the course of hearing, learned counsel for the Petitioner submitted that due to certain developments beyond the control of the Petitioner, the Petitioner could not declare commercial operation of the project by 13.7.2019 and requested to grant permission for injection of infirm power into the grid for testing including full load testing and trial run operation of Unit-I of the generating station beyond 13.7.2019 upto 13.1.2020 or the date of its commercial operation, whichever is earlier. The Representative of POSOCO submitted that ERLDC has no objection for granting permission to the Petitioner for injection of infirm power into the grid of Unit-I

4. 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.”

5. The Petitioner has submitted that all erection and commissioning activities of Unit-I are in advance stage of completion. The Petitioner has submitted that it is seeking extension of time for *bona-fide* reasons for completion of balance works

and not for the purpose of trading in infirm power or otherwise derive any undue advantage. The Petitioner has submitted that due to various reasons, namely delay in acquisition of land/ physical possess of Ash Dyke area, delay in Railway siding land and MUW Switchgear and Corridor land, it was not able to complete testing including full load testing within the prescribed period from the date of first synchronization of Unit-I of the generating station. The Petitioner has submitted that time is required beyond 13.7.2019 to complete the balance and to carry out the operation of testing and commissioning including injection of infirm power into the grid. Considering these facts, the Petitioner has requested for permission to inject infirm power till 13.1.2020 or actual date of commercial operation, whichever is earlier.

6. 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 2 above, we allow injection of infirm power into the grid for commissioning tests including full load test of Unit-I upto 31.12.2019 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.

7. With the above, the Petition No. 186/MP/2019 is disposed of.

Sd/-
(I.S.Jha)
Member

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

sd/-
(P.K. Pujari)
Chairperson