

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 222/MP/2020

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

Date of Order: 2nd March, 2020

In the matter of

Extension of the period for interchange in power of Unit 8 (250 MW) of Barauni Thermal Power Station Stage-II (2x250 MW) beyond six months from initial synchronization.

**And
In the matter of**

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

...Petitioner

Vs.

1. Eastern Regional Load Despatch Centre
14, Golf Club Road,
Tollygunge, Kolkata, West Bengal-700 033

2. State Load Despatch Central
Vidyut Bhawan, Bailey Road,
Patna, Bihar-800 001

3. North Bihar Power Distribution Company Ltd.
Vidyut Bhawan, Bailey Road,
Patna-800 021.

4. South Bihar Power Distribution Company Ltd.
Vidyut Bhawan, Bailey Road,
Patna-800 021.

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

...Respondents

The following were present:

Shri A.S.Pandey, NTPC
Shri Prasant Chaturvedi, NTPC

ORDER

This Petition has been filed by the Petitioner, NTPC Limited, seeking permission of the Commission for inter-change of power including drawal of start-up power and injection of infirm power into the grid upto 11.8.2020 of Unit 8 of Stage-II (250 MW) of Barauni Thermal Power Station (hereinafter referred to as 'generating station') at Begurasari 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 two Units of 110 MW each in Stage-I (Unit 6 and Unit 7) and two units of 250 MW each in Stage-II (Unit 8 and Unit 9) and has been taken over by NTPC from the Government of Bihar on 15.12.2018. According to the Petitioner, both Units of Stage-I were under shut down for R & M and Units of Stage-II were under various stages of construction and commissioning. Unit 8 was synchronized with grid on 12.8.2019 and achieved full load on 7.11.2019. The Petitioner has submitted that subsequent to takeover of the generating station, various steps were taken to obtain factory licence for the remaining capacity which involves the following sequential steps:

- (a) Submission of application for site appraisal as per Rule 62 H (4) of Bihar Factory Rules, 1950;
- (b) Recommendation of site appraisal for consent to establish factory;
- (c) Approval of recommendation by Site Appraisal Committee and issue of letter by Chief Inspector of Factory for 'consent to establish factory';
- (d) Approval of plot plan layout and building plans layouts for factory licence and deposit requisite fees; and

(e) Grant of factory licence.

3. The Petitioner has submitted that on 27.1.2020, plot plant layout and building plan layouts were submitted to the Deputy CIF, Begusaria. Site inspection in this regard was carried out on 29.1.2020. However, no approval has been granted by Deputy CIF, Begusaria till date. After approval of plant layouts, the Petitioner would submit online application for grant of factory licence.

4. The Petition was heard on 27.2.2020 after notice to the Respondents. None was present on behalf of the Respondents.

5. During the course of hearing, the Representative of the Petitioner submitted that due to certain statutory process beyond the control of the Petitioner, the Petitioner is not able to declare commercial operation of Unit 8 of the generating station 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 8 of the generating station upto 11.8.2020.

6. 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.”

7. The Petitioner has submitted that due to non-grant of factory licence by Deputy CIF, Begusaria it could not declare the commercial operation of Unit 8 of the generating station. The Petitioner has submitted that it is seeking extension of time

for injection of infirm power into the grid for *bona-fide* reasons for completion of all regulatory approvals and not for the purpose of trading in infirm power or otherwise derive any undue advantage. The Petitioner has submitted that time is required beyond 11.2.2020 for obtaining factory licence and regulatory approvals. Considering these facts, the Petitioner has requested for permission to inject infirm power till 11.8.2020.

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 5 above, we allow drawal of start-up power and injection of infirm power into the grid for commissioning tests including full load test of Unit 8 upto 11.8.2020. 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. 222/MP/2020 is disposed of.

**Sd/-
(I.S. Jha)
Member**

**sd/-
(P.K. Pujari)
Chairperson**