

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 41/MP/2021

Coram:

Shri P.K.Pujari, Chairperson

Shri I.S.Jha, Member

Shri Arun Goyal, Member

Shri P.K.Singh, Member

Date of Order: 25th February, 2021

In the matter of

Petition under Regulation 8 of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009.

And

In the matter of

Seeking permission to allow inter-change of infirm power for balance activities and declaration of commercial operation of Unit-II of Gadarwara STPS (2X800 MW) beyond the period of six months from the date of its first synchronization, i.e. beyond 25.2.2021.

And

In the matter of

NTPC Ltd.
NTPC Bhawan,
Core-7, Institutional Area, Lodhi Road
New Delhi-110 003

...Petitioner

Vs.

1. Chairman and Managing Director
Power System Operation Corporation Limited
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi -110016

2. Managing Director
MPPMCL, Shakti Bhawan,
Vidyut Nagpur, Rampur,
Jabalpur-110 003

3. Managing Director
CSPDCL, P.O. Sundernagar,
Danganiya, Raipur-492013

4. Managing Director

MSEDCL, Prakashgad,
Bandra (East), Mumbai-400 051

5. Managing Director
GUVNL,
Saardar Patel Vidyut Bhawan,
Race Course, Vadodara,
Gujarat-390 007

6. Superintending Engineer
Electricity Department, Govt. of Goa,
Vidyut Bhawan,
Panaji, Goa-403 001

7. Superintending Engineer
Electricity Department,
Administration of Daman & Diu,
Daman-396 210

8. Chief Engineer
DNHPDCL,
Administration of Dadra & Nagar Haveli,
Silvasa-396230.

...Respondents

ORDER

This Petition has been filed by the Petitioner, NTPC Ltd. seeking extension of time limit by this Commission for interchange of infirm power including drawl of start-up power into the grid upto 25.8.2021 or till declaration of commercial operation of Unit-II of 1600 MW (2x800 MW) Gadarwara Super Thermal Power Station (hereinafter referred to as 'the generating station') located in Narsinghpur District in the State of Madhya Pradesh 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 'the Connectivity Regulations').

2. The Petitioner has submitted that Unit-II of the generating station was first synchronized with the grid on 26.8.2020 and is in advance stage of commissioning.

However, it could not be declared under commercial operation due to the following reasons:

(a) Delay due to Covid-19 pandemic: As a measure to prevent the spread of Covid-19 pandemic in the country, Ministry of Home Affairs, Government of India vide its order dated 24.3.2020 imposed lockdown in the country which affected all balance work of erection, commissioning and supplies of the generating station. During the pandemic, the workers/ labours left the site and there was complete demobilization of workers/ labours bringing the erection activities to the standstill. Various Ministries to the Govt of India have also declared Covid-19 pandemic as force majeure event.

(b) To implement lock-down, various measures were required to be taken across the country such as suspension of public transport services and hospitality services, closure of manufacturing units, working with minimum number of employees and work from home measures, etc.

(c) On account of the pandemic, manufacturing units of various vendors worked at part capacity results delay in supply of material at site. Supply from vendors, falling in red/containment zones could not be despatched in time.

(d) Since, due to suspension of public transport services, periodic visits of technical advisors/experts for supervision of the commissioning of various equipment/systems could not take place promptly, commissioning activities in various areas including balance work pertaining to railway have been affected.

3. The Petitioner has submitted that due to reasons beyond its control, it could not declare commercial operation of the generating station. The Petitioner has requested to grant permission for injection of infirm power into the grid for testing including full load testing and trial run operation of Unit-II of the generating station beyond 25.2.2021 upto 25.8.2021 or the date of its commercial operation, whichever is earlier.

4. The Petition is admitted by circulation.

5. We have considered the submissions of the Petitioner. Regulation 8(7) of the Connectivity Regulations provides as under:

“(7) Notwithstanding anything contained in clause (6) of this Regulation and any provision with regard to sale of infirm power in the Power Purchase Agreement, a unit of a generating station including a captive generating plant which has been granted connectivity to the inter-State Transmission System in accordance with these regulations shall be allowed to inter-change infirm power with the grid during the commissioning period, including testing and full load testing before the COD, after obtaining prior permission of the concerned Regional Load Despatch Centre for the period mentioned 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 Petitioner has submitted that it is making efforts to expeditiously carry out the site activities with full care to prevent the spread of Covid-19 pandemic, making provision of thermal scanning, sanitization, social distancing, awareness sessions of workers, quarantine of visitors/laborers coming from outside districts and round the clock availability of ambulances, etc. It is further submitted that prayer for extension of time is *bona-fide* and for completion of balance works and not for the purpose of trading in infirm power or otherwise derive any undue advantage. It is reiterated that due to Covid-19 pandemic, it was not able to complete testing including full load testing within the prescribed period from the date of first synchronization of Unit-II of the generating station. It is submitted that time is required beyond 25.2.2021 to complete the balance work and to carry out the operation of testing and commissioning including injection of infirm power into the grid. In view of these circumstances, the Petitioner has requested for permission to inject infirm power till 25.8.2021 or actual date of commercial operation of Unit-II of the generating station, whichever is earlier.

7. Taking into consideration the difficulties expressed by the Petitioner as mentioned in Paragraph 2 above treating it as exceptional circumstances and in terms of the proviso to Regulation 8(7) of the Connectivity Regulations as quoted in paragraph 5 above, by way of extension to time limit we allow injection of infirm power into the grid for commissioning tests including full load test of Unit-II of the generating station upto 30.6.2021 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.

8. With the above, the Petition No. 41/MP/2021 is disposed of.

**Sd/-
(P.K.Singh)
Member**

**Sd/-
(Arun Goyal)
Member**

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

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