

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.279/MP/2023

Subject : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulations 57 and 58 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 seeking relaxation of the Regulation 43(9), Regulation 45(5)(a)(v) & 45(5)(a)(vi) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023.

Petitioner : Damodar Valley Corporation (DVC).

Respondent : National Load Despatch Centre & Ors.

Date of Hearing : **30.4.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Venkatesh, Advocate, DVC
Shri Nihal Bhardwaj, Advocate, DVC
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Arshiya, Advocate, CTUIL
Ms. Kavya Bhardwaj, CTUIL
Shri Ranjit Singh Rajput, CTUIL
Shri Manish Janjay, CTUIL
Shri Alok Mishra, NLDC
Shri Debajyoti Majumdar, NRLDC

Record of Proceedings

During the course of the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking relaxation/removal of difficulties being faced by the Petitioner by Regulations 43(9), 45(5)(a)(v) and 45(5)(a)(vi) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 ('IEGC, 2023'). Learned counsel for the Petitioner mainly submitted as under:

(a) Since its inception under the Damodar Valley Corporation Act, 1948, the Petitioner has been a vertically integrated power utility, having its generation, transmission, and distribution verticals under the same fold and continues to function as an integrated entity.

(b) Under IEGC, 2010, the Petitioner had been scheduling the load dispatch in the Control Area of the Petitioner through DVC SLDC, including the scheduling from the generating entities therein. Under the draft IEGC, 2022, this status for DVC remained unchanged; however, in IEGC, 2023, there is a change in the historical treatment of the Petitioner from being treated similarly to a State Electricity Board to being treated as a Regional Entity.

(c) Draft IEGC, 2022 did not include the provisions related to change in the scheduling modalities of the Petitioner i.e. Regulations 43(9) & 43(10), which were introduced for the first time in IEGC, 2023, were not part of Draft IEGC, 2022 and therefore, the Petitioner was not able to comment upon or explain the difficulties that the Petitioner would face in implementation of Regulation 43(9) of IEGC, 2023.

(d) ERLDC also supports the case of the Petitioner inasmuch as the existing system of scheduling of DVC generators by DVC SLDC ought to be continued.

(e) CTUIL, in its reply, has *inter alia* also raised certain issues on the GNA, which, according to the Petitioner, are extraneous to the present Petition.

2. Learned counsel for the Respondent, CTUIL, submitted that while the Petitioner is entitled to raise concerns regarding the difficulties it faces, such issues should be addressed through alternative means rather than by seeking relaxation. Learned counsel further submitted that the Petitioner may pursue other available mechanisms to resolve its difficulties.

3. After hearing the learned counsel for the parties and having regard to the issues involved in the matter, the Commission found it appropriate that these issues may also be deliberated by the concerned stakeholders in a meeting to be chaired by the Chief (Engineering), CERC. Accordingly, the Chief (Engineering) shall convene a meeting of all the concerned stakeholders, including CEA, within four weeks to examine the issues involved in the present case, and the parties will, thereafter, also file the outcome of the said meeting within three weeks thereafter.

4. The matter remained part-heard. In the meantime, the *status-quo* in respect of the scheduling by the Petitioner from its generating stations and other associated aspects shall continue till the next date of the hearing.

5. CTUIL was directed to file on an affidavit within two weeks the status of the installation of the meters at the locations earmarked, as decided in the meeting of the Committee, constituted by ERPC (comprising members from ERPC, ERLDC, the Petitioner, CEA, and CTUIL), held on 8th and 19th September, 2023.

6. The matter will be listed for the hearing on **17.7.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)