

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION BHOPAL

Sub:- In the matter of permitting 14 MVA load at 33 KV to Bhilai Jaypee Cement Ltd. located at Birhuli, District Rewa.

Petition No. 68 of 2009

ORDER

(Date of hearing 16th December, 2009)

(Date of Order 11th January, 2010)

M/s Bhilai Jaypee Cement Ltd.,
Village Birhula,
Tehsil Raghuraj Nagar,
Dist. Satna (MP) - Petitioner

V/s

M.P.Poorv Kshetra Vidyut Vitaran Co. Ltd.,
Shakti Bhawan, Rampur,
Jabalpur - 482 008. - Respondent No. 1

M.P.Power Transmission Co. Ltd.,
Shakti Bhawan, Rampur,
Jabalpur - 482 008. - Respondent No. 2

Shri P.L.Nene, Advisor appeared on behalf of the Petitioner.

Shri P.K.Singh, SE (Comm.) and Shri S.K.Okhade, EE (Comm.) appeared on behalf of Respondent No. 1.

Shri M.M.Dhoke, EE appeared on behalf of Respondent No. 2.

2. The petition is in the matter of permitting 14 MVA load at 33 KV to the Petitioner M/s Bhilai Jaypee Cement Ltd. located at Birhuli, District Rewa from the existing 33 KV lines, till the permanent agreement of supply at 132 KV gets ready.

3. The petitioner has submitted that they are setting up an integrated cement plant to manufacture Cement Clinkers and Cement at Village Birahuli, Dist. Satna. The Petitioner had initially applied for 4000 KVA power for the plant and subsequently increased the demand to

Cont. to next page

Sub:- In the matter of permitting 14 MVA load at 33 KV to Bhilai Jaypee Cement Ltd. located at Birhuli, District Rewa.

10000 KVA, which has been sanctioned by Respondent No. 1 and an agreement has been entered between the Petitioner and the first Respondent on 06.10.2009. The Petitioner, thereafter, submitted a letter dated 16.10.2009 to the Respondent No.1 to supply additional 4 MVA power (over and above 10 MVA) and switching over of supply from 33 KV to 132 KV. This was considered by Respondent No. 1 and 14000 KVA (14 MVA) power at 132 KV system from 220 KV Sub-station coming up at Kotar was assured subject to fulfillment of certain requirements.

4. The Petitioner has further submitted that the above 220 KV/132 KV sub-station is still under construction and will take six months or more to be completed. But the Petitioner's plant has been installed and is under trial run. Therefore, the Petitioner submits to the Commission that temporarily he may be allowed to avail 14000 KVA power at 33 KV from Satna Sub-station subject to payment of surcharge as approved by the Commission in the tariff order. This agreement will cease no sooner the supply at 132 KV is availed by the Petitioner. The supply at 33 KV can be allowed by the Commission as per Clause 1.19 of the tariff order. Therefore, the Petitioner has submitted to the Commission to consider and allow temporarily 14000 KVA supply to the Petitioner at 33 KV from the existing 33 KV lines till the above 220/132 KV sub-station gets ready. The Commission had directed to fix the date of hearing on 16.12.2009.

5. During the hearing on 16.12.2009, the representative of the Petitioner submitted that the arrangement for supply of power by the Licensee for additional 4000 KVA at 33 KV will be a temporary arrangement. He has further submitted that the aforesaid 14000 KVA supply on 33 KV may be allowed by the Commission as per Clause 1.19 of the Tariff Order for FY 2009-10 and the Petitioner is ready to pay additional charges for the temporary supply as per the tariff order. This is in view of the fact that the sub-station for availing 14000 KVA supply at 132 KV is under construction and is likely to take about 6 months time.

6. Respondent No. 1 submitted that they are willing to allow additional 4000 KVA at 33 KV over and above existing 10000 KVA on the terms and conditions mentioned in Clause 1.17

Cont. to next page

Sub:- In the matter of permitting 14 MVA load at 33 KV to Bhilai Jaypee Cement Ltd. located at Birhuli, District Rewa.

of “General Terms and Conditions of High Tension Tariff” tariff order for FY 2009-10, till the EHV infrastructure to cater the enhanced load of the Petitioner is commissioned. They further submitted that Clause 1.21 of the tariff order as requested by the Petitioner shall not be applicable in this case.

7. During the hearing the representative of the Respondent No.2 made a submission that as far as MP Power Transco is concerned, there will not be any technical constraint in making available the supply of power of 14 MVA from the existing 33 KV feeder to the Petitioner.

8. As per Clause 4.74(3)(c) of Madhya Pradesh Electricity Supply Code, 2004, the time limit for serving the EHT power availability notice for commencement of supply/ release of connection after receipt of estimated charges is 180 days since it will involve extension of line, etc. Further as per Clause 4.76 of the Electricity Supply Code, 2004, the Commission may direct deviations from the above, if in the opinion of the Commission the circumstances warrant such deviations. In the instant case, the Petitioner in his written submission has submitted that 220 KV/132 KV Sub-station is still under construction and it will take another 6 months or more to complete and the Petitioner’s cement factory is already installed and is under trial run and therefore, requires 14000 KVA power (as additional 4000 KVA over and above 10000 KVA).

9. After hearing all the parties and after considering various provisions of M.P. Electricity Supply Code, 2004, as well the tariff order dated 29th July 2009 for FY 2009-10. The Commission is of the following view:

- (a) Clause 1.17 of the “General Terms and Conditions of High Tension Tariff” contained in the Tariff Order for FY 2009-10 is applicable if a consumer requires supply for a temporary period. The Petitioner has categorically requested to allow 14 MVA from existing 33 KV system as a temporary arrangement till the system for supply from 132 KV is made ready by the Respondent. The Petitioner has also submitted that the requirement of additional 4 MVA can be treated as a temporary supply and agreed to pay the applicable charges.

Cont. to next page

**Sub:-In the matter of permitting 14 MVA load at 33 KV to Bhilai Jaypee Cement Ltd.
located at Birhuli, District Rewa.**

(b) Clause 1.18 of the tariff order mentions the minimum and maximum contract demand at different supply voltage. Accordingly at 33 KV, minimum of 100 KVA and max of 10000 KVA and at 132 KV minimum of 5000 KVA and maximum of 50000 KVA have been mentioned. Further Clause 1.19 says that the deviation, if any, in respect of above minimum/ maximum contract demand on account of technical reason may be permitted by the licensee after obtaining specific approval of the Commission. Thus the Commission is fully empowered to allow deviation on account of technical reasons.

(c) It is an undisputed fact that supply from the upcoming 220/ 132 KV cannot be availed of immediately for the reason stated in the foregoing paras whereas there is no technical hitch in permitting supply of 14 MVA at 33 KV level in the intervening period as confirmed by M.P. Transmission Co. Ltd.

10. In view of para 9 above, the Commission allows the respondent No. 1 to supply additional 4 MVA power (total 14 MVA) at 33 KV as a temporary arrangement for a period not exceeding six months, subject to compliance of necessary requirements such as signing of agreement, etc. The Petitioner shall also pay charges at temporary tariff for 4 MVA supply as per tariff order. Further, all the parties shall put in their best efforts to ensure that the necessary infrastructure is created within six months so that the Petitioner could switch to 132 KV from 33 KV.

11. With the above directions, the Petition No. 68/2009 stands disposed off.

Ordered accordingly.

(K.K. Garg)
Member (Engg.)

(Dr. J.L. Bose)
Chairman