

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub : In the matter of permission under Section 86(1)(e) of the Electricity Act, 2003 for sale of energy generated and provided by Wind Electric Generators (WEGs) to MP Power Trading Co. Ltd., Jabalpur.

Petition No. 30/2011

ORDER

(Date of hearing 31st May, 2011)

(Date of order 2nd June , 2011)

M/s Cepco Industries Pvt. Ltd., - Petitioner
82, Mahaveer Nagar, Kanadia Road,
Indore – 452016.

V/s

M.P.Power Trading Co. Ltd., - Respondent No. 1
Shakti Bhawan, Rampur, Jabalpur.

M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent No. 2
GPH Compound Pologround, Indore.

Shri U.K.Sahasrabuddhe, Authorised Representative appeared on behalf of the Petitioner.

Shri A.B.Bajpai, CGM (Comm.) and Ms Parul Dangi, Legal Executive appeared on behalf of the Respondent No. 1.

Shri Sanjay Mohase, CE(Comm.) appeared on behalf of Respondent No.2.

2. The petition is in the matter of permission under Section 86(1)(e) of the Electricity Act, 2003 for sale of energy generated and provided by Wind Electric Generators (WEGs) to MP Power Trading Co. Ltd., Jabalpur.

3. The Petitioner has filed the present petition under Section 86 (1) (e) of the Electricity Act, 2003. Section 86(1) (e) of the Electricity Act, 2003 reads as under:-

“(e) promote cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;”

4. The Petitioner has submitted that they own 02 No. of WEGs each of 225 KW capacity installed at location Nos. 44 and 62 in the Windfarm at Jamgodrani, Dist.

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Dewas. The WEG at location No. 44 on Hill 'C' is in operation w.e.f. 25.07.1998 and WEG at location No. 62 on Hill 'A' is in operation w.e.f 28.03.1997. The Petitioner has executed the Power Purchase Agreement with the then MP Electricity Board (MPEB) on 15.02.2005 for sale of power from the above WEGs. The period of initial PPA expired on 14.04.2006 as it was made effective from 15.04.2001. The PPA was subsequently extended for another five years i.e. upto 14.04.2011 by first supplementary agreements entered on 28.05.2008 between M/s CEPCO and M.P.Power Trading Co. Ltd., Jabalpur. The present rate of Rs. 2.87 per unit is applicable in both the locations and the agreement is in force till 14.04.2011.

5. The Petitioner has further submitted that the period of supplementary PPAs for these 2 locations is due to expire on 14.04.2011 and the Petitioner has already approached MP Power Trading Co. to sell the power provided by these 2 Nos. of WEGs for the balance period of 8 years from 15.04.2011 at the rate of Rs. 2.87 per unit as per the Tariff Order dated 21.11.2007.

6. The Petitioner has prayed as under:

- (a) Sale of energy generated and provided by the above 2 Nos. of WEGs at location No. 44 and 62 in the windfarm at Jamgodrani, Dist. Dewas to MP Power Trading Co. Ltd. for a period of 8 years w.e.f. 15.04.2011 at the rate of 2.87 per unit as provided in Clause No. 11.2 of Wind Power Tariff Order 21.11.2007.
- (b) Execution of agreement with M.P.Power Trading Co. Ltd. for this purpose.
- (c) Continuation of procurement of energy provided by the Petitioner's WEGs from 15.04.2011 onwards and for making payment to the Petitioner for the energy sold till the PPA is finally signed.

7. The case was listed for hearing on 31.05.2011.

8. During the hearing, the Petitioner reiterated the requests made in the petition.

9. During the hearing, the representative of West Discom made written submission that they have no objection to granting of permission by the Commission to the Petitioner.

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10. The representative of Respondent No.1 submitted that the Commissions permission is required for further extension of power purchase agreement. The representative further submitted that the PPA shall be signed with the Petitioner as per the Model PPA on the rate, terms and conditions as approved by the MPERC in tariff order dated 21.11.2007. The Petitioner has already approached the Respondent No.1 with proposal for sale of power from their WEGs and to enter into PPA.

11. On hearing the Petitioner and the Respondents, the Commission grants permission to the Petitioner for sale of electricity provided by the above WEGs No. 44 and 62 in the Windfarm at Jamgodrani, Dist. Dewas to MP Power Trading Co. and for execution of Power Purchase Agreement for the balance period of 8 years of plant life w.e.f. 15.04.2011 on the rates, terms and conditions as per tariff order dated 21.11.2007. The Commission further directs the Respondent No.1 to execute PPA with the Petitioner within 21 days of Petitioner's request for signing PPA.

12. With the above directions, the Petition No. 30/2011 stands disposed of.

Ordered accordingly,

(C.S.Sharma)
Member (Eco.)

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

(Rakesh Sahni)
Chairman