



# Madhya Pradesh Electricity Regulatory Commission

5<sup>th</sup> Floor, Metro Plaza, Arera Colony, Bittan Market, Bhopal 462 016

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## Petition No. 37/2004

### M. P. ELECTRICITY REGULATORY COMMISSION : BHOPAL

#### IN THE MATTER OF PERMISSION TO SELL ELECTRICITY TO THIRD PARTY M/S NARMADA EXTRUSIONS LTD., PITHAMPUR UNDER SECTION 10(2) & 86(B) OF THE ELECTRICITY ACT, 2003.

M/s CEPCO Industries Pvt. Ltd.,  
Br. Office 82, Mahaveer Nagar,  
Kanadia Road  
Indore ♦ 452 016

Petitioner

V/s

Energy Department  
Government of M.P., Bhopal  
&  
M.P.State Electricity Board, Jabalpur  
&  
M.P.Windfarms Limited  
Bhopal

Respondent

### **ORDER**

**(Passed on this day 20th October, 2004)**

Shri U.K.Sahasrabuddhe and Shri A.N.Pandey, Consultant appears for the petitioner.

Shri B.K.Patel, S.E. appears for the Government of M.P.

2. The petition is in the matter of permission to sell power generated from WEG location 46, 49 and 30 to third parties M/s Malwa Vanaspati and Chemicals Ltd., Indore and M/s Durga Industries, Gwalior

3. Commission had passed an interim order dated 13.7.2004 vide which Board was directed to pay for the power injected by the petitioner at the rate of Rs.2.87 per unit and this may be treated as deemed sale from the date of order of the Commission until the final wheeling charges are decided by the Commission.

4. The respondent in its reply submits that it is not in a position to bear the extra cost i.e. the difference rate of Rs.2.87 and 2.25 per unit during the entire terms of agreement since the Government of M.P. Energy Department may not compensate the same due to existing incentive policy dated 26.9.94 is still in force. The respondent Board requests the Commission to pass an order not to alter the rate of purchase and allow the rate of Rs.2.25 per unit in respect of all subsisting power purchase agreement till the decision of review petition No. 104/04 filed by the respondent Board in the matter of escalation of wind energy rate from Rs.2.25 to Rs.2.87 per unit.

5. Commission heard both the parties. Commission grants permission to the petitioner to wheel power generated from WEG location No. 46, 49 and 30 to third parties M/s Malwa Vanaspati and Chemicals Ltd., Indore and M/s Durga Industries, Gwalior for a period of five year from the date of order on payment of wheeling charges at the existing rate of 2% till its revision by the Commission. It is also directed that no additional surcharge or surcharge is payable by the third party to the Board at present. Commission also directs that the period from the provisional permission i.e. 13.7.2004 till the date of this order be treated as deemed sale and the Board will pay to the petitioner at the rate of Rs.2.25 per unit till the disposal of the review petition (No.104/2004) which is pending before the Commission. This order is subject to other following conditions:-

- i) The technical and other commercial matters should be settled between the Board and the petitioner.
- ii) The supply and sale of power shall be governed by the policy of the State Government and other provisions of law to be made applicable from time to time and also as per terms and conditions of the PPA executed by the petitioner with the MPSEB.
- iii) The petitioner shall comply with the provisions of the Madhya Pradesh Vidyut Sudhar Adhiniyam 2000, and other laws applicable, the Regulation of the Commission, Technical Codes, Standards of Performance or any other guidelines issued by the Commission from time to time.

- iv) The petitioner shall furnish to the Commission such information required for the purpose of the discharge of the functions of the Commission, as the Commission may require from time to time.
- v) The Commission shall be entitled to impose any other conditions as the Commission considers appropriate from time to time, including the terms of revocation or modification of the approval.

Ordered accordingly.

**Sd/-**  
**( D. Roybardhan )**  
**Member (Engg.)**

**Sd/-**  
**(R. Natarajan)**  
**Member (Econ.)**

**Sd/-**  
**(P.K. Mehrotra)**  
**Chairman**

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