

**M.P. ELECTRICITY REGULATORY COMMISSION**  
**BHOPAL**

**SUB: IN THE MATTER OF PERMISSION UNDER SECTION 86(1) (E) OF THE ELECTRICITY ACT, 2003 FOR WHEELING THE ENERGY GENERATED FROM WEGS TO PLACE OF CONSUMPTION FOR SELF-USE RENEWAL OF POWER PURCHASE AGREEMENT.**

M/s. Shubham Powgen, - Petitioner  
(Proprietor : Gwalior Chemical Industries Ltd.,  
P.O. Birlagram, Nagda 0456 331

V/s

M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent  
Indore

**ORDER**  
**(Passed on this day 24<sup>th</sup> October 2007)**

Shri H. D. Motiramani, Consultant and Shri R. Ramanujam, Consultant appear on behalf of the Petitioner.

Shri D. K. Ojha, S.E. (Comm.), O/o CMD, West Zone appears on behalf of M.P. Poorva Kshetra Vidyut Vitaran Co. Ltd., Jabalpur

1. The petitioner has submitted this petition in the matter of permission under section 86(1) (e) of the Electricity Act, 2003 for wheeling the energy generated from WEGs to the place of consumption for self-use renewal of Power Purchase Agreement.
2. During the course of last hearing on 26.09.2007, the Commission directed the respondent to maintain status quo and continue wheeling of power to the petitioner WEG till any further order is passed by the Commission. The Commission also directed the respondent to submit the reply of the petition 3 days before the next date of hearing.
3. The respondent has submitted in its written reply that the wind generators installed by the petitioner at Location No. 9 has been installed for captive use. This generator was commissioned on 26<sup>th</sup> September 1995. An agreement was signed on 26<sup>th</sup> October 1996 for a period of 12 years commencing from 26.09.1995. The respondent also submits that they have issued a notice for obtaining permission from MPERC. The respondent also submits that the petitioner is required to obtain permission of MPERC for wheeling of power. In case permission for wheeling of power is not available the respondent has to discontinue wheeling of power to obey the instructions contained in various orders issued by the Commission.
4. The respondent prays that the petitioner has not made proper arrangement for evacuation of power as per the policy notified by GoMP. It is, therefore, prayed that the

petitioner and all other investors who have installed Wind Generators in the windfarm developed by M.P. Wind Farm may be directed to lay a separate 33 KV feeder from Wind farm site to 220 KV substation Dewas.

5. The case is listed for hearing on 24.10.2007. During the course of hearing, the Commission enquired from the respondent as to what is the technical need for laying a separate 33 KV feeder particularly when wheeling of power has being done since last 12 years. The respondent could not reply it satisfactorily. Having considered the submission made by both the parties, the Commission confirms the interim order passed on 26.09.2007 and grants permission to the petitioner for wheeling of power generated from the WEG of 225/40 KW installed at location No. 9 in the windfarm at Jamgodrani, Distt. Dewas to its place of consumption for self use from the date 26.09.2007 till the balance period of life of the plant i.e. 25.09.2015. The wheeling charges will be 2% or as revised by the Commission from time to time. The Commission also directs the petitioner to execute the agreement with the respondent as per the approved draft. Thereafter, the credit for the power fed into the grid may be allowed by the concerned DISCOM to the petitioner.

6. This order subject to the following conditions:-

- i) Other technical and other commercial matters shall be settled by the utility.
- ii) The supply of power shall be governed by the policy of the State Govt. 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 respondent.
- iii) The petitioner shall comply with the provision of the M.P. Vidyut Sudhar Adhiniyam 2000, Electricity Act, 2003 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 the revocation or modification of the approval.

Ordered accordingly.

**(R.Natarajan)**  
**Member (Econ.)**

**(D. Roybardhan)**  
**Member (Engg.)**