



Madhya Pradesh Electricity Regulatory Commission

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Petition No. 14/2006

SUB: IN THE MATTER OF GRANT OF PERMISSION UNDER SECTION 9 OF ELECTRICITY ACT 2003 FOR CHANGE IN PLACE OF CONSUMPTION FOR SELF USE FROM OWN WIND ELECTRIC GENERATORS IN VIEW OF CHANGE IN OWNERSHIP.

M/s. Steel Tubes of India Ltd., Steel Tube Road, Dewas (M.P.)	-	Petitioner No.1
M/s Rajratan Global Wire Ltd., Rajratan House, Indore	-	Petitioner No.2
V/s M.P. State Electricity Board, Shakti Bhawan, Rampur, Jabalpur (M.P.)	-	Respondent

ORDER

(Passed on this day 18th April, 2006)

Shri A. K. Jain, AGM, (Electrical) and R. Ramanujan, Consultant appear for the petitioner.

Shri C. K. Dixit, Adl. S.E., O/o S.E.(O&M), MPSEB, Dewas appear on behalf of the Respondent Board.

2. The petition is in the matter of grant of permission under section 9 of Electricity Act 2003 for change in place of consumption for self use from own Wind Electric Generators in view of change in ownership.

3. The petitioner No. 1 M/s Steel Tubes of India Ltd., Dewas is the owner of the 4 Nos. of Wind Electric Generators installed at Location Nos 3, 4, 5 and 6 on Hill-A in the wind farm at Jamgodrani, D.istrict Dewas, M.P. and are availing the electricity generated from the above WEGs for self-use in their factory at Dewas. The Petitioner No. 1 has decided to sell his above mentioned four Nos. of WEGs on, "as is where is basis" to the Petitioner No. 2. Both the petitioners have signed a MoU. The petitioner also submits that the date of sale of the installation agreed upon by both the petitioners is 1st March 2006. The petitioner No. 2 shall be the owner of these WEGs w.e.f 01.03.2006. The electricity produced by these WEGs shall be availed by the petitioner no. 2 for his own use at his factory where he is a H. T. Consumer of M.P.PKVVCL. The petitioner further states that the execution of sale deed between the Petitioners No. 1 & 2 for these WEGs is subject to execution of the PPA with the respondent. The respondent requires permission of the Hon'ble Commission for execution of PPA with the Petitioner No. 2 who shall be the owner of these WEGs after the sale is affected, therefore the petitioners jointly submit this petition for favour of consideration. The Petitioners undertakes to comply with the requirements and conditions as may be specified by the Hon'ble Commission. Therefore, the petitioner prays that it may be granted permission to the Petitioner No. 2 to avail the electricity from the WEGs Location No. 3, 4, 5 & 6 in the wind farm at Jamgodrani for his own use at his premises at Pithampur w.e.f 01.03.2006 and also granted permission to the MPPKVVCL, Indore to give effect to the change in ownership of the 4 WEGs and to the change in premises of consumption of electricity from these WEGs after getting the required formalities completed by the petitioners.

4. The respondent submits that the Commission may grant the permission to Petitioner No. 1 for change the ownership of WEG installed at Location No. 3, 4, 5 & 6 at Hill 'A' Jamgodrani, Distt. Dewas to Petitioner No. 2 for captive use by wheeling of power on payment of 2% wheeling charges as fixed by the Govt. of M.P. at Pithampur Distt. Dhar from the date of order of Commission for the balance period of PPA.

5. Commission heard both the parties. After having considered the facts and circumstances of the case, Commission observes that there is no need to seek the permission from the Commission for sale of units. In view of the fact that the purchaser of the unit has also signed the petition and is seeking permission to avail the electricity from the above mentioned WEGs for his own use, the Commission grants permission to the respondent to allow wheeling of power to the petitioner for its own captive consumption for the energy generated from petitioners WEGs installed at Location No. 3, 4, 5 & 6 at Hill 'A' Jamgodrani, Distt. Dewas for five years w.e.f 01.03.06 at the existing rate of 2% wheeling charges as per GoMP circular dated 26.09.1994 till its revision by the Commission and also directs the respondent to purchase the surplus power from the applicant company @ Rs. 2.25 per unit or at the rate applicable as recently determined by the Commission subject to the following other conditions:-

- The technical and other commercial matters should be settled between the respondent and the petitioner.
- The wheeling of power shall be governed by the provisions of law to be made applicable from time to time and also as per terms and conditions of the PPA to be executed by the Petitioner No.2 with the respondent. Petitioner should submit before the respondent certified copy of transfer deeds (ownership documents) of the above mentioned WEGs.
- The petitioner shall comply with the provisions of the Madhya Pradesh Vidyt 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.
- 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.
- 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.

(R.Natarajan)
Member (Econ.)

(D. Roybardhan)
Member (Engg.)

(P.K. Mehrotra)
Chairman