

Sub: In the matter of petition seeking review and/or modification and /or clarification of the order dated 25th October, 2016 passed by the Commission in Petition No. 17 of 2016 with respect to applicable tariff for power drawn during shut down by generator/co-generator from renewable energy sources

ORDER

(Date of hearing: 24th January, 2017)

(Date of order: 31st January, 2017)

M.P. Biomass Energy Developers Association, - Petitioner
H.No. 6/4, Saket Nagar,
Bhopal- 462 024

M.P. Power Management Co. Ltd., - Respondent
Shakti Bhawan, Rampur,
Jabalpur- 482 008

Shri Aditya K. Singh, Advocate appeared on behalf of the petitioner.

2. The petitioner, M.P. Biomass Energy Developers Association has filed this petition seeking clarification on the applicability of Regulation 10 of MPERC (Cogeneration & Generation of electricity from Renewable sources of energy) (Revision-I) Regulations, 2010 and Schedule HV-7 of Retail Supply Tariff Order on drawl of start up power. The case was listed for motion hearing on 24.01.2017.

3. During the motion hearing, the petitioner restated the contents of the petition and relied upon the order passed by the Commission on 09.06.2015 in Petition No. 31/2014.

4. Having heard the petitioner and on considering its written submissions, the Commission has noted that the Petition No. 31/2014 is related to the Tawa Hydro Electrical Power Plant, which is also a consumer of the licensee and, therefore, this case cannot be dealt with on a similar ground. However, the Commission holds that the Regulation 10 of MPERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (Revision-I) Regulations, 2010 shall be applicable in the event of drawing of power by the petitioner during shut down of the plant or during other emergencies. During the shut down or emergency periods, the plant requires power for repairs and maintenance purposes, for which the petitioner shall have to avail power and would be billed at temporary supply tariff as

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specified in the aforesaid Regulations. If the power is required by the petitioner for start up or synchronization of the plant with the grid, the same cannot be considered under drawl of power during shut down or emergency periods and the provisions of the aforesaid Regulations shall not apply and, therefore, shall be billed as per the provisions of tariff schedule HV-7. The Commission further clarifies that the start up power is associated with the power availed at the time of start up followed by synchronization. As such, the power is required either for start up or synchronization with the grid shall be billed as per tariff schedule HV-7 and power required during shut down/breakdown or other emergency shall be billed according to the aforesaid Regulations. The Commission also clarifies that the provisions of the Act/Rules/Regulations shall prevail, notwithstanding if any contrary provisions exist in agreement/tariff order.

5. In view of the above, the petition no. 73 of 2016 stands disposed of.

Ordered accordingly.

Sd/-
(Alok Gupta)
Member

Sd/-
(A.B.Bajpai)
Member

Sd/-
(Dr. Dev Raj Birdi)
Chairman

