



Madhya Pradesh Electricity Regulatory Commission

5th Floor, Metro Plaza, Arera Colony, Bittan Market, Bhopal 462 016

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Petition No. 2 & 3 of 2006

Sub: In the matter of grant of permission for Establishment of Wind Electric Generators (WEG) for captive consumption, and for wheeling of power to be generated from Wind Electric Generators through the lines of M.P. State Electricity Board u/s 9(a), (d) & (k) of the M.P. Vidut Sudhar Adhiniyam, 2000, r/w section 86(1) (c) and (e) of the Electricity Act, 2003, on the payment of wheeling charges @ 2% as fixed by Govt. of M.P. vide Circular dated 26th September, 1994.

ORDER (Passed on this day 04th April 2007)

Chirayu Health & Medicare (P) Ltd., 6, Malipura, Bhopal	-	Petitioner No.1 (Petition No. 2/2006)
& M/s. Box Corugators &. Offset Printers, 14-B Sector, Govindpura, Industrial Estate, Bhopal	-	Petitioner No. 2 (Petition No. 3/2006)
V/s The CMD, M.P. Paschim Kshetra Vidut Vitaran Co. Ltd., G.P.H. Compound, Polo Ground, Indore - 452 003	-	Respondent No. 1
The CMD, M.P. Madhya Kshetra Vidut Vitaran Co. Ltd., Nishtha Parisar, Govindpura, Bhopal - 462 023.	-	Respondent No. 2
The CMD, M.P. Power Transmission Co. Ltd., Shakti Bhawan, Rampur, Jabalpur	-	Respondent No. 3

Shri Anoop Sharma, Advocate appears on behalf of the Petitioner.
Shri D.K. Ojha, S.E. (Comm.), O/o CMD (WZ) appears on behalf of Respondent No. 1.
Shri A.R. Varma, Addl. SE, O/o CMD, Bhopal appears on behalf of Respondent No. 2.
Shri V.K. Pandya, SE (PS) appears on behalf of the Respondent No. 3.

2. Both the Petitions are in the matter of grant of permission for Establishment of (each of them 225 KW capacity) Wind Electric Generators (WEG) for captive consumption, and for wheeling of power to be generated from Wind Electric Generators through the lines of M.P. State Electricity Board. Both the petitioners in their petitions have submitted that they may be allowed to wheel the power from the point of generation to any other place for party's own use/sale of power to third party through respondents' system on payment of 2% wheeling charges irrespective of distance. The Commission directed to merge both the petitions.

3. On the last hearing on 08-08-2006 the Commission directed the respondents that as the energy has already started flowing in the grid, it should be deemed to have been used by the owners of the captive generating unit and credit for the same shall have to be given to the petitioners. The Commission also directed both the petitioners to execute the agreement.

4. The case is listed for hearing on 04-04-2007. During the course of hearing today, the respondent submits that agreements executed by both the petitioners have been received on 26-03-2007 and the same are under scrutiny. After finalization of the agreement, the compliance shall be reported. Central Discom did not submit the reply.

5. On behalf of the petitioner, it is submitted that though the Commission passed an interim Order on 08-08-2006, the Respondent is raising the point-that is from which date the credit for the power injected into the respondent's grid may be allowed. The Commission observes that in the interim Order dated 08-08-06 the Commission had already directed the respondent that it should be deemed to have been used by the owners of the captive generating unit and credit for the same shall have to be given by the concerned Discoms (Central Discom) to the petitioner.

6. Having heard both the parties, the Commission makes it clear that as per the Interim Order passed by the Commission dated 08-08-2006, respondents were directed to give credit to the petitioners from the date of injection of power into the grid by the generators. The respondent has referred to the terms of the model agreement that this agreement will be deemed to be applicable from the date of execution of the agreement. The Commission directs the respondent Central Discom to give credit to the petitioners from the date energy generated from petitioner's WEGs started flowing into the grid. This fact is to be included in the agreement to be executed. The Commission directs the petitioner to pay the wheeling charges as per the prevailing GoMP policy

7. With the above directions aforesaid the Commission decides to close the case.

Ordered Accordingly.

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

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

Sd/-
(P.K. Mehrotra)
Chairman