

MADHYA PRADESH 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 the place of consumption for self-use – Execution of fresh Power Purchase and Wheeling Agreement for the balance period.

Petition No. 07 of 2010

ORDER

(Date of Hearing 16th February, 2010)

(Date of Order 18th February, 2010)

M/s Arcil Catalyst Pvt. Ltd.,
PO Birlagram, Nagda.

- Petitioner

V/s

MP Power Trading Co. Ltd.,
Shakti Bhawan, Vidyut Nagar,
Jabalpur. (Tradeco.)

- Respondent No.1

MP Paschim Kshetra Vidyut Co. Ltd.,
GPH Compound, Pologround,
Indore .

- Respondent No. 2

Shri R.Ramanujam, Consultant appeared on behalf of Petitioner.

Shri D.K.Ojha, Associate Consultant appeared on behalf of Respondent No.1.

Shri Gajra Mehta, ACE (Comm.) appeared on behalf of the Respondent No.2.

2. The petition is 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 - Execution of fresh Power Purchase and Wheeling Agreement for the balance period of plant life.

3. The Petitioner company formerly known as Arkema Catalyst India Ltd. had signed a PPA with the then MPEB for wheeling of power from his 2 Nos. of WEGs (2 x 225 KW) at location No. 67 Hill – D and 54 Hill – C in the Wind Farm at Jamgodrani, District Dewas to its works at P.O. Birlagram, Nagda for self use for a period of 12 years from the date of commissioning i.e. w.e.f. 31.03.1998 to 30.03.2010. The PPA in force is due to expire on 30.03.2010.

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4. The Petitioner has submitted that he proposes to continue to avail energy generated from his 2 Nos. of WEGs at locations mentioned above at his works in Birlagram, Nagda for self-use for the balance period of 8 years of plant life and sign a fresh Power Purchase and Wheeling Agreement for a period of 8 years from 31.03.2010 to 30.03.2018. The Petitioner agrees to pay monthly line rent @ 0.5%, charges @ 27 paise per unit of reactive energy consumption and 2% of the energy injected towards wheeling charges as per Tariff Order dated 21.11.2007. The Petitioner has also submitted that he may be paid for the surplus energy wheeled from his above WEGs to the place of consumption but not consumed by him, at the rate specified in the State Government Policy dated 07.07.1994.

5. The Petitioner has, therefore, prayed to the Commission to grant permission for–
- a. Wheeling of energy from his above WEGs for self-use from 31.03.2010 to 30.03.2018.
 - b. Execution of fresh Power Purchase & Wheeling Agreement for a period of 8 years from 31.03.2010 to 31.03.2018 with MP Power Tradeco.
 - c. Payment of the surplus energy at the rate specified in the Govt. Incentive Policy dated 07.07.1994.
 - d. Continuation of wheeling of energy to the place of consumption and adjustment of the wheeled energy in the monthly electricity bills of the consumer till the date of final execution of fresh agreement.

The Commission had directed to fix the date of hearing on 16.02.2010.

6. During the hearing on 16.02.2010, the representative of the Petitioner made a submission that the Petitioner's Company was formerly known as M/s Aroni Chemical Industries Ltd. and not M/s Arkema Catalyst India Ltd. (as wrongly mentioned in the petition). The name of the above company has since been changed to M/s Arcil Catalyst Pvt. Ltd for which necessary documents issued by the Registrar of the Companies shall be submitted to the Respondent No.1. He has further requested the Commission to allow payment for inadvertent flow of energy at the rate mentioned in the Government Incentive Policy dated 07.07.1994.

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7. The representative of the Respondent No.1 made a submission to allow the Petitioner to wheel energy from his 2 Nos. of WEGs at location No. 67 and 54 in the windfarm at Jamgodrani, District Dewas to his works at Birlagram, Nagda for self-use from 31.03.2010 to 30.03.2018 i.e. for the balance period of 8 years of the life of the project. The representative of the Respondent No.1 further submitted to consider the prayer of the Petitioner to supply the surplus energy (inadvertent flow of energy) at the rate of Rs. 2.25 per unit as per State Government Policy at the time of installation of these WEGs.

8. On hearing the Petitioner and the Respondent, the Commission grants permission for wheeling of energy from the 2 Nos. of WEGs at location No. 67 (Hill-D) and 54 (Hill-C) in the windfarm at Jamgodrani, District Dewas to the works of the Petitioner at Birlagram, Nagda for self-use from 31.03.2010 to 30.03.2018 subject to the following terms & conditions :

- (i) The Petitioner shall submit necessary documents to the Respondent No.1 and 2 regarding change in name at the time of execution of Power Purchase Agreement.
- (ii) The Respondent No.1 shall pay to the Petitioner for surplus energy (inadvertent flow of energy) at the rate specified in State Government Policy dated 07.07.1994 under which the aforesaid WEGs were installed in 1998.
- (iii) The Petitioner shall obtain all necessary permissions from the concerned agencies.

9. With the above directions, the Petition No. 07 of 2010 stands disposed off.

Ordered accordingly,

(C.S.Sharma)
Member (Eco.)

(K.K.Garg)
Member (Engg.)