

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Sub : In the matter of difficulties faced by Licensee in synchronization with the grid or startup power required by the generators including captive power generators.**

**Petition No. 43/2011**

**ORDER**

**(Date of hearing 19<sup>th</sup> December, 2011)**

**(Date of order 22<sup>nd</sup> December, 2011)**

M.P.Madhya Kshetra Vidyut Vitaran Co. Ltd., Nishtha Parisar, Govindpura, Bhopal.	-	Petitioner
M.P.Poorv Kshetra Vidyut Vitaran Co. Ltd., Shakti Bhawan, Vidyut Nagar, Jabalpur.	-	Co-Petitioner No.1
M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., GPH Compound Pologround, Indore.	-	Co-Petitioner No.2
V/s		
M/s Shalivahana Green Energy Ltd., Post Box No. 1582, 7 <sup>th</sup> Floor, Minerva Complex, S.D.Road, Secunderabad – 500003.	-	Respondent

Shri P.M.Tilloo, AE (Comm.) appeared on behalf of Petitioner.

Shri P.K.Singh, CE (Comm.), Shri S.K.Okhade, EE and Shri N.K.Jain, EE appeared on behalf of Co-Petitioner No.1.

Shri Sanjay Mohase, CE (Comm.), Shri Pawan Jain, ASE (Comm.), Shri Anant Chaure, Law Officer and Shri Enosh George, Advocate appeared on behalf Co-Petitioner No.2.

Shri E.Satwik, Executive Secretary appeared on behalf of Respondent.

2. Petitioner, M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal has filed the present petition under affidavit on 23.06.2011 in the matter of difficulties faced by licensee in synchronization with the Grid or startup power required by the generators including captive power generators.

3. Petitioner has submitted that the Clause 1.30 of the General Terms and Conditions of High Tension Tariff as given in MPERC tariff order dated 23.5.2011 provides the Terms & Conditions applicable for generators connected to the grid but who are not the consumers of the Licensee and seeks to avail power for synchronization with the grid or for startup power. Licensee is facing following difficulties in implementing the said condition:

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- a) As per the Para 2 of MP Electricity Supply Code, 2004 (17<sup>th</sup> Amendment) dated 14<sup>th</sup> June 2010 the supply voltage for different contract demand is as follows:-

<b>Supply Voltage</b>	<b>Minimum Contract Demand</b>	<b>Maximum Contract Demand</b>
11 KV	50 KVA	300 KVA
33 KV	100 KVA	10000 KVA
132 KV	5000 KVA	50000 KVA
220 KV	40000 KVA	---

- b) M/s Vardhman Yarns Mandideep requested for power for synchronization on 132 KV for 100 KVA. As per directives of the Commission, the power was given to the aforesaid consumer dated on 28.5.2011 but due to unavailability of compatible meter, proper recording of Kwh and KVA could not be done and also actual time taken for synchronization process could not be worked out. The MRI taken on the spot was also unable to ascertain the consumption and M.D.
- c) The Metering Committee of the MPPTCL also decided that due to metering constraints, consumer should avail contract demand of at least 40% of total intended export/import of power under open access. This issue has also been raised in the 7<sup>th</sup> meeting of Grid Code Committee and recommendations have been sent to the Commission.
- d) Since the tariff for the start up/synchronization of CPP with the grid and also for standby support (for production purpose) is at temporary rate under HV 3.1 schedule (except condition of TMM). Therefore, for use of start up/synchronization of standby power under a common agreement subject to minimum limit of contract demand based on the total import/export of supply under Open Access is necessary.
- e) Petitioner has submitted that the matter involves constant stake of loss of revenue to Petitioner in the circumstances explained above. As such it is necessary to issue clarification by resolving the difficulties, in the interest of justice.

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4. In light of the above submissions, Petitioners prayed as under:
- (i) Clarify whether the provisions of Supply Code are not applicable in case of synchronization of power as per Clause 1.30 of the tariff order.
  - (ii) Resolve the difficulties in metering & billing, if the contract demand is substantially lower than values prescribed in the Electricity Supply Code as faced in the recent case of M/s Vardhman Yarns Mandideep.
  - (iii) Give suitable direction on the report of metering committee of MPPTCL which was also raised in 7th meeting of grid code committee and already submitted to the Commission.
  - (iv) Consider a common agreement subject to minimum limit of contract demand based on the total import/export of supply under Open Access and give appropriate directives.
5. The Commission vide letter dated 01.07.2011 suggested that the East Discom and West Discom be joined as Co-Petitioners in the above matter. Accordingly they have filed additional submission in the form of petition alongwith process fee. The case was listed for hearing on 26.07.2011.
6. During the hearing on 26.07.2011, the representative of Petitioner requested for adjournment of hearing. The Commission considered the request and directed to fix the next date of hearing and to issue notice to East Discom and West Discom. The case was listed for hearing on 20.09.2011.
7. During the hearing on 20.09.2011, the representative of Petitioner again requested for adjournment of hearing on the ground that the Senior Advocate was busy attending cases in other courts. The Commission considered the request of Petitioner and directed to fix next date of hearing. The case was listed for hearing on 22.11.2011 which was rescheduled on 19.12.2011.

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8. Meanwhile, M/s Shalivahana Green Energy Ltd., Secunderabad filed a written submission with the request to make them Respondent in this Petition so that they can present their views in the matter on the next date of hearing.

9. During the hearing on 19.12.2011, the representative of Co-Petitioner No.1 submitted that following issues may be considered :

- (a) Whether voltage-wise minimum/maximum contract demand limits shall be applicable or not.
- (b) Since the loading during synchronization or start-up is to the extent of 10-15% of the capacity of generating plant, correct metering cannot be provided and therefore there would be a possibility of less recording.
- (c) Whether 90% of the contract demand is to be billed or as per actual.
- (d) The method of calculation of Security Deposit is not provided.
- (e) The basis of charging of supply affording charges under MPERC (Recovery of expenses and other charges for providing Electric Line or Plant used for the purpose of giving Supply) Regulations is not clear.
- (f) Whether the Commission shall provide model agreement or the Discoms have to prepare model agreement.

10. During the hearing, the representative of Respondent made the following submissions :

- (a) The provisions for synchronizations or start-up power required by the generators are very clear in the tariff order and the Discoms are required to implement the same.
- (b) The generator should not be treated as consumer in view of the judgment of APTEL.
- (c) The Supply Code is related to the consumer and not for the generators. The generators are bound by Grid Code only.
- (d) The Discoms are not providing start-up power for 1500 KVA at 132 KV and they are insisting to take connection at 132 KV for 5000 KVA.

11. During the hearing the representative of Petitioner submitted that there are four meters which are recording consumption of a particular HT connection where start up power is given. However, the metering problem may be resolved by the metering committee after discussions with meter manufacturers.

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12. On hearing Petitioner, Co-Petitioners and Respondent, the Commission is of the view that the provisions of tariff order are abundantly clear. While Section 1.18 of General terms and conditions applies to the consumers having permanent connection, Section 1.30 applies to generators connected to the grid but who are not consumers of the Licensee. Metering difficulties, if any, should be appropriately resolved. The Commission, therefore, directs Petitioner/Co-Petitioners to abide by the terms and conditions of tariff order. The Commission further directs to review the provisions of Section 1.30 of General terms and conditions in the next tariff order keeping in view the issues raised by Petitioner/Co-Petitioners.

13. In view of above, Petition No. 43 of 2011 stands disposed of.

Ordered accordingly,

Sd/-

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

Sd/-

**(Rakesh Sahni)**  
**Chairman**