

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub: In the matter of permission under Section 86 (i)(e) of Electricity Act, 2003 for wheeling of energy generated and provided by WEGs to the place of consumption for self use – Execution of Fresh Power Purchase & Wheeling Agreement for the balance period.

ORDER

(Passed on this day 12th May, 2009)

M/s Arkema Catalyst India Pvt. Ltd. - Petitioner
(Formerly Aroni Chemical Industries Ltd.),
P.O. Birlagram
Nagda – 456331 (M.P.)

V/s

M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent - I
GPH Compund, Pologround
Indore.

M.P.Power Trading Co. Ltd., - Respondent - II
Shakti Bhawan, Vidyut Nagar,
Jabalpur.

M.P.Power Transmission Co. Ltd., - Respondent - III
Shakti Bhawan, Vidyut Nagar,
Jabalpur.

Shri H.D.Motiramani, Consultant and Shri Ramanujam appeared on behalf of Petitioner.

Shri S.C.Saini, SE, M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd. appeared on behalf of Respondent No. I

Shri D.K.Chawda, DGM (Comm.) M.P.Power Trading Co. Ltd. appeared on behalf of Respondent No. II.

Shri S.S.Nigam appeared on behalf of M.P.Transmission Co. Ltd., Respondent No. III.

2. The petitioner, M/s Arkema Catalyst Ltd., Nagda has filed this petition on 12.03.2009 in the matter of permission under Section 86(i)(e) for wheeling the energy generated from his WEG of 228/40 KW rating installed at location No. 63 in the Windfarm at Jamgodrani, Dist. Dewas to his works at P.O.Birlagram, Nagda for self use for the balance period of 8 years of plant life and to

sign a fresh power purchase and wheeling agreement for a period of 8 years from 27.03.2009 to 28.03.2017.

3. The petitioner had signed a Power Purchase Agreement with the MPSEB for wheeling of power from his WEG of 225 KW each at location No. 63 in the Wind Farm at Jamgodrani, Dist. Dewas for self use for a period of 12 years from the date of its commissioning i.e. w.e.f. 27.03.1997 to 26.03.2009. The period of PPA in force expired on 26.03.2009.

4. During the hearing, the petitioner proposed to continue to avail energy generated from his WEG mentioned above for self use at his works in P.O. Birlagram, Nagda for the balance period of 8 years of plant life and to renew the PPA for a period of 8 years from 27.03.2009 to 26.03.2017. The petitioner has also agreed to pay 2% of energy injected into the grid as wheeling charges in terms of units, monthly line rent and reactive charges as per the Tariff order dated 21.11.2007 for procurement of wind energy from the WEGs. The petitioner has also requested to grant permission for sale of surplus power, if any, generated from the above WEG to M.P.Tradeco. at the rate determined by the Commission.

5. The Respondent No. 1, West Discom has submitted in its reply that the name of the petitioner company has been changed from M/s Aroni Chemical Ind. Ltd. to M/s Arkema Catalyst India Ltd. and requested the Commission to direct the petitioner to provide a copy of the supplementary agreement executed and copies of certificate of incorporations for the change in name issued by the Registrar of Companies alongwith copy of Memorandum and Articles of Association of the company.

6. The Respondent No. 2, MP Tradeco has submitted the reply stating that they are ready to purchase the surplus power, if any, at the rates approved by the Commission in its order dated 21.11.2007 subject to execution of fresh agreement by the petitioner with the MP Tradeco on the same terms and conditions as given in Tariff order dated 21.11.2007. It has also been submitted that for wheeling of power through the transmission / distribution system of the Board from the Windfarm site to the point of captive consumption, the petitioner may be directed to approach M.P.Power Transmission Company Ltd. to seek permission of open access.

7. The Respondent No. 3, M.P.Transmission Co. Ltd has submitted the reply stating that since the petitioner is already availing Intra-State Open Access and is willing to continue for the extended period of the agreement, the petitioner has to apply a fresh application addressed to Nodal Officer as per the 'Guidelines and Procedure for Long-Term Open Access Customers' as approved by the Commission.

8. During the hearing, the petitioner has agreed to submit the application for Long-Term Open Access to the Nodal Officer and to pay the requisite fee.

9. Having heard both the Petitioner and the Respondents, the Commission grants permission to the petitioner for wheeling of power generated from his WEG at location No. 63 in the Windfarm at Jamgodrani, Dist. Dewas to his works at P.O. Birlagram, Nagda for the balance period of 8 years of plant life i.e. w.e.f. 27.03.2009 to 26.03.2017 subject to the condition of payment of wheeling charges, line rent and reactive charges as per the Tariff Order dated 21.11.2007. The Commission directs that PPA shall be made effective from 27.03.2009 and credit of the energy fed into the grid, shall be given by the concerned Discom w.e.f. 27.03.2009. The Commission also grants permission to sell the surplus power, if any, to the MP Power Tradeco. at the rates determined by the Commission in the order dated 21.11.2007, subject to execution of PPA as approved by the Commission. The petitioner should apply to the Nodal Officer for availing open access as per the regulations. The permission is further subject to the following conditions :-

- a. The petitioner shall comply with the provisions of the Electricity Act, 2003 and MPERC regulations and directions given by the Commission in its Tariff Order dated 21.11.2007 for procurement of wind energy from the WEGs.
- b. The Petitioner should put-up title documents of his factory before the Discom prior to execution of PPA otherwise the power fed into the grid from the above WEG will be treated as deemed sale to M.P.Tradeco.
- c. The Commission shall be entitled to impose any other conditions, as it considers appropriate from time to time including revocation or modification of the approval.

Ordered accordingly,

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

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

(Dr. J.L. Bose)
Chairman