

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub: In the matter of permission under Section 86(1)(e) of Electricity Act, 2003 for wheeling energy generated by WEGs to the place of consumption for self use – Execution of Fresh Power Purchase & Wheeling Agreement for the balance period.

ORDER

**(Date of hearing 20th August, 2009)
(Date of Order 27th August, 2009)**

M/s Arkema Catalyst India Pvt. Ltd. - Petitioner
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 and Shri Ramanujam, Consultants appeared on behalf of Petitioner.

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

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

None appeared on behalf of Respondent No. I.

2. The Petitioner has filed this petition in the matter of permission under Section 86(1)(e) of Electricity Act, 2003 for wheeling the energy generated from his WEGs to the place of consumption for self-use and for renewal of Power Purchase Agreement.

3. During the hearing, the Petitioner has submitted that he had signed a Power Purchase Agreement with the MPSEB for wheeling of power from his WEGs of 225 KW each at location No. 64 and 65 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. 30.09.1997 to 29.09.2009. The period of PPA in force shall expire on 29.09.2009. The petitioner has proposed to continue to avail energy generated from his above WEGs for self use at his works in P.O. Birlagram, Nagda for the balance period of plant life i.e. 8 years and to renew the PPA from 30.09.2009 to 29.09.2017. 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 generated by

above WEGs delivered to the grid at the rate specified in the Government Incentive Policy dated 07.07.1994.

4. The Respondent No. 1 has submitted written submission stating that the West Discom has no objection to the Petitioner's request and the issue is concerned with Respondent No. II, MP Tradeco.

5. The representative of Respondent No. II, 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 tariff 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.

6. The representative of Respondent No. III, 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. The Petitioner may be directed to submit application for Long-Term Open Access to the Nodal Officer as per the provisions of MPERC (Terms and Conditions for Intra-State Open Access in Madhya Pradesh) Regulations, 2005.

7. Having heard both the Petitioner and the Respondents, the Commission grants permission to the petitioner for wheeling of power generated from his WEGs at location No. 64 and 65 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. 30.09.2009 to 29.09.2017 subject to the condition of payment of wheeling charges, line rent and reactive charges as per the Tariff Order dated 21.11.2007 shall be made. The Commission directs that PPA shall be made effective from 30.09.2009 and credit of the energy fed into the grid, shall be given by the concerned Discom w.e.f. 30.09.2009. 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 Tariff 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 Commission shall be entitled to impose any other conditions, as it considers appropriate from time to time including revocation or modification of the approval.

8. With the above directions, the Petition No. 34/2009 stands disposed off.

Ordered accordingly,

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

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

(Dr. J.L. Bose)
Chairman