



Petition No 939 of 2014

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION LUCKNOW

Date of Order : 21.08.2014

PRESENT:

1. Hon'ble Shi Desh Deepak Verma, Chairman
2. Hon'ble Smt. Meenakshi Singh, Member
3. Hon'ble Shi Indu Bhushan Pandey, Member

IN THE MATTER OF: Dispute in Date of Commercial Operation (CoD).

Jaiprakash Associates Ltd.
(Unit-Jaypee Churk Industrial Complex)
Through its Dy. General Manager,
Vishnu Sadan, 5 Park Road, Lucknow – 226 001.

-----**Petitioner**

1. UP Power Corporation Limited, (through its Managing Director), Power Purchase Agreement Directorate, 14th Floor, Shakti Bhawan Extn. 14- Ashok Marg, Lucknow.
2. Purvanchal Vidyut Vitran Nigam Ltd (PVVNL), (through its Managing Director), Purvanchal Vidyut Bhawan, Bhakaripur, Vidyut Nagar, DLW , Varanasi
3. U.P. Power Transmission Corporation Ltd., (through its Chairman & Managing Director), 11th Floor Shakti Bhawan Ext., 14- Ashok Marg, Lucknow
4. State Load Despatch Center (SLDC), UP (through its Chief Engineer), 5th Floor Shakti Bhawan, 14 – Ashok Marg, Lucknow.

-----**Respondents**

The following were present:

1. Sri Sunil Mohan Agarwal, S.E., UPSLDC
2. Sri S.P. Gupta, E.E, UPSLDC
3. Sri Zahir Ahmad, E.E. UPSLDC
4. Sri M.K. Gupta , A.E. SLDC
5. Sri Rahul Srivastava, Advocate, Counsel for UPSLDC
6. Sri Anil Sharma , Dy. G.M., Jaiprakash Associate Ltd.
7. Sri Ajai Vikram Singh, Advocate, Jaiprakash Associate Ltd.
8. Sri Pankaj Pandey, Engineer-I, Jaiprakesh Associate Ltd.



Order

(Date of Hearing 23.06.2014)

1. The Petitioner has installed the three captive power generation units, each of capacity of 60 MW, at Churk, Sonebhadra which is connected to 220/132 KV substation Robertsganj through 220 KV DC line. The petitioner has stated that unit 1 of 60 MW was synchronized with grid on 18.12.2013 and the CoD was declared on 27.12.2013. On 28.12.2013, respondent no. 1 asked the petitioner to confirm the CoD only after continuous running for 72 Hrs. at or above 95% of the maximum continuous rating. Subsequently on direction of SLDC, unit 1 was run for 72 Hrs. and the CoD was achieved on 7.1.2013.
2. The petitioner has submitted that SLDC has directed them referring the schedule -5 of Standard Document of Power Purchase Agreement (PPA) as provided by Ministry of Power for long term power purchase through bidding. The petitioner has contended that the same is not applicable in their case as according to UPERC CNCE Regulations, 2009, there is no such binding. The petitioner has requested that for remaining two units they may not be compelled to continuous run their units for 72 Hrs. at or above 95% of the maximum continuous rating. It has also been mentioned that in this case the buyer is not distribution licensee.
3. SLDC in its submission has strongly propounded that the technical standards made by Central Electricity Authority (CEA) are binding on all generating and also that for the safety and operation of grid such standards are necessarily to be followed.
4. The Commission enquired that why the petitioner want to skip such an important technical requirement when it is necessary for safety and operation of the system. The petitioner could not give any satisfactory reply.
5. In view of above, the Commission finds that there is neither any provision nor any requirement of such exemption. Therefore, It is not possible to grant the prayer of the petitioner.
6. The petition is accordingly disposed of.

(Indu Bhushan Pandey)
Member

(Meenakshi Singh)
Member

(Desh Deepak Verma)
Chairrman

Place : Lucknow
Dated: 21.08.2014
