



Chhattisgarh State Electricity Regulatory Commission

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Petition No.35 of 2009(OA)

In the matter of issue of concurrence for short-term open access for inter-State power sale

M/s Ind Synergy Ltd. Petitioner
Raigarh

V/s

Chhattisgarh State Power Transmission Co. Ltd Respondent
Raipur. (successor to Chhattisgarh State
Electricity Board)

Present: S.K. Misra, Chairman
B.K. Sharma, Member

ORDER

(Passed on 29.06.09)

M/s Ind Synergy Ltd. which has a 24 MW power plant at village Kotmar in Raigarh district submitted a petition seeking direction of this Commission to SLDC to accord consent for inter-State open access of 15 MW power from their generating station. The petition was registered as petition No. 26 of 2009 (OA), heard on admission, and was rejected on admission stage on the ground that the petitioner had not installed ABT meter and data communication facility from his generating station to SLDC which is a pre-requisite for inter-State open access. M/s Ind Synergy Ltd. has again submitted a petition to direct SLDC to issue concurrence for intra-State short-term open access to export 15 MW power through 33 KV dedicated line connected to their generating plant and 33/11KV Loing sub-station. The SLDC has denying consent for inter-State open access to the petitioner because it does not have independent connectivity with EHV sub-station. The petitioner has submitted that the CSEB (the predecessor of the respondent company) has permitted inter-State open access to M/s Rashmi Sponge and Power Ltd., M/s Mahindra Sponge and Power Ltd.

M/s Vaswani Sponge and Power Ltd. which have connectivity through 33 KV line with EHV sub-station but installation of ABT meter and the facility for transfer of data is not being done through RTU (remote control unit) to SLDC. Since the petitioner has come up with some specific cases and has alleged discrimination, this petition was admitted for hearing.

2. The respondent SLDC in its submission has stated that although the petitioner has independent connectivity from his generating plant to 33/11KV sub-station at Loing as per the provision in Chhattisgarh State Electricity Grid Code (first amendment), 2008, they have neither installed ABT meter nor have the data communication facility from their generating plant to the SLDC, which is the requirement of inter-State open access has been set up. The petitioner has sought inter-State open access merely on the ground of having connectivity as per CSERC Grid Code. The connectivity condition and open access condition are two different issues and have different eligibility.

3. We are in agreement with the respondent that the connectivity condition and the open access condition are two different issues. However, the inter-State open access has to be regulated as per the provision in the Central Electricity Regulatory Commission (Open access in inter-State) Regulations, 2008 and modified by Regulations of 2009. As per these Regulations, the SLDC before processing application for concurrence for inter-State open access shall verify the existence of infrastructure necessary for time block-wise energy metering and accounting in accordance with the provision of Grid Code in force and availability of surplus transmission capacity in State network. The Chhattisgarh State Electricity Grid Code, 2007, issued by this Commission in para 8.5.1 in relation to **generating plant and open access customer** states "for existing all non-conventional sources based generating plants (NCE), generating plants and open access customer shall provide ABT metering system and software within two month from the issue of this Code, in absence of ABT meter permission for open access shall we withdrawn. It is also compulsory for open access customers those who are receiving power from NCE." Thus, installation of ABT meter and providing data communication facility from the generator to SLDC by the generating company/open access customer is pre-requisite condition.

4. On our query, the respondent informed that M/s Rashmi Sponge and Power Ltd., M/s Mahindra Sponge and Power Ltd. M/s Vaswani Sponge and Power Ltd. are connected through dedicated 33 KV line to 220 KV sub-station Siltara in accordance with

provision in clause 4.9 of CSERC (Open access) Regulations, (first amendment), 2007 for transmission open access. These Regulations are for intra-State Open access and not for inter-State Open access. On further query the respondent stated that the data from the meter are collected through MRI and communicated to the SLDC. Thus, metering and data communication of above three generators are not in accordance with the Grid Code, 2007 issued by this Commission.

5. The petitioner has requested that he may also be permitted open access with the same facility of data transfer, as has been permitted to M/s Rashmi Sponge and Power Ltd., M/s Mahindra Sponge and Power Ltd. M/s Vaswani Sponge and Power Ltd. Since the request of the petitioner is not in accordance with the provision of the Grid Code of this Commission, and CERC (Open access inter-State) Regulations, 2008, hence the request of the petitioner is not acceptable. The petitioner has informed that they have procured the ABT meter and the data communication facility for communication of data from their generator to SLDC in accordance with the provision of the Grid Code and have requested the CSPTCL for its installation. The petitioner is thus directed to get and install and commission the ABT meter and the data communication facility through CSPTCL and approach SLDC thereafter for consent for the inter-State open access. The CSPTCL shall complete the task expeditiously. In case the above are complied with the SLDC shall not refuse open access only. On the ground that the petitioner has no independent connectivity to EHV sub-station.

We order accordingly.

**Sd/-
Member**

**Sd/-
Chairman**