



## Chhattisgarh State Electricity Regulatory Commission

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### **Petition No.60 of 2009 (M)**

South East Central Railway  
Bilaspur

.... Petitioner

V/s

1. Chhattisgarh State Power Transmission Company Ltd.  
(Successor Company of Chhattisgarh State Electricity  
Board), Raipur and

2. Chhattisgarh State Power Distribution Company Ltd.  
(Successor Company of Chhattisgarh State Electricity  
Board), Raipur

.... Respondent

Present: Manoj Dey, Chairman  
B.K. Sharma, Member

### **ORDER**

**(Passed on 11.03.10)**

The South East Central Railway, Bilaspur (SECR or Railways, for short) filed a petition before this Commission with request to introduce simultaneous maximum demand (SMD, for short) system for all the traction sub-station connections in the State of Chhattisgarh for arriving the combined billing demand. As per details submitted by the SECR, the South East Central Railway and East Coast Railway have availed electric supply for traction purposes at 21 traction sub-station points on 132KV/220KV in the State of Chhattisgarh. It is pleaded that the EHV network of Chhattisgarh State Transmission Company Ltd. (CSPTCL, for short) is extensively inter-connected to enable flow of adequate power from different sources to the load centers through alternative paths. Hence, the overall loading on system is as a result of simultaneous demand of all loading points. It is stated that the billing demand for the month is the maximum demand (in KVA) of the consumer recorded during the billing month or 75% of the contract demand whichever is higher. The maximum demand of the supply in each month is 4 times the largest number of kilo volt ampere hours (KVAh) delivered at the point of supply during any consecutive 15 minutes during the month as per the sliding window principle of measurement of demand. The maximum demand of each traction sub-station is recorded and billed separately. It is further

pleaded that the Central Electricity Authority (CEA) in their letter No. 5-M (E&N) (16)/88 dated 21.10.88 advised that Railway should be charged for power traction on the basis of SMD recorded in contiguous sub-stations of the SEB serviced by the same grid transformer. The Rajasthan State Electricity Regulatory Commission (RSERC, for short) has issued order that billable demand for Railway traction shall be SMD and this methodology is adopted by Jaipur Vidyut Nigam Ltd. It is further stated that UPPCL on behalf of Poorvanchal Vidyut Nigam Ltd. (PVVNL, for short) has made an agreement on 31.03.07 with Railway for adoption of SMD method between Mugalsarai – Kanpur section of North Central Railway. The petitioner has thus prayed to direct the Chhattisgarh State Power Distribution Company Ltd. (CSPDCL, for short) for adopting SMD principle for billing of all the traction sub-stations having contiguous feeding jurisdictions.

2. The petitioner has made CSPDCL as a respondent as such they are consumer of CSPDCL but, since the supply for traction sub-stations are availed by the Railways from EHV system of CSPTCL, hence, we considered CSPTCL also as an interested party and thus CSPTCL were also impleaded as respondent.

3. The respondent CSPTCL in its reply submitted that there is no mention in RSERC's order about the SMD of various traction sub-stations. Further, there is mention of maximum demand of various traction sub-stations to be integrated and compared with 75% of sum of the contract demands of those traction sub-stations and billed whichever is higher. Thus, the RSERC's order is different than the K.P.Rao Committee recommendations while the Railways petition is for implementation of recommendation of K.P. Rao Committee. Similarly, UPPCL has also not brought out the method of summation of maximum demand of various traction sub-stations for billing purpose. It is also stated that to their knowledge K.P. Rao Committee recommendation has nowhere been implemented in toto so far. It is further stated that in the State, out of 15 Nos. traction sub-stations no two traction sub-stations are being fed fully from any single 220 KV or 132KV sub-station of CSPTCL. The balance 6 Nos. traction sub-station of East Coast Railway are fed from same 220/132 KV transformer of 220 KV sub-station Barsoor but from two different 132 lines. Supply arrangement to these traction sub-stations have been made by tapping main 132KV double circuit line between Barsoor to Kirnadul and between Barsoor to Jagdalpur, and these lines are also feeding other loads. It is further submitted that the K.P. Rao Committee recommended in the year 1988 for recording SMD of traction supply for contiguous sub-stations of given section. As per prevailing Electricity Act, 2003 (the Act, for short) the distribution licensee shall on an application by the owner or occupier of any premises give supply of electricity to such premises. The premises is defined in section 2(51) which includes any land, building or structure. As per provision of the Act, the billing of maximum demand is to be on the basis of premises only and

premises located at different places cannot be clubbed for the purpose of determination of maximum demand. The provision of the Act, therefore, prohibits amalgamating the demand of supply given to different premises, may be owned by the same occupier/owner. Further, the notification of the Electricity Act, 2003 is subsequent to the issue of directive from CEA in the year 1988, therefore stand ineffective. It is further stated that 6 traction sub-stations of East Coast Railways are fed from 220KV Barsoor and if Railways want a separate supply at a single point of all the 6 traction sub-stations, in that case a separate 132 KV line has to be laid by the Railways covering all the 6 traction sub-stations up to Barsoor EHV sub-stations.

4. The respondent CSPDCL in its reply has mentioned that they could not understand whether this petition is against the tariff order of CSERC dated 30.05.09 for the year 2009-10, if so this review petition is not only time barred in accordance with the provisions under section 23(2) but also not satisfying the requirement of provision under section 23(3) of CSERC (Conduct of Business) Regulations, 2009. The petitioner has also not specified the relevant provision of the Act under which the jurisdiction of this Commission is attracted to adjudicate upon and therefore, in absence of jurisdiction the petition is not maintainable. It is further stated that besides above, even on merits, the petitioner has not lodged its claim on the basis of any well accepted logic but the claim is lodged only on the basis of benefit and convenience of the petitioner. A tariff order of the RSERC dated 24.03.01 submitted by the petitioner in support is quite an old and pertains to pre Act 2003 regime so it cannot be considered as supporting document during post Act 2003 regime. Electrification of Railway track has already taken place at majority of States in India but none other State Commission has adopted such simultaneous maximum demand modality of billing for the Railway. Therefore, there is no logical and justified ground for its consideration of adoption in Chhattisgarh.

CSPDCL as respondent accepts that it has replied the same objection of SECR during the proceedings of tariff petition for the year 2009-10 which is extracted from tariff order and reproduced here as: "CSPDCL has no objection if Railway prefers to avail supply from it at single point. In this case, the demand recorded at the point of supply shall be the actual demand." The above reply was very clear and straight which simply mean that if Railway desires so, it can avail the supply at one point with desired contract demand at that designated single metering point. It does not mean that CSPDCL agreed for adoption of SMD computation from different metering points. In case Railway desires to avail supply at one point, the CSPDCL shall install one meter at that supply point and Railway will be required to extend its own distribution system to transfer the power at their desired places of consumption from this point of supply by CSPDCL, because the CSPDCL shall then disconnect all other supply points. There is no provision available in the

Supply Code or Act or any other prevailing Regulations to cater the supply at one point and meter it at different points.

5. The petitioner in its rejoinder has submitted that the petition is for getting benefit of SMD for traction sub-station as is already been availed by Railways from Jaipur Vidyut Vitaran Nigam Ltd. since year 2001. A copy of letter of Shri K.P. Rao, Member, CEA dated 21.10.88 has also been submitted by the Railways in support of their demand.

6. We have gone through the contents of petition and the rejoinder of the petitioner and the replies of the respondents and their pleadings in length and have observed that the extract of para 8.2 of K.P.Rao, Member, CEA's letter dated 21.10.88, states "it would be logical to adopt a SMD recorded on the basis on maximum demand registered by the contiguous sub-stations of a given sections falling within the jurisdiction of SEB. It was also agreed that for implementing the decision the modalities would be mutually agreed to the Railways and Electricity Boards and the cost of the equipment to implement the decision will be borne by the Railways." Here, Shri K.P. Rao has suggested that the modalities would be mutually agreed by the Railways and Electricity Boards. This provision may be on account of having various configuration of supply to the different traction sub-stations of the Railways in various States. Here in this case the CSPTCL, the successor company of CSEB has explained about the existing supply system to the various traction sub-stations in the State of Chhattisgarh. The CSPDCL, an another successor company of CSEB has submitted that CSPDCL has no objection if Railway prefers to avail supply from it at single point. In this case, the demand recorded at the point of supply shall be the actual demand. The CSPTCL has also submitted in its reply that if the Railway wants a separate supply at single point for the 6 traction sub-stations of Jagdalpur-Kirandul section, a separate 132 KV line need to be laid by the Railways covering all the 6 traction sub-stations up to the Barsoor EHV sub-station. Thus, both the respondents i.e. CSPDCL and CSPTCL have not agreed to sum up the simultaneous demand of all the traction sub-stations of the Railways to arrive combined one billing demand for all the traction sub-stations, whereas, for implementation of recommendation of K.P. Rao Committee the modalities would be mutually agreed by both i.e. Railways and Electricity Board.

7. The petitioner have accepted that the petition is filed for getting benefit of SMD for traction sub-stations as is already being availed from Jaipur Vidyut Vitran Nigam Ltd. It is pleaded that overall loading on the system is as a result of simultaneous demand of all the loads of their traction sub-stations. It is to specify here that during planning of the system the load coming on the respective transformers and the respective lines are also required to be ensured to be within their permissible limit. The traction load of the Railways are not stationary and there can be

possibility of over loading of the transformer or line beyond their permissible limit on account of moving nature of traction load of the Railways if billing of SMD system is opted which may affect the functioning and safety of the grid. Probably, this may be the reason on account of which SMD system of the billing for the traction sub-stations has not been adopted by most of the Electricity Boards and their successor companies since such a long period from 1988. The clause 4.16 of Chhattisgarh State Electricity Supply Code, 2005 notified by this Commission in accordance with the provision under section 50 of the Act, specifies that electricity will be supplied to a consumer at a single point for the entire premises and each separate premise will be given separate point of supply. Further, there is no such provision in the Act or in Supply Code or in any other prevailing Regulations to amalgamate the metering of supplies at various points to consider it as a supply at one point and to bill accordingly. At present the Railways have availed separate supply for their each traction sub-stations being separate premises as defined in section 2(51) of the Act. Since, billing to the supply availed at each point of TSS is to be done separately, the Commission is of the view that the combined billing to the Railways for their traction supply on the basis of SMD as prayed by the petitioner is not acceptable within the existing provision.

The application of the petitioner is therefore dismissed. However, the Railways may avail one point supply by inter-connecting their TSS wherever possible and maintain the inter-connecting line by themselves. The maximum demand in such situation will be the demand recorded by the meter installed for one point supply.

The case is disposed accordingly.

Sd/-  
Member

Sd/-  
Chairman