

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.277/MP/2023

Coram:

Shri Jishnu Barua, Chairperson

Shri I.S. Jha, Member

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of Order: 23rd September, 2023

In the matter of:

Petition under Regulation 8 of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 for seeking permission to allow drawal of start-up power for Unit-I (800 MW) of Telangana Ph-I (2X800 MW) from the grid beyond the period of 23.9.2023 till 23.3.2024.

And

In the matter of:

NTPC Limited,

NTPC Bhawan, Core-7, Scope Complex,

7, Institutional Area, Lodhi Road,

New Delhi-110 003

...Petitioner

Vs.

1. Power System Operation Corporation Limited (POSOCO),

B-9, Qutab Institutional Area,

Katwaria Sarai,

New Delhi -110016.

2. Telangana State Northern Distribution Company Limited,

H.No.2-5-31/2, Vidyut Bhawan,

Nakkalagutta, Hanamkonda,

Warangal-506 001.

3. Telangana State Southern Distribution Company Limited,

Mint Compound, Corporate Office,

Hyderabad-500 063.

...Respondents

ORDER

This Petition has been filed by the Petitioner, NTPC Limited, seeking permission of the Commission for drawal of start-up power beyond 23.9.2023 and up to 23.3.2024 or the date of declaration of commercial operation, whichever is

earlier, for Unit-I of a 1600 MW (2x800 MW) Telangana Super Thermal Power Station, Phase-I (Telangana STPS) at Joyti Nagar, district Peddapalli in the State of Telangana in terms of clause (7) of Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 (hereinafter referred to as 'the Connectivity Regulations') as amended from time to time.

2. The Petitioner has submitted that the Telangana STPS consists of two units of 800 MW each. The Commission, in its order dated 13.2.2023, in Petition No. 51/MP/2023, had allowed the Petitioner to draw the start-up power from the grid till 15.8.2023 or the date of its first synchronization, whichever is earlier. The Petitioner has submitted that Unit-I was synchronized with the grid on 23.9.2023. However, the commercial operation of Unit-I could not be declared due to the following reasons:

(a) Second and third waves of COVID-19 pandemic: The commissioning activities were severely affected by the second wave of COVID-19 - pandemic. There were a huge number of positive cases reported in the State of Telangana from April 2021 onwards. The work area in the Plant was often isolated, and sanitization work was carried out as per the Guidelines issued by the Ministry of Health and Family Welfare, which affected all the ongoing activities in the project area, causing delays in commissioning activities.

(b) Due to the COVID-19 pandemic, the Petitioner was also facing difficulties in arranging mobilization for commissioning activities as the workers, left the site and there was complete demobilization of workers bringing the erection activities to a standstill. The Petitioner has submitted that various experts, who were required for commissioning activities, could not visit

the site due to travel restrictions imposed by the Government of India. The erection activities of Unit 1 were at a standstill for eight months.

(c) Heavy rainfall and prolonged monsoons in the years 2020-21 and 2021-22, severely affected the project's progress and also led to very slow progress in work

3. The Petitioner has submitted that it is seeking an extension of time for the drawal of start-up power for Unit-1 of Telangana STPS for bona-fide reasons for the completion of the balance works and not to derive any undue advantage out of it.

4. The Petition is admitted by circulation.

5. We have considered the submissions of the Petitioner. It is noticed that the Connectivity Regulations, 2009, have been repealed upon the coming into force of the Central Electricity Regulatory Commission's (Connectivity and General Network Access to Inter-State Transmission System) Regulations, 2022 ('the GNA Regulations, 2022'). Since such provisions in the Grid Code, 2022, are yet to come into force, Clause (7) of Regulation 8 of the Connectivity Regulations, 2009, continues to govern the aspects relating to infirm power & start-up and the procedure for availing start-up power from the grid by the generating stations under commissioning phase through the deviation settlement mechanism. The provisions of Clause (7) of Regulation 8 of the Connectivity Regulations, 2009 provide as under:

"Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view."

6. The Petitioner has submitted that it is seeking an extension of time for *bona-fide* reasons for the completion of balance work. The Petitioner has submitted that due to the COVID-19 pandemic and heavy rainfall during the years 2020-21 and 2021-22, it could not declare the COD of Unit-1 of the Telangana STPS. Considering these facts, the Petitioner has requested permission for the drawal of start-up power beyond 23.9.2023 and up to 23.3.2024 or the date of the declaration of commercial operation of Unit-1, whichever is earlier.

7. Taking into consideration the difficulties expressed by the Petitioner as mentioned in Paragraph 2 above and in terms of the provisos to Regulation 8(7) of the Connectivity Regulations as quoted in paragraph 5 above, we consider the same to be exceptional circumstances within the meaning of the regulations and are inclined to allow drawal of the start-up power of Unit-1 of the Telangana STPS up to 23.3.2024 or the date of its declaration of commercial operation, whichever is earlier. It is, however, clarified that the extension of time as allowed in this order shall not automatically entitle the Petitioner to IDC/IEDC for the period of delay in the declaration of COD, which shall be considered on merit at the time of the determination of the tariff of the unit/ generating station.

8. With these observations, Petition No. 277/MP/2023 is disposed of. Let a copy of the order be provided to Grid India and SRLDC with a direction to keep grid security in consideration while granting permission to the Petitioner generator for the drawal of start-up power.

Sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member

sd/-
(Jishnu Barua)
Chairperson