



Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur – 492001

Tel: 0771-5073555, Fax-5073553

Petition No. 13/2006(M)

M/s J.P. Saboo

..... **Petitioner**

V/s

Chhattisgarh State Electricity Board

..... **Respondent**

ORDER

(Passed on 04.05.2006)

The petitioner by Shri G.K.Chhanghani and Shri R.B.Goenka, Consultant. Heard them on the issue of admission.

2. This is an application under Sec. 94 of the Electricity Act read with Clause 43 of the CSERC (Conduct of Business) Regulations, 2004 for review of the order of this Commission passed on 6.2.200 in petition No.17 of 2005(M), regarding power purchase and related dispensation in respect of captive generating plants. Initially the application contained only one specific ground for review, relating to the order on parallel operation charges. Subsequently on 3.5.2006 an amendment application has been moved and a number of other prayers have been added.
3. The main plea with regard to parallel operation charges is that the Board has misguided the Commission and that while the Commission has come to the conclusion that there is no loss to the Board because of connectivity to captive power plants, the Commission nevertheless has imposed parallel operation charges at the rate of Rs.10 per KVA per month. It has also been pleaded that Board has misrepresented the fact that parallel operation charges has been prevalent in the State of Gujarat and Maharastra. In his application the petitioner has sought to refute the various pleas made by the Board in favour of parallel operation charges which have been taken note of by the Commission in para 7 of the impugned order. We have gone through para 7 of the impugned order and find that we have considered at length not only the arguments of CSEB in favour of parallel operation charges but also the petitioner's against it. We find that the arguments put forward in the review application are not different from what had been submitted to the Commission during the hearing of the case. In any case, the Commission had decided in favour of a provisional rate of parallel operation charges to be around 60% of the charges approved earlier, with the caveat that the present rate shall be reviewed in the next tariff order. There is no apparent error on the face of the record in regard to the parallel operation charges so as to warrant review of the impugned order.
4. As to the other issues for review contained in the application filed yesterday, we find that the prayers at (i), (ii) and (iii) do not relate to the impugned order. The pleas at (iv) relates to the price of infirm power. The Commission has not fixed any rate for firm or infirm power in the impugned order. The formula laid down for sale of infirm power is such that the tariff can be Re.1 per unit or more or less. The plea in point (v) to increase the rate of power in the same proportion if the load factor is above 70% is not logical. There has to be a cutoff load and it can not be left flexible. The other prayers at (vi) and (vii) relate to the limit imposed on injection rate of power to the grid. The maximum rate fixed in the impugned order is 110%. The plea of the

applicant is that in view of the power crisis in the State, this limit should, at least temporarily, be raised to 120%. This can not be a ground for review of the Commission's impugned order. However, the Commission would not be averse to any such proposal as a temporary dispensation from the Board if agreed between the Board and the CPPs.

5. In view of the above the petition is rejected at the stage of admission. The petitioner should be informed. The case may be filed.

**Sd/-
Member**

True Copy

**Sd/-
Chairman**

**(N.K.Rupwani)
Secretary**