



Chhattisgarh State Electricity Regulatory Commission  
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**Petition No. 33 of 2017(M)**

**In the Matter of**

**Petition under section 142 of the Electricity Act, 2003 for non-compliance of the Commission's order dated 30.04.2016 in suo-motu P. No. 56 of 2015 (M), in the matter of methodology for billing of Parallel Operation Charges by CSPDCL.**

M/s Godawari Power & Ispat Limited, ... Petitioner  
Reg. Office 428/2, Phase-1,  
Industrial Area Siltara, Dist. Raipur

**V/S**

Chhattisgarh State Power Distribution Co. Ltd. ... Respondents  
(CSPDCL) Daganiya, Raipur

**PRESENT** : **Narayan Singh, Chairman**  
: **Arun Kumar Sharma, Member**

**APPEARANCE** : 1. Shri Raunak Jain, Advocate for  
Petitioner.  
2. Shri Saurabh Jain, Advocate for  
Respondent & Shri S.K. Pandey EE for  
Respondent

**ORDER**

**(Passed on 08<sup>th</sup> May, 2018)**

The petitioner M/s Godawari Power & Ispat Limited, a registered company under the Companies Act 1956, has filed this petition under section 142 of the Electricity Act, 2003 being aggrieved with non-compliance of Commission's order dated 30.04.2016 in P. No. 56 of 2015 (M), in the matter of methodology for billing of Parallel Operation Charges (POC) by CSPDCL.

### **Petitioner Submission:-**

- 2.** The petitioner is an integrated steel plant primarily engaging in manufacture of sponge iron, billets, ferro alloys wires, ingots etc. The petitioner has also setup Captive Power Plant (CPP) of 73 MW, out of which 42 MW is generated through WHRB route, 20 MW is generated through biomass and remaining 11 MW is generated through AFBC route. The petitioner is a captive generating company within the meaning of section 2(8) of the Electricity Act, 2003 read with Rule 3 of the Electricity Rules, 2005. The petitioner is permitted to operate it's CPP in parallel with the respondent's system.
- 3.** The Commission in it's order dated 30.04.2016 in Suo-motu petition no. 56 of 2015(M) revised the methodology for billing of POC by CSPDCL.
- 4.** In our order dated 08.02.2017 in petitioner no. 51 of 2016(M), the Commission has clarified that ".....The Commission's intent in order dated 30.04.2016 in Suo-Motu P no. 56 of 2015 is very clear that KVA recordings meters are to be arranged by the generators for metering of generation and auxiliary consumption, and can be installed either by Generator or licensee at the cost of generator. However it is to be essentially tested and sealed by licensee....."
- 5.** The view has been re-affirmed by the Commission in it's order dated 31.03.2017 in P. No. 03 of 2017(M) filed by Chhattisgarh Power Producers Associations.

- 6.** Apart from installation of KVA recording meters capable to record KVA data for every 15 minutes time block and testing and sealing of the meters by CSPDCL, no further conditions neither was imposed by the Commission nor the CSPDCL requested for the same, despite latter's active participation in the hearings before the Commission.
- 7.** The petitioner submits that it has already installed the required meters much long back before the order dated 30.04.2016 at it's all generation and auxiliary consumption points, which are capable to record exact generation and consumption in KVA for every 15 minutes time block. The meters have also been tested and sealed by the respondent CSPDCL as well as other nodal agencies such as SLDC and CSPDCL in compliance to previous order dated 09.12.2011 in petition no. 35 of 2011(M) of the Commission.
- 8.** In the petitioner's case, there is no reason, which prevents the respondent from adopting the new methodology as approved by the Commission in order dated 30.04.2016, but the respondent has not taken any step to implement the Commission's order dated 30.04.2016. Due to the negligent attitude of the respondent, the petitioner could not get the benefit of the revised methodology of POC w.e.f. 1<sup>st</sup> May 2016 and constrained to pay almost 40 to 50% more charges then it requires to pay under the new methodology for determination of POC.

- 9.** The petitioner prays for following relief:-
- (a) To direct the respondent to forthwith comply and implement the order dated 30.04.2016 in Suo-motu petition no. 56 of 2015(M) passed by the Commission w.e.f. 1<sup>st</sup> May 2016;
  - (b) To proceed against the respondent under section 142 of the E. A. 2003 for non-compliance of the directions issued by the Commission in its order dated 30.04.2016;
  - (c) To pass such further directions as the Commission may deem fit in the facts of the case and in exercise of inherent powers invoked by the complainant herein under Regulation 44 of the CSERC (Conduct of Business) Regulations, 2009.
- 10.** The petitioner has also filed an application for interim relief:
- (a) To direct the respondent CSPDCL not to levy and recover any POC from the petitioner based on the old methodology till further directions from the Commission during pendency of the present petition;
  - (b) To direct the respondent CSPDCL to levy and recover only 50% POC as per old methodology till such time the new methodology is implemented by the respondent or till such time the Commission decides the present petition, whichever is earlier.

**CSPDCL Submission:-**

The POC billing as per CSERC order dated 30.04.2016 required compliance from generator (Petitioner) in three stages i.e.

- i. Installation of CT, PT & energy meter of desired Capacity & Accuracy Class.
- ii. The sealing of complete metering system i.e. secondary terminal of individual CT & PT used for metering purpose alongwith sealing of cable joint at marshalling box, meter terminal cover, MD & MRI port etc.
- iii. Summation of all the data in real time for each 15 min time block for all the meters (Generator/Auxiliary & Import/export) for which either summation meter is required or communication system alongwith software to summate all data in real time is required.

Compliance of part **ii<sup>nd</sup>** & **iii<sup>rd</sup>** is still to be confirmed by the petitioner.

- (d) The Commission's order says that in a 15 minute block maximum KVA summation of all the meter data should only be utilized for billing purpose.

The process of deriving by summation of data on excel sheet on manual basis is liable to be tampered, and also verification of such huge data of more than 30000 nos. for about 11 nos. of meters in a month, derived from the raw MRD/EMD file is not possible. This is only with regards to the petitioner's case, however considering all the CPPs of the State, the situation become worst.

Thus looking to the above difficulties and situation arisen for non compliance of directive on the part of the petitioner, it is humbly prayed before the Hon'ble

Commission to direct the petitioner to carry out appropriate metering arrangements as per order dated 30.04.2016. Till such time POC billing shall be done as per old methodology and also as per subsequent order dated 08.02.2017 passed in petition no. 51/2016.

The respondent further prays that considering the above stated difficulties, no action should be taken against the answering respondent under section 142 of the Electricity Act in the interest of justice. In absence of suitable metering system the respondent is billing POC charges as per old methodology as already held by the Hon'ble Commission in petition no. 51/2016.

In the matter of determination of methodology for computation of parallel operation charges in suo-motu petition no. 56/2015 (M) the Commission ordered as under:-

After analyzing the comments/suggestions as mentioned above, the Commission is of view that formula in option #2 is more appropriate for computation of POC. The total generation in KVA deducted by KVA consumed in auxiliaries and exported shall give us the exact KVA consumed by industrial load of the CGP. Formula for billing of parallel operation charges shall be as follow:-

$$\text{POC} = \text{*Max difference in KVA in a 15 min time block in a month} \times \text{Rate of POC (Rs./KVA)}$$

\* Maximum difference =  $\text{Max } \Sigma (\text{Average Gross generation in KVA in 15 min time block} - \text{Aux consumption in KVA in the})$

same 15 min time block – Average power exported to grid in KVA in the same 15 min time block)

Present Rate of POC is Rs. 21/KVA.

CSPDCL is directed to ensure that all the generation points and auxiliary consumption points are properly metered to indicate exact generation in terms of KVA. Installation of KVA recording (in 15 min time block) meter may be carried out either by generator or by Licensee but invariably tested and sealed by the Licensee at the generators cost.

This order shall be effective from May 01, 2016.

Inspection of M/s Godawari Ispat, Siltara premises has been carried out by Superintending Engineer (MT), Meter Testing Circle, CSPDCL, Raipur in connection with levy of POC and his submitted report vide letter no. 41 date 20.04.2017 which is under:-

1. There are 5 nos. Generator 3x10 MW, 1x30 MW & 1x25 MW existing. The PT provided on the bus & CT's provided individually on each Generators is of 0.2 and 0.2s class respectively. The energy meters provided are of secure make. 11KV/110 V, /-1 Amp, meter having class 0.2s. The same were also provided on 06 nos. auxiliary Transformers.
2. The data recorded in each of these meters are in 15 minute block interval, the AMR's are not provided for remote reading.
3. There is no any system available for extracting single data for POC billing. The data provided through MRI & on excel sheet, but verification of such huge data is not possible manually.
4. The sealing of complete metering system i.e. from CT/PT secondary terminal to meter terminal/MI/MD has not been found, although the meter body is found sealed. Hence for POC billing, complete sealing is required, the consumer representative Shri Kamlesh Paikra, Manager (Elect.) agreed to separate the

metering circuit from protection circuit. After completion of work from consumer end, sealing will be done.

The petitioners requested that CSPDCL can very well take the meter readings from CPPs and derive summation, and charge a fee for such service. The aforesaid proposal cannot be considered as the process of deriving the result by summation of data on excel sheet on manual basis is liable for tempering and also verification of such huge data of more than 30000 nos. for about 11 nos. of meters in a month, derived from the raw MRD/EMD file is not possible. This is only with regards to the petitioner's case, however considering all the CPPs of the State, the situation becomes worst.

**Commission's view:-**

The respondent has raised technical difficulties such as metering, summation of metered data, data communication etc. for implementation of order dated 30.04.2016. Further, CSPDCL has filed a petition no. 9 of 2018, in which they have requested to issue suitable guidelines for installation of complete metering system for billing of POC as per order dated 30.04.2016. It appears that for implementation of order dated 30.04.2016 a detailed deliberation and consultation is needed with all the stake holders. Accordingly, it has been decided that due deliberation and consultation shall carried out in petition no. 9 of 2016 with all stakeholders. The petitioner is at liberty to offer their views suggestions in this petition.



Since some of the issues are involved for implementation of order dated 30.04.2016, it does not appear proper to initiate penal action under section 142 of the Act at this stage against the respondent.

Till the matter is decided in petition no. 09 of 2018, the billing of POC should be carried out in line with old formula prevailing prior to order dated 30.04.2016.

We order accordingly.

**Sd/-**  
**(ARUN KUMAR SHARMA)**  
**MEMBER**

**Sd/-**  
**(NARAYAN SINGH)**  
**CHAIRMAN**