

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Miscellaneous Application No. 12 of 2017 in Case No. 76 of 2017

Date: 27 June, 2017

**CORAM: Shri. Azeez M. Khan, Member
Shri. Deepak Lad, Member**

Miscellaneous Application of M/s. INOX Air Products Pvt. Ltd. for ad- interim relief and to direct Maharashtra State Electricity Distribution Co. Ltd. forthwith to issue NOC for Short Term Open Access for June 2017 and Medium Term Open Access from July 2017 to March 2018

M/s INOX Air Products Private Ltd.Applicant

V/s

M/s Sai Wardha Power Generation LimitedOriginal Petitioner

- (1) Maharashtra State Electricity Distribution Co. Ltd.
- (2) M/s Ramsons Industries Ltd.
- (3) M/s Ramsons Castings Private Ltd.
- (4) M/s Pudumji Paper Products Ltd.
- (5) M/s Inox Air Products Private Ltd.
- (6) M/s Mahindra CIE Automotive Ltd.
- (7) M/s ACG Associated Capsules Pvt. Ltd.
- (8) M/s Asahi India Glass Ltd.
- (9) M/s Hindalco Industries Ltd.

.....Original Respondents

Maharashtra State Electricity Transmission Co. Ltd. Impleaded party

Appearance:

For the Applicant : 1) Ms. Dipali Sheth (Adv.)

For MSEDCL : 1) Shri. Ashish Singh (Adv.)
2) Shri A.W .Mahajan (Rep.)

For MSETCL :1) Ms. Smita Pathare (Rep.)

Daily Order

Heard the Advocates/ Representatives of the Applicant and Respondents.

1. Advocate of the Petitioner stated that:

- (i) Applicant is one of the Captive Open Access (OA) consumers of M/s Sai Wardha Power Generation Ltd. (SWPGL) having Contract Demand (CD) of 7650 kVA with MSEDCL. It has filed the Miscellaneous Application for ad-interim relief, viz. directing MSEDCL to issue No Objection Certificate (NOC) for Short Term Open Access (STOA) for June 2017 and Medium Term Open Access (MTOA) from July 2017 to March 2018.
- (ii) The Commission, vide Daily Order dated 16 May, 2017 in Case No. 76 of 2017, has directed MSEDCL to clarify the issues relating to reduction of CD by way of a separate suitable undertaking, instead of unilaterally deciding the issue at its level, before grant of OA so as to avoid future complications.
- (iii) With reference to STOA application for 6.730 MW for the month of June, 2017, MSEDCL vide its email dated 17 May, 2017 informed that the Applicant's CD is 7.650 MW and Open Access sought is 14.380 MW. The resultant power flow will be 14.380 MW, which cannot be managed because of system constraints. Hence, OA can be granted only after augmentation of the present infrastructure.
- (iv) Vide letter dated 23 May, 2017, the Applicant replied that it had been maintaining CD of 7590 KVA with MSEDCL for the last four years, and had been taking power from SWPGL through OA to the extent of 6730 KVA from February 2017. It also stated that total drawal from MSEDCL and/or OA in the last four years has never exceeded the CD. Hence, it confirmed that the OA sought for is subsumed in the CD and was willing to give undertaking to the effect that total drawal from MSEDCL and from OA would not exceed the CD, as suggested by the Commission in Case No.76 of 2017.
- (v) Despite this, MSEDCL, vide email dated that 26 May, 2017, instructed the Applicant to reduce the CD with MSEDCL to the extent of the OA quantum applied for or reduce OA and CD upto the capacity of the metering arrangement/distribution infrastructure. The Applicant, vide letter dated 29 May, 2017, reiterated that the OA demand sought is subsumed in the total CD, which is in accordance with the existing metering arrangement/distribution infrastructure, and hence it does not wish to reduce the CD with MSEDCL or the OA quantum.

(vi) Earlier, for February, March and April, 2017, MSEDCL had granted OA without any metering infrastructure constraints, and is now raising various issues of metering.

(vii) SWPGL has given an undertaking for reduction of CD of the Applicant and now the permissions have been granted by MSEDCL for STOA and MTOA. However, MSEDCL may not compel the Applicant for reduction of CD for the future period. As the MTOA from June, 2017 was not granted by MSEDCL, the Applicant applied for STOA of June 2017.

(viii) MTOA from July, 2017 to March, 2018 has been granted by reducing the CD, which may be reinstated by MSEDCL.

2. Advocate of MSEDCL stated that :

(i) MSEDCL has filed its submission in the main Case No. 76 of 2017. As the issues involved in Case No.76 of 2017 and in this MA are similar, that Reply may be treated as its Reply to the MA also.

(ii) It was proposed to reduce the CD with MSEDCL so that the resultant power can be accommodated in the MSEDCL distribution system.

(iii) Accordingly STOA and MTOA permissions have been granted to the Applicant after the consent submitted by SWPGL.

(iv) To a query of the Commission regarding the ratio of the Current Transformers (CT), MSEDCL replied that the earlier CT ratio was 50/1 Ampere. In April, 2017, the CTs were replaced by 25/1 Ampere ratio on the request of the Applicant.

3. The Commission observed that the OA can be granted with the additional condition that the total power flow from MSEDCL and OA shall be restricted to the quantum of the technical/metering constraint.

4. The Commission expressed its displeasure on the lackadaisical approach of MSEDCL towards issuance of OA permissions to the Captive Power Plant (CPP) even after the Commission's clear directives.

5. The Commission directs MSEDCL to submit the following within a week:

(a) MSEDCL shall rectify the MTOA granted with reduction of CD.

(b) MSEDCL's action plan for issue of OA permission for Captive Open Access consumers and Generators.

Miscellaneous Application (MA) 12 of 2017 in Case No. 76 of 2017 is reserved for Order. Final Order will be issued in Case No. 76 of 2017.

**Sd/-
(Deepak Lad)
Member**

**Sd/-
(Azeez M. Khan)
Member**