

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,  
SHIMLA

M/s Mani Mahesh Hydro Power Project Coop Society Ltd  
having its office at Dhall House, Sapri, Chamba District.

... Petitioner No. 1

AND

M/s Him Kailash Hydro Power Ltd  
having its office at Hyderabad (A.P.)

... Petitioner No. 2

V/s

H.P. State Electricity Board Ltd.  
Vidyut Bhawan, Kumar House, Shimla-171004

... Respondent

Petition No. 144 of 2012

(Decided on 27.11.2012)

**CORAM**  
**SUBHASH C. NEGI**  
**CHAIRMAN**

Counsels:-

for the petitioners 1 & 2 : Sh. K.K. Verma  
Advocate

for the respondent: Sh. Romesh Chauhan  
Authorised representative  
with Sh. Des Raj,  
C.E. (System Planning)

**ORDER**

(Last heard on 6.10.2012 and Orders reserved)

M/s Mani Mahesh Hydro Power Project Coop Society Ltd, having its  
office at Dhall House, Sapri, Chamba, District Chamba, (H.P.) (hereinafter

referred “as Petitioner No.1”) has the right to operate and maintain Dikleri Hydel Power Project of 2 MW on Sal Khad a tributary of Ravi River in District Chamba. The Petitioner No.1 has entered into, on 29.3.2012, a Power Purchase Agreement, for the sale of power generated from this project, with the Himachal Pradesh State Electricity Board Ltd (hereinafter referred as the “respondent Board”).

2. M/s Him Kailash Pvt. Ltd a company incorporated under the Indian Companies Act, 1956, having its headquarters at Hyderabad (A.P.) (hereinafter referred as Petitioner No.2) is operating and maintaining the Kailash Hydel Power Project of 5 MW installed capacity, on the downstream of Sal Khad in village Saho Tehsil and District Chamba.

3. The Himachal Pradesh State Electricity Board Ltd the predecessor of the respondent Board, has accorded on 13.2.08 the techno economic clearance (TEC) of Dikleri (Saho) SHEP (2x1000 KW) allotted to Petitioner No.1 with the condition that the IPP (i.e. Petitioner No.1) shall make efforts to enter into an agreement with the Petitioner No.2, the developer of downstream Saho (5 MW) SHEP, for injecting power at Board’s 33 kV Sub-station at Chamba through a joint dedicated line which shall carry the power of this project ( i.e. Dikleri HEP) as well as Saho (5 MW) HEP and the IPP shall also seek approval of the Commission for this purpose. In case of failure of the Petitioner No.1 to tie up such joint evacuation arrangement upto 33 kV Chamba Sub-Station of the respondent Board and/or to obtain Commission’s approval, the Petitioner No.1 shall have to interface Dikleri (Saho) (2 MW) HEP at the Board’s proposed 33 kV/132kV Sub-station at Karian (Chamba) through dedicated 33 kV line from its own project.

4. The Petitioner No.2 has developed the Saho SHEP and has built a 33 kV evacuation line between its power house and interconnection point, at Bhuri Singh Sub-station at Chamba (H.P), along with interconnection equipment for the interconnection point.
5. The Petitioner No.1 approached the Petitioner No. 2 to permit and allow it to feed its power generated at the power house of the Petitioner No.1.
6. Both the petitioners have agreed in line with the conditions laid down in TEC for evacuation of power from SHEP of Petition No.1 in joint mode and executed the cost sharing Agreement dated 18<sup>th</sup> June, 2009, copy annexed to this petition. The validity of the said Agreement was for 12 months from the date of its signing, extendable for further period, before the end of 12 months from the date of signing the said Agreement. There is nothing on record to show whether the validity of the said Agreement has been extended or not.
7. Both the petitioners have jointly moved this petition, seeking the approval of the Commission for use of common system alongwith benefit of deemed generation, in pursuance of sub-regulation (3) of regulation 3 of the Himachal Pradesh Electricity Commission (Power Procurement from Renewable Sources and Co-generation by Distribution Licensee) Regulations, 2007, which provides that the generator may with the approval of the Commission, enter into a suitable agreement for joint project lines for two or more projects and inject power into the grid through the joint evacuation system.
8. From the joint petition moved by the petitioners, it is evident that both the projects are situated in the same vicinity in District Chamba and are cascading projects downstream of Sal Khad, Using of the common line to

evacuate power from both the SHEPs will improve corridor utilization and will result in less number of tree cutting and further such arrangement will be economical as well as environmentally suitable in the hilly terrain.

9. This Commission, in consultation with the HPSEB Ltd has already spelt out the guidelines for working out the joint evacuation arrangements, in Petition No. **254/2006 M/S Sai Krishna Hydro Energies Ltd and Others V/s HPSEB decided on 25.8.2007, followed in petition No. 150 of 2008 M/s AT Hydro Ltd and Others V/s HPSEB; Petition No. 92/2009 M/s Batot Hydro Power Ltd and Others V/s Secretary, HPSEB decided on 21.12.2009; Petition No. 83/2010 M/S Sai Engineering Foundation V/s State of H.P. and Others decided in 31.7.2010; and Petition No. 13 of 2011 M/s Winsom Textile Industries Ltd and Another V/s H.P. State Electricity Board Ltd.** decided on 17.4.2012.

10. Er. Des Raj, Chief Engineer (System Operation), HPSEBL representing the respondent Board, has stated that the respondent Board has no objection to the joint evacuation arrangements proposed by the petitioners.

11. Keeping in view the submissions made on behalf of the respondent Board, this Commission accords its approval for evacuation of power from the said two SHEPs through a common 33 kV line and common interconnection facilities at the interconnecting sub-station in joint mode, subject to the following conditions:-

- (i) that the Petitioner IPPs shall maintain voltage profile and voltage regulations in the dedicated system within the limits as may be required for integrated operation of their projects with the grid;
- (ii) that the safety aspects will not be ignored in any respect while designing, constructing and operating the joint system;

- (iii) that proper protection shall be made and the switchgear of suitable capacities shall be installed by the petitioners at their controlling Sub-stations. The single line diagram of the arrangements shall be got approved by the IPPs from HPSEBL;
- (iv) that the petitioners shall establish, operate and maintain the joint system in accordance with the electricity laws, rules and regulations including the Grid Code and standards of Grid connectivity, technical standards for construction of lines and as per norms of system operation and directions of the SLDC regarding operation of dedicated transmission system.
- (v) that the petitioner IPPs shall extend the validity of the agreement mutually signed by them. If so required by HPSEBL at any stage, the petitioners will enter into supplementary agreement(s) amongst themselves for left out aspects if any. The petitioners would supply copies of such agreement(s) entered/ to be entered into by them, to the HPSEBL also;
- (vi) that the approval of the proposal for evacuation of power in joint mode shall not be construed, in any way, as commitment from the HPSEBL to evacuate power from the SHEP belonging to petitioner No.1, matching with the time schedule of its commissioning. The time frame for evacuation of power in such cases shall need to be sorted out separately by the petitioners with the HPSEBL;
- (vii) that the interconnection point for both the projects shall be at HPSEBL's Sub-station at Chamba. The petitioners shall finalise the additional arrangements, if any, to be provided at the interconnecting Sub-station at Chamba with HPSEBL duly taking into account the space constraints and shall also sign the requisite interconnection agreement(s) with the HPSEBL immediately. The petitioners shall deposit the estimated cost for augmentation of interconnection facilities, if required, as per mutually agreed schedule, so as to enable HPSEBL to augment interconnection facilities at the Sub-Station at Chamba. This shall however not in any way bind the respondent Board to provide separate bays at the interconnecting sub-station for the two projects;
- (viii) that the petitioner IPPs shall seek prior permission of the HPSEBL and any other concerned authorities before connecting any such power house/line to the joint system which is not already connected to it;
- (ix) that the approval of the proposed joint mode system shall in no way, absolve the petitioner IPPs from their obligations to

obtain, in advance, all the requisite statutory/non-statutory clearances for construction, operation and maintenance of the joint system;

- (x) that the petitioner IPPs shall allow usage of the joint mode evacuation system(s) for carriage of power from any other source (over and above the power from these SHEPs), if so directed by the Commission at any stage. In such an event, terms and conditions including the charges payable to the petitioners shall also be decided by the Commission.

12. As regards the deemed generation, the matter shall be regulated as per relevant provisions in the relevant agreements with HPSEBL and the principles already laid down by the Commission for the deemed generation in case of joint evacuation of power from SHEPs having PPAs with the distribution licensee in its various decisions mentioned in para 9 of this order, as may be relevant in this case depending on meeting arrangements. The petitioners shall evolve suitable mechanism on these lines to the satisfaction of HPSEBL within the framework of relevant guidelines and the agreements containing provisions for deemed generation. As regards the loss of generation due to any problem in the joint evacuation system upto the interconnection point, the petitioner IPPs will obviously not be entitled to any deemed generation for loss of generation due to any shut down, breakdown etc or due to any dispute between the petitioner IPPs about the operation of the joint system, in view of the fact that the interconnection point(s) for both the projects shall be at 33 kV Sub-station at Chamba.

The petition stands disposed of accordingly.

It is so ordered.

(Subhash C. Negi)  
Chairman.