

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,  
SHIMLA

In the matter of:-

I. M/S Neogal Power Company Pvt. Ltd.  
having its office at H.O. 4, Ward No. 2  
Tea Estate Bundla, Bundla, Palampur,  
District Kangra (H.P.)

...Petitioner

V/s

Himachal Pradesh State Electricity Board Ltd.  
(through its Chief Executive Officer)  
Kumar House, Shimla.

...Respondent

(Petition No. 7 of 2012)

AND

II. M/S Awa Power Company Pvt. Ltd.  
H.O. 4, Ward No. 2  
Tea Estate Bundla, Bundla, Palampur  
District Kangra (H.P.)

...Petitioner

V/s

Himachal Pradesh State Electricity Board Ltd.  
(through its Chief Executive Officer)  
Kumar House, Shimla.

...Respondent

(Petition No. 8 of 2012)

Petition No. 7 and 8 of 2012

(Order dated 18.2.2012)

**CORAM**  
**SUBASH C. NEGI**  
**CHAIRMAN**

Petitioner represented by: Sh. Ajay Vaidya  
Advocate

Respondent represented by: Sh. Ramesh Chauhan  
(Authorised representative)

Er. J.P. Kalta,  
Chief Engineer (Comml.)

### **ORDER**

M/S Neogal Power Company Pvt. Ltd. and M/S Awa Power Company Pvt. Ltd. having their H/O. 4, Ward No. 2 Tea Estate Bundla, Bundla Palampur, District Kangra (H.P.), are constructing 4.50 MW Neogal HEP on Neogal Khad and 4.50 MW Awa HEP in Awa Khad in Kangra District respectively.

2. As per the Power Purchase Agreements, executed with the Himachal Pradesh State Electricity Board Ltd for (brevity referred hereinafter as HPSEB Ltd.) the power to be generated from these projects is to be evacuated through a 33 kV transmission line to the interconnection point at the HPSEB Ltd's 33 kV Banner Sub-station. The petitioners have not yet been able to set up their own transmission lines.

3. The petitioners submit that according to the transmission network of the area where the project are being constructed, the power generated is to be evacuated through their 33 kV transmission lines upto 33kV/132 kV pooling station at village Neogal and thereafter the power is to be transmitted to the Sub-station of the HPSEB Ltd at Dehan through 132 kV, S/C transmission lines.

4. Due to non-completion of the work the petitioners approached the respondent HPSEB Ltd. for providing interim arrangements for evacuation of its power at 33 kV Sub-station at Banner located at a distance of 14 km in case of Neogal HEP and 19 kms in case of Awa HEP from the project and is just 50

mtrs in case of Neogal project and 5 kms in case of Awa project from the project transmission lines. The Banner Sub-station is connected to Dehan Sub-Station and Sidhpur through 33 kV transmission line and is already transmitting power from the HPSEB Ltd's Sub- station at Banner and from other projects.

5. These projects are likely to be commissioned shortly. The petitioners submit that in case the interim transmission arrangements are not made available to them, they will suffer irreparable huge financial loss. As such the petitioners have approached this Commission for giving directions to the Board for permitting the use of common transmission line and also to amend the PPAs accordingly.

6. From the facts, as narrated by the petitioner, it is amply clear that the proposed arrangements involve the user of lines laid by various developers for the needs of their own projects. Such user, after taking into consideration various factors such as capacity of the system to carry the load, the quantum of power to be generated and prospective users of the system and also questions involving the cost sharing and maintenance of the system etc., is to be bilaterally deliberated upon and settled by the developers of the projects involved and the respondent HPSEB Ltd. is required to be sure that the power generated is conveniently, economically and efficiently transmitted through its system.

7. In the matters to be settled by way of mutual agreements, this Commission has no power to give any direction either to the project developers involved or to the licensee i.e. HPSEB Ltd. Consequently the parties are to work out the terms and conditions of their transmission agreements and the HPSEB Ltd. is to examine the feasibility thereof in the first instance.

8. The HPSEB Ltd, which is ultimately to plan/set up its evacuation system in the area, has to ensure to keep in view the requirements of the power developers in the area.

9. Keeping in view the facts and the reasons set out in the proceeding paras of this Order the Commission declines to admit these petitions for consideration.

It is so ordered.

Date: 18.02.2012

(Subhash C. Negi)  
Chairman