

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,
SHIMLA

M/S Dharamshala Hydro Power Ltd,
Plot No. 30A, Road No.1, Film Nagar,
Jubilee Hills, Hyderabad-500033

...Petitioner

V/s

The H.P. State Electricity Board
Vidyut Bhawan, Shimla-4.

...Respondent

Petition No. 174 of 2008

(Decided on 23.1.2009)

CORAM
YOGESH KHANNA,
CHAIRMAN

Counsel:-

For the petitioner

Sh. Ajay Vaidya,
Advocate

For the respondents

Sh. Narinder Singh Thakur,
Advocate.

ORDER

(Last heard on 20.12.2008 and orders reserved)

M/S Dharamshala Hydro Power Ltd, Plot No. 30A, Road No.1, Film Nagar, Jubilee Hills, Hyderabad, which is a Company incorporated under the Companies Act, 1956 (hereinafter referred "as the petitioner"), through Sh. Himansu Bhushan Patnaik, its Executive Director and authorized representative, has submitted that the petitioner owns Maujhi (4.5 MW) and Maujhi-II (5.00 MW) Small Hydro Electric Projects (SHEPs) located in Kangra District of Himachal Pradesh. This Commission has granted consent on 28.4.07 for execution of the Power Purchase Agreement in respect of Maujhi-II SHEP and thereunder the power from the said project is to be evacuated through a 33 kV single circuit transmission line to the

interconnection point at 33/11 kV Sidhpur Sub-Station of the Himachal Pradesh State Electricity Board (hereinafter referred “as the Board”).

2. The Maujhi (4.5 MW) is in the same stream/vicinity of Maujhi-II (5 MW). The power from this project is being evacuated through a 33 kV double circuit transmission line to 33/11 kV Sub-station of the Board at Sidhpur. The current carrying capacity of this line is stated to be adequate to evacuate power from the Maujhi-II (SHEP).

3. The petitioner has prayed for the common transmission system, in respect of the both the SHEPs, stating that the pooling of power from Maujhi-II at the switchyard of SHEP by constructing a 33 kV single circuit line from Maujhi-II to Mahjhi and further evacuation through the existing 33 kV double circuit transmission line to 33/11 kV Sub-station of the Board at Sidhpur shall improve corridor utilization and avoid cutting of more trees. According to the petitioner the construction of the common transmission system shall be environment friendly and beneficial in the public interest, besides offering an economic evacuation solution. The petitioner has further stated that the arrangement for joint project lines for two or more projects and injection of power into the Grid through the joint evacuation system is permissible under sub-regulation (3) of regulation 3 of the Power Procurement from Renewable Sources Regulations;

4. In response to this petition, the Board submits that the Board is not averse to joint power evacuation arrangement, proposed by the petitioner, provided the petitioner-

- (a) installs proper protection with breakers of suitable capacities at the Maujhi (4.5MW) switchyard and the single line diagram of the switchyard arrangement is got approved by the petitioner from the Board; and
- (b) the arrangement of metering and accounting of energy deliverable at the interconnection point of the Board; are spelt out by the petitioner.

5. The matter regarding technically feasibility of common transmission system in respect of the aforesaid two SHEPs, has also been considered by the Empowered Committee, set up under the Power Procurement from Renewable Sources Regulations and proposal has been found technically feasible.

6. This Commission earlier had an opportunity to consider and approve the guidelines evolved by the Board for deemed generation in such circumstances in petition No. 49/2004, decided on 16.1.2007 in respect of Palor Hydro Electric Power Project (3 MW capacity) situated in Sirmaur Distt, being executed by M/S Mangalam Energy Development Co. Pvt. Ltd; New Delhi; and in petition No. 254/2006 decided on 25th August, 2007 in respect of evacuation of power from hydro generating stations, being set up at Luni-II, Luni-III, Awa, Neogal and Binua Parai in Kagra Distt. of Himachal Pradesh.

7. Keeping in view the submissions made by both the parties, and deliberations of the Empowered Committee, provisions made in sections 10, 39, and 86 of the Electricity Act, 2003, read with the HPERC (Power Procurement from Renewable Sources and Co-generation by the Distribution Licensee) Regulations, 2007 and the guidelines, evolved for deemed generation by the Board and approved by this Commission in petition No. 49/2004 in respect of Palor HEP; and petition No. 254 in respect of Luni-II, Luni-III mentioned to in para 6 of this Order, the Commission accords its approval for the construction of the joint transmission system for the evacuation of power from Maujhi (4.5 MW) and Maujhi-II (5 MW) Small Hydro projects owned by the petitioner subject to the conditions that -

- (i) all the affected provisions of the PPA due to the change in the transmission system and the connected matters, including deemed generation, transmission losses, protection system, metering system, interconnection facilities, interconnection point, project lines are bilaterally/mutually settled and agreed to the best satisfaction of both parties;
- (ii) the petitioner installs proper protection with breakers of suitable capacities at the Maujhi (4.5 MW) switchyard and the single line diagram of the switchyard arrangement is got approved by the petitioner from the Board;
- (iii) the joint power evacuation system for evacuation of power from Maujhi (4.5 MW) and Maujhi-II (5 MW) HEPs upto the interconnection point shall be constructed, operated and maintained by the petitioner as a part of the Maujhi and

- Maujhi-II HEPs. The allocation of costs and expenses shall be in the ratio of the installed capacities of the two projects;
- (iv) the joint evacuation system shall be established, operated and maintained in accordance with the electricity laws, rules and regulations, including Grid Code and standards of Grid connectivity; technical standards of construction of electrical lines, system of operation of such transmission lines, as per the norms of system operation of the SLDC and directions of the SLDC regarding operation of dedicated transmission lines;
 - (v) the entire cost of the interconnection facilities, to be provided/established/created by the Board at the cost of the petitioner company, shall be deposited with the Board by the company to take up in hand irrespective and staging of Maujhi-II HEP;
 - (vi) the operational and maintenance costs/expenses of the interconnection facilities provided at 33/11 kV Sub-station, Sidhpur shall be borne by the petitioner company and on commissioning of Maujhi-II HEP, these shall be apportioned in proportion to the installed capacities of these projects and charged accordingly;
 - (vii) to facilitate measuring of the delivery/import of energy from the projects, one set of Main Meter and Check Meter shall also be provided on the incoming and outgoing feeder Bays at Maujhi switchyard to the interconnection point at 33 kV Sidhpur Sub-Station. All main meters and the check meters shall be Bi-directional and TOD (time of the day) type with import and export features;
 - (viii) the Board shall pay for the net saleable energy metered/delivered at the interconnection point at 33 kV Sidhpur Sub-station. It shall be the obligation of the petitioner company to ensure that the aggregate of the energy billed against the individual projects shall be the same as the energy accounting done at the 33 kV Sub-station at Sidhpur.

- (ix) in the case of import of energy by the projects from 33 kV Sidhpur Sub-Station, the quantum of such drawals against the individual projects for the billing period shall be accounted for by the petitioner company. The Board shall play no role in this regard and the petitioner company shall be entirely responsible for total quantum of such drawals and related payment issues;
- (x) the petitioner company's claim to deemed generation shall be subject to the general guidelines as lay down in the Commission's order dated 25th August, 2007 passed in petition No. 254/2006 and order dated 4th January, 2008 in petition No. 49/2004 in respect of evacuation of power from hydro generating station being set up at Luni-II, Luni-III, Awa, Neogal and Binua Parari in Kangra Distt H.P.

The Commission orders accordingly.

(Yogesh Khanna)
Chairman