



Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

No. F. 11(1086)/DERC/2013-14/

Petition No. 10/2014

In the matter of: **Petition seeking issuance of appropriate directions by the Hon'ble Commission and exercise of its power under Section 33(4) of the Act read with DERC (State Grid Code) Regulations 2008.**

Tata Power Delhi Distribution Ltd.

....Petitioner

Vs.

State Load Despatch Centre

...Respondent

Coram: Hon'ble Mr. Justice S S Chauhan, Chairperson

ORDER

(Date of Order: 06.12.2019)

1. The instant Petition has been filed by TPDDL against SLDC for the issue of force scheduling. Initially, the petitioner has made the following prayers in its petition:
 - a) To issue appropriate directions to the SLDC to do DISCOM wise scheduling of power as per the requests made by the petitioner;
 - b) Direct SLDC to make payments towards the excess energy forcefully scheduled by SLDC to TPDDL in deviation to the scheduling requirements of TPDDL;
 - c) Direct SLDC in the event of any forced scheduling required, then it must convey the technical limitations along with the schedule which SLDC has received from other beneficiaries which shows that forced scheduling was required to the petitioner;
 - d) Direct SLDC to convey forced scheduling/non adherence to petitioners schedule a day in advance so that the petitioner may take appropriate steps to dispose off power/back down its bilateral power purchase contracts;
 - e) Direct SLDC to ensure that no gaming is done by any other DISCOM by requesting for nil schedule and overdrawing thereby causing the petitioner to get forced scheduling and under-draw;
 - f) Direct SLDC to convey the dates by when the plants such as BTPS and Rajghat which have lived their useful lives and continue to burden the

consumers of petitioner's licensed areas only being must run on account of transmission constraints would be stopped; and

- g) Direct SLDC to inform about the steps taken by SLDC to consider economic dispatch of power from CSGS station through NRLDC.

PETITIONER'S SUBMISSIONS

2. The petitioner submitted that;

- i. With the new Deviation Settlement Mechanism in place since 17.02.2014 it becomes all the more important that timely back down should be done by SLDC to avoid penalty for DISCOM which is now applicable for under draws also. At the same time, it is also important for SLDC to schedule power strictly as per the scheduling requirement sent by the DISCOMs so that no additional power is scheduled and no burden on account of additional scheduled power is passed on to the consumers of the Petitioners licensed area.

Despite the above, forced scheduling of power from costly plants by SLDC despite nil requisition by TPDDL is causing undue and unjustified financial burden on TPDDL's consumers and hence this petition has been filed from this Hon'ble Commission.

- ii. The Petitioner on various occasions has been requesting SLDC to back down the powers from various Delhi Generating Companies, Centre Generating Companies and do DISCOM Wise Scheduling. However, till date despite assurances SLDC is not doing DISCOM wise scheduling and continues to burden the consumers of TPDDL's licensed area. To add to it the real time data shown by SLDC on its website is found to be absurd at times and total data gives a different schedule.
- iii. Despite the request not to schedule power to TPDDL from Dadri 2, BTPS and Rajghat, the plants were not backed down and the Petitioner was forced to take power from these plants and this resulted in a total under drawl of 4.2 MU's on such dates, resulting in huge monetary loss and thereby impacting the tariff.
- iv. The Petitioner submitted to SLDC that Generator/SLDC/NRLDC cannot do such forced scheduling to any DISCOMS beyond minimum technical limit of any generator. It further requested SLDC that in the event any power is scheduled from Dadri Stage 1 to the Petitioner, then in such event SLDC must inform TPDDL about the minimum technical limit of the plant along with schedule received from other beneficiaries so as to ensure that no forced scheduling is done to the Petitioner. However, till date no response

has been received by TPDDL on the same from SLDC and forced scheduling continues to be done by SLDC to the petitioner.

- v. The Petitioner on 17.02.2014 sent a detailed letter to SLDC providing various instances wherein SLDC failed to schedule power to the Petitioner as requested which resulted either in load shedding or under drawl on various occasions. The Petitioner requested SLDC to ensure DISCOM wise scheduling and inform the Petitioner a day in advance about the implementation of the schedule as requested by the Petitioner so that necessary action can be taken by the Petitioner.
- vi. The petitioner was aggrieved by SLDC for not scheduling power as per its requisition from BTPS and not adhering to nil requirement of petitioner from BTPS. It was further found that despite petitioner mentioning in writing on a number of occasions, on 24th Feb. 2014 was forcefully scheduled power, not only from BTPS but this time from Rajghat also. To this petitioner again wrote a detailed letter to SLDC along with screen shots showing forced scheduling of power from BTPS and Rajghat to the Petitioner. The petitioner started under drawing and was left with no other option but to back down one of its economical plant i.e. Maithon Power Limited. It may be noted that due to forced scheduling of power by SLDC from BTPS and Rajghat having variable cost in the range of Rs. 3.50/- to Rs. 4.74/- due to which petitioner started under drawing and to save upon the penalty, the petitioner had to back down its share from Maithon Power Limited which has a variable cost of Rs. 2.50/- and is much less than the cost of power from BTPS and Rajghat.
- vii. The Petitioner in view of the recent forced scheduling of power by SLDC is compelled to approach the Commission as such forced scheduling is adversely affecting the cost of power procurement and resulting in higher tariff for the consumers. Besides this forced scheduling is also leading under drawl, as it created a situation of power surplus for the petitioner on real time basis which also leads to penalties as per the new Deviation Settlement Mechanism in place from 17.02.2014.
- viii. SLDC has implemented the UI/DSM bill correction until week 20 of FY 14-15, but the correction from week 21 onwards of the same Financial Year is pending.
- ix. Forced scheduling from Anta, Auriya and Dadri(Gas) Power Plants dispute the fact that the Commission vide tariff order dated 29.09.2015 has disallowed the Power Purchase Cost from Anta, Auraiya and Dadri Gas Station for FY 2013-14 onwards and is not considering power from these plants for the current FY.

- x. Forced scheduling for eastern region plants, whereas the Petitioner has scheduled 'NIL' power from Kahalgaon 1 & 2 stations, located in the eastern region.
- xi. The NRLDC in accordance with the IEGC, issues the provisional as well as implemented schedule of all the ISGS on daily basis. Therefore, the implemented schedule for Day 0 should be made available to the DISCOMs by SLDC a day later, i.e. Day 1. However, SLDC only releases the same after 10-15 days from Day 0, which is a considerable delay.

The final implemented schedule used by SLDC for preparing the UI/DSM accounts should match with the SLDC energy accounts.

- xii. That, at the present time, scheduling of power of SLDC is done by manual mechanism, which is susceptible to the possibility of delay and manual errors and omissions in the said exercise as has been noticed.
- xiii. The Petitioner undertakes every measures for efficient scheduling of its power from various plants but is forced to under draw power in situation where a section of its load is disconnected due to tripping of lines of power transformers maintained by CTU or STU due to faults in the Transmission lines maintained by them.
- xiv. As per the requirements of DISCOMs wise scheduling, SLDC should display the day-ahead scheduling requirement & intra-day revisions of the other DISCOMs on its website. This would enhance the benefit of DISCOM wise scheduling and reduce power purchase cost.
- xv. The Hon'ble Commission vide Tariff Order dated 29.09.2015 for True Up of FY 2013-14 and ARR for FY 2015-16, has disallowed Rs.49.11 Crore in the Power Purchase Cost of FY 2013-14 on account of non-adherence of Merit Order Dispatch.
- xvi. Further, vide Tariff Order dated 31.08.2017 for True Up of FY 2014-15 and FY 2015-16 and ARR for FY 2017-18 and vide Tariff Order of the petitioner dated 28.03.2018 for True Up of FY 2016-17 and ARR for FY 2018-19, has disallowed Rs. 0.04 crores in the Power Purchase Cost of FY 2014-15 and Rs.1.56 Crore in the Power Purchase Cost of FY 2016-17 respectively, due to alleged violation of Merit Order by the Petitioner.
- xvii. While these figures have been arrived by the Commission after analyzing the station wise data of power procurement received from the Respondent, the Commission did not take into account the actual reasons for purchase of power from the costly plants.

- xviii. In the meeting held on 30.08.2018, the respondent has confirmed that most of the incidents of scheduling was done on account of thermal stations running at Minimum Technical Limit ("**MTL**"). It has been admitted by the Respondents that thermal stations cannot be subjected to start/stop on daily basis and during off peak hours, the scheduling of power is done on MTL basis which could result in backing **down** of cheaper stations. Accordingly, MTL running of Thermal Stations cannot be considered as a violation of Merit Order Dispatch.
- xix. Delhi generating stations namely Pragati and Gas Turbine Power Stations ("**GT**") and NTPC plant like Badarpur Thermal Power Stations ("**BTPS**"), being Load Centre Generation, are required to run for maintaining line loading. Thus, Pragati GT and BTPS cannot be scheduled on Merit Order basis as they are required for overcoming the technical /transmission constraints in Delhi.
- xx. All the Hydro Stations, Nuclear stations and Renewable Stations are in the nature of must run in which the Respondent has no control over scheduling and hence these stations cannot be scheduled on Merit Order basis.

RESPONDENT'S SUBMISSIONS

3. The Respondent submitted that;
- i. The Central Electricity Regulatory Commission (CERC) has notified the Deviation Settlement Mechanism (DSM) Regulations and made effective from 17.02.2014 to take care of the shortcomings in existing Rules and Regulations prior to 17.02.2014 to avert the situation like massive grid collapse that occurred in the country on 30th and 31st July, 2012. One of the main steps taken towards enforcement of Grid discipline is the adherence of the scheduled drawl by the utilities from the Grid. The utilities should plan the load generation balance in such a manner that the security of the Grid should not be affected and it should be given top most priority. This could not be achieved by requisitioning NIL power from uneconomical load centre based generation like Badarpur Thermal Power Station (BTPS), Rajghat Power House (RPH), Gas Turbine Power Station (GTPS), Dadri Thermal Power Station etc. If such power stations are closed down considering the economic facts, power would not be delivered to the consumers due to various constraints such as crossing the safe limits of loading of Interstate and Intrastate Transmission System, voltage fluctuation etc.
- ii. While requisitioning power requirement, the Distribution/Deemed Distribution licensee should keep in mind the minimum technical

requirement to ensure the continuity of the generation of the running machines of the generating stations and the maximum availability.

- iii. As far as BTPS is concerned, the requisition should not be less than 80% ex-bus capacity of the running machines.
- iv. As such, the NIL requisitioning from the Thermal/Gas Station particularly by the petitioner is null and void considering the technical point of view and the Scheduling Procedure finalized in the meeting held on 31.03.2007 in the wake of introduction of Intra State ABT in Delhi w.e.f. 01.04.2007.
- v. Further, Northern Regional Power Committee's (NRPC's) Operation Coordination Committee meeting have also decided for requisition corresponding to technical minimum requirement for thermal and gas stations from the utilities to ensure their operation.
- vi. However, analyzing the data of 2013-14 shows that costlier Load Center based generation have been backed down maximum to the extent possible without endangering the Grid stability.
- vii. The allegation of the petitioner that the forced scheduling of power from costly plants by SLDC despite NIL requisitioning by TPDDL is causing undue and unjustified financial burden on TPDDL's consumers cannot be accepted.
- viii. The DISCOMs wise scheduling would not bring any results as intended by the petitioner as it is not adhering to the scheduling principles while requisitioning power from various generating stations, as none of the Load Despatch Centres can schedule power the way the petitioner intends to schedule only on the basis of economic consideration. It has been brought out clearly the issues involved vide SLDC's communication to the Commission dated 13.12.2013 about the status of DISCOM wise Scheduling.
- ix. It is further, reiterated that network constraints would be given prime importance in scheduling of power of generation stations within Delhi viz. BTPS, RPH, IPGCL GT, PPCL GT.
- x. With regard to petitioner's allegation that the real time data shown in the website of SLDC (the petition) is absurd, the allegation is strange as per Connectivity Standards of CEA, Grid Code, notified by DERC and CERC, it is the responsibility of the USER (herein the petitioner) to provide the data to SLDC/RLDC. Since the data integration of the Petitioner to SLDC has not been done so far, SLDC in its own available source have integrated the data of the Petitioner along with other Distribution Companies to have an idea of real time drawl of utilities for better control with SLDC. The data now

available in Delhi SLDC website indicating actual drawal of the Distribution companies cannot be blatantly attributed as absurd as these data though not accurate but are not absurd.

- xi. With regard to the suggestions of the Petitioner that Delhi SLDC should come clearly that when the forceful booking from such station are discontinued, it is submitted that the petitioner knows the technical constraints of Delhi Power System through various regional and interstate coordination forum in which the petitioner is also the active member. SLDC in the real time operation has to ensure secure operation of the Grid. The Petitioner should approach other forums for such details.
- xii. The Commission has issued the directions of procurement of power by DISCOMs in an economic manner and under a transparent power procurement process. However, it was never intended by risking the security of the Grid. As mentioned in the earlier paras of the submission, if cost is concerned, none of the DISCOMs requires power from the load centre based generation like BTPS, RPH, IPGCL, GT etc. But to ensure reliability of supply, these generators are to be maintained to full capacity during peak summer season. During peak winter hours also, the generation is required to be ensured. The procurement of power to meet the incremental load demand and disposal of surplus power, these scheduling compulsions should also be considered by the Distribution Licensees.
- xiii. The issue of TPDDL for correction in UI/DSM bills for the Week-21 onwards for FY 2014-15 has already been settled and accordingly SLDC has issued revised statement of DSM Accounts for entire FY 2014-15.
- xiv. SLDC is discharging its responsibility for Scheduling and Despatch of Power in accordance with the various provisions of the State Grid Code regulations of DERC and other related Regulations. It is further submitted that Anta, Auraiya and Dadri Gas Stations are falling in the category of CSGS (Central State Generating Stations) under the control of NRLDC.
- xv. The scheduling of power from Eastern Region Generating Stations, which comes under the jurisdiction of ERLDC and the backing down requisitions received from the DISCOMs, are forwarded by the SLDC, Delhi to NRLDC within the prescribed timelines for further forwarding the same to the ERLDC for its implementation.
- xvi. The respondent/SLDC is issuing the provisional as well as implemented schedules on daily basis for SGS and ISGS based on the schedule provided by NRLDC in accordance with the Grid Code and the same are available on website. Further, it is informed that there is a requirement of provisional

and final implemented schedules of NRLDC for issuance of the same by SLDC for Delhi as the implemented schedules for CSGs are finalized by NRLDC/NRPC.

- xvii. SLDC is carrying out power scheduling as per provisions of the Grid Code and displays various data/information on its website in real time since April, 2007. The data related to Entitlement, Drawal Schedule, Open Access Schedule, Inter DISCOMs Transfer Schedule of DISCOMs and Declared Capacity, Injection Schedule of GENCOs, URS for GENCOs and DISCOMs are also available on the website of SLDC and is being updated regularly based on revision carried out in the real time.
 - xviii. The matter regarding waiver of DSM Penalty on DISCOMs on account of Transmission Lines Tripping has already been deliberated at the apex forum of GCC.
4. The Commission vide order dated 03.09.2014 directed TPDDL and SLDC to convene a meeting and make efforts to resolve the issues amicably. Further, it was directed that the outcome of the meeting should be informed to the Commission.
5. In Compliance to the Commission's order dated 03.09.2014 a meeting with TPDDL and SLDC was held by the Tariff Division on 14.08.2015 and 21.08.2015 wherein the issue raised in the petition were discussed prayer wise as below:
- i. For prayer no. 1 as mentioned above SLDC submitted that the DISCOM wise scheduling has already been implemented since Feb 2014, which was also demonstrated by SLDC officials during the meeting;
 - ii. For prayer no. 2 as mentioned above regarding waiver of DSM penalty on DISCOMs on account of Transmission Line tripping, this was decided in 11th GCC that the said issue was left to the Commission which needs framework of Intra state SOP Transmission Regulations
 - iii. For prayer no. 3 and 4 as mentioned above regarding forced scheduling even SLDC is not intimated by NRLDC about such Forced Scheduling. Hence, it was not intimated to Delhi DISCOMs;
 - iv. For Prayer no. 5, 6&7 no action is required.
Further, regarding the time lag between Implemented and Final Schedule (around 10 to 15 days) to finalize the schedule after finalization of same by NRLDC, SLDC submitted that they are in process to reduce the same Time Lag.

6. The Petitioner filed the Minutes of the joint meeting with SLDC held on 30.08.2018 in SLDC office wherein SLDC confirmed that the incidents of force scheduling as provided by TPDDL's were done on account of technical/transmission constraints. Further, the Delhi SLDC has agreed to publish details of stations which are scheduled on account of transmission constraints or being in the inherent nature of must run stations on a monthly basis in its energy account. The petitioner has also submitted that since the force scheduling of power by Delhi SLDC is attributable to "Technical Constraints", thus the same should not have any adverse impact on TPDDL in terms of DSM penalty and Merit Order violation penalty.

COMMISSION'S ANALYSIS:

7. In view of the aforesaid submissions, it is observed that due to the reconciliation made by the parties during the meetings, the issues have been resolved to a great extent. However, for the purpose of directions and adjudication the issue-wise directions are as under:

a) **DISCOM wise scheduling of power**

During the meeting held by the Tariff Division of this Commission on 14.08.2015 and 21.08.2015 which was attended by the Petitioner also, it was demonstrated by the Respondent SLDC that DISCOM wise scheduling has already been implemented since Feb. 2014. As the issue is resolved, no further directions are required.

b) **Conveying the technical limitations along with the schedule which SLDC has received from other beneficiaries which shows that forced scheduling was required to the petitioner**

The Respondent SLDC has submitted that it is discharging its responsibility for scheduling and dispatch of power in accordance with the various provisions of the State Grid Code Regulations of DERC and other related Regulations. The scheduling of power from Eastern Region Generating Stations which comes under the jurisdiction of ERLDC and the backing down requisitions received from the DISCOMs, are forwarded by the SLDC, Delhi to NRLDC within the prescribed timelines for further forwarding the same to the ERLDC for its implementation. The respondent/SLDC is issuing the provisional as well as implemented schedules on daily basis for SGS and ISGS based on the schedule provided by NRLDC in accordance with the Grid Code and the same are available on website. Further, it is informed

that there is a requirement of provisional and final implemented schedules of NRLDC for issuance of the same by SLDC for Delhi as the implemented schedules for CSGS are finalized by NRLDC/NRPC.

As SLDC is not being informed about forced scheduling by NRLDC, no direction is issued to SLDC to inform about forced scheduling in such situation, however, otherwise SLDC is required to inform the events of forced scheduling to the DISCOMs.

The cost of power from Anta, Auraiya and Dadri Gas Stations has already been allowed by this Commission, therefore, no issue remains in respect of scheduling from these stations.

c) **Payments towards the excess energy forcefully scheduled by SLDC to TPDDL in deviation to the scheduling requirements of TPDDL**

The Petitioner had provided a list of instances of forced scheduling of power for financial year 2016 and 2017 to SLDC, which was analyzed by the SLDC and it was confirmed that the instances of such forced scheduling was done on account of technical/transmission constraints.

Regarding the request of the Petitioner that it should not be subjected to adverse impact DSM penalty and merit order violation penalty due to forced scheduling of power by Delhi SLDC which is attributable to technical constraints, the claim of the Petitioner regarding disallowance/penalty on account of violation of merit order dispatch shall be considered during the next ARR exercise.

d) **Conveying forced scheduling/non adherence to petitioners schedule a day in advance**

The Respondent has submitted that it is issuing the provisional as well as on daily basis for SGS and ISGS on the basis of schedule provided by NRLDC, and there is a requirement of provisional and final implemented schedule of NRLDC enabling SLDC to inform DISCOMs about such scheduling in advance.

Considering the submissions of the Respondent, it is directed that SLDC shall communicate information about power schedule as soon as it is received from NRLDC. The SLDC shall publish details of stations which are scheduled on account of transmission constraints or being inherent nature of must run stations on a monthly basis in its energy account.

e) **No gaming is done by any other DISCOM**

SLDC is directed to adhere to the State Grid Code and other relevant Regulations scrupulously so that probability of gaming etc. is minimized.

f) **Scheduling from BTPS and Rajghat Stations**

As these stations are no more operational and no scheduling is being done from these stations, the issue does not survive and does not need any direction from this Commission.

g) **Economic dispatch of power from CSGS station through NRLDC.**

The issue has already been deliberated, and requires no separate direction.

12. With the aforesaid directions the Petition is disposed of.

Sd/-
(Justice S S Chauhan)
Chairperson