

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru S.Akshayakumar ..... Chairman  
and  
Thiru.G.Rajagopal ..... Member

**M.P.No.33 of 2014**

Tamil Nadu Generation and Distribution Corporation Ltd.  
Represented by Chief Engineer / Private Power Projects  
144, Anna Salai  
Chennai – 600 002.

... Petitioner  
(Thiru P.H.Vinod Pandian,  
Standing Counsel for the TANGEDCO)

Vs.

Nil ..... Respondent

**Dates of hearing : 21-07-2014 and 13-01-2015**

**Date of order : 06-01-2016**

The M.P.No.33 of 2014 filed by TANGEDCO came up for final hearing on 13-01-2015. The Commission upon perusing the above petition and the connected records and after hearing the submissions of the Petitioner passes the following order:-

**ORDER**

**1 Prayer of the Petitioner in M.P.No.33 of 2014:-**

The Prayer of the Petitioner in M.P. No.33 of 2014 is to approve / ratify the dispatch of power from the high cost Independent Power Producers outside the merit order of 85 MU from M/s.GMR, 9 MU each from M/s.SPC and M/s.MPC and

135 MU from M/s.PPN for the month of June 2014 and pass such other orders as deemed fit and render justice.

**2. Contentions of the Petitioner:-**

2.1. With respect to M/s.GMR Power Corporation Limited (M/s.GMR), M/s.Samalpatti Power Corporation (P) Limited, (M/s.SPCL), M/s.Madurai Power Corporation (P) Limited (M/s.MPCL) and M/s.PPN Power Generating Company (P) Limited (M/s.PPN), the Commission has approved only the fixed charge payable to the above companies and in clause 2.218 of the Tariff Order for 2013-2014, dated 20-06-2013 has ordered that wherever the power stations are to be dispatched outside merit order, TANGEDCO shall obtain approval of the Commission in advance by furnishing reasons for such action. In case of emergencies, TANGEDCO is permitted to resort to such a practice but will approach this Commission within a week of such action along with the reasons for such action.

2.2. Based on the direction of the Commission, the Petitioner has filed petitions before the Commission seeking approval and ratification for dispatching high cost IPPs namely M/s.GMR, M/s.SPCL, M/s.MPCL and M/s.PPN for the months of March 2014, April 2014 and May 2014 which are listed for hearing on 16-06-2014.

2.3. Based on the above direction of the Commission, this petition is filed by this Petitioner seeking approval / ratification for dispatching high cost IPPs namely M/s.GMR, M/s.SPCL, M/s.MPCL and M/s.PPN for the month of June 2014.

2.4. The Petitioner had filed an Interlocutory Application I.A. No.1 of 2014 in Power Purchase Approval Petition No.2 of 2014 on 07-03-2014 before the Commission, with a prayer seeking approval for purchase of power from M/s.GMR PPA from 15-02-2014 to 14-02-2015 subject to Merit Order dispatch in force by extending the PPA under the proviso to Article 2.1 (c) of the PPA with fresh tariff, commercial terms and conditions and the same is also listed for admission on 16-06-2014.

2.5. The actual dispatches made during the month of May 2014 from the above IPPs are as tabulated below:-

Name of the IPP	Actual Power purchased from 01-05-2014 to 31-05-2014 in Million Units
M/s.GMR	84.09
M/s.SPC	22.27
M/s.MPC	27.74
M/s.PPN	138.95
Total	273.05

2.6. The demand for the month of June 2014 during peak hours is 12,000 MW. However, the forecast availability from all the sources is only 11128 MW, leaving a deficit of 872 MW.

2.7. The availability from M/s.SPCL and M/s.MPCL are considered partially since Restriction and Control measures on power supply have already been lifted from 01-06-2014 itself to meet wind infirmity. Based on the wind availability, the above IPPs will be maintained "Nil" generation. Due to commencement of wind generation of around 2500 MW and expecting further increase upto 3000 MW–3500 MW during

this wind season, the power purchase from the high cost IPPs will be reduced to the maximum possible extent.

2.8. Hence, due to the shortage of power and to meet out the demand, it is tentatively proposed to purchase the following quantum of power from the high cost IPPs for the month of June 2014. However, dispatch by SLDC will be strictly based on the grid / real time conditions.

Name of the IPP	Power proposed to be purchased during the month of June 2014 in MU
M/s.GMR	85
M/s.SPC	9
M/s.MPC	9
M/s.PPN	135
Total	238

### **3. Findings of the Commission:-**

3.1. Following aspects are to be taken into account in respect of purchase of power by the licensee outside the Merit Order Dispatch (MOD) prescribed by the Commission. These are discussed below:

3.2. In the Petition, the Chief Engineer/PPP of TANGEDCO had explained in detail the reason for procuring power from the high cost IPPs' outside the MOD. It has been stated that the demand of Tamil Nadu Grid for the month of June 2014 during peak hours is 12,000 MW and the forecast availability from all the sources is only 11,128 MW, leaving a deficit of 872 MW.

3.3. It has been stated that due to lifting of Restriction and Control measures on power supply from 01-06-2014. Based on the wind availability, the above IPPs will

be maintained “NIL” generation. Due to commencement of wind generation of around 2,500 MW and expecting further increase upto 3,000 MW – 3,500 MW during the wind season, the power purchase from the above high cost IPPs will be reduced to the maximum extent possible.

3.4. The tentative power purchase proposed and the actual power purchase for the month of June 2014 is as follows:

Sl. No.	Name of the IPP	Power proposed to be purchased during the month (in MU)	Actual power purchase during the month (in MU)
1.	M/s. GMR	85	73.84
2.	M/s. SPC	9	21.88
3.	M/s. MPC	9	23.69
4.	M/s. PPN	135	146.05
	<b>TOTAL</b>	<b>238</b>	<b>265.46</b>

3.5. In the petitions filed earlier by the Petitioner in M. P. Nos. 9, 10, 13, 14, 16, 28, 53, 72 and 81 of 2013 and M.P. Nos. 9 and 8 of 2014, seeking approval and ratification for dispatch of power from the high cost power producers outside merit order for the months from April 2013 to February 2014 from the above IPPs vide order dated 15-09-2014, the Commission has allowed the cost of power purchase only to the extent of the average rate of realization of the Petitioner and did not approve the excess cost of power purchased for the purpose of ARR.

3.6. In view of the above, in the present Miscellaneous Petition also, the Commission is taking the same decision on approving the power purchase cost from the four high cost IPPs’ viz. M/s. GMR, M/s. SPC, M/s. MPC and M/s. PPN to the

extent of Average Rate of Realization for the purpose of ARR. The excess cost of power purchase is not approved for the purpose of ARR.

With the above Orders, the M.P.No.33 of 2014 is disposed off.

**4. Appeal:-**

An appeal against this order shall lie before the Appellate Tribunal for Electricity under section 111 of the Electricity Act, 2003 within a period of 45 days from the date of receipt of a copy of this order by the aggrieved person.

(Sd.....)  
**(G.Rajagopal)**  
**Member**

(Sd.....)  
**(S.Akshayakumar)**  
**Chairman**

/ True Copy /

Secretary  
Tamil Nadu Electricity  
Regulatory Commission