

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR – 751 012**

Present : Shri D.C. Sahoo, Chairperson
Shri B.C. Jena, Member
Shri S. K. Jena, Member

Dated the 6th day of June, 2006

Case No.7 of 2006

M/s. Nava Bharat Ferro Alloys Ltd., (NBFAL)
Kharagprasad, Dist : Dhenkanal. **Petitioner**

- Vrs -

M/s. Orissa Power Transmission
Corporation Limited (OPTCL),
Janpath, Bhubaneswar **Respondent**

M/s. Hind Metals & Industries Pvt. Ltd. **Intervener**
K-1, Kalpana Area, Bhubaneswar-14

For the petitioner : Shri Prabhu P.Mohanty, Advocate
Shri H.P.Mohapatra, G.M.

For the respondent : Shri N. N. Mohapatra, Sr.G.M.

For the intervener : Shri R.P. Mohapatra,
Authorised Representative

ORDER

M/s. Nava Bharat Ferro Alloys Ltd, (NBFAL, in short) Kharagprasad, near Meramundali Railway Station, Dist - Dhenkanal has filed an application under Section 30 of the Electricity Act, 2003 challenging the action of M/s. Orissa Power Transmission Corporation Limited (OPTCL, in short) to use the dedicated

feeder of the petitioner as a means of power supply to M/s. Hind Metal, another Ferro Alloys Unit.

2. The Commission heard the petitioner on the question of admission on 04.04.2006 where the petitioner submitted that they are a Generating Company within the meaning of Section 2(28), 2(29) and 2(30) of the Electricity Act, 2003 as they are operating a Captive Power Plant. Under section 86(f) of the Electricity Act, 2003, there exists a dispute between the licensee and a Generating Company to be adjudicated by the Commission. The dispute revolves round interpretation of “connections conditions” of Grid Code. The prayer of the petitioner was granted and the case was heard on the question of merit on 10.05.2006.
3. On the date of hearing, M/s.Hind Metal and Ind. Pvt. Ltd., requested to be impleaded as a party in the above case as they have substantial interest in the present proceeding. This was allowed in the interest of the fair trial of the case.

The arguments advanced by the petitioner are as follows:

4. The petitioner requested in the year 1995 for supply of power to its proposed Ferro Alloys Plant at Meramundali in the District of Dhenkanal for a demand of 29 MW/34 MVA at 132 KV.
5. The petitioner was informed by the erstwhile OSEB on 11.12.95 that the Government of Orissa, Department of Energy approved release of operational power of 29 MW at 132 KV on the following terms and conditions:

(1) *29 MW at 132 KV will be made available by OSEB from the proposed 400/220/132 KV s/s at Meramundali.*

- (2) *The power supply shall be made available through a dedicated 132 KV feeder from Meramundali s/s upto factory premises.*
- (3) *In case of non-completion of the substation works at Meramundali, the said quantum of operational power will be made available from the existing 132 KV line from Chainpal to Dhenkanal with L.I.L.O. arrangement. The cost of L.I.L.O. arrangement and other associated works will be borne by the consumer.*
- (4) *The estimated cost of the bay extension at 400/220/132 KV, substation and the cost of the 132 KV dedicated feeder shall be borne by M/s. Nava Chrome Ltd.”*

6. On direction from OSEB, the petitioner deposited Rs.189.00 lacs for construction of 132 KV dedicated line from Meramundali s/s upto factory premises under PP (People's Participation) Scheme. This amount was to be adjusted against monthly energy consumption bills after commencement of power supply.
7. On 10.04.97, the Govt. of Orissa, Department of Energy after considering the request of the petitioner allowed certain quantity of NTPC power to be drawn during off peak hours. Thereafter, the Chief Engineer (Commerce) Consumer Services, GRIDCO, successor to OSEB, inter alia, intimated to the petitioner the following:

“XXX XXX XXX XXX XXX

If NTPC power supply is given to you then the scheme of drawing 132 KV line for giving power supply to your proposed plant at Meramundali is no more viable and hence the work cannot be taken up under PP scheme. If you are desirous to avail NTPC power supply under the terms and conditions as approved by Govt.

of Orissa, you are requested to give your consent to consider the amount of Rs.189 lacs deposited by you towards the cost of 132 KV line etc., as deposit under Deposit Works Scheme and not P.P. scheme. The above amount deposited by you will not be adjusted against energy bills as provided under P.P. scheme. You are also requested to give an undertaking that you will not claim refund or adjustment of the amount of Rs.189 lacs deposited by you in future, even if allocation of NTPC power is withdrawn at any time.”

8. The petitioner confirmed on 13.05.97 that in view of their availing NTPC power they shall forgo concession granted to them under PP scheme and not claim adjustment of Rs.189 lacs deposited for construction of 132 KV line against energy charges even if NTPC power is withdrawn at a future date.

Thus, the deposit made by the petitioner was treated as deposit under “Deposit Works Scheme”.

9. The respondent had not started the construction work of the dedicated transmission line of 4.5 KM from Meramundali to the factory premises though four years elapsed in the meanwhile. In response to the petitioner’s pleading, alternative power supply was effected by making ‘T’ off arrangement of 132 KV SC line from Chainpal to Dhenkanal on receipt of deposit of Rs.27.87 lacs by GRIDCO pending construction of the dedicated feeder.
10. After protracted correspondence between the petitioner and the GRIDCO, the Chief Engineer (TP), GRIDCO wrote to the G.M. (EHT) Angul on 29.11.04 under intimation to the petitioner that a proposal has been mooted for construction of a switching station by M/s.Hind Metals & Ind.

Pvt. Ltd. for power supply to their plant and M/s.Nav Chrome will get power from the above switching sub-station.

11. The proposal to utilize the dedicated feeder meant for the petitioner by establishing a switching station in the premises of M/s. Hind Metals & Ind. Pvt. Ltd. and further extending line from the switching station upto the petitioner's plant was challenged on dt.24.02.2005 on the condition that the sharing of the dedicated line could hamper the plant operation. Similar requests were also made to OPTCL subsequently on 14.02.06.
12. After a lapse of 10 years, the 132 KV dedicated feeder was provided to the petitioner by OPTCL (successor to the transmission business of GRIDCO) in June, 2005 and meter was installed by OPTCL in the premises of Meramundali s/s for the purpose of energy billing.
13. The petitioner further submitted that they had installed its own CPP having a 30 MW DG set which was given connectivity and synchronized with the grid system through this 132 KV dedicated feeder from Meramundali s/s meant for the factory. They have further extension programme of adding new units to the CGP.
14. In the event of stoppage of running of the furnaces of the petitioner for any reason, 37.5 MVA of power generated by the CGP shall become surplus to their requirement & have to be evacuated to grid only if the 132 KV dedicated feeder is available.
15. On introduction of ABT, the CGP shall be covered under the ABT regime. The petitioner may be subjected for MVAR sharing charges apart from UI charges in all power transactions. The effects of the load from M/s. Hind Metal & Ind. Pvt. Ltd., which will not get covered under ABT, shall have adverse effects on the petitioner which has a CGP within its load profile.

16. The petitioner had also plans of expansion for existing CGP by addition of 2 X 32 MW generator units. If the present dedicated 132 KV line is used for sharing of loads with M/s. Hind Metal & Ind. Pvt. Ltd., the same shall jeopardize the evacuation of power generated by the petitioner.
17. The petitioner being a Ferro Alloys Producer has arc furnaces so also M/s. Hind Metals & Ind. Pvt. Ltd. These furnaces have the potential of triggering off wide load fluctuations, resulting in negative phase sequence currents and harmonics. These factors are detrimental to the health of the generator that causes overloading of the generator rotor by silently killing the life of the generator. Further, negative phase sequence current produced by the arc furnace loads result in tripping of connected induction motor of the power plant when it exceeds certain limits. This has the potential of creating a condition of instability to the operation of the power plant.
18. Besides, in the event of any ground fault occurring in the connected power system of M/s. Hind Metals & Ind. Pvt. Ltd., it shall impose unwanted stress on the power system of the petitioner for which it has not been designed.

The petitioner's sophisticated electrical system may fail due to the switching off actions of M/s. Hind Metals & Ind. Pvt. Ltd. due to 'voltage swells'.

19. The petitioner submits that they have deposited Rs.189 lacs for construction of 132 KV dedicated line from Meramundali s/s to the factory premises including construction of the 132 KV bay. In addition, they have deposited Rs.27.87 lacs on 07.11.97 towards the cost of tapping of 132 KV Chainpal-Choudwar lines from the existing Chinpal-Dhenkanal line.

20. The respondent has also adjusted the cost of works for insertion of one OC+6 type tower in Meramundali-Nav Chrome-132 KV line for separation of Railways and Nav Chrome circuits and adjusted the cost thereof from the deposit of Rs.189 lacs made by the petitioner.
21. That the then GRIDCO had agreed for giving power supply to the Ferro Alloys Plant of M/s. Hind Metals & Ind. Pvt. Ltd. on the existing DC tower through the 132 KV line from Meramundali grid s/s to the Railway Traction sub-station to the extent possible and thereafter through a 132 KV single circuit line on DC tower upto the switchyard of M/s. Hind Metals & Ind. Pvt. Ltd. vide GRIDCO letter No 3564 dt.24.11.04 to M/s. Hind Metals & Ind. Pvt. Ltd. In other words, GRIDCO had planned to extend the feeder meant for the Railways to be extended upto M/s. Hind Metals & Ind. Pvt. Ltd. premises and not tap the dedicated feeder meant for them.
22. The petitioner in their rejoinder dt.09.05.06 apart from reiterating the points raised in the petition stressed about the technical difficulties and the damaging effects due to sharing of their dedicated feeder with another consumer due to denial of direct connection to Meramundali grid s/s. They had planned for a double circuit with the objective of drawing a 2nd circuit at a later date after commissioning of their new units which would no more be available once those towers are utilised for connecting to the proposed switching station.
23. The petitioner pointed out that in accordance with clause 5.2 (II) of the Orissa Grid Code “any new connection should not impose any adverse effects all the existing users, nor shall a new connection suffer adversely due to the existing users.” Therefore, they pray the Commission to direct OPTCL not to implement their proposal to use the dedicated feeder of the petitioner for supply of power to M/s. Hind Metals & Ind. Pvt. Ltd. as the

said 132 KV dedicated line have been constructed under the 'Deposit Work Scheme' at the cost of the petitioner.

Submissions of M/s. Hind Metals & Ind. Pvt. Ltd. are as follows:

24. OPTCL accorded technical sanction for construction of 0.49 KM of 132 KV DC line and construction of 1 number of 132 KV switching station with provision of main transfer bus for power supply to M/s. Hind Metals & Ind. Pvt. Ltd. at an estimated cost of Rs.522.51 lacs. The work was to be executed by M/s. Hind Metals & Ind. Pvt. Ltd. under the supervision of the officers of OPTCL. The expenditure incurred shall be met from the deposit to be received from M/s. Hind Metals & Ind. Pvt. Ltd. (Annex-C).
25. OPTCL decided to use the 132 KV feeder upto the switching station for power supply to both M/s. Hind Metals & Ind. Pvt. Ltd. and Nava Bharat Alloys. This decision of OPTCL is under challenge before the Commission by NBFAL who have prayed that the dedicated feeder meant for their industry was meant for exclusive use & should not be tapped.
26. The term "dedicated" feeder has not been defined in any of the Acts, Rules and Regulations, Besides, clause 8(e) of the OSEB Supply Regulations, 1995 provides that the Electricity Board shall always have the right to use the service line including HT/EHT lines for the supply of energy to any other person unless the line has been provided for the exclusive use of the consumer. The aforesaid provisions of OSEB Regulation should apply as agreement for power supply was executed on 22.03.96 & 01.02.97. Subsequent regulations of OERC in 1998 and 2004 have amplified this provision of 'exclusive use' only when such an arrangement is agreed to in writing. The contention of the petitioner that 'dedicated' line from the Meramundali grid s/s to its Plant for its 'exclusive'

- use is not tenable as the agreement between the parties does not provide for such an exclusive use.
27. The fact that metering has been provided at the grid s/s end for power supply to NBFAL does not bestow the status of an exclusive user on NBFAL as the clause 8(a) and (b) of OSEB Supply Regulation, 1995 permits installation of metering either at the consumer premises or at the s/s itself.
 28. In the aftermath of the Electricity Act, 2003, the definition of Dedicated Transmission line in section (2)(16) of the Act, have to be read in conjunction with section 9 of the Act which provides that “a person may construct, maintain and operate a CGP and dedicated transmission lines.” The concept of CGP by NBFAL is a later development. The line under discussion was meant for power supply by NBFAL as a consumer and not as a CGP.
 29. NBFAL is neither maintaining nor operating this 132 KV line to its premises. NBFAL was never interested to have an exclusive feeder as they wanted this line to be covered under the Public Participation Scheme of OSEB at OSEB’s cost for which it could not be considered as an exclusive feeder. NBFAL agreed to treat this as deposit work only to avail NTPC power. As such, this line was never meant for exclusive use by NBFAL.
 30. The system study carried out by OPTCL does not indicate about any abnormal fault or current voltage upsurge. Besides, the plant is supposed to have been designed to operate with large number of Ferro Alloys Plants in and around their vicinity.

31. ABT regime shall be applicable to both NBFAL and Hind Metal and there will be commercial advantage after commissioning of 2X 32 MW CGP of NBFAL as the load can be directly fed to the nearby industries resulting in saving of construction cost of an additional 132 KV feeder.
32. The allegations that NBFAL is being harassed are not correct as they had the benefit of 'T off' connection from 132 KV Chinpal-Dhenkanal feeder without any cost to them. Further they have not borne the expenditure towards the shifting of the tapping point to the Choudwar feeder as well as erection of OC + 6 tower leading to saving of more than 40 lacs.
33. M/s. Hind Metals & Ind. Pvt. Ltd. have been directed to spend about Rs.522 lacs for construction of switching station for which they should not be asked to share cost of construction of 132 KV feeder as OPTCL has a legal authority to supply power from this line to other customers irrespective of the investment made by any consumer. As such, the prayer of NBFAL should be rejected in the interest of justice.

The submissions of the respondent are as follows:

34. NBFAL requested OSEB to carry out LILO(Loop in Loop out) works as the Meramundali s/s work was getting delayed and the petitioner's s/s was expected to be commissioned during March, 97. Besides, the petitioner has not submitted any documentary evidence in support of the deposit of Rs.27.87 lacs for the aforesaid work.
35. OPTCL has submitted that delay in construction of grid s/s at Meramundali was attributable to several factors and the 100 MVA Auto transformers at this s/s was commissioned on 10.01.03. There was no justification for earlier completion for this 132 KV NBFAL line passing through theft-prone areas as it could not have been commissioned. After commissioning of the

Meramundali s/s, 132 KV, two phase line for power supply to Meramundali RTSS(Railway Traction/s) was taken up on the same towers carrying the line for NBFAL as adequate corridors for the laying off of a separate line was not available due to ROW (Right of Way) problem.

36. The respondent also admits to have adjusted the cost of insertion of 1 number of OC + 6 tower from the deposit of NBFAL as a part of the deposit work scheme to achieve adequate clearance of NBFAL line by passing 132 KV Chainpal-Choudwar line at the crossing span for affecting power supply to NBFAL from Meramundali. This was a technical necessity. As such, the allegations of harassment are unfounded.
37. Quoting the provisions of section 2(16) of the Act, 2003, OPTCL have submitted that a dedicated 132 KV feeder from 132 KV switching station to the premises of NBFAL shall be provided for a point to point connectivity. The switching station shall be operated and maintained by OPTCL so that NBFAL will enjoy the point to point connectivity with OPTCL s/s through a dedicated line and bay. This will ensure dedicated status of connectivity by NBFAL as this line shall not be shared by anyone from the proposed switching station.
38. The respondent has submitted that all the technical objections raised by NBFAL are not sustainable as established through system study carried out by them. This arrangement will not affect the safety and quality of power supply which will continue to be monitored from the SLDC. Not much advantage shall be available to NBFAL if they are directly connected to Meramundali grid s/s as steel industries like BRG Iron and Steel Company, M/s. M.L.Rungta and M/s. Hind Metals & Ind. Pvt. Ltd. shall avail power from the same source.

39. With capacity addition of their CGP, a part of their surplus generation can be directly utilised by M/s. Hind Metals & Ind. Pvt. Ltd. and the plants can be fed to Meramundali s/s through the available single circuit. In case of direct connection to Meramundali grid s/s, a 2nd circuit upto Meramundali would have been necessary for which space is not available at Meramundali whereas the 2nd circuit can be terminated at the switching station.
40. NBFAL should have no apprehension about the protection and control equipment of other industries as appropriate schemes will be approved by OPTCL to ensure complete isolation of their plant in the event of any fault or abnormal conditions.
41. OPTCL in its capacity as the STU has the obligation for system planning as per the provisions under section 4 of the Grid Code which gives authority for expansion of the transmission system on several grounds. Accordingly, OPTCL has planned to shift some of the 132 KV consumers to newly created load centre so as to reduce pressure on Meramundali grid s/s by establishing this switching station. This will avoid acute space and take off problem at Meramundali grid s/s for the outgoing feeders.
42. After commissioning of the switching station, metering shall be provided at the gantry point of switching station. This will lead to saving in line loss to NBFAL. In view of this, the Commission may reject the prayers of NBFAL.
43. The Commission after having heard the parties frame the following issues to be addressed :-
- (i) What is an exclusive feeder? Whether the line meant for NBFAL from Meramundali grid s/s to their factory premises is to be treated as an exclusive feeder?

- (ii) Whether any exclusive feeder can be utilized by the licensee for use of any other consumer?
- (iii) Whether stability, reliability and quality of supply shall be affected by the modified arrangement proposed by OPTCL ?
- (iv) What kind of treatment shall be meted out to the deposit made by a consumer for creation of an exclusive feeder, if such a feeder is utilised for other consumers?

The issues as enumerated above have been discussed seriatim.

44. The Nava Chrome Ltd. had signed agreements on 22.03.96 and 01.12.97 with OSEB for supply of power for the purpose of manufacture of Ferro Chrome under power intensive industry category. The petitioner in his petition dt.21.03.06 has stated that Nava Bharat Ferro Alloys Ltd. was formerly known as Nav Chrome Ltd. Hence, it is established that power supply agreement was executed with NBFAL as a consumer for supply of power by OSEB to commence from 21.06.1997 in terms of agreement on 01.12.97 for which the conditions stipulated the OSEB (General Conditions of Supply) Regulation, 1995 shall be binding on both the parties. Between the date of agreement to the date of power supply the regulation had undergone changes the impact of such charges will be discussed appropriately.

44.1 **Issue No. (i)**

- (a) The term 'Exclusive' according to Oxford English Dictionary means "only to be used by any particular person or group/only given to one particular person or group". In OSEB (GCS) Regulation, 1995, the term 'exclusive feeder' has not been defined but has its usage in some of the clauses in the Regulation.

- (b) Extracts of certain provisions of OSEB (General Conditions of Supply) Regulation, 1995 relating to the usage of exclusive feeder are reproduced below :

Clause 8 “Service Line “, (a) The Engineer, on being satisfied that all preconditions for supply of power are satisfied including payment of security deposit, shall inspect the premises within two weeks from the date of receipt of security deposit and fix the point of entry of the supply line into the consumer’s premises (where the service line extends upto the consumers premises). The Engineer shall also fix the position of the service cut outs/circuit breakers, meters in consultation with the consumer and/or his licensed electrical contactor. In case of a feeder (HT/EHT feeder) directly taken to the consumer’s premises for his exclusive use from the supplier’s s/s, the metering arrangement shall be done at the consumer’s premises or at the suppliers s/s itself if mutually agreed.

Clause 9 “Point of Supply” unless otherwise agreed to, the supply shall be at a single point at the terminals of the Board i.e.

- (i) Cut-outs or circuit breakers in the case of LT consumers and;*
- (ii) Control switch gear/circuit breaker/ High Tension fuses that may be installed in the Board’s or consumer’s premises, as mutually agreed in the case of HT consumers subject to provision under Regulation 8(a)”*

From the above, it leads one to conclude that an exclusive feeder is a feeder meant for power supply to a particular consumer from the suppliers sub-station.

- (c) That by practice all the EHT consumers availing power supply from the OSEB/GRIDCO/OPTCL system are in general have been provided with

EHT lines emanating from the grid s/s right upto the factory premises without any kind of tapping whatsoever ((barring exceptions) to avoid interruption of power supply. In practice, such feeders are meant for exclusive use of EHT consumers.

- (d) In case of the petitioner, power was intended to be supplied directly from the grid s/s to the premises of the petitioner. An assurance in writing was given to the petitioner by the GOO/OSEB prior to deposit of money with the supplier that the dedicated line shall be utilised to give power supply to the petitioner's premises.
- (e) As such, the question arises as to whether this dedicated feeder can be treated as exclusive feeder in terms of the Regulation quoted earlier. For understanding the import of exclusive feeder, a reference shall have to be made to the appropriate OERC Distribution (Condition of Supply) Code in supersession of OSEB General (Conditions of Supply) Regulation 1995. OERC Distribution Code which was notified on 7th September, 1998 came into force on the date of their publication in the official gazette or the 1st January, 1999. In accordance with para 2 of the agreement for power supply, the Supply Code as modified from time to time to the extent applicable shall be deemed to form a part of the agreement between the consumer and the supplier.
- (f) The OERC Distribution (Conditions of Supply) Code, 1998 was repealed after enactment of Act, 2003. OERC (Condition of Supply) Code, 2004 became effective from August, 2004. Power supply to NBFAL through the exclusive feeder from Meramundali Grid Sub-station commenced from June, 05. Conditions 27 and 24 of the OERC Code, 2004 dealing with exclusive use are quoted below :-

“27. The entire service line, notwithstanding that whole or portion thereof has been paid for by the consumer, shall be the property of the licensee and shall be maintained by the licensee who shall always have the right to use it for the supply of energy to any other person unless the line has been provided for the exclusive user of the consumer through any arrangement agreed to in writing.”

24. In case of a HT or EHT feeder directly taken to the consumer’s premises for his exclusive user from the licensee’s sub-station or from the transmission licensee, the metering arrangement shall be done at the consumer’s premises or, at the licensee’s sub-station itself.”

- (g) As indicated earlier, the Distribution Conditions of Supply Code as modified from time to time, to the extent they are applicable shall be deemed to form a part of agreement. It was argued on behalf of M/s.Hind Metal & Ind. Pvt. Ltd. that a feeder can be declared as exclusive feeder if it is not to be used for any other consumer & the same shall have to be settled through a special agreement put in black & white. M/s.Hind Metal & Ind. Pvt. Ltd. had argued that no such agreement exists between the parties as per the terms and conditions of the agreement entered in 1996 & 1997.
- (h) The fact remains that OSEB had given a commitment for a dedicated feeder from Meramundali grid s/s upto the factory premises of the petitioner. While agreements exist for the arrangement of power supply the conditions precedent to the commencement of power supply shall be deemed to be the terms and conditions on which power supply was extended to the petitioner. As such, there need not be a separate written agreement between NBFL and OSEB to establish that it was an exclusive feeder. The commitment of the Orissa State Electricity Board providing an

independent feeder to the petitioner's factory premises based on which a deposit was made by the party shall have the force of agreement as otherwise the party could not have deposited the amount.

- (i) The provision of the Supply Code for having an agreement in writing for a feeder to be declared as an exclusive is deemed to have been complied with in view of the GOO/OSEB order dt.11.12.95. Therefore, for all intents & purposes, there existed an agreement between the parties prior to the commencement of power supply for which the line to the premises of the petitioner is treated as an exclusive feeder.
- (j) Since, money has been paid by the consumer under the deposit scheme and the point of supply for the consumer is at Meramundali Grid sub-station, the line upto the petitioner's premises being an exclusive feeder should not have been proposed for utilization for any other purpose.
- (k) This line also satisfies all the conditions of the 'dedicated feeder' when the same has been utilized by a CGP for the purpose of interconnection to the grid s/s in terms of the definition 2(16) of Electricity Act, 2003.

44.2 **Issue No.(ii)**

- (a) This issue is whether any exclusive feeder can be utilized by the licensee for use of any other consumer. It has been posed before us that the problem of right of way in and around Meramundali grid s/s is so severe that future industrial expansion would be impossible unless a satellite sub-station/switching station is built at a place close to the said s/s. Under such compelling circumstances, it has become necessary to shift the interconnection of some feeders from Meramundali grid s/s to the proposed switching station of OPTCL in accordance with 39(c) of the Act, 2003 to ensure development of an efficient, co-ordinated and economical system of intra-state transmission line for smooth flow of electricity from a

generating station to the load centres. Under this consideration, we are allowing a part of an exclusive feeder to be used in the overall interest of all consumers including the petitioner.

- (b) This concept is reflected in the Grid Code Version 12 as well as in Orissa Grid Code (OGC) Regulation, 2006 dt.01.05.06. In 4.2.(2) *which specifies that any new or modified connections, when established, shall neither suffer unacceptable effects due to its connections to the State Transmission system nor impose unacceptable effects on the system of any other connected agency.*
- (c) We are also satisfied that the change of interconnection arrangement of NBFAL from the grid s/s upto the switching point may not create any technical, commercial or operational problem to the petitioner in terms of the aforesaid provisions 4.2.(2) of the Orissa Grid Code.
- (d) Besides, we are also convinced that if NBFAL is connected to the proposed switching station it will facilitate better utilization of the Meramundali grid s/s allowing extension of power supply to similar other industries. It will also help better utilization of the CGP likely to be expanded by NBFAL with addition of new units but shall not require extension of 2nd circuit right upto Meramundali bus which can be terminated at the switching station.
- (e) It has been pleaded before us that the 132 DC line is carrying two feeders upto location no.20 from where one is extended to NBFAL and the second one is going to Railway Traction Sub-station (RTSS). For ensuring security of supply, it will be desirable that these two independent feeders starting from Meramundali grid s/s should be connected to the switching station proposed by OPTCL.

- (f) We, therefore, direct that the line meant for the RTSS as well as NBFAL on 132 KV double circuit tower shall be terminated at the switching station from where power supply shall be extended to M/s. Hind Metals & Ind. Pvt. Ltd., RTSS and NBFAL leaving scope for NBFAL to be connected at a later stage if NBFAL deemed necessary for addition of a 2nd circuit which would have been difficult if they were directly connected through the single circuit to Meramundali s/s due to ROW problem. And as explained earlier this will neither affect them technically, commercially or operationally. The EHT line from the switching station upto the factory premises of the petitioner shall be an exclusive feeder for the petitioner. As such, connectivity for switching station to NBFAL shall be made available by OPTCL on 132 KV double circuit tower.

44.3 Issue No.(iii)

- (a) This issue is whether stability, reliability and quality of supply shall be affected as stated by NBFAL by the changed arrangement proposed by OPTCL, The same has been duly replied by the respondent. The apprehensions of the petitioner have been well considered and we are convinced that observance of the Orissa Grid Code by all the users shall not create any operational and technical problem for the petitioner for the changed interconnection arrangement. Besides, introduction of ABT will allay the apprehensions of the petitioner as all the users shall be uniformly subjected to the intra-state regulation to be issued by OERC.
- (b) However, we direct that the switching station should be wholly and fully under the overall control of OPTCL as affirmed before us so that no consumer connected to the switching station is put to any kind of hardship.

44.4 Issue No.(iv)

With regard to this issue, we direct that the cost of the portion of double circuits from Meramundali grid s/s upto the switching station including the

cost of bay at Meramundali grid s/s as per the original estimate has to be shared by all the users and NBFAL has to be compensated for the money locked with the licensee.

The Commission would not like to comment on the issue of payment or non-payment of 27.84 lacs for 'T off' arrangement between GRIDCO and NBFAL as the same has not been stressed.

This disposes off the petition.

Sd/-
(S. K. JENA)
MEMBER

Sd/-
(B. C. JENA)
MEMBER

Sd/-
(D. C. SAHOO)
CHAIRPERSON