

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

Present: Shri B. K. Dash, Chairperson
Shri K.C. Badu, Member
Shri B.K. Misra, Member

Case No.138/2009

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|----------------|------|-------------------|
| OPTCL | | Petitioner |
| Vrs. | | |
| OCL India Ltd. | | Respondent |

In the matter of: U/s 142 of the Electricity Act, 2003.

For the petitioner: Mr. A.C. Patra, DGM (Tele), Mr. N. R. Mandhata,
GM(R&T), Mr. M.C. Muduli, AE(T), OPTCL

For the respondent: Mr. R. Pandey, Dy.E.D (KCW), OCL India Ltd.

Date of Hearing : 16.12.2009

Date of Order : 04.01.2010

ORDER

1. Heard the parties on question of admission.
2. Mr. A.C. Patra, DGM(Telecom) stated that the respondent did not comply the directions as per para 3 of the Commission's order dtd. 15.3.09 passed in case No.9/08 to install and commission the PLCC/SCADA equipment in their 132KV LILO S/S at village Biswali and thereby grossly violated the aforesaid order of the Commission. In the mean while Clause 4.13.1.(d) of OGC Regulations has been amended vide Gazette Notification dated 29.10.2008 specifying that the PLCC/SCADA equipment has to be procured by the user as per the recommendations of OPTCL (STU) and be provided up to the nearest SCADA interface point of OPTCL at least before date of commercial operation of the generating stations or Sub-Stations/line being connected to STS. According to the amended provisions of OGC, the respondent is obliged to provide SCADA

communication facility upto nearest SCADA interface point of OPTCL located at Meramundali and thereafter to SLDC through existing wideband network of the petitioner, for which the G.M.(Telecom), OPTCL has prepared a revised BOQ alongwith schematic layout and sent the same to the respondent vide letter No. Tech-268/3285 (3) dtd. 01.12.08.

3. In reply to the above letter the respondent vide its letter No. Tech-268/447(5) dtd.19.02..2009 requested the petitioner for one year time extension to comply the order of the Commission. They are required to provide the additional requirement of PLCC sets in ICCL, Choudwar and Meramundali since those were essential to transmit data from their S/S to the nearest SCADA interface point of OPTCL i.e, Meramundali and the petitioner has assured to extend its co-operation for integration of respondent's RTU as soon as its data channel was made available up to Meramundali. He also stated that inspite of repeated requests to install PLCC/SCADA equipments, the respondent has failed to comply with the aforesaid Order of the Commission and have clearly violated the provisions of OGC, so he prayed the Commission to penalize the respondent u/S.142 of the Electricity Act,2003.
4. Mr. R.Pandey, Deputy Executive Director, OCL India Ltd. stated that basically the respondent was a bulk consumer of CESU and his connectivity was approved by the petitioner after observing all the norms specified by existing Rules and Regulations. Accordingly a switching substation was made by the respondent at Biswali for use of transmission licensee for effecting power supply to the respondent and other consumers of the petitioner at Salepur. The LILO Switching Station is the part of the petitioner's transmission system and the petitioner has facilitate early power supply through 17 Km Link line and switching substation which was close to the premises of the respondent and was developed by it on behalf of the petitioner. The respondent had been permitted one 132KV feeder from the said LILO Switching Substation for its own

substation. The other 132 KV feeder from the LILO Switching sub-station at the premises of the respondent, which is part of transmission system of the petitioner, is feeding Salipur 132KV S/S of the petitioner. The assets right up to LILO switching Sub-station is yet to be taken over by the petitioner. The respondent do not have the licence to operate / maintain either 132KV link line or switching station. Basically the asset is a part of the State grid to be operated by the petitioner, the transmission licensee, however, it has not been taken over. So the respondent operates it on behalf of the petitioner. The petitioner is fully aware of all prudent actions taken by the respondent company for due compliance of the order of the Commission in knowledge of the petitioner. As per advise of the petitioner the supervision charges was accordingly deposited by the respondent and the action was taken under the supervision of the petitioner.

5. He also stated that after receiving the approved plan, amended the order already placed with M/s ABB Ltd. through its channel partner M/s S.B. Associate by increasing scope as per the approval of G.M. (Telecom), OPTCL. The entire responsibility for supply of components and commissioning was given to the supplier, as it was having the necessary expertise to do the job and it was an approved vendor of the petitioner. The respondent company installed the PLCC out door equipment & indoor equipment along with the RTU after being verified by the petitioner and the same has been tested and commissioned in local mode. A request was made by the respondent for energization of LILO Sub station in view of the urgent need for commissioning of the plant, and when it was confirmed by the G.M.(Telecom), OPTCL. Even though PLCC had been installed, commissioning can not be done till switching sub-station is commissioned. The respondent approached before the OERC and the Commission had directed the petitioner for synchronization of the line and switching sub-station for the LILO with the State Grid , which was its transmission system as the respondent was given an under taking to complete the

balance portion of PLCC & RTU within 30 days of energization of the system.

As per direction of the Commission the petitioner commissioned the LILO, switching Sub station for effecting power supply to the respondent company and Salipur S/S on 26.3.08 after entering into the connection agreement. The PLCC with telephone connectivity was commissioned on 27.3.08 after energization of S/S and speech communication was established with ICCL. So it was made possible that any message or data can be transmitted to SLDC through telephone from LILO S/S of OCL premises through ICCL S/S of the petitioner working as relay S./s through carrier, directly to SLDC through fax/E-mail/Internet. However, SLDC has not demanded any data from date of commissioning of communication system on 27.3.08 till today. There were two items left to be done after the compliance on 27.3.08 these are (i) allotment of RF frequency from the Ministry of Communication, WPC-Wing, GoI and (ii) solving the problem encountered with RTU during commissioning, as same could not be solved by the respondent company Engineers, due to problem in RTU cards or software etc. and the supplier M/s ABB did not depute the Engineer even after repeated requests. Further the respondent vide its letter dtd. 3.4.08 applied to the G.M., (Telecom), Orissa Circle, BSNL for allotment of pair of suggested frequency by the petitioner for operation of PLCC between LILO switching S/S at OCL premises and ICCL S/S as per the approved scheme. After allotment of frequency by Dept. of Telecommunication, WPC, GoI for 188-192KHz for 132KV LILO of 132KV ICCL Salipur S/C line, the respondent informed the same to the petitioner vide its ltr. dtd. 20.5.2008. As there was confusion created later due to another letter dtd. 19.6.08 from WPC Wing regarding band width suggested by the petitioner and which was allotted by WPC Wing, Dept. of Communication, GoI and it was clarified by the said Dept. vide its ltr. dtd. 24.10.08. The confusion created was clarified and conditions laid in 15.5.08 was modified. Due to this reason there is considerable delay.

6. The respondent further submitted that it has made its best effort for complication of balance work of the RTU but some of the same work is still pending due to circumstances beyond its control. He also alleged that the petitioner has not complied the provision of OGC to many of its own 132KV S/S. Most of the bulk consumers of the petitioner have not been provided any facility as per OGC. As per the latest amendment of OGC various other communication channels like telephone, fax, and lease line can be substituted for PLCC. So also the petitioner can not asked for a particular type of mode of communication like PLCC as per the Order dated 15.07.2009 of the Commission passed in Case No.02/2009. Further, additional PLCC asked by the petitioner in subsequent dates are not as per connection agreement executed between the petitioner and respondent.
7. .Perused the petition and reply of the respondent .and heard the matter on question of admission. The petitioner has filed this petition for non-compliance of the Commission order dtd. 15.3.2008 passed in Case No. 9/08 by the respondent-OCL India Ltd. In its reply the respondent submitted that it has complied the above direction of the Commission and there is no ground to proceed the matter u/S. 142 of the Electricity Act, 2003 and prayed to dismiss the same.
8. It appears that there is a communication gap between the petitioner and the respondent which can be sorted out by mutual discussion. The Commission asked OPTCL about the total scheme as regards to provision of PLCC/SCADA and progress so far for installation of the same. The objective is to have on-line data at SLDC, hence OPTCL may facilitate user early commissioning of RTU using its good office with the supplier engineer M/s ABB. Till the PLCC line is established between the SCADA interface point of M/s OPTCL. The respondent may provide the leased line for data communication from its RTU to SLDC-Bhubaneswar. OPTCL should be specific to find out solution with clear objective .Further ,in view

of the recent amendments to the OGC Regulations,2006, the anomalies as raised by the respondent regarding providing communication facility to the nearest SCADA interface point (i.e.220/132KV grid S/s) may be sorted out by mutual discussion. Hence,it is directed that OPTCL should act as a facilitator and settle the issue by mutual discussion within 31.12.2009,in accordance with the amended version of OGC. At the present stage, we are not inclined to admit this petition.

9. Accordingly, the case is disposed of.

(B. K. Misra)
Member

(K.C. Badu)
Member

(B. K. Das)
Chairperson