

Present : **Shri B.K. Das, Chairperson**
 Shri K.C. Badu, Member
 Shri B.K. Mishra, Member

M/s NESCO, WESCO & SOUTHCO ... Petitioner
 Vs.
 GRIDCO & another Respondents

Respondents : Sri J.K. Dash, Sr. GM(PP), GRIDCO
Sri B.R. Mishra, GM, SLDC

Date of Order : 07.03.2011

The case came up before us today. The fact of the case is that the Commission has passed an order under Section 23 of the Electricity Act, 2003, on 14.01.2010 declaring protocol for load regulation which was kept under suspension by the Commission vide our order Dtd.11.05.2010 applicable from the date of the order, when the power supply position of the State improved.

2. The petitioners such as NESCO, WESCO & SOUTHCO are now praying before the Commission that due to irregular power supply position in the state and inadequate infrastructure availability it was difficult for them to stick to the daily schedule given by SLDC. The licensees, have prayed to issue a revised order on protocol of Regulation of Power for different categories of consumers, considering different levels of power availability. Further, the licensees informed that due to unscheduled, indiscipline and irregular interruption in power supply without factoring all the relevant inputs in RST, it has resulted in the huge financial loss to the distribution licensee from February, 2010 to May, 2010. On the other hand GRIDCO has earned quite sizeable amount of revenue through UI and trading during load regulation period

by utilizing surplus power. The licensee, therefore, has prayed for taking up truing up of exercise.

3. The representative of GRIDCO opposed the contention of DISCOMs. He submitted before us that to sort out the difficulties faced by the DISCOMs in implementation Load Regulation protocol a meeting has been convened on 30.12.2010 where the issues regarding protocol of regulation at different level of availability shall be specifically discussed.
4. Load Regulation order was issued by the Commission and implemented by DISCOMs prospectively. The Load Regulation protocol being a dynamic exercise we direct the DISCOMs, GRIDCO, SLDC, OPTCL (all stakeholders) to periodically discuss the matter in Grid Co-ordination meetings and submit the outcome to the Commission for issue of order, it required. The deliberation of the GCC meeting scheduled to be held on 30.12.2010 be submitted to the Commission by SLDC for Commission's perusal. Any revenue shortfall /surplus due to its implementation of Load Regulation Protocol shall undergo normal truing up during routine tariff exercise of the subsequent years after taking into account the reduced sale of power to different categories of consumers vis-à-vis the reduced quantum of purchase of power effected due to power regulation. Licensees are at liberty to take up the financial issue before us during the ensuing Tariff hearing for 2011-12. The present petition, therefore, need not be a subject matter of our intervention at this stage.
5. Hence, the petition under consideration is dismissed and matter is disposed of accordingly.

Sd/-
(B.K. Mishra)
Member

Sd/-
(K.C. Badu)
Member

Sd/-
(B.K. Das)
Chairperson