

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

Case No. 41/2011

SMC Power Generation Ltd. Petitioner
Vrs.
OPTCL Respondent
**In the matter of: Application for review of order dtd. 06.05.2011 in Case
No. 19/2011 passed by the Commission.**

AND

Case No. 42/2011

SMC Power Generation Ltd. Petitioner
Vrs.
OPTCL Respondent
**In the matter of: Application for review of order dtd. 20.09.2010 in Case
Nos. 2/2009 & 106/2010 passed by the Commission.**

AND

Case No. 51/2011

M/s. Shalivahana Green Energy Ltd. Petitioner
Vrs.
OPTCL & Ors. Respondents
**In the matter of: Application under S.94(f) of the Electricity Act, 2003
read with Regulation 70(1) of the OERC (Conduct of
Business) Regulations, 2004 for review of the order
dated 06.07.2011 of the Commission passed in Case
No.39 of 2011.**

For Petitioner: - Shri R.P.Mohapatra, the Authorized representative of M/s. SMC
Power Generation Ltd & M/s. Shalivahana Green Energy Ltd

For Respondents:- Shri J.P.Das, Member-Secretary, GCC, Shri R. K. Das, DGM,
OPTCL, Sri B.R. Mishra, Sr. GM (PS), SLDC

ORDER

Date of hearing: 08.09.2011

Date of Order: 23.09.2011

There were instances brought to the notice of the Commission wherein disputes were raised regarding adoption of type of communication facility between the transmission line S/S with the users including generators for onward data transmission to SLDC. Thus, it was felt that a procedure for data communication acceptable to all the stakeholders. Accordingly, vide order dt.20.09.2010 in Case No.2/2009 & 106/2010, the Commission approved a procedure after conducting a public hearing in which views of the stakeholders including general public were taken.

2. Thereafter, Sri S.K.Panda, the authorized person of SMC Power Generation Ltd. had approached the Commission on 27.05.11 objecting to the provisions of the procedure approved by the Commission above, citing that these provisions are not in line with the provisions of the OGC Regulation, 2006. The matter was heard on 20.07.11 and the Commission passed an order on the same date with a direction to convene a special GCC meeting to discuss the matter alongwith the representative of CCPPO and furnish the outcome to the Commission by 09.08.2011. The GCC Meeting was held on 07.08.2011 accordingly wherein this matter as also other agenda items were discussed.

3. Thereafter Member Secretary, GCC submitted on 08.08.2011, the extracts of the above GCC Meeting. As a gist of the meeting he submitted the following claiming it to be the unanimous decision.

- (a) The alternative methods of data communication through leased line can be accepted by providing an Undertaking by the industry. In case the industry fails to provide communication system, he will be penalized as per section 33 of the Act.
- (b) Disconnection of power supply will not lie with the OPTCL but it is SLDC who is to take action as per section 33 of the Act. The undertaking is to be provided by the beneficiaries at the time when the willingness of OPTCL is extended for providing connecting facility to the beneficiary.
- (c) Any action by OPTCL/SLDC is subject to the appeal before the Hon'ble Commission.

(d) The word drawal in paragraph 6(ii) is to be deleted.

4. He gave his view summarizing the discussion in the GCC meeting as below :

(i) There should not be any discretion of voltage level for limiting the injection by CGPs and drawal by Industries for communication and online data transmission.

(ii) The injection limit can be kept to 5 MW for generators and load limit 5 MVA for industries irrespective of voltage level. If any CGP/Industries do not provide the communication system, injectors/load limiters will be put by OPTCL at the cost of the beneficiary. The unanimous decision arrived in the meeting have been incorporated in the procedure for data communication.

5. He submitted a draft procedure alongwith his written submission dt.08.08.2011. The matter was heard on 08.09.2011 and thereafter the Commission issued an order dt.14.09.2011 in Case nO.41, 42 & 51 of 2011, wherein the Commission allowed OPTCL to re-submit the revised procedure on or before 13.09.2011 to the Commission serving copy of the same to Shri R.P.Moahpatra, who would thereafter submit his views to the Commission by 15th September, 2011 positively. It was stated that the Commission would issue appropriate order thereafter.

6. The reply of OPTCL is yet to come till 13.09.2011 and Sri R.P.Mohapatra, the authorised representative of the petitioner vide submission on dt.12.09.11 has reiterated his earlier view on disparity between the procedure and OGC. He has also countered vide his submission dt.19.09.2011, the remarks of the Commission in the order dt.14.09.2011 saying that they are inconsistent with the provisions of OGC. OPTCL has now submitted belatedly its submission dt.20.09.2011 wherein revised draft procedure ahs been annexed.

7. In this connection, it may be noted that OGC Regulation, 2006 was framed under Section 86(1) (h) readwith Section 79(1) (h) of the Electricity Act, 2003 when the earlier version of IEGC was in force and when CEA was yet to prescribe the Grid Standard/Technical Standard Regulations.

8. After framing of CEA(Technical Standards for connectivity to the Grid) Regulations, 2007 and CEA (Grid Standards) Regulations, 2010, many provisions of OGC Regulations, 2006 are liable to be obsolete. Further, after enactment of IEGC, 2010, the present OGC Regulations, 2006 shall be superseded by a new OGC Regulations. Wherein many provisions of the existing OGC shall go sea change. In fact revision of OGC revision of OGC in line with the IEGC, 2010 is under process.

9. As a transitional measure, the Commission is inclined to step in as per Regulation 1.13 of the OGC Regulation, 2006 since time and gain disputes are being raised regarding interpretation of any part of the OGC provision between the users and the STU/SLDC. The Commission would once again like to reiterate the provisions of CEA(Technical Standards for Connectivity to the Grid) Regulation, 2007 as below :

6(2) “the requester and user shall furnish data as required by the Appropriate Transmission Utility or by the licensee or generating station with whose system the inter-connection is proposed, for permitting inter-connection with the grid. “

6(3) “The requester and user shall provide necessary facilities for voice and data communication and transfer of on-line operational data, such as voltage, frequency, line flows, and status of breaker and isolator position and other parameters as prescribed by the Appropriate Load Despatch Centre.”

10. The Commission is inclined to accept the broad perspective of the of the spirit of CEA Regulation wherein the overall interest of the grid system is to be safeguarded and no narrow interest of some over-reacting user is to be entertained any further. Accordingly the Commission hereby approves the Procedure on Communication and Data Transmission as per the Annexure to this order and clarifies that the provision of OGC Regulation, 2006 which is inconsistent with the provisions of the procedure enacted hereon shall stand deleted.

11. Accordingly, the cases are disposed of.

Sd/-

Sd/-

Sd/-

(B.K. Misra)
Member

(K.C. Badu)
Member

(B.K. Das)
Chairperson

Procedure on Communication and Data Transmission

Statement of Object and Reasons:

As per the provisions under Section 32, 33, 39 & 40 of the Electricity Act, 2003, the SLDC & STU respectively have been assigned many statutory function and duties. The SLDC being the apex body shall ensure integrated operation of Power system in the State for achieving the maximum economy and efficiency in operation. Similarly, the State Transmission Utility(STU) is required to ensure development of an efficient, coordinated and economical system Intra State Transmission Lines for smooth flow of electricity from a generating stations to the load center.

2. In order to achieve the above objectives and to implement the Orissa Grid Code Regulation, 2006 as amended from time to time in an equitable and non-discriminatory manner, the State Transmission Utility (STU) hereby make the following procedure for regulating technical standards for connectivity to the grid and establishment of voice and data communication to SLDC, Bhubaneswar in line with the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and Orissa Grid Code Regulations, 2006. This is in supercession to the procedure published in the Orissa Gazette No.2162 dt.24.12.2010 approved vide the Commission's order dt.20.09.2010 in Case No.2/2009 and 106/2010.

1) Short title & commencement:

- i) These procedures may be called "Procedure for Provision of Voice & Data Communication facilities.
- ii) These procedures shall come into force on the date of their publication in the Official Gazette.

2) Definitions :

All the words, phrases, abbreviations etc. shall have the same meaning as provided in the Electricity Act, 2003, Orissa Grid Regulations, 2006 and Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulation, 2007.

3) Responsibility of STU :

The STU shall provide all necessary infrastructures up to all 220kV/132kV grid sub-stations for providing voice and data communication interface points (SCADA interface points).

4) Data Requirement:

The users/requesters/ Generator including CGPs who are planning to connect to STS or connected to STS shall have to provide the data relating to voltage, frequency, line flows, status of breaker, isolator position and other parameters as prescribed by the SLDC for effective control of the transmission system and operation of Power System by SLDC.

5) Communication System Requirement:

All the users/requesters and Generators including CGPs etc. who are connected to or planning to connect to STS shall provide necessary RTU at its premises and Communication channels/facilities up to the nearest 220/132kV s/s of STU (SCADA interface point) as per the recommendation of the STU. However, the users/requesters/ Generators including CGPs may use the equipments/communication channels other than those stipulated by the STU provided that they (User/Requesters/ Generators including CGPs) furnish an undertaking to the effect that they (User/Requesters/ Generators including CGPs) shall be wholly responsible for fast and reliable voice/data communication to SLDC in the format annexed in the **Schedule-I** to this procedure. Soon after getting transmission from OPTCL for construction of line/substation to connect with OPTCL network. The undertaking shall be furnished to SLDC.

However, in case the users /requester elects not to provide the aforesaid communication channels/facility himself in order to avoid the difficulty of provision of communication facility in the requisite mode, the STU may provide the same at the cost of the requester/user by getting reimbursed at the beginning of the initial installation and running O&M cost of such communication facility from the user/requester. On that case the undertaking under Schedule-I shall not be required. However, such users/requesters shall be responsible solely for the availability of required voice/data output at their RTU.

6) Applicability of the procedure:

This procedure for voice/data communication shall be applicable to all Users/Requesters/ Generators including CGPs intend to connect/already controlled with the State Transmission System with contract demand of 5 MVA or more/injection of 5 MW or more.

7) Authorized person for all official correspondence:

The General Manager, Telecom. Circle of the STU, Bhubaneswar or any authorized officers of the STU shall act as the Nodal officer for execution and implementation of this procure.

8) Submission of application for Voice & Data Communication:

The user upon availing permission of its connectivity to the STS of the STU shall write to the G.M. Telecomn. Circle of the STU, Bhubaneswar for preparation of communication system diagram as well as bill of quantities for provision of voice & data communication to the SLDC. The user is also required to send single line diagram of their sub-station and generating station well in advance to the G.M. Telecom. Circle, of STU.

9) Approval of the Communication System:

All the users and Generators including CGPs who have elected to provide the communication channels/facility themselves, shall adhere-to the communication scheme as approved by the G.M. Telecom. Circle of the STU or any authorized officer of STU on its behalf. If any deviation is noticed, the user have to execute an undertaking as per the provision of the clause-5 above in the format available in the schedule-I of this procedure.

10) Availability of Spares & Test instruments:

It shall be the responsibility of the User and Generators including CGPs who have elected to provide the communication channels/facilities themselves and are connected to STS to procure & keep sufficient stock of spares as per the recommendation of the STU in consultation with the manufacturers for smooth and un-interrupted operation of voice and data communication system.

11) Periodic Testing of the SCADA system :

All Users and generators including CGPs who have elected to provide the communication channels/facility themselves shall co-operate with STU for

periodic testing of the voice & data communication system as per the recommendation of STU.

12) Direction of STU to the Users :

Non-withstanding anything in this procedure, the direction of STU/SLDC as regard to operation of the voice & data communication shall be adhered-to by the respective Users or Generators including CGPs in the interest of reliable and fast voice and data communication necessary for power system operation.

13) Power to remove difficulties :

Member Secretary, GCC shall remove operational difficulties arising out of implementation of this procedure.

14) Nodal Officer for adjudicating the dispute:

Member Secretary, GCC shall be adjudicating authority for any dispute arising in the implementation of this procure.

15) Penalty for non-compliance of directions:

Each User / Generators including CGPs/Requester who are connected to STS shall have to pay penalty as per the decision of OERC for non-compliance of directions.

16) Appeal & Limitation :

Any User/ Generators including CGPs who are connected to STS may appeal before the Orissa Electricity Regulatory Commission (OERC) against any decision of Member/Secretary, GCC and/or STU/SLDC in the matter of voice and data communication within three months time from the date of communication of such decision.

UNDERTAKING

(To be executed before a Notary Public on non-judicial stamp paper worth Rs.100/-)

I, SriS/o.....

Aged about..... years, permanent resident of villageP.O.....

P.S....., in the Dist of, State of

The authorized representative of
M/s.....address.....
..... do hereby solemnly undertake that --

- 1) M/s..... shall be responsible for round the clock maintenance of all equipment for voice and data communication from the sub-station of M/s to the nearest SCADA interface point of M/s Orissa Power Transmission Corporation Ltd., a State designated STU for its operating period with effect from the date of commissioning for un-interrupted data/voice communication to the SLDC, Bhubaneswar.
- 2) M/s shall keep sufficient spares/cards/modules and other required materials as may be required for smooth maintenance of equipment for its operating period.
- 3) M/s shall maintain all RTU and communication channel in such a manner so that SLDC will not face any difficulty due to non-availability of data & voice communication.
- 4) In the event of failure of Data/Voice communication continuously, SLDC shall take action in accordance with Section 33 of the Electricity Act, 2003.
- 5) Any dispute arising out of this undertaking during its validity period, the decision of SLDC shall be final and binding on M/ssubject to appeal before the Hon'ble Commission vide Clause No.16 of the procedure.

This undertaking is made on..... day of20... in presence of the witness.

Witness

- 1) a) Signature.....
b) Full name.....
c) Address.....
- 2) a) Signature.....
b) Full name.....
c) Address.....

For M/s

- a) Signature.....
- b) Designation.....
- c) Full name.....