

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

Present : Shri S.P. Nanda, Chairperson
Shri K.C. Badu, Member
Shri B.K. Misra, Member

CASE No. 78 of 2011

M/s.Shree Ganesh Metaliks Ltd.	Petitioner
Vrs.		
Sr.GM (TP&C), OPTCL.	Respondent

In the matter of: An application under Clause 1.8 of OGC Regulations, 2006, seeking direction of the Commission to the Respondent to re-extend time for Installation of lease line data equipment up to the nearest SCADA Interface point..

For the Petitioner: Shri R. K. DAS, DGM (Telcom), OPTCL,
Shri A.K.Pattanaik, DM (Telcom), OPTCL

For the Respondent: .Shri A.K.Sahani, the authorized representative.

ORDER

Date of Hearing: 22.10.2011

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1. Shri. A.K.Sahani, the authorized representative of the Petitioner, submitted that the Commission in their Order dated 05.05.2011 passed in Case No. 18 of 2011 had directed the Petitioner to provide PLCC/SCADA equipment compatible with OPTCL system and the same has to be provided by 31.10.2011, failing which, the petitioner shall pay Rs 1000/- for each day of default from 01.11.2011.
2. Shri. Sahani also submitted that, after the Order dated 05.05.2011, the petitioner, has engaged M/s Empowertrans (P) Ltd for installation of SCADA, who, in turn, placed order for supply of the equipment to M/s Ananpurna Reality & Construction (P) Ltd. Bhubaneswar, who has not yet supplied the materials. The petitioner prayed to the Commission to allow the re-extension of time by another six months from 01.11.2011 for installation of the PLCC/SCADA system.
3. Shri R.K.Das, DGM, Telecom, OPTCL appearing on behalf of the respondent, submitted that, the OPTCL is not aware with respect to placement of purchase Order by the Petitioner with M/s Annapurna Reality & Construction (P) Ltd. He

submitted that, in absence of on-line data, it would be difficult on the part of SLDC to monitor the real time generation data of its CGP.

4. Heard the parties at length.
5. In para 6 of the Order dtd. 05.05.2011 passed in case No.18/2011 the Commission, had noted that the petitioner has placed the purchase order during March, 2011. Till now, the petitioner has not taken any positive steps to comply with the aforesaid Order of the Commission and now again has approached the Commission seeking re-extension of time for compliance of the said order.
6. The Order passed by the Commission, can not remain un-implemented unless the petitioner justifies its inability because of factors beyond his control calling for extension of time for compliance. No such material has been placed before the Commission. The Commission can not accept this type of petition for extension of time in a routine manner.
7. Hence, we do not find any merit to admit the case in the present form and, therefore, the Case of the petitioner is rejected.
8. We further direct the petitioner as under:
 - a. The petitioner may please take up with their supplier for early establishing RTU and communication equipment for providing SCADA facility with SLDC, as per the scheme.
 - b. Pending the establishment, the petitioner may have a hotline voice-communication with SLDC and communicate the data desired by SLDC through e-mail & fax.
 - c. The petitioner may deposit the fine amount Rs. 1000.00 per day at the Commission for each day of default w.e.f.01.11.2011, once in a month, by 10th of the succeeding month. The utilization of fund shall be decided by the Commission, in due course of time after the petitioner completes installation of PLCC/SCADA to the satisfaction of OPTCL.
9. Accordingly, the Case is disposed of.

Sd/-
(B.K.Misra)
Member

Sd/-
(K.C.Badu)
Member

Sd/-
(S.P.Nanda)
Chairperson