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ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
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Present: Shri Pradeep Kumar Jena, Chairperson
Shri S. K. Ray Mohapatra, Member
Shri B. Mohanty, Member

Case No. 39/2023

M/s. Chhattisgarh State Power Distribution Company Limited Petitioner
Vrs.

1. The Chief Executive Officer, TPSODL, Courtpetta, Berhampur
 2. The Principal Secretary to Government, Department of Energy, Government of Odisha
 3. The Managing Director, GRIDCO Ltd., Janpath, Bhubaneswar
 4. The Managing Director, OPTCL, Janpath, Bhubaneswar
 5. The Chief Load Despatcher, SLDC, SLDC Building, Mancheswar
- Respondents

In the matter of: **Application under Section 86(1)(b) of the Electricity Act, 2003 seeking permission to avail extension of power supply to CSPDCL, a Distribution Licensee of Chhattisgarh State, at village -Kodomali under Devbhog Block in the District of Gariyaband through the network of Odisha State.**

For Petitioner: Shri Yatendra Kumar Manhar, S.E., CSPDSL, Mahasamunda Circle, O/o the ED (RRR), Gudyari.

For Respondent: Shri Soumitry Dey, Head Regulatory Affairs, TPSODL, Ms. Sonali Pattnaik, Manager (Legal), DoE, GoO, Shri Siddhant Pati, AGM (Electrical) & Shri Sashikanta Das, DGM (Electrical), GRIDCO Ltd., Ms. Banishree Pradhan, DGM (RT&C), OPTCL.

ORDER

Date of Hearing:10.06.2025

Date of Order:15.07.2025

The Petitioner-M/s. Chhattisgarh State Power Distribution Company Ltd. (M/s. CSPDCL), a Distribution Licensee of Chhattisgarh State, has filed the present application under Section 86 (1) (b) of the Electricity Act, 2003, seeking permission to avail extension of power supply to Kodomali village under Devbhog Block in the District of Gariyaband, Chhattisgarh through the network of Odisha State.

2. The submissions made by the Petitioner M/s. CSPDCL are as under:
 - a) The village Kodomali under Devbhog Block in the District Gariyaband of Chhattisgarh State, situated near Chhattisgarh-Odisha border, has not been electrified through conventional system since Independence. Though it was initially electrified through an off-grid system by installing Renewable Village Electrification (RVE) Solar plant with capacity of 11 KW, in two stages in the year 2007 and 2016, benefitting some household in the village. The Kodomali village is having 100 nos. of residential home with approximate population of 740 people. The conventional electrification of this village

from the existing system of CSPDCL (20 kms. away from the village) is not feasible both technically and financially due to dense forest, river crossings and hilly terrain. From the survey conducted by CSPDCL, it is observed that availing conventional power supply to this village from the border village-Akchalla (Khaduam) of Nabarangpur District in the State of Odisha would be feasible and more reliable because of less distance (approximately 1.5 km.) and least forest area.

- b) The Govt. of Chhattisgarh has decided to electrify the village Kodomali through on-grid system. Accordingly, CSPDCL has persuaded the matter with the Govt. of Odisha as it is not feasible to extent power supply to this village from their system and it is more feasible to extend power supply through 11 kV line from nearby grid in Odisha under the operational jurisdiction of TPSODL.
 - c) In this regard, the Managing Director, CSPDCL had requested the Principal Secretary, Department of Energy, Govt. of Odisha vide letter dated 12.01.2023 and the CEO, TPSODL, Berhampur vide letter dated 02.03.2023 for providing 100 KVA HT connection through 11 kV line from village-Akchalla (Khaduam) of Nabarangpur District in the State of Odisha for electrification of the border village-Kodomali of the Chhattisgarh State. Further, TPSODL had addressed the matter vide their letter dated 31.01.2023 to the Department of Energy, Govt. of Odisha with their consent for such supply of power to CSPDCL along with the tariff proposal. In this letter, TPSODL has further indicated regarding requirement of approval of the OERC for such arrangement as tariff at which such supply would be extended to be determined by OERC.
 - d) In respect of such arrangement of power supply to the village-Kodomali, CSPDCL has agreed to bear the cost-of-service line charges towards cost of line to be erected from the existing TPSODL distribution mains, applicable cost of metering and allied equipment. Further, CSPDCL is also bound and oblige to pay development charges as per defined Regulations of OERC. Further, CSPDCL is also agreed to pay initial Security Deposit, Monthly Demand Charges, Energy Charges, Customer Charges, Fuel Surcharges, Delayed Payment Surcharges as per the Regulations and orders notified by OERC from time to time.
 - e) CSPDCL shall lay their internal electrical HT/LT lines, electrical sub-stations and associated equipment in order to supply power to their consumers.
 - f) The Secretary, Energy Department, Govt. of Chhattisgarh, vide letter dated 03.01.2025, has requested to facilitate electrification of border village-Kodomali from Odisha grid.
3. The Respondent-TPSODL has not submitted its written notes of submission. However, in course of the hearing, the Representative of TPSODL stated that it is obligated to supply power only to the consumers of the State of Odisha in its area of operation. In case the Commission allows the proposed arrangement for extension of power supply to the village

Kodomali under the distribution licensee in the State of Chhatisgarh (CSPDCL), the Commission may approve an appropriate tariff category. However, TPSODL proposes that the tariff for such supply through 11 kV line should be as applicable to General Purpose (HT) category of consumer for (≥ 110 kVA) for which present charges are as follows:

- Demand Charge @Rs.250/kVA/month
- Energy Charge @Rs.5.85/kVAh for supply of energy upto the load of 60% and @Rs.4.75/kVAh for supply of energy beyond the load factor of 60%.

Other conditions of supply as applicable to this category of consumers will also be applicable in the present case. However, it is subject to approval of the Commission and acceptance of the same by M/s CSPDCL. In such case, TPSODL will identify the feeder or PSS in Odisha from where such power supply will be extended. TPSODL further stated that the entire expenditure of laying infrastructure from their end will be borne by M/s CSPDCL and the point of sale will be in the State of Odisha after identification of the same.

4. The Respondent-GRIDCO has not submitted its written notes of submission. However, in course of the hearing, the Representative of GRIDCO stated that they have no objection to the views of TPSODL in this matter subject to approval by the Commission. However, GRIDCO suggest that the marginal rate of Rs.4.55/kVAh determined by the Commission for sale of incremental surplus power of GRIDCO, may be allowed for such supply of power to M/s CSPDCL.
5. The Respondent-OPTCL has submitted as under:
 - a) OPTCL does not have any issue regarding the commercial aspect, as the drawal by M/s.CSPDCL will be registered in the meter installed at the point of commercial interface with TPSODL and the transmission charges in respect of the said drawal will be receivable from TPSODL.
 - b) TPSODL has proposed extension of power supply to Chhattisgarh State through 11 kV Gona feeder emanating from 33/11 kV PSS at Raigarh in Nabarangpur District, which has a low voltage profile during the peak load period, attributed to loading (18 MW) of the 33 kV source feeder (30 Kilometer) between 132/33 kV GSS at Umarkot and 33/11 kV PSS at Raigarh. To address this low voltage issue, OPTCL has proposed for conductor augmentation of Beheda-Raigarh 33 kV feeder by AAAC of 232 sq.mm. in the Transmission & Distribution Planning and Coordination meeting dated 13.06.2023 chaired by the Additional Chief Secretary to Government of Odisha. Further, one 132/33 kV GSS of OPTCL at Raigarh area has also been proposed under Low Voltage Mitigation Scheme, Phase-II.
 - c) The Kodomali village of Chhattisgarh State could have been electrified under Rural Electrification Schemes of Government of India namely DDUGJY launched in December,

2014 and SAUBHAGYA lunched in October, 2017, intended for electrification of all un-electrified villages as per Census, 2011.

- d) The Ministry of Power, Government of India, vide their Office Memorandum dated 15.06.2023 has issued a protocol for Inter-State supply extension to the border villages with enhanced quality and reliability of power supply in accordance with the Electricity (Rights of Consumers) Rules, 2020, which may be noted by the Commission while pronouncing its order.
6. The Department of Energy, Government of Odisha has submitted that they have sought for views from GRIDCO in this matter and GRIDCO has furnished a report to the Department of Energy. This report may be treated as the views of the DoE, GoO. Further, while passing on the order, the Commission may consider the Office Memorandum dated 15.06.2023 of the Ministry of Power, Government of India, wherein number of protocols are suggested for providing electricity to the Border Areas of one State from the Grid of neighboring State.
7. Heard the parties at length. Considering the submissions of both the Petitioner and the Respondents, the Commission has observed as under:
- a) The village Kodomali under Devbhog block in Gariyaband district of Chhattisgarh State, near to the border of Odisha, has not been electrified through conventional power system till date as extension of power supply to the said village from the existing system of the M/s. CSPDCL (about 20 Kms.) is not feasible both technically and financially, due to dense forest, river crossing & hilly terrain.
 - b) As per the decision of the State Government of Chhattisgarh, for electrification of this village through conventional power, M/s. CSPDCL persuaded the matter with Government of Odisha and TPSODL to avail the conventional power for supply to this village through a 11 kV line for a contract capacity of about 100 kVA from the nearby Grid in Odisha border at Akchalla village in Nabarangpur district under the operational area of the TPSODL, which is approximately 1.5 kilometers away from the said village Kodomali and is convenient & feasible for extension of power supply. For such arrangement of power supply to the village-Kodomali, CSPDCL has agreed to bear the cost of line to be erected from the existing TPSODL distribution network, applicable cost of metering & allied equipment, energy charge, demand charge and also development charges as per defined Regulations of OERC along with initial Security Deposit, Delayed Payment Surcharges as per the Regulations and orders notified by this Commission from time to time.
 - c) The Respondents i.e. the Department of Energy, Government of Odisha, GRIDCO Ltd. and TPSODL raised no objection for extension of such power supply to the subject border village Kodomali in Chhattisgarh State from an appropriate PSS under the operational area of TPSODL at a suitable tariff as decided by this Commission. However, according

to the Respondent-OPTCL, the 33/11 kV PSS at Raighar in Nabarangpur district, from which the proposed extension of power supply to Chhattisgarh State has been suggested by TPSODL through 11 kV Gona feeder, has a low voltage profile during peak load period (attributed to loading of 18 MW) in 33 kV source feeder from 132/33 kV GSS at Umarkot. Therefore, OPTCL has proposed for augmentation of conductor of this feeder in the Transmission & Distribution Planning and Coordination meeting held on 13.06.2023 chaired by the Additional Chief Secretary to Government of Odisha and one 132/33 kV GSS of OPTCL was proposed in Raighar area under Low Voltage Mitigation Scheme, Phase-II.

8. The Commission further observes that the Ministry of Power, Government of India, vide its Office Memorandum dated 15.06.2023, has issued protocols for providing electricity to the border areas of one State from the Grid of neighboring State. The relevant extracts of the said protocol are stated hereunder:

“ x x x x x x x x . As per present legal framework, electricity distribution services in an area within geographical limits of State are to be provided by the designated distribution licensee of the area and distribution license can be granted by the respective SERC/JERC for their operations within the State. As such, distribution licensee of one state cannot extend electricity services in an area of any other State.

As per the Electricity (Rights of Consumers) Rules, 2020, it is the duty of every distribution licensee to supply electricity on request made by an owner or occupier of any premises in line with the provisions of Act. It is the right of consumer to have minimum standards of service for supply of electricity from the distribution licensee in accordance with the provisions made in these rules. x x x x x x x x .

Some instances are being reported wherein providing electricity distribution services through grid network in an area/villages/habitations/locality is either not feasible or not cost effective for the concerned distribution licensee of the State due to various reasons such as forest areas, hilly/difficult terrain, border areas of State, long distance from existing grid, O&M issues etc. Providing access to electricity in such areas through stand-alone /mini-grid solar photo-voltaic systems can be a solution, which has been attempted in past by many States/DISCOMs in some areas, However, there is a persistent demand of consumers as well as public representatives to provide grid electricity for productive usage with enhanced quality and reliability of power supply in accordance with the Electricity (Rights of Consumers) Rules, 2020.

x x x x x x x x .

In such a scenario, the following Protocol may be adopted for providing electricity supply in such areas of one State by sourcing input power supply from the distribution licensee of the neighbouring State.

Definitions

Parent Distribution Licensee: *The Distribution Licensee of concerned geographical areas under whose jurisdiction the consumers premises are situated/located.*

Supplier Distribution Licensee: *The Distribution Licensee of the neighbouring State from where input power supply is proposed to be sourced for supplying power to the consumers situated/located in Parent Distribution Licensee jurisdiction areas.*

In case, providing electricity distribution services through grid network to consumers situated/located in an area (villages/habitations/locality) is either not feasible or not cost effective for the Parent Distribution Licensee of a State/UT due to various reasons such as forest areas, hilly/difficult terrain, border areas of State, long distance from existing grid, O&M issues etc., such Parent Distribution Licensee may consider providing power

supply to such consumers by sourcing input power supply from the Supplier Distribution Licensee, provided further that such areas are in closer proximity to the electricity network of the Supplier Distribution Licensee and supply of electricity in these areas is feasible as well as cost effective.

In such cases, following protocol may be followed:

- (i) The Parent Distribution Licensee would seek electricity connectivity at nearest input point in the area of Supplier Distribution Licensee at 11/22/33/66 kV level depending upon the load demand and technical feasibility.*
- (ii) The Parent Distribution Licensee would be responsible for establishment of the requisite distribution network viz. 33/11 kV or 33/22 kV or 66/11 kV power substations, 11/22/33/66 kV lines, Distribution Transformers, LT lines, other associated works etc. for extending power supply to the consumers in its area of jurisdiction. All costs in this regard would be borne by the Parent Distribution Licensee and form part of Annual Revenue Requirement of the Parent Distribution Licensee as per applicable Regulations.*
- (iii) Similarly, the distribution network viz. 33/11 kV or 33/22 kV or 66/11 kV power substations, 11/22/33/66 kV lines, boundary metering, other associated works, etc. as may be required for providing electricity connectivity by the Supplier Distribution Licensee to the Parent Distribution Licensee, would be laid down by the Supplier Distribution Licensee. However, all costs in this regard would be borne by the Parent Distribution Licensee and form part of Annual Revenue Requirement of the Parent Distribution Licensee as per applicable Regulations.*
- (iv) The responsibility of Operations and Maintenance of such electricity distribution network would be of the respective Distribution licensee which has established such network and form part of Annual Revenue Requirement of the respective Distribution Licensee as per applicable Regulations.*
- (v) An appropriate metering arrangement would be made as per relevant CEA Regulations at the input point of the Supplier Distribution Licensee to account for the energy supplied to Parent Distribution Licensee.*
- (vi) The service connections to the consumers would be released by the Parent Distribution Licensee in accordance with the applicable Supply Code and Regulations of the concerned SERC/JERC of Parent Distribution Licensee.*
- (vii) The tariff along with other provisions of supply would be applicable to the consumers as per relevant Regulations of the Parent Distribution Licensee. The responsibility of Metering, Billing and Revenue collection in respect of such consumers would be of the Parent Distribution Licensee.*
- (viii) The tariff for the electricity supply by Supplier Distribution Licensee to the Parent Distribution Licensee would be equivalent to Average Cost of Supply of Supplier Distribution Licensee determined in the latest Tariff Order of Supplier Distribution Licensee until a specific tariff is determined for such category of power supply by the concerned SERC/JERC of the Supplier Distribution Licensee.*
- (ix) The Supplier Distribution Licensee would raise electricity bill to the Parent Distribution Licensee for the power supplied at input point as per energy consumption recorded by the metering arrangement at the input point on monthly basis by 10th day of succeeding month. The Parent Distribution Licensee shall be liable to make payment to the Supplier Distribution Licensee as per the bill raised by Supplier Distribution Licensee within one month from the date of issue of bill.*
- (x) In case, the payment is not made by the Parent Distribution Licensee to Supplier Distribution Licensee within the stipulated period, the Supplier Distribution Licensee shall have the right to regulate/discontinue the power supply till the due payments are cleared.*
- (xi) The Parent Distribution Licensee shall also provide Security Deposit to the Supplier Distribution Licensee equivalent to estimated bill amount for 2 months period.*

The above protocol would be applicable only for providing power supply in villages/habitations located in remote far-flung areas wherein providing electricity distribution services through grid network is either not feasible or not cost effective for the concerned distribution licensee of the State due to various reasons such as forest areas hilly/difficult terrain, border areas of State, long distance from existing grid, O&M issues etc. The above protocol may continue until grid connectivity from the network of Parent Distribution Licensee becomes feasible and cost effective.”

9. As per the above protocol the tariff for electric supply by the Supplier Distribution Licensee to the Parent Distribution Licensee would be equivalent to average cost of supply of the Supplier Distribution Licensee determined in the latest tariff order of the Supplier Distribution Licensee until a specific tariff is determined for such category of power supply by the concerned SERC/JERC of the Supplier Distribution Licensee. In the Retail Supply Tariff (RST) order for the FY 2025-26, the average cost of supply of the entire State has been determined as 602.44 Paisa/unit. Accordingly, the cost of supply for TPSODL is estimated to 587.60 Paisa/unit.
10. It is further observed that M/s. CSPDCL had requested the Department of Energy, Government of Odisha and the CEO, TPSODL for providing electricity with power demand of 100 kVA through 11 kV (HT) line to the border village Kodomali in Chhattisgarh State. TPSODL has no objection for extending power supply to the said border village of Chhattisgarh and suggested for the tariff applicable to HT General Purpose (> 70 kVA and < 110 kVA) category. However, tariff is being determined for different category of consumers, classified in the Supply Code as notified by the Commission from time to time, depending upon the supply voltage level, contract demand and nature of use of electricity. It is observed that M/s. CSPDCL has requested for availing power supply from TPSODL (the distribution licensee of the State of Odisha) through 11 kV line for electrification of the nearby border village Kodomali in Chhattisgarh State for domestic use of the prospective consumers of this village with a demand of 100 kVA. Therefore, the Commission thinks it prudent to allot such power supply to the nearby unelectrified border village Kodomali in Chhattisgarh State through M/s. CSPDCL, under domestic category as per the OERC Distribution (Conditions of Supply) Code, 2019 and hence, tariff determined by the Commission for Bulk Supply Domestic (HT) Category would be applicable for such power supply. As per the RST order for the current FY 2025-26, the tariff for such category of consumer(s) is fixed asunder:
 - Demand Charge- Rs.20 per kVA per Month
 - Customer Service Charge- Rs.250 per Month
 - Energy Charge- Rs.4.90 per kVAh
11. Keeping in view the submissions made by the parties and the protocols issued by the Ministry of Power, Government of India, vide its Office Memorandum dated 15.06.2023, the Commission allows extension of power supply for power demand of 100 kVA (at 11 kV level) to the village Kodomali (under Devbhog block in the District of Gariyaband in the

State of Chhattisgarh) situated near Chhattisgarh-Odisha border, from a suitable PSS under the operational area of TPSODL. This power supply is allotted under Domestic Category at 11 kV voltage level with load demand 100 kVA and accordingly, the tariff as determined by this Commission for Bulk Supply-Domestic (HT) Category, in its RST Order from time to time for each financial year, shall be applicable for such power supply. TPSODL is directed to select the suitable PSS for supply of power to the subject village-Kodomali in consultation with OPTCL so that the consumers of the State of Odisha in that area do not face any low voltage problem, as apprehended by OPTCL in its submission. M/s. OPTCL is directed to cooperate TPSODL for this purpose. The Petitioner-M/s. CSPDCL, the distribution licensee of the Chhattisgarh State shall be the nodal agency for all transactions of such power supply to the border village Kodomali. M/s. CSPDCL is directed to limit its drawal within the contracted demand, so that there shall not be any power supply problem in the operating area of TPSODL in State of Odisha and it should also ensure that the power availed from TPSODL is utilized for domestic purpose only. Further, both the distribution licensee M/s. TPSODL of Odisha and M/s. CSPDCL of Chhattisgarh are directed to note the aforesaid protocols of the Ministry of Power, Government of India along with the observations & directions of this Commission in this order and accordingly, execute an agreement in this regard incorporating all the issues regarding cost of line, associated equipment and metering infrastructure, etc. so as to avoid any dispute in future. Further, such extension of power supply to the village Kodomali under Devbhog block in the District of Gariyaband of Chhattisgarh State from a suitable PSS under the operational area of TPSODL is allowed initially for a period of five years from the date of energization. M/s. CSPDCL is directed to make necessary arrangements within this period for extension of conventional power supply from its system or through stand-alone /mini-grid solar photo-voltaic systems/other RE sources under different schemes of the Central/State Government or approach the Govt. of Odisha in case the power supply arrangement needs further extension beyond the stipulated period of five years.

12. With the above observations and directions, the present Case is disposed of.

Sd/-
(B. Mohanty)
Member

Sd/-
(S.K. Ray Mohapatra)
Member

Sd/-
(P. K. Jena)
Chairperson