

**IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
AT RANCHI**

Case No. 21 of 2020

M/s Adani Power Jharkhand Limited (APJL) Petitioner

Versus

Jharkhand Bijli Vitran Nigam Limited Respondent

**CORAM: HON'BLE MR. R.N. SINGH, MEMBER (ENGINEERING)
HON'BLE MR. P.K. SINGH, MEMBER (LEGAL)**

For the Petitioner :Mr. Nitin Kumar Pasari, Advocate

For the Respondent :Mr. Manoj Kumar, Advocate - Representative

ORDER

Date – 16th December, 2020

1. The Petitioner – M/s Adani Power Jharkhand Limited (herein after referred to as “APJL”) has submitted an affidavit petition purported to be filed under clause 4.7 of JSERC (Electricity Supply Code) Regulations, 2015 seeking approval of revised load schedule with fixed time period by modification of order dated 20.11.2018 passed by this Commission in case no. 19 of 2018, whereby this Commission had granted approval under clause 4.7 of the JSERC (Electricity Supply Code) Regulation, 2015, this petitioner was allowed to avail power supply at 132 KV for load of 2 MVA going upto 40 MW (peak load).
2. The petitioner – APJL in its petition has prayed for the approval of the extended/revised time schedule by 7 months i.e. merely shifting of the period viz;

Sr. No.	Description of Events	Date		Duration (works) months
		From	To	
1.	2000 KVA	3-Mar-19	29-Feb-20	12
2.	3000 KVA	1-Mar-20	28-Feb-21	12
3.	5000 KVA	1-Mar-21	31-Jul-21	5
4.	7500 KVA	1-Aug-21	31-Jan-22	6
5.	40 MW	1-Feb-22	31-Jul-22	6

Brief fact of the case

It is submitted that the factual matrix of the case may be appreciated in the following manner:-

3. The petitioner has entered into a MoU with the Government of Jharkhand for setting up a Thermal Power Plant with a capacity of 1600 MW (2x800 MW) at Godda district within the state of Jharkhand and the

said power plant is under construction, hence the requirement of load is on phase-wise basis and accordingly initially the petitioner required a load of 2 MVA (2000 KVA) going upto 40 MW until December, 2020-21.

4. The petitioner, in order to have uninterrupted power supply at the power plant required 132 KV line on a lower load and accordingly filed a case being case no. 19/2018 under clause 4.7 of JSERC (Electricity Supply Code) Regulations 2015 for approval of availing power at 132 KV and the Commission gave the approval and allowed the petitioner to avail power supply at 132 KV line.
5. It was submitted that the Connection of the petitioner was energized in the month of February, 2019, on temporary basis and it was informed to the petitioner that any application for enhancement of load shall be made, at least seven (07) days prior information be given, at the end of February, 2020.
6. It was pointed out that the petitioner requested for enhancement of load, which was allowed vide letter dated 21.03.2020 with certain terms and conditions.
7. It was submitted that since March-2020, lockdown was declared to prevent the spread of COVID – 19 pandemic in the country as such the project is delayed for seven months, hence, the petitioner made an application before the Respondent for revised load schedule vide letter dated 06.08.2020, thereafter, petitioner was directed to seek approval from this Commission vide letter dated 14.09.2020.
8. By way of supplementary affidavit it is submitted without going into any controversy, petitioner out of bonafide gesture expresses its readiness and willingness to avail the voltage rebates at 33 KV only retrospectively, until it reaches to the category of 132 KV contract demand.

Submission of the Respondent

9. The representative of the Respondent submitted that in view of COVID-19 pandemic, one chance may be given to the petitioner by granting the extension of period.
10. It was also pointed out that the extension should be granted without considering the voltage rebate at 132KV.
11. Learned counsel for the Respondent filed the copy of Audit objection wherein it has been pointed out that the JBVNL has suffered a loss of Rs. 6,27,75,000/- (Rs. Six crores twenty seven lakhs seventy five thousand only during March, 2019 to November, 2019).
12. Learned counsel pointed out that APJL as per their connected load are eligible for three phase connection at 33KV, but since they are connected at 132KV they are availing voltage rebate corresponding to 132 KV and prayed to the Commission to allow voltage rebate to APJL corresponding to 33KV supply voltage and also to debit excess voltage rebate availed by APJL corresponding to 132 KV for previous billing period.

Commission observations and findings

13. Considering the submission of the parties and after perusing the record of the case, it has been observed that the petitioner's project was delayed due to COVID-19 pandemic and as such the load schedule approved by order dated 20.11.2018 in case no. 19 of 2018 could not be adhered to.
14. It is also observed that the petitioner is availing voltage rebate corresponding to 132KV voltage supply, however, it is eligible for voltage

rebate corresponding to 33 KV supply voltage, for which the Respondents are incurring loss for which, the Auditor in course of Audit has pointed out objection that the JBVNL has suffered a loss. Even the Petitioner APJL is agreed for voltage rebate at 33 KV retrospectively till they do not reach the contract load required for 132 KV voltage supply.

In the result it is ordered as:

ORDER

15. The Prayers of petitioners are allowed. The Commission hereby grants approval for the revised time schedule as detailed in 2nd supplementary affidavit, which is as follows:

Sr. No.	Description of Events	Date		Duration (works) months
		From	To	
1.	2000 KVA	3-Mar-19	29-Feb-20	12
2.	3000 KVA	1-Mar-20	28-Feb-21	12
3.	5000 KVA	1-Mar-21	31-Jul-21	5
4.	7500 KVA	1-Aug-21	31-Jan-22	6
5.	40 MW	1-Feb-22	31-Jul-22	6

16. With regard to issue, pertaining to voltage rebate, it is hereby clarified that the petitioner APJL will be provided rebates corresponding to 33KV only since inception until its contract demand reaches to the category of 132 KV, as per the JSERC (Electricity Supply Code) Regulations, 2015. The excess voltage rebate provided to the petitioner shall be recovered from the petitioner in the subsequent bills after issuance of this order.
17. Accordingly, the petition is disposed of in terms of the above order.

Sd/-
(P.K.Singh)
Member (Legal)

Sd/-
(R.N. Singh)
Member (Engg)