

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj, Chairman
Shri. A.J Wilson, Member

OP No 32/2020

Date of hearing 3.12.2020

In the matter of : Requirement Of Permission for continuing with the existing HT TOD Meter at drawal point (400kVA Contract Demand) till the Hon. Commission coming out with Regulations on Deviation Settlement and related matters and/or the Commission notify the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala'

Petitioner M/s Bharath Charitable Hospital Society

Petitioner represented by Dr.Vinod Viswanathan, President, M/s Bharath Charitable Hospital Society

Respondent Kerala State Electricity Board Ltd.,

KSEB Ltd represented by : Sri. KGP Nampoothiri, Executive Engineer

Order dated 07.12.2020

1. M/s Bharat Charitable Hospital Society, Kottayam (hereinafter referred to as the petitioner or M/s Bharat Hospital) filed a petition on 30.10.2020 with the following prayers:
 - (1) *Exempt us from the installation of Special Energy Meters at drawal points in the Bharath Charitable Hospital, Thirunakkara who is a small generator capacity consumer.*
 - (2) *Directions may be given to KSEB Ltd not to insist on the installation of Special Energy Meters at drawal point, while granting Intra State Open Access.*

2. The summary of the petition filed by M/s Bharath Charitable Hospital Society is as follows:

- (i) The petitioner, installed 1 MW AC (1.1 MWp DC) Grid connected Ground mounted SPV system at West Eleri Kasargod District, for captive use at their hospital at Kottayam.
- (ii) Petitioner executed connectivity agreement with KSEB Ltd on 29.06.2020, and the plant was commissioned on 29.06.2020.
- (iii) Initially the connectivity agreement was signed the plant as an IPP, later revised connectivity agreement was signed on 23.10.2020, with the plant as a CPP.
- (iv) Since the power generated from the plant is used as a CPP, the injection point is at West Eleri, Kasargod District and the drawl point is at M/s Bharath Charitable Hospital Society at Thirunakkara, Kottayam.
- (v) At the injection point at West Eleri Kasargod, 1MW AC (1.1MWp DC), the petitioner installed SEM (ABT Meter), along with SCADA communication facility using RTU and BSNL connectivity after getting approval from SLDC.
- (vi) At drawal point, the contract demand is 400kVA. The petitioner already have ToD meter at drawal point. This meter is programmed for Zone wise recording of the consumption and maximum demand.
- (vii) When applied for open access, KSEB Ltd is demanding for the installation of SEM at both drawal and injection points.
- (viii) Regulation 36 of the Open Access Regulation 2013, provides as follows;

“Provided further that the Commission, in consultation with the STU or the distribution licensees, may exempt small generators of capacity less than or equal to 1 MW and consumers with contract demand less than or equal to 1 MVA from this condition as and when found necessary”,

Based on the above provisions of the Open Access Regulations, 2016, M/s Bharat Hospital requested the Commission to exempt the installation of SEM in the drawal point.

- 3. KSEB Ltd, vide the affidavit dated 02.12.2020, submitted that, as per the Regulation 11 and Regulation 36 of the KSEB (Connectivity and Intra-State Open Access) Regulations, 2013, all open access consumers has to install Special Energy Meters. Exemption from this conditions for consumer with contract demand less than or equal to 1 MVA can be allowed only by the Hon'ble Commission.
- 4. The Commission admitted the petition as OP 32/2020 and conducted hearing on 3.12.2020. Dr. Vinod Viswanathan, presented the petition on behalf of the petitioner and Sri. K.G.P Nampoothiri, presented the comments on behalf of

the respondent KSEB Ltd. The summary of the deliberations during the hearing is given below.

- (1) The petitioner submitted that, they had installed and commissioned 1 MW AC solar plant at West Eleri, Kasargod District in the month of June 2020. Connectivity agreement also signed with KSEB Ltd on 29.06.2020.

The electricity generated from the Solar Plant is intended to use for self consumption at the Bharath Hospital Charitable Society at Thirunakkara, Kottayam. The connected load of the hospital is 400 kVA.

The petitioner pointed out that, they had installed Special Energy Meters at the injection point at West Eleri, Kasargod. But at the drawl point at Kottayam, they had ToD meter capable of reading time zone wise consumption. However, when they approached KSEB Ltd for availing open access for transmitting the solar power from the plant at Kasargod to Kottayam, KSEB Ltd has insisted for installing SEM meter at drawal point also.

The petitioner further submitted that, as per the second proviso to Regulation 36(1) KSERC (Connectivity and Open Access) Regulations 2013, the Commission can exempt small generators with capacity less than 1MW and consumers with contract demand less than or equal to 1 MVA from the installation of SEM. The petitioner requested to grant exemption from the installation of SEM at drawal point.

- (2) KSEB Ltd submitted that, as the State Transmission Utility and Distribution Licensee, it has no objection in granting exemption from the installation of the SEM at drawal point as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, till the Commission notify the Regulations on Intra State Deviation Settlement Mechanism. KSEB Ltd also pointed out that, the Commission vide the order dated 09.08.2019 in petition OP No.48/2019, exempted M/s Malayala Manorama Ltd from the installation of SEM at drawl point with contract demand less than or equal to 1MW.
- (3) The petitioner also submitted that, though the plant was commissioned in June 2020, it is yet to start generation since then for want of exemption from installation of SEM meter at the drawl point. Hence, the petitioner requested for an early decision on the matter. The petitioner also requested before the Commission to issue necessary direction to KSEB Ltd to expediate the process of granting open access.

Analysis and Decision

5. The Commission has examined the petition filed by M/s Bharat Charitable Hospital Society, Kottayam as per the provisions of the Electricity Act, 2003, KSEERC (Connectivity and Intra State Open Access) Regulations, 2013, and decided as follows.
6. The petitioner is running a hospital namely, M/s Bharat Hospital at Thirunakkara, Kottayam. The hospital is having an HT connection from KSEB Ltd with 400kVA connected load. The petitioner has established a 1 MW Solar Power Plant, at West Eleri, Kasargod District. The solar plant was commissioned and connected to the grid on 29.06.2020. The petitioner installed SEM along with the SCADA communication facility using RTU and BSNL connectivity at the injection point.
7. In order to facilitate the transmission and wheeling of electricity from the solar power plant to the consumer premises on long term basis, the petitioner has to avail Long Term Open Access (LTA), as per the provisions of the KSEERC (Connectivity and Intra-state Open Access) Regulations, 2013 (herein after referred as Open Access Regulations, 2013). As per the Regulation 11 (4) of the Open Access Regulations, 2013, before granting open access, the nodal agency has to ensure the installation of the Special Energy Meters by the open access customer. The relevant Regulation is extracted below.

“(4) Before granting open access, the nodal agency shall ensure that special energy meters are installed and maintained in accordance with the provisions of The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and remote terminal units (RTU) are installed and maintained, as stipulated in the detailed procedure, to facilitate real time monitoring by SLDC.

Provided that, the distribution licensee shall install special energy meters and remote terminal units in the premises of the applicants for open access within the time frame as stipulated in the detailed procedure.”

The nodal agency for granting Long Term Open Access is the State Transmission Utility, which is Strategic Business Unit- Transmission of KSEB Ltd.

8. Further, the Regulation 36 of the Open Access Regulations, 2013 deals with metering and related issues, which is extracted below.

“ 36. Metering. - (1) All generating stations irrespective of capacity and all open access customers including embedded consumers shall be provided with special energy meters (SEM) by the State Transmission Utility or the distribution licensee, as the case may be:

Provided that, in case an open access customer or embedded consumer elects to purchase his own special energy meter, he shall purchase the same from the firms

empanelled by the STU as specified in The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time:

Provided further that the Commission, in consultation with the STU or the distribution licensees, may exempt small generators of capacity less than or equal to 1 MW and consumers with contract demand less than or equal to 1 MVA from this condition as and when found necessary.

(2) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and the provisions of State Grid Code and shall have remote terminal unit (RTU) to facilitate real time monitoring by the SLDC as and when specified by the Commission.

(3) Special Energy Meters shall be open for inspection by any person authorized by the STU or the State Load Despatch Centre or the distribution licensee as the case may be.

(4) All open access customers, STU, transmission licensee other than STU, distribution licensee and generating company shall abide by The Central Electricity Authority (Installation and Operation of Meters) Regulations 2006 as amended from time to time."

As extracted above, as per the Regulation 36(2) of the Open Access Regulations, 2013, the Special Energy Meters installed by the Open Access Customers is essential for measuring the time block wise 'active and reactive energy', and also to have remote terminal unit (RTU) to facilitate real time monitoring by SLDC.

9. In the State of Kerala, KSEB Ltd, the State Government owned incumbent distribution licensee has been generating and purchasing electricity for meeting the electricity demand of the entire State. Accordingly, any deviation from the schedule within the State has been addressing by KSEB Ltd itself by re-scheduling its own hydro generation or by restricting the consumption within the State. So far, the embedded consumers of KSEB Ltd only are availing open access from the day ahead markets and the deviations in schedule by such consumers is borne by KSEB Ltd by allowing them to draw power from grid to compensate the deviations.

Further, as of now, the Renewable Energy plants including wind and solar generators are treated as must run units and as on date, there is no mandatory provisions for forecasting and scheduling of electricity from such renewable sources in the State. Hence the Commission is yet to notify the 'Regulations on Deviation Settlement and related matters' in the State of Kerala.

10. However, due to the large scale integration of Renewables in the Country and the Central Government having fixed an ambitious target of 175 GW power from Renewable by the year 2022, a different scenario emerging wherein renewable power will play a significant role in power availability with attendant

grid issues. In order to address these issues especially those related to forecasting and scheduling of power from Renewables, the Forum of Regulators, a body constituted under Section 166 (2) of the Electricity Act, 2003, had notified the model Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations at the State level' in the year 2015. Most of the State Commissions of the renewable rich State has already notified the Regulations on forecasting and scheduling of power from renewables in their respective States in line with the Model Regulations notified by the FoR. Further, in order to address the large scale penetration of Renewables, the Central Commission and other Technical expert bodies are studying the option to reduce the time block for deviation settlement mechanism from '15 minutes' time block to '5 minute' block.

11. In Kerala also, many entrepreneurs are establishing Renewable Energy Power Plants for the captive use as well as for third party sale. In the changed scenario and also to address the issues related to large scale integration of the Renewables in the State grid, this Commission is also in the process of notifying the Regulations of 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala'. Once this Regulations is notified, all the Renewable Energy Generators as well as the customers drawing power from RE sources has to install Special Energy Meters as mandated in the Regulation 11(2) of the Open Access Regulations, 2013, so as to measure the time block wise consumption in 15 minutes time block or 5 minute time block as the case may be.
12. However, presently the Commission, as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, can exempt the consumers with contract demand less than 1 MVA, who intend to avail open access within the State, from installing Special Energy Meters, in consultation with the STU or the Distribution licensee. KSEB Ltd, who is the STU and distribution licensee, during the hearing submitted that, they had no objection to the Commission granting exemption from the installation of the SEM at the drawal point as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, till the Commission notify the Regulations on Intra State Deviation Settlement Mechanism.
13. The Commission, vide the order dated 09.08.2019 in Petition OP 48/2019, has already granted exemption to M/s Malayala Manorama Co Ltd from the installation of SEM at drawal points with contract demand less than or equal to 1 MVA, till the Commission notify the Regulations on Deviation Settlement and related matters and/or the Commission notify the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala.
14. The Commission therefore, by exercising the power conferred on the Commission as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, and also in consultation with KSEB Ltd as the STU and distribution licensee, hereby decides to exempt the drawal point at the HT consumer premises of the petitioner at Thirunakkara Kottayam, having a contract demand of 400 kVA from the installation of Special Energy Meters.

The Commission hereby clarifies that this exemption is temporary and shall be valid only till the Commission notify the Regulations on Deviation Settlement and related matters and/or the Commission notify the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala'.

Order of the Commission

15. The Commission, having duly examined the petition filed by M/s Bharath Charitable Hospital Society as per the provisions of the Electricity Act, 2003, KSERC (Connectivity and Open Access) Regulations, 2013, and other facts and circumstances discussed in the preceding paragraph hereby orders that,
- (1) In exercise of powers conferred on the Commission under second proviso to Regulation 36(1) of the KSERC (Connectivity and Intra State Open Access) Regulations 2013, and also in consultation with KSEB Ltd as the STU and distribution licensee of the State, the Commission hereby exempt the drawal point of the petitioner i.e., Bharath Charitable Hospital Society at Thirunakkara, Kottayam with contract demand of 400 kVA, from the installation of Special Energy Meters, subject to the condition specified below.
 - (2) Once the Commission notify the Regulations on Intra State Deviation Settlement and related matters and/or the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala', the petitioner shall install the Special Energy Meters as per the provisions of the said Regulations.

The Petition is disposed of and ordered accordingly.

**Sd/-
A.J Wilson
Member**

**Sd/-
Preman Dinaraj
Chairman**

Approved for issue

C R Satheeshchandran
Secretary (i/c)