

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION  
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/PETITION NO. – 27 of 2021**

**Date of Hearing : 15.09.2021  
Date of Order : 16.09.2021**

**IN THE MATTER OF:**

**Petition under Section 86(1)(b) of the Electricity Act, 2003 read with the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking approval of purchase of Power from 210 MW Unit-6 PTPS, Panipat (HPGCL) on Merchant basis.**

**Petitioner**

Haryana Power Purchase Centre, Panchkula (HPPC)

**Respondent**

Haryana Power Generation Corporation Ltd. (HPGCL)

**Present on behalf of the Petitioner, through Video Conferencing**

1. Shri Randeep Singh, Chief Engineer, HPPC

**Present on behalf of the Respondent, through Video Conferencing**

1. Shri Tabrez Malawat, Advocate

**Quorum**

**Shri R.K. Pachnanda  
Shri Naresh Sardana**

**Chairman  
Member**

**ORDER**

1. The present petition has been filed by HPPC seeking approval to purchase 210 MW power from Haryana Power Generation Corporation Ltd., Panipat Thermal Power Station – Unit No. 6 (HPGCL – PTPS Unit 6), on merchant basis @ Rs. 3.675/unit, from July to 15<sup>th</sup> September, 2021, or extendable as per requirement.
2. Brief submission of HPPC are as under: -
  - i) That the Commission in its Order dated 18.02.2021, while deciding the Petition no. HERC/PRO-76 of 2020 filed by HPGCL for determination of generation tariff for their Plants for FY 2021-22 has not determined tariff for Unit- 6 PTPS, Panipat & directed as under:

**“21 Directives**

***i. De-commissioning / Closure of PTPS Unit - 6***

*From the data placed on record, the Commission observes that this Unit of 210 MW is capable of generating about 1564 MUs at a PLF of 85%. However, the average generation from the FY 2017-18 to the FY 2020-21 (up to September, 2020) was only about 232.56 MUs at an average PLF of 12.64%. In fact, in the FY 2019-20 the Units was not at all scheduled, hence, the actual generation was nil. The plant and machinery of PTPS Unit – 6 is of the same vintage as that of PTPS Unit – 5, despite the fact that Unit – 5 was commissioned in*

March, 1989 and Unit – 6, due to various reasons, was commissioned only in March, 2001. Further, Unit -6 is almost fully depreciated and loans almost paid off. Resultantly, the major fixed cost as computed by the Commission are Employees cost, RoE and Repair & Maintenance which imposes avoidable burden on the electricity consumers of Haryana despite the fact the plant remains un-scheduled. Thus, at this stage PTPS Unit – 6 is similarly placed as that of PTPS Unit – 5, which has been de-commissioned / closed. Additionally, going forward, given the larger integration of RE Power as well as Hydro Power and the fact that strict environmental norms would further add to the cost of generation, PTPS – Unit 6 is not expected to be called in for generation. Hence, in line with the views expressed in the SAC Meeting, it would be appropriate to de-commission / close PTPS Unit – 6 as well at the earliest. HPGCL is accordingly directed to take up the issue with the State Government within one month from the date of this Order under intimation to the Commission.”

- ii) SCPP in its 57th meeting dated 30.03.2021, decided as under:  
“if required, power from PTPS, Unit-6 may be scheduled on MTP as a Merchant power from July, 2021 to Sept,2021 in view of non availability of khedar, Unit-2 as per MoD.”

Accordingly, as per the decision of SCPP, HPPC vide letter dated 20.05.2021, requested HPGCL to intimate the availability and per unit cost for Discom for purchase of power from PTPS Unit- 6, Panipat from the month of July to September, 2021 on merchant basis.

- iii) In response, HPGCL vide memo no. Ch-147/HPGCL/REG-514 dated 01.07.2021 & 29.06.2021, offered tariff of Rs. 3.675/KWh, for supplying power from PTPS Unit- 6, Panipat from July to Sept., 2021, as merchant power plant.
- iv) That, at present, necessity for the procurement of power from PTPS Unit-6, Panipat on merchant basis has arisen due to the reasons mentioned below: -
- a) That, the load of Haryana state is running high during paddy/summer season is in full swing.
  - b) RGTPS Khedar unit-II (600MW) is boxed up since 18.09.2020 due to high turbine vibrations. In the present situation, it is unlikely that same will be available for service during ongoing summer/ paddy season.
  - c) DCRTPP-I, Yamunanagar (300MW) is under forced outage since 08.07.2021.
  - d) M/s CGPL Mundra is supplying only 76 MW out of 380 MW power as on date.
  - e) Faridabad Gas Plant (FGPP) of capacity 432MW is not being scheduled due to non-availability of APM gas or RLNG. NTPC vide e-mail dated 25.08.2021 informed that only liquid fuel is available @ Rs.14 per kWh (combined cycle) Rs. 20 per kWh (open cycle).
  - f) During the month of September, the generation from hydro projects also reduces.

- g) That as per the coal stock data mentioned on the CEA website, there is scarcity of coal in most of the thermal power stations. Also, CLP vide letter dated 19.08.2021 has informed that coal stock is sufficient to operate MGTTP, Jhajjar for only 6 days at the current power demand. IGSTPP, Jhajjar, vide e-mail dated 26.08.2021 informed that the coal supply from CIL is not adequate to sustain operation of three units owing to less availability of coal and has taken one of the units off bar from 00:00 hours of 27.08.2021.
- h) That the possibility of purchasing power, on day ahead basis, from power exchange was also explored. The IEX rate as on 01.08.2021 was Rs.1.90 per kWh which is gradually increasing day by day and by the mid of the month the rate reached Rs. 4.76 per kWh and after that there is a steep hike in the rate at Rs. 6.84 per kWh as on 26.08.2021. Also, the day ahead rate for the evening peaking hours in the exchange was as high as Rs.14.50 per kWh on 26.08.2021 and in Real Time Market (RTM) rate has reached upto Rs. 19 per kWh during peaking hours.
- i) M/s Adani vide letter dated 16.8.2021 intimated that they are able to operate one unit at the most for a day or two on account of depletion of coal stock. As on date, unit 7, 8, 9 of Adani (1424MW) are under shutdown since 06.05.2021, 04.07.2021 & 25.08.2021 respectively.
- v) That the demand availability scenario for the period 01.08.2021 to 30.9.2021 on the basis of mode of peak demand computed on actual peak demand (felt) from FY 2011-12 to 2019-20, after considering availability from all long term sources, banking arrangements as well as short term power procured through DEEP Portal, is as under: -

Demand & Availability Scenario for FY 2021-22 as on 25.08.2021							
Time Period	Peak Demand (in MW)	Normative Availability as per PLF (in MW)	Normative Availability w/o RGTTP-2 (510), DCRTTP-2 (255), Adani- (1140), FGPP(367), Lanco (80) & CGPL(230) (in MW)	Banking Arrangements (in MW)	Power through DEEP Portal (in MW)	Actual Availability (in MW)	Surplus (+)/ Deficit (-) (in MW)
Aug (1st to 15th)	10727**	9742	7155	765	880	8800	-1927
Aug (16th to 30th)	11256*	9742	7155	790	880	8825	-2431
1-10 Sept	11553*	9254	6667	457	820	7944	-3609
11-30 Sept	11553*	9254	6667	361	820	7848	-3705

\*\* Actual peak demand felt \* Projected peak demand

Deficit is being met through short term power procurement on day ahead /RTM basis approx. at Rs. 14.50 per kWh/Rs. 19 per kWh.

- vi) The following prayers have been made: -

- a) To approve the purchase of power from Unit-6 PTPS, Panipat @ Rs. 3.675 per kWh on merchant basis till 15th September,2021 or extendable as per requirement.
  - b) Pass such further order or order(s) as may be deemed necessary and fit in the circumstances of the case.
3. HPGCL filed an Interlocutory Application (IA), vide letter no. 165/HPGCL/Reg-510 dated 13.09.2021, seeking additional reliefs in the form of directions to HPPC to continue power procurement from PTPS Unit-6 on merchant basis on mutually agreed conditions till the outcome of appeal filed in Hon'ble APTEL, so that State generator can be optimally utilized before resorting to short term power purchase.

### **Commission's Analysis and Order**

4. The case was heard through video conferencing on 15.09.2021, as scheduled, in view of the COVID-19 Pandemic.
5. The petitioner mainly reiterated the contents of the petition, which for the sake of brevity, have not been reproduced here. The learned counsel, Sh. Tabrez Malawat, appearing for HPGCL was unable to convince the Commission regarding the interlocutory application for seeking impleadment, travelling beyond the scope of the present petition. In fact, HPGCL has attempted to alter the very basis on which the petitioner has sought indulgence of this Commission for being allowed to procure power from PTPS Unit 6 on short-term basis at a fixed rate.
6. At the outset, the Commission enquired from HPPC the reason for backing down of PTPS Unit no. 7 & 8 and restricting scheduling of RGTPS unit at technical minimum only. Faced with the situation, Shri Randeep Singh, Chief Engineer/HPPC, conceded that demand-supply situation has improved and different power plants are being backed down due to less demand.
7. In view of the submissions of HPPC, the Commission concludes that nothing survives for consideration, as the underlying circumstances of demand for power exceeding supply from approved sources, in which the petition was filed, have ceased to exist. Accordingly, the petition as well as interlocutory application filed in the matter, is dismissed as infructuous.
8. In terms of the above, the present petition is disposed of.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 16.09.2021.

Date: 16.09.2021  
Place: Panchkula

(Naresh Sardana)  
Member

(R.K. Panchnanda)  
Chairman