

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@merc.gov.in
Website: www.merc.gov.in

Case No. 92 of 2021

Petition of Indian Railways under Regulation 19 of MERC (Forecasting, Scheduling and Deviation Settlement for Solar and Wind Generation) Regulations, 2018 for removal of difficulties being faced by it while scheduling power simultaneously from contracted Intra-State Renewable (Wind) and Inter-State Non-Renewable (Thermal) Sources

Indian Railways

.....Petitioner

V/s

Maharashtra State Load Dispatch Centre (MSLDC)

.... Respondent

Appearance:

For the Petitioner

: Shri Pulkit Agarwal Adv.)

For MSLDC

: Smt Juelee Wagh (Rep.)

Coram

Sanjay Kumar, Chairperson

I. M. Bohari, Member

Mukesh Khullar, Member

ORDER

Dated: 11 October, 2021

1. Indian Railways (**Petitioner**) has filed this Petition on 20 July 2021, under Regulation 19 of the MERC (Forecasting, Scheduling and Deviation Settlement for Solar and Wind Generation) Regulations, 2018 (**F & S Regulations**) for removal of difficulties being faced by it, while scheduling power simultaneously from contracted Intra-State Renewable (Wind) and Inter-State Non-Renewable (Thermal) Sources. Indian Railways

has claimed that due to difference in regulatory mechanism on scheduling of power as provided in Regulation 5.19 of the F & S Regulations and Regulation 6.15 (18) of the CERC (Indian Electricity Grid Code) Regulations, 2010, Indian Railways would be liable to pay deviation charges under the MERC (Deviation Settlement Mechanism and related matters) Regulations, 2019 and there was a need to address the aforesaid difficulty being faced by the Petitioner.

2. Petitioner's main prayers are as follows:

- i. exercise its power under Regulation 19 of Maharashtra Electricity Regulatory Commission (Forecasting, Scheduling and Deviation Settlement for Solar and Wind Generation) Regulations, 2018 and pass appropriate order as regards difficulty being faced by the Petitioner while scheduling power simultaneously from Renewable (Wind) and Non-Renewable (Thermal) Sources within the State of Maharashtra;*
 - ii. direct MSLDC to implement the revision submitted by the QCA of Wind Power Project of the Petitioner in parity with revision timings for Non-Renewable (Thermal) Sources as per provisions of amended Regulation 6.15(18) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 in so far as Petitioner is concerned;*
3. Vide its reply dated 3 September 2021, Maharashtra State Load Dispatch Centre (MSLDC) stated that the special dispensation cannot be granted to the Petitioner since the same is not in line with the F&S Regulations.
 4. At the e-hearing through video conferencing held on 7 September 2021, the Advocate appearing for the Petitioner reiterated its submission as made out in the Petition and requested the Commission to allow the prayers as sought in the Petition. Representative of MSLDC stated that it has already filed its submissions which may be considered by the Commission while deciding the matter. After hearing the Parties, the Commission enquired from the Petitioner as to whether it could substantiate its claim about adverse financial implications with actual data. In response, the Advocate for the Petitioner stated that it will file its written submission. The Commission directed the Petitioner to file the submission within 3 days with copy served on the Respondent.
 5. Subsequently, on 17 September 2021, the Petitioner filed its application seeking withdrawal of its Petition and stating that:

“ ...pursuant to the direction of this Hon'ble Commission, the Petitioner had started collating the data for the purposes of establishing the losses being suffered by the Petitioner, which was to be submitted before this Hon'ble Commission along with Affidavit. However, subsequent to the hearing held on 07.09.2021, certain new facts pertaining to the issue raised in the petition came to the knowledge of the Petitioner. It is submitted that the said facts will have bearing on the outcome of the present petition. Further, the data as regards losses suffered or that may be suffered will also be required to be reworked.

In view of the above, the Petitioner herein is filing the present memo seeking permission of this Hon'ble Commission to withdraw the present petition with a liberty to file afresh incorporating the new facts and data for proper adjudication of the issue involved....”

6. From the submission of the Petitioner, it is seen that the Petitioner, does not want to pursue its present Petition since some new facts have come to their knowledge which as per the Petitioner will impact the outcome of this case and also that collating data on the financial impact would take time for submitting to the Commission.
7. The Petitioner has sought to withdraw its Petition with a liberty to approach the Commission afresh based on new facts and after collating the necessary data. The Commission allows the Petitioner to withdraw its Petition with liberty to approach afresh as and when the requisite data/details are available to it.
8. Hence, the following Order:


ORDER

Case No. 92 of 2021 is dismissed as withdrawn with liberty to approach the Commission afresh at the appropriate time.

**Sd/-
(Mukesh Khullar)
Member**

**Sd/-
(I. M. Bohari)
Member**

**Sd/-
(Sanjay Kumar)
Chairperson**


(Abhijit Deshpande)
Secretary

