

No.3/6/2019-OM-Part(1)

भारत सरकार

Government of India

विद्युत मंत्रालय

Ministry of Power

श्रम शक्ति भवन , रफी मार्ग , नयी दिल्ली-110 001

Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001

Dated: 28 April, 2022

To

As per distribution list

Subject: Requests of States / UTs / beneficiaries for surrendering of their share of power in Central Generating Stations -reg.

Sir/Madam,

The letters enclosed have been received from Government of NCT of Delhi, Haryana, Himachal Pradesh, Punjab, Rajasthan, Madhya Pradesh, regarding surrendering of their quota of Power from the Central Generating Station(s) as per the details annexed. The letters are also available on the website of Ministry of Power (www.powermin.nic.in). If any State/UT is interested to avail this Power, a request can be made to the Ministry of Power indicating the quantum of power, the name(s) of the Central Generating Stations(s) and the period for which the power is required, so that suitable reallocation can be considered by the Ministry. Further, States may also like to get the list published on the MOP site, validated. In case there is any discrepancies with reference to the State/UT's actual surrender status, the same please be intimated to this Ministry at the earliest.

Yours faithfully,



(Arun Kumar Garg)

Director (OM)

email:arunkg512-cgo@gov.in

opmonitor-power@nic.in

Copy to:

Director (NIC), MoP-with the request to upload on the website of Ministry of Power

Status of Surrender Power by different States/UTs as on 28.04.2022

S. No.	Surrendered by State(s)/UT(s)	Surrendered from (Power Station)	Surrendered power in MW
01.	Delhi	Anta Gas Station of NTPC	43
		Auraiya Gas Station of NTPC	72
		Dadri Gas Station of NTPC	91
02.	Haryana	Anta Gas Station of NTPC	24
		Auraiya Gas Station of NTPC	39
		Dadri Gas Station of NTPC	41
03.	Himachal Pradesh	Anta Gas Station of NTPC	15
		Auraiya Gas Station of NTPC	22
		Dadri Gas Station of NTPC	25
04.	Punjab	Anta Gas Station of NTPC	49
		Auraiya Gas Station of NTPC	83
		Dadri Gas Station of NTPC	132
05.	Rajasthan	Anta Gas Station of NTPC	83
		Auraiya Gas Station of NTPC	61
		Dadri Gas Station of NTPC	77
06.	Madhya Pradesh	Kawas Gas Station of NTPC	140
		Gandhar Gas Station of NTPC	117
		Total	1,114

Distribution List

1. Secretary (Power), Govt. of Arunachal Pradesh, Jal Vidyut Bhawan, Niti Vihar, Near IG.Park Gate, Itanagar-7911114
2. Commissioner & Secretary, Power Deptt., Government of Assam, P.O. Assam Sachivalaya, Block-C, 3rd Floor, Dispur-781006.
3. Principal Secretary (Power), Andaman & Nicobar Admn, Port Blair-744101
4. Secretary (Energy), Govt. of Andhra Pradesh, Secretariat Hyderabad-500001
5. Secretary (Energy), Government of Bihar, 8, Darogaroy Path, Patna-800001
6. Special Secretary (Energy), Govt. of Chhattisgarh, Energy Department, Mantralaya, Mahanadi Bhavan, Atal Nagar, Nava Raipur-492001
7. Principal Secretary (Power), Govt. of NCT of Delhi, Delhi Sectt., 8th Floor, B Wing, J.P.Estate, New Delhi-110002
8. Additional Chief Secretary (Energy), Energy Deptt., Block-5, 5th Floor, Govt. of Gujarat, Sachivalya, Gandhinagar-382010
9. Secretary (Power), Electricity Department, Govt. of Goa, Panaji-403001
10. Principal Secretary (Power), Govt. of Haryana, Power Department, 37, 7th Floor, Sector-I, Chandigarh-160001
11. Principal Secretary (Power), Govt. of Himachal Pradesh, Shimla-171002
12. Principal Secretary (Power), Govt. of Jammu & Kashmir, Civil Secretariat, Jammu/Srinagar
13. Principal Secretary (Energy), by Govt. of Jharkhand, Nepal House, Doranda, Ranchi-834002
13. Addl. Chief Secretary (Power), Govt. of Kerala, Secretariat, Thiruvananthapuram-695001
14. Addl Chief Secretary (Energy), Govt. of Karnataka, Vikasa Soudha, Dr. B.R. Ambedkar Street, Bangalore 560 001
15. Principal Secretary (Energy), Govt. of Madhya Pradesh, Energy Deptt., Mantralaya, Vallabh Bhavan, Bhopal-462004
16. Commissioner, Deptt., of Power, Manipur Secretariat, Imphal-795001
17. Principal Secretary (Energy), Govt. of Maharashtra, Mantralaya, Madam Cama Road, Hutatma Rajguru Square, Nariman Point, Mumbai-400032
18. Secretary, Power & Electricity Deptt., Govt. of Mizoram, Mizoram Sectt., Annexe-II, Treasury Square, Aizwal-796001
19. Commissioner-cum-Secretary (Energy), Govt. of Meghalaya, Meghalaya Civil Sectt., Shillong-793001
20. Commissioner & Secretary, Power Deptt., Govt. of Nagaland, New Sectt. Complex, Kohima-79700
21. Principal Secretary, Department of Energy, Govt. of Odisha, Bhubaneswar-751001
22. Secretary (Power), Govt. of Punjab, Punjab Mini Secretariat, Sector-9, Chandigarh-160009
23. Secretary (Power), Chief Secretariat, Govt. of Puducherry, Goubert Avenue, Pondicherry-605001
24. Secretary (Energy), Govt. of Rajasthan, Room No. 4122, Main Building Sectt., Janpath, Jaipur-302001
25. Secretary (Power), Govt. of Sikkim, Power Department, Kazi Road, Gangtok-737101
26. Principal Secretary (Power), Govt. of Tripura, New Sectt. Complex, Power Department, Agartala-799001
27. Principal Secretary (Energy), Government of Tamil Nadu, Fort St. George, Sectt. Chennai 600 009
28. Secretary (Energy), Govt. of Telangana, Room No.-328-E, 2nd floor, D-Block, Telangana Sectt., Hyderabad-500022
29. Principal Secretary (Energy), Govt. of Uttar Pradesh, Babu Bhawan, UP Sachivalay, Lucknow-226001
30. Addl. Chief Secretary (Energy), Govt. of Uttarakhand, Sectt. Deharadun-248001
31. Addl Chief Secretary, Department of Power & NCES, Government of West Bengal, 1, Kiron Shanker Roy Road, New Sectt. Building, 7th Floor, Kolkata-700001
32. Secretary (Power), U.T. Lakshadweep, Kavarati-682555.
33. Secretary (Power), UT's of Dadra, Nagar Haveli, Daman & Diu, Sectt., Silvassa-396230
34. Secretary (Power), 4th Floor, UT Secretariat, Sector-9, Chandigarh-160009.

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF POWER)
DELHI SECRETARIAT, 8TH LEVEL, B-WING
NEW DELHI - 110002

No. F.6(17)/Power/Discoms/2020/41

Dated : 06-01-2022

To

The Executive Director (Commercial),
NTPC Limited,
NTPC Bhawan, Scope Complex,
7 Institutional Area, Lodhi Road,
New Delhi - 110003

Sub.: Request for Reallocation of Surrendered Power of various NTPC stations

Sir,

This is with reference to your office letter no.01:CD:152 dated 07.10.2021 dated 07.12.2021 addressed to the worthy Addl. Chief Secretary (Power) on the subject cited above.

In this regard, it is to inform you that the matter has been examined by DERC, which is a regulatory body in NCT of Delhi under the Electricity Act, 2003. DERC vide letter no. F.3(598)/Tariff-Engg./DERC/2019-20/6647(part)/1546 dated 17.12.2021 has taken a view on the matter, which is enclosed for taking further necessary action at your end.

This issues with the approval of Hon'ble Minister of Power, GNCTD.

Encl. : As above

Yours faithfully,


6/1/2022

(R.S. SAMRIA)
DY. DIRECTOR (POWER)



दिल्ली विद्युत विनियामक आयोग
Delhi Electricity Regulatory Commission

विनियामक भवन, सी-ब्लॉक, शिवालिक,
मालवीय नगर, नई दिल्ली-110017
Viniyamak Bhawan, C-Block, Shivalik,
Malviya Nagar, New Delhi-110017



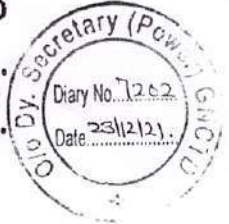
F.3(598)/Tariff-Engg./DERC/2019-20/6647(Part)|1564 Date: 17/12/2021

To
The Additional Chief Secretary (Power)
Deptt. of Power, GoNCTD,
8th Floor, B-Wing,
Delhi Secretariat,
New Delhi-110002

O/o ACS (Power) GNCTD

Despatch No. 5424

Date 22/12/21



Sub.: Reallocation of Surrendered Power of various NTPC Stations.

Ref: Deptt. of Power, GoNCTD letter dated 11/11/2021 enclosing NTPC letter dtd. 7/10/2021 & Delhi DISCOMs letters dtd. 27/10/201 & 29/10/2021

Sir,

With reference to your above mentioned letter regarding reallocation of surrendered power of various NTPC Stations, the Commission vide it's letter dtd. 14/10/2021 (enclosed herewith) has informed MoP, GoI with a copy to GoNCTD that conjoint reading of Regulation 17 of CERC (Terms and Conditions of Tariff) Regulations, 2019 and Executive Directions of MoP, GoI dtd. 22/03/2021, leads to only conclusion that PPA will lapse in 25 years from date of CoD which in the case of Dadri-I has come to an end on 30/11/2020.

It has been informed by Distribution Licensees that the matter related to surrender of power from Dadri-I is sub-judice before Hon'ble APTEL against CERC Order dated 1/07/2021 and NTPC has filed an Appeal before the Hon'ble Supreme Court of India against Interim Order passed by Hon'ble APTEL.

3) It is pertinent to mention that Average Power Purchase Cost of Delhi is higher as compared to many other States due to higher allocation from the costly Power Plants. Delhi has neither Coal mines nor Hydro potential and is totally dependent upon CPSUs as major source of it's power supply.

4) NTPC Gas based Stations namely Anta, Auraiya and Dadri-Gas have higher generation cost and their 25 years period from date of CoD have already expired in case of Anta and Auraiya and will end shortly on 31/03/2022 in case of Dadri-Gas. In view of higher generation cost and expiry of PPA, they may be considered for permanent reallocation to other needy States.

Table 1 : Costly Gas Power Stations to be Permanently Reallocated

Sr. No.	Gas based Stations	Allocation (MW)			
		BRPL	BYPL	TPDDL	Total
1.	Anta Gas Power Station	19	11	13	43
2.	Dadri Gas Power Station	40	23	28	91
3.	Auraiya Gas Power Station	32	18	22	72
TOTAL (MW)		91	52	63	206

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5) As referred in NTPC letter dtd. 7/10/2021, the following Coal based stations have also completed their 25 years period from date of CoD. The generation cost of these plants is comparatively lower than the generation cost of Gas based plants as mentioned in para 4 above. Considering the cost and their contribution in meeting the existing demand, the power allocation to Delhi from these stations will required to be continued at present:

Table 2 : Coal based plants indicated in NTPC letter dtd. 7/10/2021 - Not to be Reallocated

Sr. No.	Coal based Stations	Allocation (MW)			
		BRPL	BYPL	TPDDL	Total
1.	Unchahar-I	11	6	7	24
2.	Farakka - I&II	10	6	7	23
3.	Khalgaon - I	22	13	16	51
TOTAL (MW)		43	25	30	98

This issues with the approval of the Commission.

Yours faithfully,
Mukesh Wadhwa
(Mukesh Wadhwa)
Secretary



Delhi Electricity Regulatory Commission

विनियामक भवन, सी-ब्लॉक, शिवालिक,
मालवीय नगर, नई दिल्ली-110017
Viniyamak Bhawan, C-Block, Shivalik,
Malviya Nagar, New Delhi-110017



F.3(598)/Tariff-Engg./DERC/2019-20/6647(Part)/1136

Dated: 14/10/2021

To

Shri Alok Kumar
Secretary (Power)
Ministry of Power, Govt. of India
Shram Shakti Bhawan,
Rafi Marg, New Delhi-110001

Sub: Fulfilment of Power from various Central Sector Generating Stations as per their allocation to Delhi.

Ref: MoP, GoI letter No. 23/23/2020-R&R dated 11/10/2021

Sir,

Please refer to above cited letter dated 11/10/2021, wherein the Commission has been requested to examine the matter. The Commission has given an anxious consideration to the issue, whereby the following facts and conclusions came to the fore:

- According to the Delhi Distribution Licensees, their PPA for Dadri-I came to an end on 30/11/2020, after expiry of 25 years. They claim to have exited from the agreement between parties. Since 30/11/2020, they have not scheduled any power from Dadri-I. Even Delhi met its Peak Demand of 7323 MW on 2nd July 2021 at 3:16 PM without scheduling any power from Dadri-I.
- Further, the issue relating to expiry of PPA is governed by Regulation 17 of CERC (Terms and Conditions of Tariff) Regulations, 2019, which is quoted below for ready reference :

"17. Special Provisions for Tariff for Thermal Generating Station which have Completed 25 Years of Operation from Date of Commercial Operation: (1) In respect of a thermal generating station that has completed 25 years of operation from the date of commercial operation, the generating company and the beneficiary may agree on an arrangement, including provisions for target availability and incentive, where in addition to the energy charge, capacity charges determined under these regulations shall also be recovered based on scheduled generation."

Dr. Woodhull

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(2) The beneficiary shall have the first right of refusal and upon its refusal to enter into an arrangement as above, the generating company shall be free to sell the electricity generated from such station in a manner as it deems fit."

c) It is manifest that the above mentioned Regulations stipulate that the contract/agreement will come to an end after expiry of 25 years. The first right of refusal has already been exercised by Distribution Licensees. This fact is borne out from the inspection of records.

d) As such the Distribution Licensees exited from the onus of the agreement on 30/11/2020.

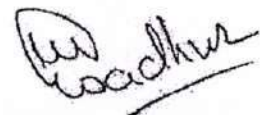
e) At this point it will be expedient to state that the spirit of Regulations 17 of the CERC was turned into Guidelines by the Ministry of Power (MoP), GoI issued on 22/03/2021. The relevant portion of the guidelines is produced as below:

"Willing State/DISCOMs may relinquish their share from eligible CGSs after expiry of the term of the PPA i.e. on completion of 25 years from the date of commissioning of the plant or a period specified in the PPA.

...

b) For the Stations, which have already completed 25 years, States may exit from the PPA of such eligible CGS after giving six months of notice of relinquishment of such power."

- 1) A conjoint reading of above mentioned CERC Legislation and Executive Directions of Ministry of Power, GoI, leads to only conclusion that PPA will lapse in 25 years from date of COD which in the case of Dadri-I has come to an end of 30/11/2020. Prima facie this aspect has also been appreciated by Hon'ble APTEL in its Order dated 26/08/2021 passed against CERC Order dated 1/07/2021 wherein they have stayed the recovery of demand (Capacity Charges).
- 2) Delhi DISCOMs have reiterated that the existing PPAs available with them is sufficient to meet the demand if total contracted quantum of power is provided to them. MoP, GoI is requested to direct Central Sector Generating Stations to ensure availability of Power to Delhi as per their allocation, especially from Hydro Power Plants, Dadri-II and Aravali (Jhajjar) so that purchase of costly power from Exchanges or Gas based stations may be avoided in the interest of consumers.
- 3) However, still in case there is some requirement of power due to any other deficiency by the Generators then it can be sourced at cheap rates in the interest of consumers and for that Fresh Short Term Agreement may be entered for Dadri-I between NTPC and Delhi DISCOMs, if required.



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