

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA**

**Case No. HERC/Petition No. 9 of 2023**

**Date of Hearing : 16.02.2023**  
**Date of Order : 16.02.2023**

**In the Matter of**

**Petition under Section 86(1)(b) of the Electricity Act, 2003 read with Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking approval of source and permission to schedule power for procurement of 179MW from NTPC's Dadri- Stage I Thermal Power Plant, allocated by MoP vide order dated 28.10.2022, for a period of 6 months w.e.f.01.04.2023 at CERC regulated tariff and seeking approval to procure unallocated pooled power from the Central Generating stations of Northern Region for the period from 01.04.2023 to 30.09.2023, in the event of allocation of the same by Ministry of Power.**

**Petitioner**

Haryana Power Purchase Centre, Panchkula (HPPC)

**Present on behalf of the Petitioner**

1. Ms. Sonia Madan, Advocate

**Quorum**

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

**Chairman**  
**Member**

**ORDER**

**Brief Background of the case**

1. The present petition has been filed by HPPC seeking approval for procurement of 179 MW power from NTPC's Dadri Thermal power plant- Stage-I from 01.04.2023 to 30.09.2023 at CERC regulated tariff and to grant approval to procure unallocated pooled power from the Central Generating Station of the Northern Region during the period from 01.04.2023 to 30.09.2023.
2. The brief submissions of the petitioner are as under: -
  - 2.1 That the National Thermal Power Corporation (NTPC) owns and operates Dadri Thermal Power Plant ('Dadri-I TPS') in Uttar Pradesh with an installed capacity of 1820 MW.
  - 2.2 The Stage -1 Units of Dadri-I TPS have an aggregate capacity of 840 MW comprising four units of 210 MW each. The dates of commercial operation of four units of the generating station under Stage-I are as under:

<b>Unit</b>	<b>Capacity (MW)</b>	<b>Date of Commercial Operation (COD)</b>
Unit – I	210	1.1.1993
Unit – II	210	1.2.1994

Unit – III	210	1.4.1995
Unit – IV	210	1.12.1995
<b>COD of Generating Station</b>	<b>840</b>	<b>1.12.1995</b>

2.3 That the Steering Committee of Power Planning (hereinafter referred to as 'SCPP') in its 66th meeting held on 28.07.2022 accorded in-principle approval for approaching Ministry of Power (MoP) for allocation of power from Dadri TPS. The relevant extract of the minutes of meeting is as under-

*MoP vide its order dated 28.06.2022 allocated 500 MW power from NTPC Dadri-II power plant to Haryana upto 31.10.2022 and the same is being scheduled w.e.f. 01.07.2022. The matter was deliberated in the meeting and the Committee gave its in-principle approval for taking up the matter with MoP for allocating the power from NTPC Dadri-II power plant to Haryana for the remaining useful life of plant and also requesting to allocate surrendered capacity from Dadri-I power plant.*

2.4 That pursuant thereto, the petitioner vide letter dated 26.08.2022 requested MoP for allocation of Power to Haryana from Dadri-I & Dadri-II thermal power stations of NTPC.

2.5 That MoP vide letter dated 01.09.2022 did not consider the request of Haryana for re-allocation of power from Dadri-I & II of NTPC for following reasons -

- a) The 577 MW of Dadri-I Thermal Power Plant of NTPC has already been re-allocated to Gujarat upto March, 2027 and the remaining 179 MW Power of Dadri-I TPS has been allocated to Rajasthan up to March, 2023.
- b) Govt. of NCT of Delhi vide its letter dated 02.08.2022 has already requested to MoP to retain its entire share of 728 MW Power from Dadri-II Thermal Power Plant w.e.f. 01.11.2022 till the subsistence of the existing PPA i.e. (till 2035).

2.6 That the petitioner vide letter dated 07.09.2022 requested MoP that 179 MW Power of Dadri-I TPS may be allocated to Haryana after March, 2023 till the balance life of the project at the regulated tariff in lieu of power shortage in the State. MoP vide letter dated 28.10.2022 intimated that the said power has been allocated to Haryana w.e.f. 01.04.2023 for a period of six months.

2.7 That NTPC in its petition no. 439/GT/2020 for determination of tariff for period 2019-2024 has claimed ex-bus energy charge rate (ECR) as Rs. 3.69889/kWh and has claimed AFC for FY 2023-24 as Rs. 605.9138 crore. Also, as per the data available at NRPC website, for the period from 16.12.2022 to 15.01.2023, NTPC has claimed fixed cost and variable cost for Dadri- I as Rs. 0.973/kWh and Rs. 3.99/kWh (sic Rs. 4.04/kWh), respectively.

2.8 That currently, HPPC is deficit in power availability to meet the demand of the consumers of the State due to non-availability of power from Adani Power Ltd., CGPL Mundra & Faridabad Gas Power plant, inspite of having long term power purchase agreement with these Generators. Resultantly, HPPC is meeting power requirement through various alternate sources i.e. medium-term and short-term sources. The quantum of power purchased from exchange during the current FY 2022-23 and cost thereof is tabulated below:

Month	Quantum at Regional Periphery (LU)	Total Cost (Lakhs)	Landed cost at State Periphery (Rs/ Kwh)
April 22	5619.37	62661.02	11.50
May 22	5478.38	43433.84	8.20
June 22	5109.66	36327.65	7.35
July 22	2006.17	12064.33	6.22
August 22	3330.85	20577.17	6.40
September 22	4078.20	28938.93	7.31
October 22	274.60	1193.24	4.49
November 22	607.34	3109.81	5.32
December 22	1809.56	11862.33	6.83

2.9 That the petitioner has also floated short term tender through DEEP portal for procurement of power from 01.03.2023 to 15.10.2023 wherein the discovered tariff is in the range of Rs. 8.00/kWh and Rs. 9.00/kWh.

2.10 That the petitioner is projecting a power deficit of about 4000 MW during the forthcoming summer months of FY 2023-24. Moreover, even in the months of winter, a substantial deficit is expected from the current power availability scenario. The table depicting the current Demand-Availability projections for FY 2023-24 is reproduced below:

Demand & Availability Scenario for FY 2023-24 as on 07.12.2022						
Month	Projected Peak Demand (in MW)	Normative Availability as per PLF (in MW)	Normative Availability w/o Adani , FGPP& CGPL (in MW)	STP Arrange ments (Banking) (in MW)	Actual Availability (in MW)	Surplus (+)/ Deficit (-) (in MW)
April'23	9891	10049	8178	0	8178	-1713
May'23	10541	10218	8347	0	8347	-2194
June'23	13360	10964	9093	64	9157	-4203
July'23	13431	11001	9130	181	9311	-4120
Aug'23	12742	11029	9158	206	9364	-3378
Sept'23	12865	10294	8423	160	8583	-4282
Oct' 23	9730	9261	7390	0	7390	-2340
Nov' 23	7858	9242	7371	0	7371	-487
Dec' 23	8332	9242	7371	0	7371	-961
Jan' 24	8250	9514	7643	0	7643	-607
Feb' 24	8808	9514	7643	0	7643	-1165
March' 24	8428	9587	7716	0	7716	-712

2.11 That in view of the requirement of power from April 2023 to September 2023, the power allocation from Dadri TPS was found feasible and favorable by HPPC.

- 2.12 That the approval for procurement of 179 MW power from Dadri-I TPS shall help the State of Haryana in meeting the power requirement for peak season of the FY 2023-24.
- 2.13 That the Petitioner-HPPC is consistently making efforts to arrange a reliable and feasible power supply for the State of Haryana. Considering the position of power deficit in the State & growing requirement of power, the petitioner considers that sourcing of 179MW from NTPC's Dadri-Stage I Thermal Power Plant for a period of 6 months w.e.f. 01.04.2023 at CERC regulated tariff, as per MoP allocation order dated 28.10.2022, will be in the overall interest of all concerned including consumers & Discoms.
- 2.14 Further, approval to procure unallocated pooled power from the Central Generating Station of the Northern Region may also be granted during the during the period from 01.04.2023 to 30.09.2023, if allocated by Ministry of Power.
- 2.15 The following prayers have been made:-
- a. Grant approval of source for procurement of power i.e. 179 MW from NTPS's Dadri Thermal power plant- Stage-I from 01.04.2023 to 30.09.2023 at CERC regulated tariff as per MoP allocation Order dated 28.10.2022.
  - b. Grant approval for procurement of unallocated pooled power from the Central Generating Station of the Northern Region during the period from 01.04.2023 to 30.09.2023, keeping in view the power deficit scenario in the State in the event of allocation of same by Ministry of Power.
  - c. Pass any other order(s) and or direction(s) which the Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

### **Proceedings in the Case**

3. The case was heard on 16.02.2023, in the court room of the Commission, wherein the petitioner (HPPC) mainly reiterated the contents of its petition, which for the sake of brevity has not been reproduced.

### **Commission's Order**

4. The Commission heard the arguments of the petitioner at length as well as perused the written submissions placed on record by the petitioner. The Commission is conscious of the fact that given the prevalent scenario, surge in the demand is expected to rise exorbitantly during the months of March to October, due to power requirement of AP tube-well as well as air conditioning load, the supply of power is often inadequate. The supply side has been continuously constrained because of non-availability of power from certain sources as previously mentioned. Added to this would

be the non-availability of certain intra-state thermal generators due to avoidable scheduled overhauling allowed to them, during the peak demand period/months.

5. In view of the above, the Commission has considered the request of the petitioner based on the demand and availability position projected by them for the FY 2023-24 (para 2.10 of the present order) and grant approvals for procurement of power i.e. 179 MW from NTPS's Dadri Thermal power plant- Stage-I from 01.04.2023 to 30.09.2023 at CERC regulated tariff as per MoP allocation Order dated 28.10.2022. However, the prayer of the HPPC to grant blanket approval for procurement of unallocated pooled power from the Central Generating Station of the Northern Region during the period from 01.04.2023 to 30.09.2023, in the event of allocation of same by Ministry of Power, is rejected as allowing HPPC to purchase power without prior approval of the Commission will take the power purchase function of HPPC out of the prudence check of the Commission which will set a bad precedence. However, in case of extreme emergency Discoms may schedule power subject to ex-post facto approval of the Commission giving detailed justification, not later than 15 days thereof.
6. In terms of the above order, the present petition is disposed of.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 16.02.2023.

Date: 16.02.2023  
Place: Panchkula

(Naresh Sardana)  
Member

(R.K. Pachnanda)  
Chairman