

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 63 of 2024
Date of Hearing: 08.01.2025
Date of Order: 10.01.2025

Petition under Section 86 of the Electricity Act, 2003 read with Regulation 7, 13, 14, 15 and 16 of the Punjab State Electricity Regulatory Commission (Harnessing of Captive Power Generation) Regulations, 2022 as amended from time to time and Regulation 68 and 69 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 seeking to incorporate/amend the provisions of (Harnessing of Captive Power Generation) Regulations, 2022 to deal with the existing co-gen plants that do not otherwise fulfil the captive criteria as laid down in Rule 3 of the Electricity Rules, 2005.

And

In the matter of: Punjab State Power Corporation Limited (PSPCL), The Mall, Patiala, Punjab.
...Petitioner

Versus

1. M/s Chadha Sugar & Ind. Ltd., Vill.–Kiri Afgana, Tehsil Batala, Distt. Gurdaspur.
2. M/s Nawashahar Power Pvt. Ltd. Nawanshahar.
3. M/s A.B. Grain Spirits Pvt. Ltd., Vill.–Kiri Afgana, Tehsil Batala, Distt. – Gurdaspur.

....Respondents

Commission: Sh. Viswajeet Khanna, Chairperson
Sh. Paramjeet Singh, Member

PSPCL: Ms. Poorva Saigal, Advocate (through VC)
Ms. Pallavi Saigal, Advocate (through VC)
Sh. Harjeet Singh, ASE/TR-5
Sh. Ashish Bansal, Sr.Xen, Hydrel

M/s Chadha Sugar: Sh. Surjeet Bhadu, Advocate
Sh. Veer Singh, Advocate

ORDER

The petition was taken up for hearing on admission. The learned counsel appearing for PSPCL submitted that despite being aware that the Co-generation plants not fulfilling the criteria of Captive Power Plant (CPP) cannot be covered in the CPPs Regulation, it has filed the present petition in view of its understanding that the provisions for supply of start-up

power for such plants do not exist in any other Regulation. Further, referring to the provisions of Schedule XIII of the Schedule of Tariff as cited by the Commission in its Order dated 04.05.2022 in Petition No. 37 of 2021 filed by M/s Nawanshahar Power Pvt Ltd. (i.e., the Respondent No.2 in this Petition), PSPCL submitted that its purpose would be served if it is clarified that supply of start-up power for such Co-generation plants which do not fulfil the criteria of CPPs is also covered in the said Schedule.

After hearing the Ld. Counsel for the Petitioner, the Commission is of the view that the PSERC (Harnessing of Captive Power Generation) Regulations 2022 are applicable to all the captive generating plants in the State of Punjab which fulfill the captive criteria as laid down in Rule 3 of the Electricity Rules 2005 and therefore the present petition for seeking to incorporate/amend the provisions to deal with existing co-gen plants that do not otherwise fulfill the captive criteria as laid down in Rule 3 of the Electricity Rules 2005 is not maintainable. However the Commission notes that PSPCL has already filed Petition for approval of Tariff Order for FY 2025-26 which is under process. PSPCL shall be at liberty to submit its proposal, if any, for draft amendment/clarification in the Schedule of Tariff to be annexed with the Tariff Order.

The petition is disposed of accordingly.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **10.01.2025**