

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

Petition No. 27 of 2017

Date of Order: 22.05.2017

Present: Shri D.S. Bains, Chairman
Shri S.S. Sarna, Member

In the matter of : Petition under regulation 8.1(b) of the Supply Code 2014 by Punjab State Power Corporation Limited for seeking approval of Hon'ble Commission for extension in time period of release of New EHT Connection of 4500 kW Load / 5000 kVA Contract demand applied by Divisional Railway Manager (Elect./TRD), New Delhi under the category of Railway Traction in Sub Division Suburban Maur, PSPCL.

AND

In the matter of: Punjab State Power Corporation Limited , The Mall,
Patiala

-----Petitioner

Order:

1.0 The present petition has been filed by PSPCL under regulation 8.1(b) of the Supply Code, 2014 for seeking approval of the Commission for extension in time period for release of New EHT Connection to Divisional Railway Manager (Elect./TRD), New Delhi under the Railway Traction category in Sub Division Suburban Maur, PSPCL for a load of 4500 kW with a contract demand of 5000 KVA. The gist of the submissions is as under:

- 1.1 Divisional Railway Manager (Elect./TRD), New Delhi applied for feasibility clearance of electricity connection under Railway Traction category for a load of 4500 kW with a contract demand of 5000 kVA during the year 2011 in the office of Deputy Chief Engineer/DS Circle, PSPCL, Bathinda.
- 1.2 The feasibility clearance was granted to the applicant in the meeting of the feasibility clearance committee held on 24.09.2014. It was decided to release the load of the applicant through erection of 30.2 KM, two phase, 220 kV line with 0.4 square inch conductor from 220 kV Sub-Station Mansa to the premises of the respondent at Maiserkhana. The Applicant submitted that the supply should be released from 220 kVA Sub Station, Talwandi Sabo. Acting upon the request of the applicant, the final feasibility clearance to this connection was granted by Feasibility Clearance Committee in its meeting dated 07.01.2016. The recommendation of Feasibility Clearance Committee was as follows:

“After long deliberations, the FCC decided to allow release of applicant’s load of 4500 kW/5000 kVA CD from 220 kV Sub Station, Talwandi Sabo by erecting 2 phase 220 kV line 20 KM (approx.) with 0.4 sq. inch conductor of SC and DC towers.”

This feasibility clearance was communicated to Railways by Dy. CE/Sales-I, PSPCL, Patiala vide memo No.37/38/SWS/RID No.653 dated 25.01.2016.

However, the applicant had already applied for the connection in Sub Division Suburban Maur vide A & A Form No.39669A dated 26.10.2015.

- 1.3 On the basis of Feasibility Clearance, A.E./Suburban Sub Division, Maur issued Demand Notice vide Memo No.724 dated 02.03.2016 to Sr. Divisional Electrical Engineer (TRD), Northern Railway for tentative Service Connection Charges of ₹16,65,79,350/-. The balance amount of initial security of ₹41,25,000/- was also demanded.
- 1.4 The major portion of the work was erection of 220 kV line from 220 kV Sub Station, Talwandi Sabo to Maiserkhana Railway Station. This work was to be executed by Punjab State Transmission Corporation Limited. The estimate amounting to ₹7,98,37,517/- for this line was prepared by the office of Engineer-in-Chief/TS, PSTCL, Patiala vide estimate No.TLW-P-14/Deposit Work/2016-17.
- 1.5 The applicant deposited the Service Connection Charges. The Standby charges of transformers are yet to be deposited by the applicant.
- 1.6 PSTCL has already started the erection of 220 kV transmission line from Sub Station Talwandi Sabo to Railway Station, Maiserkhana. As per Memo No.915 dated 27.02.2017 of Dy.C.E./TLSC Circle, PSTCL, Patiala addressed to Superintending Engineer/DS Circle, PSPCL, Bathinda, the scheduled date of completion of 220 kV transmission line from Sub Station Talwandi Sabo to Railway Station Maiserkhana is 14.09.2017 provided there is no hindrance due to right of way problems.
- 1.7 PSPCL prayed that the scheduled date of completion of the transmission line may be extended to 30.11.2017.

2.0 The petition was taken up for admission. The Commission observed that Divisional Railway Manager (Elect./TRD), New Delhi, applied for connection on 15.03.2011 and the charges as per demand notice have also been deposited by the applicant. There appears to be an inordinate delay on the part of the petitioner in the release of connection.

The petitioner was directed to file a detailed reply explaining the reasons for delay of each day from 15.03.2011 onwards along with the present status report by 09.05.2017. The next date of hearing was fixed on 11.05.2017.

3.0 As directed by the Commission, PSPCL filed the detailed reply vide EIC/ARR & TR memo no.5838 dated 08.05.2017 and submitted the detailed sequence of events from 15.03.2011 in the case as under:

3.1 Senior Divisional Electrical Engineer (TRD, Northern Railway, New Delhi) submitted an application for a demand of 5000 kVA & load of 4500 kW for Maisarkhana Railway Traction Sub-Station along with other documents vide letter dated 15.03.2011 which was received in Distribution Division, Maur on 22.03.2011.

3.2 As per regulation 6.3 of the Supply Code, where new or total demand including additional demand exceeds 500 kW/kVA, the applicant shall first obtain feasibility clearance in the prescribed requisition form after payment of Earnest Money Deposit (EMD) @ of 5% of Security (consumption) as specified in the Schedule of General Charges. Accordingly, the applicant was requested to deposit the Earnest Money as specified above vide ASE/DS Division Maur office's letter No.

6763 dated 18/05/2011 followed by reminders vide memo. No. 8944 dated 24/6/2011, 11495 dated 10/8/2011 and 6243/44 dated 06/06/2012. The matter was also taken up on telephone with the concerned office on 06/06/2012.

- 3.3 The Railways has submitted its application through Online portal of PSPCL on 09.12.2013. Since the earnest money was also required to be deposited online, therefore application could not be processed. The application was only processed after the relaxation was given by CE/Commercial, PSPCL, Patiala on the request dated 11.03.2014 of the Railways.
- 3.4 The Railways deposited 10% ACD (i.e. ₹5,50,000/-) on 12.03.2014 vide BA16 no. 390/8311 dated 12.03.2014 & applied the connection through online single window portal on 18.05.2014 which was accepted by Nodal Officer on 19.05.2014.
- 3.5 The feasibility clearance to give connection by erecting about 30.2 KMs of 220 kV line from 220 kV Sub-Station Mansa was given in the meeting of Feasibility Committee held on 24.09.2014 and the same was communicated to the Railway vide Memo No. 564 dated 01.10.2014. This Clearance was subjected to payment of 50% of pending charges i.e ₹4,51,64,768/- in a UUE case against Northern Railway, Bathinda (A/c No. BS-01 under DS Division Bathinda). This amount was demanded from Northern Railway vide Memo No.: 3246/48 dated 19.02.2014 by the office of CE/Op., West Zone, Bathinda. This amount has not been deposited by Northern Railway so far.

- 3.6 With Reference to Feasibility Clearance given above, the Railways was requested to submit Application and Agreement Form and deposit amount of ACD along with requisite documents within the stipulated time limits vide ASE/DS Division Maur office memo no. 12234 dated 16.10.2014. But Railways didn't deposit any amount or A&A form with PSPCL.
- 3.7 SE/Sales-1, PSPCL, Patiala vide letter no. 711 dated 13.01.2015 intimated Railways that 10% ACD amount (i.e. ₹5,50,000/-) deposited by Railways has been forfeited because of non-Submission of A&A form along with balance amount of ACD within stipulated time as per Regulation 6.3.2 of Supply Code i.e till 01.11.2014 and application has been cancelled.
- 3.8 Railways filed a petition before the Commission against this condition through a petition no. 45 of 2015. As per order dated 02.09.2015 passed by this Commission, the above condition of payment of 50% charges was set-aside and Railways was allowed to submit A&A forms along with balance amount of Security(Consumption) after adjusting EMD already deposited within 30 days from the issue of the Order.
- 3.9 Accordingly, Railways deposited ₹8,25,000/- as 15% ACD through RTGS on 24.09.2015 and submitted A&A forms along with requisite documents on 16.10.2015.
- 3.10 The A&A form/load for release of connection at 220 kV voltage for connected load of 4500kW and CD of 5000 kVA under Railway Traction category was approved by Chief

Engineer/OP West Zone, Bathinda and the application was registered with A&A No. 39669A dated 26.10.2015.

- 3.11 Accordingly, Demand Notice No. 1322 dated 05.11.2015 was issued to Railway to deposit ₹41.25 Lac as balance amount of Initial Security and ₹2432.29 Lac as Service Connection Charges.
- 3.12 Railways requested vide letter no. RE/UMB/EL/ROK-BTI/TSS/3821 dated 17.02.2015 that supply should be given from 220 kV Sub-station Talwandi Sabo instead of 220 kV S/S Mansa. So the case was re-considered in light of request and revised feasibility was issued and the same was intimated to Railways vide Memo No. 37/38 dated 25.01.2016.
- 3.13 The office of Sr.XEN/DS Division Maur requested SE/TLSC, PSTCL, Patiala to intimate expenses of Line and other charges as per new feasibility clearance vide letter no. 1432 dated 04.02.2016. The same was communicated to Dy. CE/Planning & Communication, PSTCL, Patiala vide letter no. 1800 dated 10.02.2016.
- 3.14 The revised Demand Notice No. 724 dated 2/3/2016 was issued to Railway to deposit ₹41.25 Lac as Balance Amount of Initial Security and ₹1665.79 Lac as Service Connection Charges.
- 3.15 Railways requested vide Letter Dated 15.03.2016 to PSPCL to submit detailed estimates for erection of 220 kV Line and Bay.
- 3.16 ASE/TLSC, PSTCL, Patiala demanded ₹4,95,000/- as line survey fee for preparing detailed estimate as desired by Railways, which was intimated to Railways vide letter no.

6223 dated 29.04.2016. The amount was deposited with ASE/TLSC division Patiala vide DD No. 418164 dated 22.06.2016 vide BA16 No. 36/171 dated 01.07.2016.

- 3.17 The estimate for erection of 220 kV Line from 220 kV S/S Talwandi Sabo to MaisarKhana Railway station was prepared by the office of EIC/TS, PSTCL, Patiala vide Estimate No. TLW-P-14/Deposit Work/2016-17 amounting to ₹7,98,37,517/- and same was intimated by ASE/TLSC, PSTCL, Patiala vide letter no. 5493 dated 14.10.2016 to Railways. The Railways initially deposited ₹7,58,03,976/- (without Service Tax) vide BA16 No. 92/171 dated 15.11.2016 and balance ₹35,38,541/- (Service Tax) and ₹4,95,000/- as Line survey fee vide BA 16 No. 78/172 dated 14.03.2017.
- 3.18 The estimate for construction of 220 kV bay (Electrical Work) was prepared by ASE/Grid Construction, PSTCL, Moga vide estimate no. TSW-G-1/Deposit Work/2016-17 amounting ₹93,96,306/- which was intimated to office of Sr.XEN/DS Division Maur vide letter no. 3449 dated 22.09.2016 and this amount was paid by Railways on 22.11.2016.
- 3.19 The estimate for civil works for construction of 220 kV bay was prepared by ASE/Civil Works Division, PSTCL, Patiala vide Estimate No. 2/CW/Deposit Work/2016-17 amounting ₹11,53,293/-. Railways deposited the same on 15.02.2017.
- 3.20 The balance 75% of ACD amount i.e. ₹41.25 Lac was deposited by Railways on 08.03.2017.
- 3.21 The work of 220 kV line erection and 220 kV Bay (Electrical and Civil Woks) has to be executed by PSTCL. Therefore, the matter was taken up with various PSTCL authorities to

intimate the date of completion of work vide letters each dated 21.2.2017.

- 3.22 The major proportion of this work is erection of 220 kV (2 phase) Line from 220 kV S/S Talwandi Sabo to Maisarkhana Railway traction sub-station with 48 no. Towers (SC Line on DCTowers).

Length of Line = 15.354 Kms

Size of Conductor = 0.4 Sq. Inch

Size of Earthwire = 7/3.15 mm

- 3.23 Dy. CE/TLSC, PSTCL, Patiala vide its letter no. 915 dated 27.02.2017 intimated that the work order for the erection of line has been issued on 15.02.2017 and scheduled completion date of the line is 14.09.2017. The work is expected to be completed within the schedule period provided there is no hindrance in right of way problems. It has also been intimated that Stubbing/Foundation of 23 No. Towers have been completed & 3 No. Towers have been erected so far.

- 3.24 Dy CE/Grid Construction, PSTCL, Ludhiana vide its Memo No. 883 dated 22.02.2017 has intimated that the work of Civil foundations for the installation of electric equipments for 220 kV bay has been allotted by SE/Civil Construction, Patiala and construction of bay is likely to be completed within 3 months time-period.

- 3.25 As per Regulation 8.1(b) of Supply Code 2014, the time-limit for release of new connection at EHT supply is 120 days from date of compliance of demand notice.

3.26 As per above, there is no delay on part of PSPCL hence no officer/official is responsible for any delay.

3.27 Since the scheduled completion date of erection of 220 kV line is 14.09.2017, as intimated by Dy. CE/TLSC, PSTCL, Patiala and after that various contingent activities such as Testing and charging of Line and Bay , electrical clearances from Chief Electrical Inspector, Punjab , Installation of Metering equipments are required to be completed. Therefore, the petitioner sought extension of time to release this connection to Railway Traction, Maisarkhana upto 30/11/2017.

4.0 During the hearing on 11.05.2017, the officers of PSPCL submitted a copy of letter bearing no.RE/UMB/ EL/ Gr.160/TS/3821 dated 09.05.2017 issued by Dy. Chief Engineer Electrical, Railway Electrification, Rohtak to Superintending Engineer/DS, PSPCL, Bathinda, wherein it has been mentioned that the proposed date of completion of Maiser Khana TSS work in Sept. 2017 and power supply is required to feed this TSS by Oct. 2017. After hearing the arguments of the petitioner, the petition was admitted and the matter was reserved for a final Order.

5.0 **Commission's Findings and Order**

From the scrutiny of the sequence of events submitted by PSPCL, it is evident that there were delays at various stages in processing the case for release of connection to Railways by PSPCL & PSTCL. At the same time, Railways also responded very casually in completing the formalities and complying with the conditions of demand notice. The time limits for release of connections after 2nd amendment to Supply Code, 2014 issued vide notification dated 5th October, 2016 are as under:

- b) *In cases where augmentation/extension of a distribution main or augmentation of power transformer or erection/augmentation of distribution transformer is required but there is no requirement of erecting and commissioning a new HT/EHT line or grid sub-station or power transformer, the supply shall be provided within the period specified hereunder*

<i>Type of service connection requested</i>	<i>Period from date of compliance of Demand Notice within which the distribution licensee shall provide supply</i>	<i>Desirable period for providing connection from the date of compliance of demand notice by distribution licensee</i>
<i>Low Tension (LT) supply</i>	<i>30 days</i>	<i>20 days</i>
<i>High Tension (HT) supply - 11000 volts - 33000 volts</i>	<i>45 days 75 days</i>	<i>30 days 60 days</i>
<i>Extra High Tension (EHT) supply</i>	<i>90 days</i>	<i>75 days</i>

Provided that the distribution licensee may, at the earliest but not later than fifteen days before the expiry of the time schedule, seek approval of the Commission, for extension of period specified above, in cases where the magnitude of work involved for extension/augmentation of the supply system is such that the distribution licensee may reasonably require more time.”

The Commission appreciates that the magnitude of work involves erection of over 15 KMs of 220 kV line along with bay, which may require more time than specified in the Regulations. Moreover, as per the statement of Railway authorities, the power supply to feed TSS is required by Oct. 2017. PSPCL/PSTCL have also assured that

connection shall be released by Oct. 2017. Accordingly, as per proviso to regulation 8.1(b) of the Supply Code, 2014, the Commission decides to extend the time limit for release of EHT connection to the Divisional Railway Manager (Elect/TRD), New Delhi to Oct. 2017.

The petition is disposed of accordingly.

Sd/-
(S. S. Sarna)
Member

Sd/-
(D.S.Bains)
Chairman

Dated: 22.05.2017
Chandigarh