

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

WEST BENGAL

Petition No. OA-409/21-22

Date of hearing: 6th May, 2022

Time of hearing: 15.30 hours

Quorum:

Shri Sutirtha Bhattacharya, Chairperson

Shri Pulak Kumar Tewari, Member

In the matter of

Application regarding non-issuance of standing clearance / no objection by State Load Despatch Centre, West Bengal submitted by M/s Star Cement Limited, for short term Open Access in accordance with the WBERC under Open Access Regulations, 2007.

And

In the matter of

Star Cement Limited
1st floor, Century House
P15/1 Taratala Road
Kolkata 700 088.

..... Petitioner

And

West Bengal State Load Despatch Centre
P. O. Danesh Seikh Lane
Andul Road
Howrah 711 109.

..... Respondent

Representatives attended:

Star Cement Limited [Petitioner]

1. Sri Sumanta Chand,
2. Sri Manoj Agarwal.

West Bengal State Load Despatch Centre (SLDC) [Respondent]

1. Sri Gautam Nayak, Chief Engineer,

CASE IN BRIEF

1. M/s Star Cement Limited (SCL) vide letter dated 14.01.2022 has submitted an application regarding non-compliance of the provisions of WBERC's Open Access Regulations, 2007 by SLDC in issuance of standing clearance/ no objection against an application submitted by them for Short Term Open Access (STOA).
2. In their application, SCL has inter-alia stated as follows:
 - i) they are operating a cement grinding plant at Mohitnagar, Jalpaiguri district of West Bengal. To avail reliable power supply for its manufacturing unit, SCL has entered into a power supply agreement with WBSEDCL for a contractual demand of 8 MCA on 04.09.2020. SCL has also paid an amount of Rs. 6.16 Crore to WBSEDCL for construction of 2.1 km 132 kV dedicated service line from WBSETCL 132 kV GIS Mohitnagar Substation.
 - ii) Now, to procure electricity from market (IEX), SCL had initially applied for STOA on 07.10.2021 to WBSDLCL along with necessary formats/ documents. Subsequently, SLDC vide letter dated 11.10.2021 had sought for clarification regarding point of drawl.
 - iii) Thereafter, SCL vide its modified application letter dated 28.10.2021 clarified SLDC that SCL is connected with WBSETCL 132 kV Mohitnagar GIS substation and also enclosed the terminal arrangement and transmission line route lay out approved by the office of CE, Engineering Dept, WBSETCL.
 - iv) SCL submitted further that they have not received any response or communication from SLDC during the period. SCL also on 14.12.2021 has submitted a reminder letter to SDLC for a formal communication regarding processing of its application. However, SDLC has not conveyed its decision regarding the same.

- v) In view of the above, SCL has submitted that SLDC has failed to comply with the provisions of regulation 10.4 and 10.6 of the WBERC Open Access Regulations as SLDC is very reluctant to communicate or grant its approval to the application as prescribed in WBERC Open Access Regulations, 2007.
 - vi) Being aggrieved by the same, SCL has submitted the application to WBERC and prayed for issuance of direction to SLDC to process the STOA application of SCL by complying with relevant provisions of WBERC Open Access Regulation 2007.
3. Upon receipt of the application, an e-hearing was fixed on 6th May, 2022 in order to hear the parties. The e-hearing was held on 6th May, 2022, as scheduled, when representatives from both the parties were present.

SUBMISSIONS DURING HEARING

- 4. The representative of SCL reiterated the points already submitted in the application.
- 5. The representative of SLDC submitted that SLDC has not received any copy of the petition filed before the Commission by SCL, in absence of which they are unable to make any comment on the same.
- 6. On being enquired by the Commission as to why the application of SCL has not been disposed off in terms of the provisions specified in the Regulations of the Commission as well as CERC Regulations, the representative of SLDC could not provide any satisfactory answer.

OBSERVATIONS OF THE COMMISSION

- 7. The Commission observes that SLDC should have processed and disposed off the application submitted by SCL for short term Open Access by adhering to the time schedule already specified in the WBERC's Open Access Regulation, 2007.

ORDER

8. Upon hearing the parties present and based on the observations made by the Commission, the Commission directs that –

- a) SCL shall serve a copy of the petition submitted before the Commission upon SLDC within 7 days from the date of this order. SCL shall also submit the proof of service of application upon SLDC to the Commission through affidavit for records.
- b) After being served a copy of the petition by SCL, SLDC shall dispose off the application of SCL for short term open access by a speaking order specifying the requirements in details within 7 days from the date of receipt of the application from SCL.
- c) Upon compliance of the directions given in paragraph 8 (a) and 8 (b) above, the same shall be communicated the Commission within 7 days from the date of order to be passed by SLDC and the Commission shall decide the next course of action thereafter.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

DATE: 30.05.2022

Sd/-
SECRETARY