

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

WEST BENGAL

Petition No. OA-409/21-22

Quorum:

Dr. Mallela Venkateswara Rao, Chairperson

Shri Pulak Kumar Tewari, Member

In the matter of

Further order to the Commission's order dated 30.05.2022 issued in Case No. OA-409/21-22 against the petition submitted by M/s Star Cement Limited regarding non-issuance of standing clearance / no objection by State Load Despatch Centre, West Bengal for short term Open Access in accordance with the WBERC 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

CASE IN BRIEF

1. M/s Star Cement Limited (SCL) has filed an interlocutory application (IA) under section 86 (1) (a) read with section 86 (1) (f) of the Electricity Act, 2003 and in terms of the West Bengal Electricity Regulatory Commission (Open Access) Regulations, 2022 seeking directions from the Commission for process of the application for short term open access.
2. The above interlocutory application is in continuation of SCL's earlier petition dated 14th January, 2022 against which the Commission, upon hearing both SCL and West Bengal State Load Despatch Centre (WBSLDC), passed an interim order with some directions.

3. Now, SCL vide its above IA dated 18.04.2023 has inter-alia submitted the followings:
- a) SCL has served the copy of application to SLDC on 10.05.2022 as per the order of the Commission;
 - b) WBSLDC informed that all inter-state STOA needs to be registered through NOAR (National Open Access Registry) platform of NLDC as per notification dated 21.03.2022 of CERC (Open Access in Inter-State Transmission) Regulations, 2008 effective from 1st May, 2022.
 - c) Considering suggestion of WBSLDC, petitioner has registered to NOAR platform as utility;
 - d) SLDC acknowledged its registration and directed to complete information related to connectivity and ABT meters;
 - e) Petitioner has already arranged two ABT meters (Main and Check) from "Secure Meters" which is a pre-requisite to become technically eligible for Open Access;
 - f) The petitioner approached WBSETCL for connectivity agreement as it is connected to WBSETCL's 132 kV network;
 - g) WBSLDC advised SCL that in order to process the NOAR Registration for open access, the petitioner should execute connectivity agreement with WBSEDCL since the petitioner is connected to WBSEDCL's 132 kV network;
 - h) Though it was well established that the petitioner is connection to WBSETCL's 132 kV network, but still SCL approached WBSEDCL for connectivity agreement so as to complete the NOAR process;
 - i) In absence of any reply from WBSEDCL, even after several reminders, the petitioner has filed the interlocutory application with the following prayers:
 - i) Direct WBSETCL to execute connectivity agreement with the petitioner as per 15.1 of Open Access regulations 2022;
 - ii) Since petitioner is not using any distribution network, execution of connectivity agreement with WBSEDCL is not justified;

iii) WBSEDCL and WBSETCL may be included as respondent to the petition for clarity of connectivity agreement.

ORDER

4. In view of the present status of the case arising out of the interlocutory petition filed by SCL the Commission directs that –
- a) SCL shall include WBSETCL and WBSEDCL as respondent to the Petition No: OA-409 of 2021-22; the petitioner shall file the present petition afresh after inclusion of respondents as above which shall be registered by the commission in the same no.
 - b) SCL shall serve copy of the of the Original Petition no: OA-409 including Interlocutory Application dt. 18.04 2023 in petition no. OA-409 of 2021-22 to WBSETCL and WBSEDCL within seven days from the date of filing of the petition afresh;
 - c) WBSETCL and WBSEDCL shall submit reply to the original petition and interlocutory application thereof, within 10 days of receiving the copy of Petition No: OA-409 and interlocutory application from SCL;
 - d) SCL shall file their submission, if any, to the Commission in response to the reply of WBSEDCL and WBSETCL. within 10 days from the date of receipt of reply from WBSETCL and WBSEDCL;
 - e) Upon compliance of the directions given by the Commission under clauses (a) to (d) above, the Commission shall fix the next date of hearing of the parties involved, if required.
5. Let copy of this order be served upon SCL, WBSETCL and WBSEDCL.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(MALLELA VENKATESWARA RAO)
CHAIRPERSON

DATE: 19.05.2023

Sd/-
SECRETARY