



ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION
IN THE MATTER OF
CASE NO. OA- 456/ 23 - 24

IN REGARD TO THE APPLICATION SUBMITTED BY THE WEST BENGAL POWER DEVELOPMENT CORPORATION LIMITED (WBPDC) FOR REMOVAL OF DIFFICULTIES IN APPOINTMENT OF THIRD-PARTY SAMPLING AGENCIES FOR MEASUREMENT OF COAL SAMPLE AT UNLOADING POINT OF POWER STATIONS IN TERMS OF CLAUSE (LXA) OF REGULATION 1.2.1 OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) REGULATIONS, 2011 AS AMENDED FROM TIME TO TIME.

PRESENT:

DR. MALLELA VENKATESWARA RAO, CHAIRPERSON
SRI PULAK KUMAR TEWARI, MEMBER

DATE: 31.08.2023



CASE IN BRIEF

- 1.0 The West Bengal Power Development Corporation Limited (in short 'WBPDCCL') has submitted an application vide letter dated 30.05.2023 seeking removal of difficulties in appointment of Third-Party Sampling Agencies for measurement of coal sample at unloading point of power stations of WBPDCCL. The application has been admitted by the Commission in Case No. OA – 456/23-24.
- 2.0 In the said application, WBPDCCL has submitted that, in accordance with the clause (Ixa) of regulation 1.2.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended from time-to-time, WBPDCCL has appointed M/s. Superintendence Company of India Pvt. Ltd. (SCIPL) as a Third-Party Sampling Agency (TPSA) since 01.03.2022 for measurement of Gross Calorific Value (GCV) of coal at the unloading point of the thermal power station, through transparent billing process from the list maintained by Coal India Ltd. (CIL). The contract period of M/s. SCIPL is going to expire on 31.08.2023.
- 3.0 WBPDCCL has further submitted that the Ministry of Power, GOI has assigned the task of empanelment of TPSAs to M/s. Power Finance Corporation Limited (PFC) and PFC is in the process of finalizing the RFP for the second round of empanelment. Accordingly, WBPDCCL has prayed before the Commission to allow the existing TPSA (M/s. SCIPL) to continue with the measurement of GCV value of coal at unloading end of the thermal generating plant for another 12 months from 01.09.2023.



Order of the West Bengal Electricity Regulatory Commission on an application submitted by West Bengal Power Development Corporation Limited for Removal of Difficulties in appointment of third-party sampling agencies for measurement of coal sample at unloading point of power stations in terms of clause (Ixa) of regulation 1.2.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended from time to time.



OBSERVATIONS OF THE COMMISSION

- 4.0 Timely engagement of TPSA through transparent bidding process from the list maintained by Ministry of Coal, GOI/ CIL is the responsibility of WBPDC as per the Tariff Regulation of WBERC.
- 5.0 The existing Tariff Regulation stipulates that the third-party of the TPSA is to be appointed by the Generating Company from the list maintained by Ministry of Coal-GOI/ CIL only. As submitted by WBPDC, M/s. PFC has now been assigned with the task of empanelment of TPSAs by Ministry of Power, GOI. As such, WBERC Tariff Regulations will be suitably amended so that the panel prepared by any of the agencies designated by the State Government and/or Central Government for preparing empanelment may be considered for selection of TPSAs through competitive bidding.

ORDER

- 6.0 Keeping view the submission made by WBPDC, the Commission hereby directs WBPDC to engage TPSA within a period of six months from the date of issuance of this order from panel approved by GOI/State Government guidelines through transparent and due procedure enshrined therein.
- 7.0 During the interim period, WBPDC may continue with the existing TPSA.
- 8.0 The petition is thus disposed of.
- 9.0 A copy of the order shall be posted on the website of the Commission.



Order of the West Bengal Electricity Regulatory Commission on an application submitted by West Bengal Power Development Corporation Limited for Removal of Difficulties in appointment of third-party sampling agencies for measurement of coal sample at unloading point of power stations in terms of clause (Ixa) of regulation 1.2.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended from time to time.



10.0 WBPDC shall download the copy from the website of the Commission and act on it. Certified copy of the order if applied for, be given to the parties on completion of formalities laid down in the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013, as amended and on submission of necessary fees.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(MALLELA VENKATESWARA RAO)
CHAIRPERSON

Dated : 31.08.2023

Sd/-
SECRETARY