



भारत सरकार  
Government of India  
विद्युत मंत्रालय  
Ministry of Power  
पूर्वी क्षेत्रीय विद्युत समिति



**Eastern Regional Power Committee**

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No: ERPC/BRBCL/ 2018/ 4500

Date: 06.03.2018

FAX MESSAGE NO. - 95


**From: Member Secretary, ERPC, Kolkata.**

**To: (As per list.)**

**Sub: Minutes of the Meeting held on 26.02.2018 at ERPC, Kolkata on issues raised by Railway Board regarding BRBCL - Reg.**

Enclosed please find the Minutes of the Meeting held on 26.02.2018 at ERPC, Kolkata on issues raised by Railway Board regarding BRBCL for your kind information and necessary action.

Regards,

  
(J. Bandyopadhyay)  
Member Secretary

**Copy to:**

1. Sh. P.Mukhopadhyay, ED, ERLDC.
2. Sh. K.K.Sinha, GM (Comml), NTPC.
3. Sh. S.Goel, ED, EEM, Railway Board.
4. Sh. Vijay Gulati, Associate Advisor, BRBCL.
5. Sh. M.K.Singh, GM (O&M), BRBCL.
6. Sh. Saurabh Kumar, Dy. Manager (O&M), BRBCL.
7. Sh. Rajan Saxena, OSD, Railways.
8. Sh. Surendra Kumar, CEDE, E.C.Railway
9. Sh. R.P.Mishra, CEDE, E.Rly.
10. Sh. S.K.Saha, SSE, E.Rly.
11. Sh. N.S.Aich, Dy. CEE, ERD, HQ.
12. Sh. S.K.Saxena, CEO, REMCL.
13. Sh. Sahil Kapoor, Manager, PTC.
14. Sh. Deepak Kumar, AEE (Comml), SBPDCL.
15. Ms. Sudhanshu, AEE, BSPHCL.
16. Sh. Manish Tiwari, Sr. GM, REMCL.

## **ERPC: Kolkata**

### **Minutes of the Meeting held on 26.02.2018 at ERPC, Kolkata on issues raised by Railway Board regarding BRBCL.**

List of Participants in the meeting given in Annexure.

Shri **Joydeb Bandyopadhyay**, Member Secretary, ERPC welcomed the participants from Railways, BRBCL, NTPC, BSPHCL, SBPDCL, ERLDC and ERPC in the meeting. He informed that the meeting has been convened in response to the letters dated 30.01.2018 & 02.02.2018 received from East Central Railway and letter dated 15.02.2018 received from Railway Board.

In the letters, Railways have raised the following issues:

- 1) **REA issued by ERPC prior to 02.08.2017 in respect of BRBCL.**
- 2) **Revision of Allocation of Power from Unit I & Unit II.**
- 3) **Consideration of ERPC Membership for Railways.**

#### **Issue No. - 1. REA issued by ERPC prior to 02.08.2017 in respect of BRBCL.**

Railway submitted the followings:

- i) Even though the COD of BRBCL Unit – I was made w.e.f. 15.01.2017, the actual flow commenced from 02.08.2017. Therefore, the cumulative availability for the F.Y. 2017-18 up to the preceding month in Row – 7 for REA for the month of August, 2017 should be taken as 0(zero) instead of the DC reflected by ERPC in the REA issued.
- ii) No Capacity Charges are payable by Railways for the period from 15.01.2017 to 01.08.2017 as the LTA was not operationalized and Scheduling did not commence.
- iii) The basic objective of Railways for establishing the Nabinagar Thermal Power Plant, a joint venture Project between Railways and NTPC was to have cheap power in place of costly power offered by the state DISCOMS. However, if the payment liability of the capacity charges is thrust on the Railways when the power could not be scheduled, the

cost of power becomes very high and the basic objective of establishing Nabinagar Thermal Power Plant gets defeated.

- iv) CERC in its order dated 29.06.2017 against petition No. 24/MP/2017 had not explicitly stated anything regarding reflection of DC of BRBCL in REA prior to operationalization of LTA and commencement of scheduling of power from Nabinagar.
- v) Revision of REA incorporating the DC of BRBCL was done by ERPC secretariat unilaterally without consulting with Railways even though the para 4.4.3 of BPPA between Railways and BRBCL incorporated a clause in this respect.
- vi) Before commencement of scheduling, BRBCL was declaring DC as 100%. However, for reasons best known to BRBCL, the DC has come down significantly after commencement of scheduling,
- vii) In conclusion, Railways requested ERPC secretariat to revise the REA and make the DC prior to 02.08.2017 as 'NIL'.

BRBCL / NTPC submitted the followings:

- i) BRBCL has declared the COD of Unit – I with effect from 15.01.2017 and the unit was ready for generation. Accordingly, BRBCL had been furnishing DC on day ahead basis to ERLDC on regular basis.
- ii) Order for allocating 90% of Nabinagar capacity of BRBCL to Railways was issued much earlier than the date of commercial operation of the unit. Railways had to complete all the necessary formalities like obtaining of LTA from CTU, no objection certificate from the concerned states before the COD of the said unit. BRBCL must not be held responsible for failure on the part of the Railways to complete the formalities. As such, BRBCL cannot also be denied the payment of capacity charges based on the DC declared.

- ii) The power from BRBCL could not be scheduled for reasons as detailed in the reply furnished by ERLDC in the petition filed by BRBCL in CERC.

**ERPC Secretariat:**

In conclusion, Member Secretary, ERPC traced the genesis of the issue. He clarified that the DC declared by Nabinagar and forwarded to ERPC Secretariat by ERLDC have been incorporated in the REA keeping in view the existing regulations governing the sharing of Capacity Charge and CERC Order dt. 29.06.2017 in respect of the Petition No. 24/MP/2017 . The question of revision of REA by ERPC Secretariat incorporating “NIL” DC prior to scheduling of power does not arise.

**Issue No. - 2. Revision of Allocation of Power for Unit - I & Unit – II**

Member Secretary, ERPC informed that the Railways have requested for separate allocation order for single unit & two units operation of Nabinagar.

It was pointed out to Railway by ERLDC that 90% of Capacity of Nabinagar STPS of BRBCL has been allocated to Railways. This % share should be further apportioned among the different drawal points for the purpose of scheduling. There must be a single % allocation order for Nabinagar STPS irrespective of the number of units in operation.

Railways agreed to provide the % allocation from Nabinagar STS for issuance of necessary single allocation order.

**Issue No. - 3. Consideration of ERPC Membership for Railways**

Railways clarified that, they need their representative to be present in OCC Meeting where operational decisions are taken. They requested ERPC to make the Railway representative as OCC Members. Member Secretary, ERPC agreed to make Railway representative as special invitee to the OCC Meetings subject to fulfillment of the conditions laid down for such cases.

Meeting ended with vote of thanks to the Chair.

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- iii) ERPC Secretariat has correctly reflected the DC of the unit in the REA. This is in consonance with the CERC order dt. 29.06.2017 in respect of Petition No. 24/MP/2017.
- iv) The allocation order issued by ERPC is for the scheduling of power from Nabinagar to different drawal points located at different states and for apportionment of the capacity charges from the date of scheduling. This does not absolve Railways of its responsibility towards payment of capacity charges prior to 02.08.2017.
- v) In conclusion, it was emphasised that the REA issued by ERPC indicating DC of Unit – I of BRBCL must not be changed.

Bihar submitted the followings:

- i) Bihar has been allocated the 10% of power from BRBCL.
- ii) Bihar was ready to avail this power but could not do so because the plant could not be run at 10% of the capacity which is much below than the minimum technical limit of the unit.
- iii) As a result, Bihar ended up paying the capacity charges during the period from 15.01.2017 to 01.08.2017 without availing any power.
- iv) Bihar requested that, for this reason alone, payment liability of capacity charges for Bihar should be waived.

ERLDC submitted the followings:

- i) Since COD of UNIT-1 of BRBCL, ERLDC had been receiving DC of the unit from BRBCL. This was forwarded to ERPC.



## Attendance Sheet

### SPECIAL MEETING ON ISSUES RAISED BY RAILWAYS ON SCHEDULING OF BRBCL

VENUE: ERPC CONFERENCE ROOM, KOLKATA

TIME: 15:30 HRS

DATE: 26.02.2018 (MONDAY)

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Sl. No.	Name	Designation & Organisation	Contact Number	E-mail Id	Signature
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