

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present : **Shri. Preman Dinaraj, Chairman**
Shri. S. Venugopal, Member
Shri. K. Vikraman Nair, Member

Petition OP 48/19

In the matter of : Petition under the second proviso to sub-Regulation (1) of Regulation 36 of the KSERC (Connectivity and Intra State Open Access) Regulations, 2013 for exemption from the installation of Special Energy Meters and RTU for grant of Long Term Intra State Open Access for the printing centers with a contract demand at drawal points less than 1MVA.

Petitioner : M/s. Malayala Manorama Co Ltd

Petitioner represented by: Shri. Mohanan Nair, Malayala Manorama
Shri. Renji Kuriakose, Malayala Manorama
Shri. Shibu George, Chief General Manager- Work
Shri. Jacob Cherian, Senior Engineer-PLM
Shri. Jayakumar, Project Engineer

Respondent : Kerala State Electricity Board Limited

Respondent represented by: Shri. Sasankan Nair, DCE, TRAC, KSEBL
Shri, KGP Nampoothiri, EE, KSEBL
Shri. Biju S.S, AEE, KSEBL
Smt. Latha S.V, AEE, KSEBL

Order dated 09.08.2019

1. M/s. Malayala Manorama Co. Ltd (hereinafter referred to as M/s. Malayala Manorama or the petitioner), on 17.06.2019, filed a petition before the Commission, with the following prayers:

“(1). to issue orders exempting Malayala Manorama Co Ltd from the installation of Special Energy Meters at drawal points in the premises of their printing plants with contract demand less than 1MW, and

(2). to issue directions to KSEB Ltd not to insist on the installation of Special Energy Meters at such drawal points, while granting Intra State Open Access.”

2. The summary of issues raised by the petitioner is as follows,

- (1) M/s. Malayala Manorama has 19 HT connections from KSEB Ltd for their various printing plants, TV Studios and FM Radio Station in the State of Kerala. The contract demand of each of the HT connections ranges from 50kW to 2MW. The average annual power consumption of all the 19 HT consumers together is about 24MU.
- (2) In order to meet their electricity demand, the petitioner, M/s. Malayala Manorama Limited installed and commissioned a 10MW captive Wind Plant at Palakkad and the Plant was commissioned and connected to the grid on 28.03.2019. SCADA visibility is also made available for the plant. Since then, the Wind generators are running in good condition and the electricity generated the station is being injected to the grid of KSEB Ltd. The annual generation expected from the Plant is about 26MU.
- (3) M/s. Malayala Manorama Limited requested KSEB Ltd to give banking facility for the use of the electricity generated from the Wind plant for the use in the 19 connection across the State. KSEB Ltd has directed the petitioner to get Long Term Open Access (LTOA) and accordingly the petitioner submitted an application for getting open access on 14.04.2019 which is under process.
- (4) While scrutinizing the application, KSEB Ltd pointed out that as per the Regulation 36 of the KSERC (Connectivity and Intra State Open Access) Regulations 2013, the petitioner has to install Special Energy Meters at all the drawal points.
- (5) Regarding the installation of the Special Energy Meters, the petitioner submitted that,
 - (i) They had installed good quality TOD meters having specified accuracy class in all the 19 premises and all the meters are adhering to the latest technologies.
 - (ii) Changing 19 meters with Special Energy Meters are very expensive and time consuming.
 - (iii) Switching off power supply for the changing meters, CTPT will, very badly affect the production in their units.
 - (iv) TOD meters already installed are the best quality class and will give time zone wise consumption.
 - (v) The petitioner installed Special Energy Meters at the injection point of the generating station and SCADA visibility also is available.

3. The Commission admitted the petition as OP No 48/2019 and conducted the hearing on 19.07.2019 at the court hall of the Commission. Sri. Shibu George presented the petition on behalf of the petitioner. Sri. K. G. P. Nampoothiri, Executive Engineer presented the comments on behalf the respondent KSEB Ltd.
4. During the hearing, the petitioner, M/s Malayala Manorama Ltd submitted the following:
 - (i) The 10 MW wind plant at installed at Ozhalapathy Panchayat is commissioned and connected to the grid on 28.03.2019. The electricity generated from the plant is being injected into the State Grid since then.
 - (ii) As per the present consumption pattern of the 19 units the petitioner, 25% of the total consumption is during normal hours from 6:00 hrs to 18:00 hrs, 25 % of the consumption during peak hours from 18:00m hrs to 22:00 hrs and 50% of the consumption during off-peak hours from 22:00hrs to 6:00 hrs.
 - (iii) KSEB Ltd had offered unconditional banking for the electricity generated from the 10 MW wind plant for the use in their 19 premises across the State.

The Commission during the hearing clarified that, the banking agreement to be signed between the petitioner and KSEB Ltd shall be as per the provisions in the KSERC (Renewable Energy) Regulations, 2015 and its amendments from time to time. After signing the banking agreement, KSEB Ltd shall submit a copy of the banking agreement for information of the Commission.

5. KSEB Ltd during the hearing submitted that,
 - (i) As per the Regulation 11(4) of the KSERC (Connectivity and Intrastate Open Access) Regulations, 2013, before granting open access, the nodal agency shall ensure that SEMs are installed and maintained in accordance with the provisions of the CEA (Installation and Meters) Regulations, 2006 as amended from time to time and RTU are installed and maintained as stipulated in the detailed procedure to facilitate real time monitoring by SLDC.
 - (ii) The petitioner requested from exemption from installing SEMs as it requires substantially long shut down and affect their printing works.
 - (iii) As per the second proviso under Regulation 36 of the KSERC (Connectivity and Intrastate Open Access) Regulations, 2013, the

Commission is empowered, in consultation with the STU or the distribution licensee, to exempt small generators of capacity less than or equal to 1 MW and consumers with contract demand less than or equal to 1 MVA from the installation of special energy meters.

- (iv) Special Energy Meters are required for time block wise deviation accounting. Since intra state deviation settlement mechanism is not implemented in the State, till the intra-state deviation mechanism is introduced in the State, the consumers with contract demand less than or equal to 1MVA may be exempted from installation of ABT meters. Such consumers are required to install ABT meters as and when the Commission introduces intrastate DSM mechanism in the State.

Analysis and Decision

- 6. The Commission has examined the petition filed by M/s Malayala Manorama Co Ltd as per the provisions of the Electricity Act, 2003, KSERC (Connectivity and Intra State Open Access) Regulations, 2013, forecasting, scheduling and related issues in wind and solar power, and the prudent practices on such issues followed in the Country.
- 7. The petitioner M/s Malayala Manorama Co Ltd, is having 19 HT consumer connections with KSEB Ltd across the State for availing power at its various industrial and commercial establishments including their printing press, FM radio, TV studios etc. The contract demand of each of the HT connections ranges from 50 kW to 2 MW. Further, out of the 19 HT connections, the contract demand of the 16 connections is less than 1 MVA.

The petitioner has also established a 10 MW wind power plant at Palakkad for their captive use at the 19 consumer connections with KSEB Ltd, so that the drawal from the KSEB Ltd can be reduced to that extent. The wind plant was commissioned and connected to the grid on 28.03.2019 and electricity is being generated from the plant since then.

In order to facilitate the transmission and wheeling of electricity from the wind power plant to the 19 consumer premises on long term basis, the petitioner has to avail Long Term Open Access (LTA), as per the provisions of the KSERC (Connectivity and Intra-state Open Access) Regulations, 2013 (herein after referred as Open Access Regulations, 2013).

- 8. As per the Regulation 11 (4) of the Open Access Regulations, 2013, before granting open access, the nodal agency has to ensure the installation of the Special Energy Meters by the open access customer. The relevant Regulation is extracted below.

“(4) Before granting open access, the nodal agency shall ensure that special energy meters are installed and maintained in accordance with the provisions of The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and remote terminal units (RTU) are installed and maintained, as stipulated in the detailed procedure, to facilitate real time monitoring by SLDC.

Provided that, the distribution licensee shall install special energy meters and remote terminal units in the premises of the applicants for open access within the time frame as stipulated in the detailed procedure.”

The nodal agency for granting Long Term Open Access is the State Transmission Utility, which is Strategic Business Unit- Transmission of KSEB Ltd.

9. Further, the Regulation 36 of the Open Access Regulations, 2013 deals with metering and related issues, which is extracted below.

“ 36. Metering. - (1) All generating stations irrespective of capacity and all open access customers including embedded consumers shall be provided with special energy meters (SEM) by the State Transmission Utility or the distribution licensee, as the case may be:

Provided that, in case an open access customer or embedded consumer elects to purchase his own special energy meter, he shall purchase the same from the firms empanelled by the STU as specified in The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time:

Provided further that the Commission, in consultation with the STU or the distribution licensees, may exempt small generators of capacity less than or equal to 1 MW and consumers with contract demand less than or equal to 1 MVA from this condition as and when found necessary.

(2) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and the provisions of State Grid Code and shall have remote terminal unit (RTU) to facilitate real time monitoring by the SLDC as and when specified by the Commission.

(3) Special Energy Meters shall be open for inspection by any person authorized by the STU or the State Load Despatch Centre or the distribution licensee as the case may be.

(4) All open access customers, STU, transmission licensee other than STU, distribution licensee and generating company shall abide by The Central Electricity Authority (Installation and Operation of Meters) Regulations 2006 as amended from time to time.”

10. As per the Regulation 36(2) as extracted above, the Special Energy Meters installed by the Open Access Customers is essential for measuring the time

block wise 'active and reactive energy', and also to have remote terminal unit (RTU) to facilitate real monitoring by SLDC.

11. In order to address the deviation from schedule by the generators, distribution licensees and other users of the inter-state transmission system within the time block of 15 minutes duration, the Central Electricity Regulatory Commission (herein after referred as Central Commission or CERC) has introduced the Availability Based Tariff in the year 2000. Later, after the enactment of the Electricity Act, 2003, recognizing trading of electricity as a licensed activity, non discriminatory provision for providing open access for the use of the transmission system and distribution system by the customers, introduction of power exchanges for the transactions of electricity across the country, the Central Commission had made many amendments and changes to address the deviation from the schedule by the users of the inter-state transmission system. Accordingly, the Central Commission has completely revised and modified the earlier Availability Based Tariff Regulations and introduced the CERC (Deviation Settlement Mechanism and related matters) Regulations, in the year 2014.

For recording the generation of electricity by the generators and the drawal of electricity by the distribution licensees, open access consumers and other users in the time block of 15 minutes duration, the Special Energy Meters has to be installed as specified under Regulation 36(2) of the Open Access Regulations, 2013 and its amendments.

12. However, in the State of Kerala, KSEB Ltd, the State Government owned incumbent distribution licensee has been generating and purchasing electricity for meeting the entire electricity demand of the State. Accordingly, any deviation from the schedule within the State has been addressed by KSEB Ltd itself by re-scheduling its own hydro generation or by restricting the consumption within the State. So far, only the embedded consumers of KSEB Ltd are availing open access from the day ahead markets and the deviations in schedule by such consumers are also borne by KSEB Ltd by allowing them to draw power from grid to make good such deviations.

Further, as of now, for the Renewable Energy plants including wind and solar generators there is no mandatory provisions for forecasting and scheduling of electricity from such renewable sources in the State.

13. However the situation is also evolving due to the large scale integration of Renewables in the Country. The Central Government has fixed an ambitious target to achieve 175 GW power from Renewable by the year 2022. In order to address the issues related to forecasting and scheduling of power from Renewables, the Forum of Regulators, a body constituted under Section 166 (2) of the Electricity Act, 2003, had notified the model Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations at

the State level' in the year 2015. Most of the State Commissions of the renewable rich State has already notified the Regulations on forecasting and scheduling of power from renewables in their respective States in line with the Model Regulations notified by the FoR. Further, in order to address the large scale penetration of Renewables, the Central Commission and other Technical expert bodies are also studying the option to reduce the time block for deviation settlement mechanism from '15 minutes' time block to '5 minute' block.

14. In this State also, many entrepreneurs are establishing Renewable energy power plants for the captive use as well as for third party sale. In the changed scenario and also to address the issues related to large scale integration of the Renewables in the State grid, this Commission is in the process of notifying the Regulations of 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala'. Once this Regulations is notified, all the Renewable Energy Generators as well as the customers drawing power from RE sources has to install Special Energy Meters as mandated in the Regulation 11(2) of the Open Access Regulations, 2013, so as to measure the time block wise consumption in 15 minutes time block or 5 minute time block as the case may be.
15. The Commission, as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, can exempt the consumers with contract demand less than 1 MVA, who intend to avail open access within the State, from installing Special Energy Meters, in consultation with the STU or the Distribution licensee.
16. KSEB Ltd, who is the STU and distribution licensee, vide the affidavit dated 17.07.2019 has submitted as follows. *'Since intra state deviation settlement mechanism is not implemented in the State, till the intra-state deviation mechanism is introduced in the State, the consumers with contract demand less than or equal to 1MVA may be exempted from installation of ABT meters. Such consumers are required to install ABT meters as and when the Commission introduces intrastate DSM mechanism in the State'*.

However, all the consumers with contract demand above 1 MVA, intend to avail open access for drawl of power within the State, shall install Special Energy Meters as per the Regulation 11(2) read along with the Regulation 36 of the Open Access Regulations, 2013.

17. Hence by the exercising the power conferred on the Commission as per the second proviso to Regulation 36(1) of the Open Access Regulations, 2013, and based on the consultation with KSEB Ltd in this matter, the Commission has decided to exempt the drawal points of the petitioner with contract demand less than or equal to 1 MVA from the installation of Special Energy Meters, till the Commission notify the Regulations on Deviation Settlement and related matters and/or the Commission notify the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala'. However, as per the provisions of the Open Access Regulations, 2013,

such exemption cannot be granted to drawal points of the petitioner with contract demand more than 1 MW.

Orders of the Commission

18. The Commission, after examining the petition filed by M/s Malayala Manorama Co Ltd as per the provisions of the Electricity Act, 2003, provisions in the KSERC (Connectivity and Open Access) Regulations, 2013, and other facts and circumstances discussed in the proceeding paragraph here by the orders that,
- (1) In exercise of powers conferred on the Commission under second proviso to Regulation 36(1) of the KSERC (Connectivity and Intra State Open Access) Regulations 2013, and also based on the recommendations of the KSEB Ltd as the STU and distribution licensee of the State, the Commission hereby exempt the drawal points of the petitioner with contract demand less than or equal to 1 MVA from the installation of Special Energy Meters, subject to the conditions specified below.
 - (2) Once the Commission notify the Regulations on Deviation Settlement and related matters and/or the Commission notify the Regulations on 'Forecasting, Scheduling and Deviation Settlement of Wind and Solar Generating Stations in the State of Kerala', the petitioner shall install the Special Energy Meters as per the provisions of the said Regulations.

Petition is disposed off and ordered accordingly.

Sd/-

**K. Vikraman Nair
Member**

Sd/-

**S. Venugopal
Member**

Sd/-

**Preman Dinaraj
Chairman**

Approved for issue

Sd/-

Secretary