

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 178 of 2018

In the matter of

Petition of Maharashtra State Electricity Distribution Company Limited seeking in principle approval for supplying power during day time to Agricultural consumers connected on Agricultural feeders of those substations where Solar Power Projects gets commissioned under “Mukhyamantri Saur Krishi Vahini Yojana”

Coram

**Shri. Anand B. Kulkarni, Chairperson
Shri. I.M.Bohari, Member
Shri. Mukesh Khullar, Member**

Maharashtra State Electricity Distribution Company Limited (MSEDCL)..... Petitioner

Appearance

For MSEDCL : Shri. Paresh Bhagwat (Rep.)

ORDER

Date: 19 July, 2018

1. Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) Plot No G-9, 5th Floor, Prakashgad, Station Road, Bandra (East), Mumbai - 400 051, has filed a Petition on 19 June, 2018 seeking in principle approval for supplying power during day time to Agricultural (Ag.) consumers connected on Ag. feeders of those substations where Solar Power Projects gets commissioned under “Mukhyamantri Saur Krishi Vahini Yojana”
2. MSEDCL’s prayers are as follows:
“
 - (a) *To admit the present Petition.*
 - (b) *To accord in principle approval for supplying power to Ag consumers connected on Ag feeders of those substations where solar power projects gets commissioned under “Mukhyamantri Saur Krishi Vahini Yojana” for 8 hours during day time i.e. between 08:00 to 18:00 hours with stagger time slots.*”

- (c) *To consider the submission made by the Petitioner and consider the same positively while deciding the Petition;*
- (d) *Considering the facts & circumstances of the case, MSEDCL humbly requests the Hon'ble Commission to conduct early hearing of the present Petition.*
- (e) *To condone any error/omission and to give opportunity to rectify the same;*
- (f) *To permit the Petitioner to make further submissions, addition and alteration to this Petition as may be necessary from time to time."*

3. MSEDCL in its Petition has stated as follows:

a) It has been incorporated under Indian Companies Act, 1956 pursuant to decision of Government of Maharashtra (GoM) to reorganize erstwhile Maharashtra State Electricity Board (MSEB). This reorganization of the MSEB has been done by GoM pursuant to "Part XIII – Reorganization of Board" read with section 131 of The Electricity Act, 2003 (EA, 2003). It has been incorporated on 31 May, 2005 with the Registrar of Companies, and is a Distribution Licensee under the provisions of the EA, 2003 having license to supply electricity in the State of Maharashtra except some parts of city of Mumbai & its suburbs (excluding Mulund & Bhandup).

Three phase power supply availability to Ag. consumers:

b) The Commission in its Order dated 9 May, 2011 in Case No. 81 of 2010 regarding three phase power supply availability to Ag. consumers on single phase and separated AG scheme feeders ruled as under :

"21B.....

Accordingly, the norms for power supply to Agricultural pumps shall remain 8 hours per day only. Whenever there is surplus power in the System, power supply up to 10 hours per day shall be given at night starting from 23.00 hours and 8 hours per day power supply shall be given during day time (excluding peak load hours) on rotational basis. In case of critical System condition, the power supply to Agricultural Pumps shall be restricted to 8 hours per day only.

...."

Accordingly, MSEDCL is giving three phase power supply availability of 8 hours in day time or 10 hours in night time on rotational basis to Ag. Consumers connected on single phase and separated Ag. feeders.

c) The Commission in its Order dated 26 November, 2012 in Case No. 41 of 2012 in the matter of Suo-moto hearing of revision and violation of Principles and Protocols of Load Shedding with respect to Circular No. 43 and 44 of MSEDCL has directed it to approach to the Commission whenever there is need to change the approved Load Shedding Protocol.

Mukhyamantri Saur Krishi Vahini Yojana:

d) The GoM vide Government Resolution (GR) dated 14 June, 2017 has issued Policy under “Mukhyamantri Saur Krishi Vahini Yojana” to supply the power to Ag. consumers during day time through Solar Power Projects to be developed by Maharashtra State Power Generation Co. Ltd. (MSPGCL). Subsequently, Vide GR dated 17 March, 2018, GoM has modified the earlier GR dated 14 June, 2017 and appointed MSEDCL as an implementation agency in addition to MSPGCL for flexibility and speedy implementation of this scheme. As per GR dated 17 March, 2018, the power generated from these Solar Power Project developed under “Mukhyamantri Saur Krishi Vahini Yojana” shall be utilized for providing day time power supply to Ag. consumers after the approval by the Commission.

e) Accordingly MSEDCL has initiated tendering process for procurement of power from the Solar Projects to be developed under “Mukhyamantri Saur Krishi Vahini Yojana”. MSEDCL has floated tender for procurement of 1000 MW Solar Power through competitive bidding process from the 2 to 10 MW Solar Power Projects which will be connected to the distribution sub-station at 11 KV or 22 KV level under “Mukhyamantri Saur Krishi Vahini Yojana”. The tender is floated for developing Taluka wise 10 MW solar power project (circle wise 50 MW) in Ag. dominated 218 Talukas of 20 districts (circles).

f) Also, MSPGCL has floated tenders for around 500 MW Solar Projects to be developed under “Mukhyamantri Saur Krishi Vahini Yojana” as per above GR. The power available from these Solar Projects will be from 08:00 am to 6:00 pm. It will be gradually increased from 8:00 hours and reach to maximum between 12:00 to 15:00 hours and then gradually drop to almost zero by 18:00 hours.

g) Hence, the power available from these Solar Projects to be developed under “Mukhyamantri Saur Krishi Vahini Yojana” can be used for providing three phase power supply to Ag. consumers during day time for 8 hours i.e. between 08:00 to 18:00 hours with stagger time slots.

h) As Solar Power Project connected to particular sub-station get commissioned and day time power available from this project will be utilized for giving day time three phase power availability to Ag. consumers connected on that particular sub-station.

Regulatory provisions:

i) Regulation 94 of the MERC (Conduct of Business) Regulations, 2004(CBR, 2004) empowers the Commission to deal with any matter for which no Regulations have been framed. Therefore, MSEDCL has stated that the Commission has powers to deal with this matter. The relevant portion of the Regulations is reproduced below:

“94. Nothing in these Regulations shall bar the Commission to deal with any matter or exercise any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.”

4. The proceedings of the hearing held on 30 June, 2018 are summarized as follows:

A. Representative of MSEDCL has stated as follows:

(i) The Commission in its Order in Case No. 81 of 2010 dated 9 May, 2011 had given dispensation about the norms for power supply to Agricultural pumps. As per the regulation Ag. consumers shall be supplied for 8 hours per day and whenever there is surplus power in the System, power supply up to 10 hours per day shall be given at night starting from 23.00 hours and 8 hours per day power supply shall be given during day time (excluding peak load hours) on rotational basis.

(ii) The GoM vide GR dated 14 June, 2017 and GR dated 17 March, 2018 has issued Policy under “Mukhyamantri Saour Krishi Vahini Yojana” to supply the power to Ag.consumers during day time through Solar Power Projects. MSEDCL is developing 1000 MW Solar Projects and MSPGCL is developing 500 MW Solar Projects. Tenders for the same are floated.

(iii) The power available from these Solar Projects will be from 08:00 am to 6:00 pm. It will be gradually increased from 8:00 hours and reach to maximum between 12:00 to 15:00 hours and then gradually drop to almost zero by 18:00 hours.

(iv) The Commission in its Order in Case No. 41 of 2012 has directed MSEDCL to approach to the Commission whenever there is a need to change the approved Load Shedding Protocol. MSEDCL has proposed to supply 8 hours day time power to AG consumers through Solar AG feeders and accordingly there will be change in load shedding protocol and therefore it has approached the Commission for seeking in principle approval for supplying day time power to Ag. Consumer.

B. The Commission asked about the arrangement of supply during peak hours, and also during the time slots when Solar Power through Solar Ag feeders is not available and its effect on load factor of the System. Representative of MSEDCL has stated that in case of non availability of Solar Power, conventional Power will be used for feeding Solar Feeder and this will not affect the load factor of the system.

5. MSEDCL in its additional submission dated 17 June, 2018 has stated as follows:

Clarification regarding Night time supply to Ag consumers on rotational basis:

(a) As per the Commission's directives in Case No. 81 of 2010 regarding power supply to Ag consumers "the power supply to Agricultural Pumps shall remain 8 hours per day only. Whenever there is surplus power in the system, power supply up to 10 hours per day shall be given during night starting from 23:00 Hrs and 8 hours per day power supply shall be given during day time (excluding peak load hours) on rotational basis. In case of critical system condition, the power supply to Agricultural Pumps shall be restricted to 8 hours per day only". Accordingly night time supply to Ag consumers on rotational basis will be continued for feeders which are not solarised. After step by step solarisation of Ag separated feeders (11kV), 8 hrs day time three phase power supply availability will be given to these Ag feeders.

Supply to Ag consumers during peak load period:

(b) The proposal is for giving 8 hours of three phase power availability during day time when Solar Power is available i.e. 8.00 Hrs between 08:00 to 18.00 Hrs. only. The supply will not be extended during peak period.

Also, the feeders which are not solarised will not be provided three phase power supply availability during evening peak period to avoid overloading of the system. It is done in accordance with the Commission's directives in Case No. 81 of 2010 regarding power supply to Ag. consumers will be continued.

Effect on load factor of the system:

(c) As and when Solar Power Project connected to a particular distribution sub-station gets commissioned and day time power becomes available from this project, it will be utilized for giving day time three phase power availability to Ag consumers connected on separated Ag feeder (11 kV) of that particular sub-station . Further under "Mukhyamantri Saur Krishi Vahini Yojana" the Solar Power generator is to be connected on the LV side i.e. 11 kV or 22kV of Power Transformers in distribution substations and Ag separated feeder (11kV) will be fed directly using this Solar Power supply. The total load on the power distribution system on 11 kV and below will remain the same and at the same time Power Transformer 33/11 kV or 22kV and upstream system will get load relief.

Also the power supply will be given to Ag consumer on separated Ag feeders (11 kV) during day time slot on rotational basis in day and night before solarisation, thus there will be no change in load factor of the system.

Commission's Analysis and Rulings

6. MSEDCL under the present Petition has sought approval for;

(a) **To accord in principle approval for supplying power to Ag consumers connected on Ag feeders of those substations where Solar Power Projects gets commissioned under "Mukhyamantri Saur Krishi Vahini Yojana" for 8 hours during day time i.e. between 08:00 to 18:00 hours with stagger time slots.**

7. **GoM vide GR dated 14 June, 2017 and GR dated 17 March, 2018 states that the power generated from Solar Power Project developed under “Mukhyamantri Saur Krishi Vahini Yojana” shall be utilized for providing day time power supply to Ag consumers.**
8. **The Commission vide its Order dated 12 June, 2018 in Case No. 131 of 2018 has accorded approval for initialization of the process for Long Term Procurement of 1000 MW Solar Power Projects connected at 11/22 KV level to distribution substation with individual project capacity of 2 to 10 MW through competitive bidding upto 10 MW in taluka and 50 MW circle wise under the scheme “Mukhyamantri Saour Krishi Vahini Yojana”. The Commission notes that MSEDCL has started the process and floated the tenders for the same.**
9. **The Commission vide its Order dated 9 May, 2011 in Case No. 81 of 2010 had given dispensation about the norms for power supply to Agricultural pumps as follows:**

“The GoM vide their submission dated 6th April 2011, endorsed the view that the issue of numbers of hours of power supply to Agricultural pumps connected on Single Phasing and Ag Feeder Separation schemes is not merely the issue of power availability to Agricultural pumps but it is also intimately connected with water resource conservation policy of State of Maharashtra. As above said policy decision was taken by the GoM in view of ensuring the sustainable development and optimal use and management of the State water resources to provide the greatest economic and social benefits to the people of Maharashtra, the Commission does not find any reasons for deviating from the same.

Accordingly, the norms for power supply to Agricultural pumps shall remain 8 hours per day only. Whenever there is surplus power in the System, power supply up to 10 hours per day shall be given at night starting from 23.00 hours and 8 hours per day power supply shall be given during day time (excluding peak load hours) on rotational basis. In case of critical System condition, the power supply to Agricultural Pumps shall be restricted to 8 hours per day only.”

10. **MSEDCL stated that the power available from the Solar Projects to be developed under “Mukhyamantri Saur Krishi Vahini Yojana will be from 08:00 am to 6:00 pm. It will be gradually increase from 8:00 hours and reach its maximum level between 12:00 to 15:00 hours and then gradually drop to almost zero by 18:00 hours. Hence, it can be used for providing three phase power supply to Ag consumers during day time for 8 hours i.e. between 08:00 to 18:00 hours with staggered time slots. Hence MSEDCL has approached the Commission for in**

principle approval for the needed protocol to schedule power supply to Ag consumers.

11. The Commission in its Order in Case No. 41 of 2012 dated 26 November, 2012 (*Suo-moto* hearing in the matter of revision and violation of Principles and Protocols of Load Shedding with respect to Circular No. 43 and 44 of MSEDCL) had given dispensation as follows:

“The Commission directs MSEDCL to approach the Commission whenever there is need to change the approved Load Shedding Protocol. Also, it shall not issue any Circular in regard to change in Load Shedding Protocol without consultation with the Commission.”

12. As per the norms as approved by the Commission under Order dated 9 May, 2011 in Case No 81 of 2010, power supply to Ag. Consumers is on rotational basis of day and night time. The Commission notes that in the Present Case, power supply to Ag consumers through Solar Ag. feeders will be made available from 8.00AM to 6.00 PM for 8 hrs including staggering time slots but MSEDCL in this Petition is silent about the supply during night time and also about the peak load. However the Commission further notes that MSEDCL during the hearing held on 30 June, 2018 has stated that in case of non availability of adequate Solar Power, conventional Power will be used for feeding the Solar Ag. Feeder to meet the demand.
13. The Commission notes that the main objective of “Mukhyamantri Saur Krishi Vahini Yojana” is to provide day time supply of 8 hours to the Ag. consumers. The Commission expects from MSEDCL to maintain load factor of the System at the time of actual implementation of the Scheme and ensure that 8 hours day time supply is made available to Ag consumers. Accordingly, the Commission; for benefit of Ag consumers, accords in principle approval for supplying power to Ag. consumers connected on Ag. feeders of those substations where Solar Power Projects gets commissioned under “Mukhyamantri Saur Krishi Vahini Yojana” for 8 hours during day time i.e. between 08:00 to 18:00 hours with staggering time slots.

The Petition of Maharashtra State Electricity Distribution Co. Ltd. in Case No.178 of 2018 stands disposed of accordingly.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I.M.Bohari)
Member

Sd/-
(Anand B. Kulkarni)
Chairperson

(Abhijit Deshpande)
Secretary

