

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012**

Present : Shri B.K. Dash, Chairperson
Shri K.C. Badu, Member
Shri B.K. Misra, Member

Case No.06/2009

M/s. GRIDCO	Petitioner
Vrs.		
CCPO, Bhubneswar	Respondent

In the matter of : Sale of Surplus Power from CGP

Date of Hearing : 15.10.2009 Date of Order: 28.10.2009

ORDER

The Commission reviewed its Interim Order dated 28.2.2009 in case No.6/2009 to 20/2009 on 30.6.2009. The Commission vide para 6 of the said review order observed and directed as follows:-

“Now considering all the submissions by CCPPO, JSL and GRIDCO and keeping in view the present difficult power situation in the State, the uncertainty of Monsoon and other factors mentioned in para-5, we direct as under:-

- (i) The directions and stipulations given by the Commission in their order dated 28.02.2009 in Case No.06 to 20 of 2009 read with the clarifications and modifications issued in the review order dt.27.06.2009 in Case No.59/2009 would continue to be in operation till 31.3.2010. However, the position would be reviewed from time to time and such a

review would be taken up during September, 2009 and if necessitated even earlier.

- (ii) The individual Captive Generating Plants (CGPs) may sign an Agreement with GRIDCO or the DISCOMs, covering the volume and duration of supply of firm power as may be mutually agreed upon. In the event of the Commission specifying the volume and duration of supply, then such specification shall prevail. The terms and conditions for supply of such power will include all such conditions as specified by the Commission and such other terms as may be mutually agreed upon.
- (iii) The price at which the surplus power of CGPs would be supplied to GRIDCO or the DISCOMs, as per these agreements, shall be at a rate as has been decided by the Commission or as may be determined by the Commission from time to time and till such time, as is required or necessary in the eyes of the Commission.
- (iv) Signing of a fresh agreement is also applicable to IMFA/NALCO and such other CGPs having subsisting agreement/MOU in accordance with the principles as indicated in (ii) above. In other words, these CGPs may also sign fresh agreement with GRIDCO as has been clarified vide para 8(i) of the order dated 27.6.2009 of the Commission in Case No.59/2009.
- (v) The qualification of CGPs producing power through co-generation will be in accordance with Section 2(12) of the Electricity Act, 2003 read with MOPs resolution of 06.1.1996 in this regard.”

2. In pursuance of the order dated 30.6.2009 as stated above and in view of the scarcity situation prevailing in the State for supply of electricity in the State

arising out of low generation of hydro power and other factors, the Commission on 15.10.2009 reviewed the working arrangement approved by the Commission for sale of surplus power by the CGP to GRIDCO. It was felt necessary to review the position because there is urgent necessity for accessing more power from the CGPs to meet the deficit situation to some extent.

3. Director (Commerce), GRIDCO both in his written and oral submission pointed out that despite offering a price of Rs.3/3.10/ Unit for sale of surplus power to GRIDCO by CGP, the federation has not been able to keep their commitment for injection of surplus power in the order 400 to 500 MW. The CGP(s) have supplied 227 MW in March, 243 MW in April, 256 in May, 322 in June, 278 in July, 185 in August and 170 MW in September, 2009; the monthly average being only 240 MW. When GRIDCO is facing difficulties in procuring power from different sources, the CGPs have not risen to the occasion.

4. Shri Mallik also submitted that, GRIDCO had invited about 30 No. of CGPS of the State for execution of PPA during the year 2009 and again after the Commission's Interim order dated 27.6.2009 in case No.59 of 2009; but so far only 11 No. CGPs have signed PPAs with GRIDCO. Regarding signing of fresh agreement with NALCO and IMFA it was pointed out that agreement with NALCO expired on 31.8.2009 and discussion have already taken place with NALCO for signing of a fresh agreement prior to the Interim Order dated 27.6.2009. Once the emergency and backup drawal availed by GRIDCO is finalized by the Commission, PPA shall be executed with NALCO and IMFA. He further clarified that even if IMFA and Nalco have not executed fresh PPA with GIRDCO, they have been paid @ Rs.3.00 /Unit for supply of surplus power w.e.f.01.3.2009.

5. Another important issue brought to the notice of the Commission by the Director (Commerce) Shri Mallick is that instead of injecting surplus power, NALCO has availed 175.6 MW power (emergency power 120.76 MW & Back Up

power 54.84 MW) during April, 2009 to Sept, 2009 as emergency and back up power from GRIDCO which is far beyond the approved quantum of 10 MU for FY 2009-10 for both IMFA and NALCO. If over drawl by NALCO is taken into account then the net availability of power from CGPs, shall further reduce to 100 MW to 150 MW i.e. equal to the quantum of injection by the CGPs before enhancement of the rate by the Hon'ble Commission.

6. He further submitted that some CGP like Aryan Ispat Ltd, Viraj Steel & Energy Ltd. who are selling their surplus power to the concerned DISCOM i.e. WESCO at their variable cost which is as low as Rs.1.50/Unit i.e. almost half of the price offered by GRIDCO to the CGP & Cogeneration plants for procuring firm power. In spite of GRIDCO being the "State Designated Entity" for procuring power from various kinds of generating stations, some CGPs prefer/plan to sell their surplus power to respective DISCOMs. DISCOMs have many other responsibilities to carry out including the major issue of reduction of AT & C loss and as such they should desist from purchasing surplus power directly from the CGPs.

7. He further stated that when GRICO procures power from the CGPs, the CGPs need not pay any kind of cross subsidy or wheeling charges to respective DISCOMs.

8. As regards the price of the power supplied from the co-generating plants, he stated that as directed by the Commission, the cogeneration status of the CGPs were assessed by the Technical Committee formed by GRIDCO based on Govt. of India notification dated 6.11.1996 and the report was further referred to CEI(Generation), Govt. of Orissa. The report of CEI (Generation) have already been submitted before the Commission and based on the said report all the concerned CGPs have been intimated to submit the steam flow data from WHRB and conventional boilers (if any) for determining their Co-generation status as per the qualifying criteria stipulated in the GOI resolution. Also CGPs of NINL,

TATA Sponge Iron Ltd. and AARTI Steel Ltd. have to abide by the qualifying criteria and stipulations recommended by CEI (Generation) so as to avoid any kind of disparity between the cogeneration plants for being entitled to get the price of Rs.3.10/Unit.

9. GRIDCO has submitted that the Commission may take a holistic and proactive view while fixing price of procurement of price of surplus power from CGPs as the CGPs have failed to deliver upto their commitment in spite of price being enhanced to a remunerative level with effect from March, 2009 and financial burden loaded on GRIDCO. Also, the Hon'ble Commission may take into consideration the business plan of GRIDCO as it is equally important, while fixing price of surplus power from CGPs.

10. It is further submitted that GRIDCO have come to the rescue of the CGPs/core industries during their lean phase by bearing the burden of enhanced price of procurement. Now it is the time for CGPs to reciprocate by maximizing their injection of surplus power (after meeting their captive consumption) for the benefit of the State.

11. Accordingly, GRIDCO has prayed before the Commission in its written reply, as follows:-

- “1. The Hon'ble Commission may consider to allow only GRIDCO to procure surplus power from CGPs.
2. The Hon'ble Commission may direct CGPs to maximize injection of surplus power.
3. That the price of surplus power should be linked with the total quantum of power injected to the system a “basket price” shall be one of the options provided the total quantum of surplus power from CGPs is at least 400 MW.

4. That the Hon'ble Commission may also consider to fix Slab/Graded rates linked with quantum of injection of power (in MU) per month so as to cover procurement of surplus power from the small Captive Power Generators.
5. That the Hon'ble Commission may consider to fix separate tariff for injection of 100MW and above so as to encourage some of the CGPs who are capable of injecting more than 100MW to supply all their surplus for State use which in turn will address the problem of power shortage in the State in a big way.
6. That the Hon'ble Commission may consider to keep provisions so that GRIDCO should be able to recover due to tariff enhancement (if any) by the Hon'ble Commission.
7. That The Hon'ble Commission may consider to levy additional tariff on the high end consumers if acceptable.
8. That the Hon'ble Commission may decide the rate of emergency and back up power supply to NALCO and IMF A by GRIDCO which have also been filed before the Hon'ble Commission in a separate review petition. Once this issue is decided by the Hon'ble Commission, power purchase agreement with NALCO shall be taken up.
9. That Power Purchase Agreement with IMF A shall be taken up after getting legal views from counsel of GRIDCO and ascertaining the impact of the signing fresh PP A in view of the ongoing legal disputes with IMF A. The Hon'ble Commission may accept the same. However, GRIDCO assures to continue payment of dues of IMFA & NALCO for the surplus power injected by them as per the orders of the Hon'ble Commission.
10. Pass such other order/s as may be deemed just and proper in the facts and circumstances of the case.”

12. The Secretary, Confederation of Captive Power Plants, Orissa (CCPPO) in their petition among other things has submitted as under:

- (i) The Commission should incentivise captive generation in the State so that the business plan calculation on return of the electricity per unit is calculated by industries such that the return on electricity through trading to the State Utility is higher than the electricity through manufacturing the core product. The option, therefore, before the Commission is to choose between the following opportunities of pricing mechanism of the CGPs.
 - (a) Rates available or the trends under bilateral transaction i.e. through traders.
 - (b) Trends available from bilateral transactions in an exchange.
 - (c) Trends available under UI
 - (d) Market absorption capacity in Orissa.
- (ii) In case of power transacted through traders, the weighted average sale price was found to be Rs.6.82. For round the clock transactions, the sale price was Rs.6.60, for peak it was Rs.8.18.
- (iii) In case of power transacted through the power exchange, the minimum maximum and weighted average price in IEX was Rs.1.65, Rs.15.00 and Rs.6.84 respectively. Similarly for PXIL, the rates were Rs.0.00, Rs.14.49 and Rs.8.74 respectively. In case of power transacted through UI, the average UI tariff was Rs.4.17 in the NEW (North-East-West) grid and Rs.3.99 in the Southern Regional Grid. The minimum and maximum price of UI was Rs.0.00 and Rs.7.35 respectively with capping at Rs.4.08 for Generators.
- (iv) The price of electricity for UI transaction was over Rs.4.00/Kwh, which is the indicator to almost 43% of the total power transacted in the country. It is, therefore, relevant to mention that UI transaction price should be the benchmark as the licensee GRIDCO would be buying power at the UI rate and it is the same rate at which the

CGPs in Orissa will find it convenient to supply power in view of various factors of cost input.

- (v) Due to small size and use of costlier fuel, the cost of generation at CGP would comparatively be higher. Combined with volatility for the fuel supplied and the improper indexing of the pricing mechanism of fuel, the average variable cost is working at Rs.2.70/unit from CGP. Interest, depreciation, O&M and other fixed cost are not being compensated at the existing price of Rs.3.00/3.10 per KWH.
- (vi) Since the UI rate fluctuates from as low as Rs.4.17 to as high as Rs.6.50 in the NEW grid and, therefore, in case the Commission prefers to decide price independent to UI, then it would be appropriate to have 2 slab rates i.e for power injection below 50 MW average and for power injection above 50 MW average.
- (vii) In case of power injection below 50 MW average and considering to volatility of cost and the other factors, the rate of Rs.4.00 would be more appropriate and for power supply above 50 MW average, the rate of Rs.4.50 could be considered.
- (viii) In case the Commission links it to the UI rates, then also the minimum benchmark level of Rs.4.00 is quite evident from the rates and trends seen from August'08 to June'09.
- (ix) As far as the commitment from the CGPs is concerned, the rates once determined, the commitments of all members will be in place automatically, instead of power quantum and commitments deciding the rates.
- (x) As to the queries of the Commission as to why the CGPs have failed to honour their commitment that there will be a net supply of 360 MW to the grid by the CGPs. Sri Das clarified that there are innumerable problems for arranging coal. The Fuel Supply Agreement signed by most thermal based captive generating plants has a guarantee condition of 60% of the linkage to be supplied to

the CGP. The balance 40% has to be met through either e-auction or through market. E-auction is not the alternative for steady supply because they involve road transportation as well as rail transportation which again, is dependent on the norms of railways as well as their whims and caprices. Transportation is primarily in the hands of big wig musclemen. Further, the blending cost of imported coal is fluctuating from month to month thus making the cost of power unviable. Coal procured by CPPs through e-auction and import, after mobilization of output is very costly and not remunerative enough to produce at the existing price. He, therefore, pleaded for a graded higher tariff so that CGPs will be encouraged to maximise their generation to supply to the Grid. He, further intimated that the CGPs are also small units in comparison to IPPs where a fixed cost is distributed over a larger number of units and the cost per unit is generally low.

- (xi) Besides the innumerable problems faced by the CGPs for arranging fuel, there is also disturbance in the grid. There is frequent grid disturbance occurred at Old Duburi where M/s Jindal is connected and at Choudwar where IMFA is connected. It has been pointed out that almost 1110 MWH (1.1 MU) has been lost from IMFA and the total duration of power failure for JSL is 10 hours 15 minutes. This needs to be looked into to enable proper system operation so that tripping can be avoided in future. Similarly, IFFCO have pointed out that because of tripping in grid at Paradeep, they are unable to inject power as expected of it. It has been, therefore, urged by the representatives of Jindal, IFFCO and CCPPO that OPTCL should take appropriate corrective action for smooth functioning of grid operation, so that the concerned CGPs can inject power to the grid to the extent possible depending on the availability of coal and remunerative price that may be offered for the surplus power.

(xii) As regards some of the CGPs like Nalco drawing power from grid instead of injecting power from its captive plants, Shri Das on behalf of the CCPPO submitted that CGPs who are already synchronised with the grid also depend upon the State Utility for import power. The difficulty is that in order to discourage CGPs depending on the State or leaning on the utility for their power requirement should be charged at 105% of the rate at which they are paid for their surplus power. This would automatically dissuade the industries from resorting to drawal from the grid in the situation of overall shortage.

13. Accordingly CCPPO, in its written submission suggested for two options:

Option-I

The Unsheduled Interchange Charges and Related Matters Regulations, 2009 has recasted the Unsheduled Interchange Tariff with a frequency time block of over 50.3 Hz. and below 49.2 Hz. The corresponding UI rates are Rs.0.00/unit and Rs.7.35/unit. There is a provision that the Unsheduled Interchange rates shall be capped at 408 P/unit for all generating stations using coal or lignite or gas supplied under administrative price mechanism as the fuel. Commission directs to captive generating stations to fix a schedule of minimum 5 MW or 3.65 MU per month as the schedule, then any over injection shall be guided by the UI rate with the upper cap of 408 p/u and CGPs will be demotivated to inject less than the schedule even when frequency goes above 49.52 Hz, since there is a limit of under injection to the extent of 3%. Further if Mr. Bhanu Bhusan formulae are applied then 90% of the price band can be applied to CGPs.

Option-II

CGPs have asked for 2 slabs in their written submission i.e. upto 50 MW and beyond 50 MW with a rate slab of Rs.4.00 and Rs.4.50. This additional cost of power shall be the additional burden on the existing

regulatory assets of product. CCPPO proposes that this additional loss in revenue can be mitigated if the scheme of arrangement is done to slightly burden the industrial load in the State and the industrial load can afford to pay the extra cost for quality and reliable power.

- a) Industries willing for zero restriction i.e. power intensive industries under EHT may pay 15 ps. Per KWH.
- b) Industries opting for upto 20% restriction, may pay a sum of 10 paise over and above their approved tariff per KWH.
- c) Industries willing for upto 40% load restriction, may pay 5 paise per unit extra over and above their approved tariff per KWH.
- d) Industries opting for upto 50% load restriction, shall pay no additional cost over and above the approved rate.

There could have been another variation to this like peak and off-peak tariff but in a situation of scarcity even an off-peak load can become a drain on the short scenario. This mechanism mentioned in Option-II is a win win mechanism as the entire additional revenue goes to Gridco. Distribution companies are assured of their demand charges, OPTCL is assured of its transmission, domestic consumers are benefited because they have no hike in tariff rate and CGPs are satisfied because they get a lightly higher rate to cover the vagaries of coal supply, water allocation and transportation problems.

If any one of these two options are adopted, there could be some respite to the power shortage scenario in the State.

14. Accordingly the CCPPO have prayed the Commission as under:-

- “(a) Fix the rate of power under UI concept or at a slab rate of Rs.4.00 to Rs.4.50 per Kwh at different levels of injection.

- (b) Maintain grid stability in order to avoid loss of generation and consequent net injection to the grid.
- (c) Direct for finalization of agreement with CGPs and;
- (d) Such other order or orders as this Hon'ble Commission may deem fit and proper under the facts and circumstances of the case.”

Observation and Direction of the Commission

15. The Commission have carefully gone through the submissions, both oral and written made by GRIDCO and CCPPO. It is a fact that CCPPO in their submission made on 30.6.2009 had committed a net supply of surplus power of 360 MW to GRIDCO. They have also stated that 135 MW of spare capacity available with Vedanta, Jharsuguda may be available from October to supply to the grid, once coal supply is secured. The position at present is that the CCPPO as a whole have injected surplus power ranging from 227 MW (168 MU) in March, 2009 which had increased to 322 MW (232 MU) in June, 2009. But this has subsequently reduced to 278 MW (206 MU) in July, 185 MW (137 MU) in August and 170 MW (122 MU) in Sept. The total average surplus power injected to the grid during March, 2009 to Sept, 2009 is in the order of 240 MW (227 MU/month). The CGP have not been able to inject their surplus power as per their expectations mostly because of various problems in procurement of coal. An acute deficit in supply has hobbled power generation generally. The price offered for the surplus power injected, it is stated, is not remunerative and rather because of the high cost of coal obtained through e-auction. Some of them are stated to be incurring losses. Another important factor responsible for low injection is that while Nalco had supplied 10.88 MW in March, 2009 it has reduced to 1 MW in May, 2009, 5.12 MW in June, 2009 and from July onwards there has been no injection of surplus power from Nalco rather Nalco has drawn emergency and back up power to the extent of 175.6 MU from April, 2009 to Sept, 2009.

16. The grid disturbance at old Duburi, Choudwar and Paradeep have also contributed to low generation and injection of surplus power to the grid.

17. GRIDCO on the otherhand has stated that they have taken a number of meetings with the CGPs at the level of Secretary, Energy to sort out their various problems including the problems faced in procurement of coal. While GRIDCO is supplying power to distribution companies at an average price of Rs.1.22/kwh, GRIDCO is paying Rs.3.00/kwh to CGPs for their supply of surplus power and Rs.3.10/kwh in respect of supply of power from Co-generating Plants to some of the CGPs. Even though GRIDCO is incurring loss, it is trying to extend help to CGPs in order to enable them to maximise their generation for supply to the grid.

18. The State is facing serious deficit of power availability because of low generation of power from hydro sources and the generation from hydro sources may also be further reduced as the water is to be saved in the reservoir to meet the requirement of irrigation during Rabi season. The cost of power procured through UI or power exchange is more that Rs.4.00 per Kwh on the average. It is an admitted fact that there is increase in coal price from time to time and the problem faced by the CGP in procurement of coal is genuine one. In order to ensure supply of surplus power from the Captive Generating Plants to the grid when the State is facing acute power shortage, it is necessary to incentivise the generation from the Captive Generating Plant through full utilisation of their capacity.

19. Accordingly in continuation of the review order dt.30.06.2009, the Commission now directs and stipulates as under:

- (i) The price of supply of energy upto 3.6 MU/month (~ 5 MW Avg.) would be Rs.3.10/KWH.
- (ii) The price for supply of incremental energy above 3.6 MU/month upto 36 MU/month (~ 50 MW Avg.) would be Rs.3.40 per Kwh.

- (iii) In respect of supply of incremental energy above 36 MU/month upto 72 MU/month (~ 100 MW Avg.), the price would be Rs.3.70 /Kwh.
- (iv) In respect of supply of incremental energy beyond 72 MU/month, the incremental energy would be priced at Rs.4.05/Kwh.
- (v) As regards the pricing of power supply by the co-generating plants Rs.3.20 per unit would be paid up to 3.6 MU/month and for injection beyond 3.6 MU the additional unit will qualify for payment at the same rate as that of (ii), (iii) & (iv) above.
- (vi) The concerned CGPs who have not signed the agreement with GRIDCO should sign the agreement committing the quantum of power that they would supply to GRIDCO. This is also applicable in case of IMFA and NALCO for which GRIDCO should take expeditious steps to sign the appropriate agreement as clarified in para 8(1) of the Interim Order dt.27.6.2009 in case No.59 of 2009.
- (vii) GRIDCO should coordinate with OPTCL and ensure that the frequent disturbance of grid at Old Duburi, Paradeep and Choudwar is rectified so that the CGPs located in these areas do not find any difficulty in injecting their surplus power to the grid, when their surplus power is so essential to the grid.
- (viii) Regarding the provision of SCADA, PLCC and grid connectivity the clarifications issued and stipulations imposed in the order dated 4.8.2009 in case No.60 of 2009 will be applicable.
- (ix) Regarding the pricing of drawal of emergency and back up power by the industries having captive generation, the matter has already been clarified in para 8(ii) of the order dated 27.6.2009 in Case No.59 /2009 (Gridco Vrs. CCPPO). However, it has been suggested by CCPPO in order to discourage the industrial units having captive power plants to draw power from

grid instead of making full utilization of their installed capacity, there is need to disincentivise drawal from the grid without making full utilisation of the installed capacity by the CGP. Hence, such of the CGP generally supplying power to GRIDCO, as per the agreement draws power from the grid for either emergency or back-up power shall be charged at 105% of the maximum rate at which they are paid for their surplus power or the rate prescribed vide para 447 of the RST order dt.20.3.2009 for the year 2009-10 in case No.66, 67, 68 & 69 of 2008, whichever is higher. Accordingly, the agreement between the CGP and GRIDCO should contain such a stipulation. The drawl by CGPs from the Grid and injection by CGPs to the grid shall be metered separately and be settled at the respective rate as above.

- (x) As regards the payment of power supply by the CGP having co-generation facilities, the GRIDCO in its oral submission has informed that GRIDCO has no objection to give co-generation status provisionally to such CGPs who has waste-heat recovery boiler (WHRB) and have given details of the WHRB to them and they will be paid at a rate of Rs.3.10/unit. However, as per Gol resolution of eligibility criteria of Co-generation plant they should give the steam flow data of WHRB in a year for certifying the unit as Co-generation plant. Accordingly, it is ordered that the CGPs having Co-generation facilities shall be paid at Rs.3.20/unit for the first 3.6 MU/month and the incremental energy at a rate as approved in para (ii) to (iv) above. CGPs will furnish the steam flow data from its WHRB and conventional boiler separately and annual generation of its CGP at the end of each FY to GRIDCO for confirming its status as Co-generation plant. For the year 2009-10 the GRIDCO is directed to complete such exercise and finalise the Co-generation status of

the eligible CGPs by 15.11.2009 at the latest and ensure payment w.e.f. 01.03.2009 as per the rate approved by the Commission from time to time.

(An illustrative example of payment of CGP of its supply in a month is given at Annexure attached to this order)

- (xi) Regarding direct supply of power by some of the CGPs to the distribution companies at a lower rate of Rs.150 paise/127 paise per unit instead of entering into commercial arrangement with GRIDCO at an offered price of 300 paise per unit approved by the Commission, the matter has been extensively dealt with in the order dated 14.8.2009 in case No.82 of 2009 in case of WESCO Vrs. GRIDCO, OPTCL, SLDC and Viraj Steel and Energy Ltd. The small CGPs are willing to supply their surplus power to the distribution companies at a lower rate because they have to incur additional expenditure if power is supplied to Gridco by way of constructing additional lines and substations etc. Gridco must take all proactive steps to incentivise these CGPs to supply power through GRIDCO if it so desires that CGPs should supply power to itself rather than supplying power to distribution companies at a lower rate. There is need for Gridco for serious introspection to attract these smaller CGPs to enter into an agreement with GRIDCO instead of supplying directly to the distribution companies at a lower rate.

20. The modified CGP pricing stipulated in Para-19 will be applicable w.e.f. 01.11.2009 and will continue until further order.

**Sd/-
(B.K. Misra)
Member**

**Sd/-
(K.C.Badu)
Member**

**Sd/-
(B.K. Das)
Chairperson**

Illustrative example

Case-I

CGP supplying power upto 50 MW ensuring minimum injection of 5 MW in the agreement supplied **30.0 Million Units in a month.**

First 3.6 MU X 3.10 Rs./unit = Rs. 11.16 Million
Next 26.4 MU X 3.40 Rs./unit = Rs. 89.76 Million

Total payment due Rs.100.92 Million

Case-II

CGP supplying power upto 100 MW ensuring minimum injection of 50 MW in the agreement supplied **60.0 Million Units in a month;** but at certain time **received 2 Million Units** on account of emergency/back up power.

First 3.6 MU X 3.10 Rs./unit = Rs. 11.16 Million
Next 32.4 MU X 3.40 Rs./unit = Rs.110.16 Million
Next 24 MU X 3.70 Rs./unit = Rs. 88.80 Million
Less 2 MU X 3.88 Rs./unit =(-) Rs. 7.76 Million

Total payment due Rs.202.36 Million

Case-III

CGP supplying power above 100 MW ensuring injection of minimum 50 MW in the agreement **supplied 80.0 Million Units** in a month, but at certain time **received 2 Million Unit** on account of emergency/back-up power.

First 3.6 MU X 3.10 Rs./unit = Rs. 11.16 Million
Next 32.4 MU X 3.40 Rs./unit = Rs.110.16 Million
Next 36 MU X 3.70 Rs./unit = Rs.133.32 Million
Next 8 MU X 4.05 Rs./unit = Rs. 32.40 Million
Less 2 MU X 4.25 Rs./unit =(-) Rs. 8.50 Million

Total payment due Rs.278.54 Million
