

# **PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**

## **NOTIFICATION**

The 1st July, 2011

No. PSERC/Secy/Reg/57: In exercise of powers conferred under Section 42 read with Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling the Commission in this behalf, based on the 'Statement of Reasons' issued vide No.PSERC/Secy/Reg/56 dated 29.06.2011, the Punjab State Electricity Regulatory Commission hereby frames the following Regulations, for Open Access in the State: -

### **CHAPTER 1**

#### **PRELIMINARY**

##### **1 Short Title and Commencement**

- (1) These regulations shall be called the Punjab State Electricity Regulatory Commission (Terms and Conditions for Intra-state Open Access) Regulations, 2011.
- (2) These Regulations shall come into force from the date of their notification in the official Gazette of the State.

##### **2 Extent of Application**

These regulations shall apply to open access for use of intra-State transmission system and/or distribution systems of the licensees in the State, including when such system is used in conjunction with inter-State transmission system.

Note: A consumer/person whose premises are situated within the area of supply of a distribution licensee, seeking to receive supply from a person other than the distribution licensee of his area of supply; a generating company (including captive generating plant) or licensee seeking to supply to a consumer/person in the State, would need to apply for Open Access under these Regulations

##### **3 Definitions**

- 1) In these regulations, unless the context otherwise requires
  - a) "Act" means the Electricity Act, 2003 (36 of 2003);

- b) "Allotted Capacity" means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a long-term /medium-term customer on the intra-State transmission system and the expression " allotment of capacity" shall be construed accordingly;
- c) "Applicant" means a consumer, trader, distribution licensee or a generating company who has applied seeking connectivity or open access as the case may be;
- d) "Bilateral transaction" means a transaction for exchange of energy (MWh) between a specified buyer and a specified seller, directly or through a trading licensee or discovered in a power exchange through anonymous bidding, from a specified point of injection to a specified point of drawal for a fixed or varying quantum of power (MW) for any time period during a month;
- e) "Central Commission" means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
- f) "Collective transaction" means a set of transactions discovered in a power exchange through anonymous, simultaneous competitive bidding by buyers and sellers;
- g) "Commission" means the Punjab State Electricity Regulatory Commission;
- h) "Connectivity" for a generating station, including a captive generating plant, a consumer or an intra-State transmission/distribution licensee means the state of being connected to the intra-State transmission/distribution system;
- i) "Contract Demand" means the demand in kilovolt ampere (KVA) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions. It is different from the connected load;
- j) "Cross-subsidy for a consumer category" means the difference between the average realisation per unit from that category and the combined average cost of supply per unit computed as the total revenue requirement for a licensee in that year including any previous years' gaps divided by total energy sale;
- k) "Day" means a day starting at 00.00 hours and ending at 24.00 hours;

- l) "Distribution licensee" means any person licensed under Part IV of the Act for distribution and retail supply of electricity in the State of Punjab;
- m) "IEGC" means Indian Electricity Grid Code Specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act, as amended from time to time;
- n) "Imbalance" in a time block for a generating station means its total actual generation minus its total scheduled generation and for a consumer or buyer it means total drawal by the consumer/buyer minus total scheduled drawal by the consumer/buyer;
- o) "Long-term access" means the right to use the intra-State transmission system or distribution system for a period exceeding 12 years but not exceeding 25 years;
- p) "Medium-term open access" means the open access for a period exceeding three months but not exceeding three years;
- q) "Month" means a calendar month;
- r) "Nodal agency" means the nodal agency defined in Regulation 15 of these regulations;
- s) "Open access" means the nondiscriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a generating company in accordance with these regulations and includes long-term access, medium-term open access and short-term open access;
- t) "Open access customer" means a consumer permitted by the Commission to receive supply of electricity from a person other than distribution licensee of his area of supply, or a generating company (including captive generating plant) or a licensee, who has availed of or intends to avail of Open Access;
- u) "Reserved Capacity" means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a short-term customer on the transmission/distribution system depending on availability of transmission/distribution capacity and the expression "reservation of capacity" shall be construed accordingly;

- v) "Short-term open access" means open access for a period up to one month at a time;
  - w) "SLDC" means the State Load Dispatch Centre established under subsection (1) of section 31 of the Act;
  - x) "State" means State of Punjab;
  - y) "State Grid Code" means the Punjab State Grid Code specified by the Commission under clause (h) of sub-section (1) of section 86 of the Act, applicable on the date of commencement of these regulations, as amended from time to time;
  - z) "State Transmission Utility (STU)" means the Punjab State Transmission Corporation Limited or the Government Company notified by the State Government under sub-section (1) of section 39 of the Act;
  - aa) "Transmission licensee" means any person licensed under Part IV of the Act for transmission of electricity;
  - bb) "Wheeling" means the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under section 62 of the Electricity Act 2003.
- 2) Words and expressions used and not defined in these regulations but defined in the Act or IEGC or the State Grid Code, Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters), Regulations, 2007, Conditions of Supply, Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2011, shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters), Regulations, 2007, Conditions of Supply, Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2011, as the case may be.

## CHAPTER 2

### CONNECTIVITY

#### 4. Connectivity

An Open Access customer shall be eligible to obtain connectivity at the voltage level specified in the 'Conditions of Supply' of the licensee approved by the Commission, unless already connected, and shall apply for connectivity in accordance with the State Grid Code.

#### 5. Application procedure for Connectivity at 132 kV or above

- (1) Applicant shall apply to the STU for connectivity in the Form prescribed in the detailed procedure to be laid down by the STU. The STU shall prescribe the procedure within a period of 30 days from the coming into force of these Regulations.
- (2) The Application shall be accompanied by a non-refundable fee of Rs. 2 lac (Rupees two lacs only), in the format prescribed in the detailed procedure by the STU.
- (3) The Application for connectivity shall contain details such as proposed geographical location of the applicant, quantum of power to be interchanged that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of consumer, with the intra-State transmission system and such other details as may be laid down by the State Transmission Utility in the detailed procedure:

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the applicant or change by more than 10 percent in the quantum of power to be interchanged with the intra-State transmission system, the applicant shall make a fresh application, which shall be considered in accordance with these Regulations.

## **6. Processing of Application and Grant of connectivity by STU/transmission licensee**

- (1) On receipt of the application, complete in all respects along with supporting data, the STU shall, in consultation and through coordination with other agencies involved in the intra-State transmission, process the application and carry out the necessary interconnection/feasibility study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and State Grid Code.
- (2) The State Transmission Utility shall, within sixty (60) days, from the receipt of an application under sub-regulation (1) above and after considering all suggestions and comments received from other agencies involved in the intra-State transmission including State Load Despatch Centre:
  - (a) accept the application with such modification or such conditions as may be specified by them;
  - (b) Reject the application for reasons to be recorded in writing if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the State Transmission Utility shall make a formal offer to the applicant:  
Provided that the State Transmission Utility shall forward a copy of the offer to the appropriate intra-State transmission licensee in case connectivity is granted to the intra-State transmission system of an intra-State transmission licensee other than the State Transmission Utility.
- (4) The State Transmission Utility, upon compliance of the required conditions by the applicant and intra-State transmission licensees including the State Transmission

Utility, shall inform the concerned applicant that it can be connected to the intra-State transmission system.

(5) While granting connectivity, the STU shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the STU shall specify the point of connection and name of the line at which connectivity is to be granted. The STU shall indicate the broad design features of the dedicated transmission line and the timeframe for completion of the dedicated transmission line.

(6) The Applicant shall sign a connection agreement with the State Transmission Utility or intra-State transmission licensee owning the sub-station or pooling station or switchyard or the transmission line as identified by the STU where connectivity is being granted:

Provided that in case of a generating station, including captive generating plant or consumer is granted connectivity to the intra-State transmission system of an intra-State transmission licensee other than the State Transmission Utility, a tripartite agreement as provided in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 shall be signed between the applicant, the State Transmission Utility and such intra-State transmission licensee:

Provided further the State Load Despatch Centre shall also be provided with a copy of the above mentioned Connection Agreement by the STU/ intra-State transmission licensee.

(7) The applicant and all intra-State transmission licensees including the State Transmission Utility shall comply with the provisions of State Grid Code and the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007. The grant of connectivity shall not entitle an applicant to

interchange any power with the grid unless it obtains long-term, medium-term or short-term open access in accordance with the provisions of these Regulations.

(8) A generating station, including captive generating plant which has been granted connectivity to the grid shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation. This would be done before availing any type of open access but after obtaining permission of the State Load Despatch Centre, which shall keep grid security in view while granting such permission. Such infirm power injected into the grid by a generating station or a unit thereof, other than those based on non-conventional energy sources, the tariff of which is determined by the Commission, shall be charged at the rates for imbalance determined by the Commission in Chapter 7 of these Regulations.

(9) Unless exempted by the Commission for reasons to be recorded in writing, an applicant may be required by the State Transmission Utility to construct a dedicated line to the point of connection to enable connectivity to the grid, the cost of such line and bay shall be borne by the applicant. In cases where augmentation of the 132 KV /220 KV line feeding the substation is required the same shall also be borne by the applicant.

#### **7. Application procedure for connectivity to distribution system by a generating station**

(1) All eligible generating stations including a captive generating plant, seeking connectivity to the distribution system, shall apply to the distribution licensee for connectivity in the Form prescribed in the procedure to be laid down by the distribution licensee.

- (2) The Application shall be accompanied by a non-refundable fee of Rs. 2 lac (Rupees two lac only), in the format prescribed in the detailed procedure by the distribution licensee.
- (3) The application for connectivity shall contain details such as proposed geographical location of the generating station, quantum of power to be injected and such other details as may be laid down by the distribution licensee concerned in the procedure.
- (4) The distribution licensee shall prescribe the procedure within a period of 30 days from the coming into force of these Regulations.

**8. Processing of Application and Grant of connectivity to distribution system by a generating station**

- (1) On receipt of the application, complete in all respects along with the supporting data, the distribution licensee shall, in consultation and coordination with State Transmission Utility, process the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and State Grid Code.
- (2) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the distribution licensee shall specify the point of connection and name of the line at which connectivity is to be granted.
- (3) The distribution licensee shall indicate the broad design features such as switchyard and interconnection facility upto the point of injection into the substation of the distribution licensee and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the generating

company. In cases where augmentation of the distribution licensee's sub-station is involved, the generating company shall also bear the cost of bay, breaker in the distribution licensee's sub-station and equipment for inter-connection of real time data to SLDC.

- (4) The applicant shall sign a Connection Agreement with the distribution licensee where connectivity is being granted.
- (5) The grant of connectivity shall not entitle an applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these Regulations.
- (6) A generating station, including captive generating plant which has been granted connectivity to the distribution system shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access but after obtaining permission of the State Load Despatch Centre and the distribution licensee. They shall keep grid security in view while granting such permission. Such infirm power injected into the grid by a generating station or a unit thereof, other than those based on non-conventional energy sources, the tariff of which is determined by the Commission, shall be charged at the rates for imbalance determined by the Commission in Chapter 7 of these Regulations.

**9. Application and procedure for Connectivity to distribution system by any person**

Connectivity to distribution system by any person and processing of application shall be governed as per the provisions of Supply Code and Conditions of Supply approved by the Commission.

## CHAPTER 3

### GENERAL PROVISIONS FOR OPEN ACCESS

#### 10. Eligibility for Open Access and conditions to be satisfied

- 1) Subject to the provisions of these regulations, the licensees, generating companies, captive generating plants and consumers shall be eligible for open access to the intra-State transmission system of the State Transmission Utility or any transmission licensee on payment of transmission and other charges as may be determined by the Commission in accordance with Chapter 5 of the these Regulations.
- 2) Subject to the provisions of these Regulations, the licensees, generating stations, captive generating plants and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling and other charges as may be determined by the Commission in accordance with Chapter 5 of the these regulations.
- 3) Subject to the provisions of these Regulations, open access shall be permissible to a customer having demand of 1 MW and above (except generating plants), connected at 11 KV or above, on all feeders except urban pattern supply feeders, AP feeders and category - I feeders serving mixed loads of urban / industrial consumers. However, all the generating plants will be allowed open access for wheeling of power.

Provided that the customers connected to Category - II industrial feeders, with no agricultural load on the feeder, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by the utility on such feeders.

- 4) A person having been declared insolvent or bankrupt or having outstanding dues against him for more than two months billing of distribution/transmission licensee at the time of application shall not be eligible for open access.

Provided that, if the dispute regarding outstanding dues is pending with any Forum or Court and stay is granted by the competent authority, in that case the person shall be eligible for seeking open access.

## **11. Special Provisions for existing distribution licensees**

The distribution licensees using intra-State transmission system and/or the distribution system in the State on the date of coming into force of these Regulations under an existing arrangement shall be entitled to continue to avail Open Access on such transmission and/or distribution system on the existing terms and conditions on payment of transmission charges and/or the wheeling charges and other applicable charges as may be determined by the Commission from time to time.

Provided that in case any distribution licensee was permitted/authorised by the State Government to supply energy to any person outside the area of supply under Section 27 of the Indian Electricity Act, 1910 (now repealed by the Act), there will be no surcharge applicable till the current validity of such consent / authorisation.

The existing distribution licensees shall, within 30 days of coming into force of these Regulations, furnish to the State Transmission Utility and the State Load Despatch Centre, details of use of their transmission system and/or the distribution system and the terms and conditions for such use.

## **12. Provisions for existing consumers and generating companies availing Open Access**

- 1) The existing consumer or a generating company including existing sellers/CPPs other than the distribution licensees availing Open Access under agreements or government policy on the date of coming into force of these Regulations shall submit to the State Transmission Utility and the State Load Despatch Centre details of capacity utilized, point of injection, point of drawal, duration of availing Open Access, peak load, average load and such other information as the State Transmission Utility or the State Load Despatch Centre may require, within 30 days of coming into force of these Regulations.
- 2) The existing consumer or a generating company including existing sellers/CPPs under clause (1) above may continue to avail Open Access on the terms and conditions of the policy of the State Government or the agreement till the current validity of the policy / agreement. In cases where Open Access is currently being availed under sub-clause (1) above, but which are not covered by any policy directive by the State Government or an existing agreement, Open Access shall be provided on payment of

charges as per these Regulations.

- 3) Bhakra Beas Management Board, presently supplying electricity to person(s) in the State on behalf of its partner States as per the directions / instructions of Government of India, shall continue to supply on the existing terms and conditions and such person(s) would not be required to pay any surcharge or additional surcharge. However, the Bhakra Beas Management Board would supply the requisite details of such arrangement to the STU and SLDC within 30 days of coming into force of these Regulations.

**13. Criteria for granting long-term open access or medium-term open access or short term open access**

- 1) The long-term Open Access shall be allowed in accordance with the transmission system planning criteria and the distribution system planning criteria stipulated in the State Grid Code, or as specified by the Commission from time to time:
- 2) Medium-term open access shall be granted if the resultant power flow can be accommodated in the existing transmission system and the distribution system:
- 3) A customer shall be eligible for short term open access over the surplus capacity available on the intra-State transmission system/distribution system after use by the long term open access customers and the medium term open access customers, by virtue of
  - a) Inherent Design Margins;
  - b) Margins available due to variation in power flows; and
  - c) Margins available due to in-built spare transmission / distribution capacity created to cater to future load growth.

Provided that construction of a dedicated transmission line/distribution system shall not be construed as augmentation of the transmission system/distribution system for the purpose of this Regulation.

## CHAPTER 4

### APPLICATION PROCEDURE AND APPROVAL

#### 14. Categories of Open Access Consumers

The application procedure, application fee and the time frame of processing request by eligible consumers seeking Open Access shall be based on the following criteria:

- 1) System to which connected
  - a) Intra-State transmission system
  - b) Distribution system
- 2) Inter-se location of drawal and injection points
  - a) Both within the same distribution system
  - b) Injection point in the intra-State transmission system
  - c) In different States
- 3) Duration of Open Access
  - a) Long-term access
  - b) Medium-term open access
  - c) Short-term open access
- 4) Collective transactions through Power Exchange

#### 15. Application procedure for Open Access

- 1) All applications for open access shall be made in the prescribed Form and submitted to the Nodal agency in accordance with these Regulations.
- 2) Subject to the provisions of these Regulations, the Nodal agency, Application fee, Documents to accompany the application and time frame for disposal of application shall be as specified in the following Tables :

**Table I**

**Consumer connected to Distribution System**

<b>S. No.</b>	<b>Duration of Open Access</b>	<b>Inter-se location of drawal and injection point</b>	<b>Nodal agency</b>	<b>Application fee (Rs.)</b>	<b>Documents to accompany the application</b>	<b>Time frame for disposal of application (days from the receipt of application)</b>	<b>Applicable Charges</b>	<b>Applicable Losses</b>
1	Short-Term Open Access	Both within the same Distribution licensee	SLDC	2000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system operation charges</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> </ul>
2	Short-Term Open Access	Injection point in the intra-State transmission system within the State	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable.</li> <li>• Transmission charge (Intra-State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
3	Short-Term Open Access	In different States	As per Central Commission Regulations	As per Central Commission Regulations	As per Central Commission Regulations	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable (inter-State &amp; intra-State).</li> <li>• Transmission Charge (Intra-State and Inter State).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>

4	Day Ahead Market	Consumer opting to avail power supply from Power Exchange	NLDC	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable (inter-State &amp; intra-State).</li> <li>• Transmission Charge (Intra-State and Inter State).</li> <li>• Power Exchange charges.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>
5	Medium-Term Open Access	<i>Both within the same Distribution licensee</i>	STU	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA.</li> </ul>	20	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system operation charges.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> </ul>

6	Medium-Term Open Access	Injection point in the intra-State transmission system within the State	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA.</li> </ul>	40	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable.</li> <li>• Transmission charge (Intra-State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State)</li> </ul>
7	Medium-Term Open Access	In different States	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as Applicable (intra-State and inter-State)</li> <li>• Transmission Charge (Intra-State and Inter State).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>

8	Long Term Access	Both within the same Distribution licensee	STU	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA</li> </ul>	20	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>•Scheduling and system operation charges.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> </ul>
9	Long Term Access	Injection point in the intra-State transmission system within the State	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA.</li> </ul>	<ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission system is not required.</li> <li>• 150 days, where augmentation of transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable.</li> <li>• Transmission charge (Intra-State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State)</li> </ul>

10	Long Term Access	In different States.	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as Applicable (inter-State and intra-State).</li> <li>• Transmission Charge (Intra-State and Inter State).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>			
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**Table 2**

**Consumer connected to Intra-State Transmission System**

<b>S. No.</b>	<b>Period</b>	<b>Inter-se location of drawal and injection point</b>	<b>Nodal agency</b>	<b>Application fee (Rs.)</b>	<b>Documents to accompany the application</b>	<b>Time frame for disposal of application</b>	<b>Applicable Charges</b>	<b>Applicable Losses</b>
1		Both within the same State (in the intra-State transmission system)	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul>	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State),</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
2	Short-Term Open Access	Injection point in the distribution system within the State	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge, as applicable.</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Cross subsidy surcharge and additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>

3	Short-Term Open Access	In different States	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as Applicable (inter-State and intra-State).</li> <li>• Transmission Charge (Intra-State and inter-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>			
4	Day Ahead Market	Consumer opting to avail power supply from Power Exchange	NLDC	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable (inter-State &amp; intra-State).</li> <li>• Transmission Charge (Intra-State and Inter State).</li> <li>• Power Exchange charges.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>

5	Medium-Term Open Access	Both within the same State (in the intra-State transmission system)	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA.</li> </ul>	20	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
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6	Medium-Term Open Access	Injection point in the distribution system within the State	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or onsumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA.</li> </ul>	20	<ul style="list-style-type: none"> <li>• Wheeling Charge, as applicable,</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
7	Medium-Term Open Access	In different States	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable (intra-State and inter-State).</li> <li>• Transmission Charge (Intra-State and inter-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>

8	Long-Term Access	Both within the same State (in the intra-State Transmission system)	STU	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• Bank Guarantee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA.</li> </ul>	<ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission system is not required.</li> <li>• 150 days, where augmentation of transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Cross subsidy Surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
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9	Long-Term Access	Injection point in the distribution system within the State	STU	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• Bank Guarantee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA.</li> </ul>	<ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission system is not required.</li> <li>• 150 days, where augmentation of transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge, as applicable,</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
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10	Long-Term Access	In different States	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as Applicable (intra-State and inter-State),</li> <li>• Transmission Charge (Intra-State and inter-State).</li> <li>• Cross subsidy surcharge, additional surcharge, if any.</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>			
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## 16. Procedure for Long Term Access

- 1) **Involving inter-State transmission system:** Notwithstanding anything contained in clauses (2) and (3) herein below, procedure for inter-State Long-term Access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 or its statutory re-enactments as amended from time to time:

Provided that in respect of a consumer connected to a distribution system seeking inter-State Long-term Access, the SLDC, before giving its consent to the RLDC as required under the CERC Regulations, shall obtain the consent of the distribution licensee concerned.

- 2) **Without involving inter-State transmission system:** Subject to the provisions of clause (1) herein above, intra-State long-term Access involving intra-State system shall be in accordance with the provisions of sub-clause (a) to (m) herein below:

- a) The application for grant of long-term access shall contain details such as name of the entity or entities from whom electricity is proposed to be procured along with the quantum of power and such other details as may be laid down by the State Transmission Utility in the detailed procedure:

Provided that in case augmentation of system is required, the applicant shall also have to bear the charges for the same as per these regulations:

Provided further that in cases where there is any material change in location of the applicant or change by more than 10 percent in the quantum of power to be interchanged using the intra-State system, a fresh application shall be made, which shall be considered in accordance with these Regulations;

- b) A consumer intending to avail Open Access shall also submit a copy of his application to the distribution licensee who is supplying electricity to him;
- c) The application shall be accompanied by a bank guarantee of Rs 10,000/- (Ten thousand only) per MW of the total power to be transmitted. The bank guarantee

shall be in favour of the nodal agency, in the manner laid down under the detailed procedure;

- d) The bank guarantee of Rs. 10,000 /- (Ten thousand only) per MW shall be kept valid and subsisting till the execution of the long-term access agreement, in the case when augmentation of transmission system is required, and till operationalization of long-term access when augmentation of transmission system is not required;
- e) The bank guarantee may be encashed by the nodal agency, if the application is withdrawn by the applicant or the long-term access rights are relinquished prior to the operationalisation of such rights when augmentation of transmission system is not required;
- f) The aforesaid bank guarantee will stand discharged with the submission of another bank guarantee required to be given by the applicant to the State Transmission Utility during construction phase when augmentation of transmission system is required, in accordance with the provisions in the detailed procedure;
- g) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in intra-State system to be used, process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant long-term access is arrived at within the timeframe specified in clause 2 of Regulation 15 herein above;
- h) Based on the system studies, the nodal agency shall specify the intra-State transmission and/or distribution system that would be required to give long-term access. In case augmentation to the existing intra-State system is required, the same will be intimated to the applicant. Upon receipt of such information, the applicant may request the nodal agency to carry out further system studies and preliminary investigation for the purpose of cost estimates and completion schedule for system strengthening;
- i) The applicant shall reimburse the actual expenditure incurred by the nodal agency for system studies and preliminary investigation referred to in sub-clause (h)

above;

- j) While granting long-term access, the nodal agency shall communicate to the applicant, the date from which long-term access shall be granted and an estimate of the transmission and/or distribution charges likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission and/or distribution charges specified by the Commission;
- k) The applicant shall sign an agreement for long-term access with the State Transmission Utility in case long-term access is granted by the State Transmission Utility, in accordance with the provision as may be made in the detailed procedure. While seeking long-term access to an intra-State transmission licensee, other than the State Transmission Utility, the applicant shall sign a tripartite long-term access agreement with the State Transmission Utility and the intra-State transmission licensee. The long-term access agreement shall contain the date of commencement of long-term access, the point of injection of power into the grid and point of drawal from the grid and the details of dedicated transmission lines, billing and payment terms and eventuality of premature termination of an agreement and its consequences on the contracting parties. In case augmentation of transmission and/or distribution system is required, the long-term access agreement shall contain the time lines for construction of the facilities of the applicant and the transmission/distribution licensee(s), the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure;
- l) Immediately after grant of long-term access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for grant of short-term open access, received under these Regulations;
- m) On the expiry of the period of long-term access, the same shall stand extended on a written request by the consumer, to the State Transmission Utility, submitted at least six months prior to such expiry, mentioning the period for which extension is required:

Provided that in case no written request is received from the consumer within the

timeline specified above, the said long-term access shall stand terminated on the date up to which it was initially granted.

3. **Within same distribution system:** The procedure specified in clause (2) above shall, mutatis mutandis, apply to cases of long-term access when the point of injection and the point of drawal are located in the area of the same distribution licensee.

## 17. Procedure for Medium-term Open Access

- 1) **Involving inter-State transmission system:** Notwithstanding anything contained in clauses (2) and (3) herein below, procedure for inter-State Medium-term Open Access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 or its statutory re-enactment as amended from time to time :

Provided that in respect of a consumer connected to a distribution system seeking inter-State Medium-term Open Access, the SLDC, before giving its consent to the RLDC as required under the CERC regulations, shall obtain the consent of the distribution licensee concerned.

- 2) **Without involving inter-State transmission system:** Subject to the provisions of clause (1) herein above, intra-State medium-term open access involving intra-State system shall be in accordance with the provisions of clause (a) to (f) herein below:
  - a) The application for grant of medium-term open access shall contain such details as may be laid down under the detailed procedure and shall, in particular, include the point of injection into the grid, point of drawal from the grid and the quantum of power for which medium-term open access has been applied for;
  - b) The Applicant shall also furnish a copy of his application to the distribution licensee of his area of supply;
  - c) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in intra-State system to be used, process the application and carry out the necessary system studies as

expeditiously as possible so as to ensure that the decision to grant or refuse medium-term open access is made within the timeframe specified in clause (2) of Regulation 15 herein above;

- d) On being satisfied that the requirements specified under clause (2) of Regulation 13 are met, the nodal agency shall grant Medium-term Open Access for the period stated in the application:

Provided that for reasons to be recorded in writing, the nodal agency may grant medium-term open access for a period less than that sought for by the applicant:

Provided further that the applicant shall sign an agreement for Medium-term Open Access with the State Transmission Utility, in accordance with the provisions as may be made in the detailed procedure. While seeking Medium-term Open Access to an intra-State transmission licensee, other than the State Transmission Utility, the applicant shall sign a tripartite Medium-term Open Access agreement with the State Transmission Utility and the intra-State transmission licensee. The Medium-term Open Access agreement shall contain the date of commencement and end of Medium-term Open Access, the point of injection of power into the grid and point of drawal from the grid, the details of dedicated transmission lines required, if any, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure;

- e) Immediately after grant of Medium-term Open Access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for Short-term Open Access received under these regulations;

- f) On expiry of the period of the Medium-term Open Access, the Medium-term consumer shall not be entitled for preference for renewal of the term.

- 3) Within same distribution system:** The procedure specified in clause (2) above shall, mutatis mutandis, apply to cases of medium-term open access when the point of injection and the point of drawal are located in the area of the same distribution

licensee.

## **18. Procedure for Short-term Open Access**

- 1) **Involving inter-State transmission system:** Notwithstanding anything contained in clauses (2) to (3) herein below, procedure for inter-State short-term Open Access shall be as per Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, or its statutory re-enactments, as amended from time to time:

Provided that in respect of a consumer connected to a distribution system seeking inter-State short-term open access, the SLDC, before giving its consent to the RLDC as required under the CERC regulations, shall obtain the consent of the distribution licensee concerned.

- 2) **Without involving inter-State transmission system:** Subject to the provisions of sub-regulation (1) herein above, intra-State short-term Open Access shall be in accordance with the provisions of clause (a) to (i) herein below:

### **(a) Open Access in advance**

- (i) Application may be submitted to the Nodal agency seeking short-term open access upto the second month, considering the month in which an application is made being the first month.
- (ii) Separate application shall be made for each month and for each transaction in a month.
- (iii) The application to the Nodal agency shall be on the prescribed Form containing such details as capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information as may be required by the Nodal agency. The application shall be accompanied by a non-refundable application fee in the form as prescribed in the procedure notified by the Nodal agency.

- (iv) An application for grant of open access commencing in any month may be submitted in a cover marked "Application for Short-Term Open Access - in advance" upto 15<sup>th</sup> day of the preceding month. For example, application for grant of open access commencing in the month of July shall be received upto 15<sup>th</sup> day of June.
- (v) Nodal agency shall acknowledge receipt of the application by indicating time and date on "ACKNOWLEDGEMENT" to the applicant.
- (vi) A consumer of distribution licensee intending to avail open access shall also furnish a copy of his application to the distribution licensee of his area of supply.
- (vii) Based on the type of transactions Nodal agency shall take a decision on the applications for short-term open access in the manner provided herein below.
- (viii) All applications received under sub-clause (iv) above shall be taken up for consideration together and processed as per allotment priority criteria specified under Regulation 22 of these Regulations.
- (ix) Nodal agency shall check transaction for congestion of any element (line and transformer) of transmission and distribution system involved in transaction.
- (x) Nodal agency shall convey grant of open access or otherwise along with schedule of payments to the consumer latest by 19<sup>th</sup> day of such preceding month.
- (xi) Nodal agency shall assign specific reasons if open access is denied under sub clause (x).

**(b) Open Access on first come first served basis**

Applications for open access for the second month, received after the date specified in clause 2(a)(iv) and the applications received during the first month

shall be considered on first come first served basis:

Provided that such applications shall reach the Nodal agency at least four days in advance of the date of the open access transaction. All these applications shall be processed and decided within three days of their receipt.

For example: The application for open access commencing from 10<sup>th</sup> July shall be submitted by 5<sup>th</sup> July by 5 PM.

**(c) Day-Ahead Open Access**

(i) An application for grant of day ahead open access may be received by Nodal agency three days prior to the date of scheduling but not later than 1300 hours of the day immediately preceding the day of scheduling for such transaction.

For example, application for day-ahead transaction on 25<sup>th</sup> day of July shall be received on 22<sup>nd</sup> day or 23<sup>rd</sup> day or upto 1300 hours on 24<sup>th</sup> day of that month.

(ii) Nodal agency shall check for congestion and convey grant of approval or otherwise by 1800 hours of the day immediately preceding the day of scheduling. All other provisions of application for short-term open access shall apply.

**(d) Bidding Procedure/Congestion Management**

i) If the capacity sought by the consumers for Open Access in Advance for the following month is more than the available capacity or SLDC perceives congestion of any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure.

Till SLDC establishes infrastructure for electronic bidding, such applications shall be dealt on first come first serve basis.

ii) The decision of SLDC in respect of an expected congestion shall be final and binding.

- iii) SLDC shall convey information of congestion and decision for invitation of bidding indicating floor price through an email/SMS notice, to the applicants.
- iv) SLDC shall also display bidding information on its website.
- v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in the notice.
- vi) The bids shall be accepted on the prescribed format up to the “bid closing time” as indicated in bidding invitation notice. Modification / amendment to a bid, once submitted shall not be entertained.
- vii) If any consumer does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed.
- viii) SLDC shall not entertain any request for extension of time/date for submission of bids.
- ix) The bidders shall quote price in terms of percentage points above the floor price;
- x) The quoted price shall be arranged in descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is exhausted.
- xi) In case of equal price quoted by two or more customers, the allocation from the residual available capacity at any stage under sub-clause (x) above shall be made in proportion to capacity being sought by such customers.
- xii) Open Access customers in favour of whom full capacities/partial capacities have been allotted shall pay the charges quoted by each of them in the course of bidding process.
- xiii) SLDC shall reject bids which are incomplete, vague in any manner or not found in conformity with bidding procedure.
- xiv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges, wheeling charges, as the case may be,

determined by bidding under sub-sub clause (xii) of this clause.

- e) The reserved capacity by a short-term open access consumer is not transferable to others.
  - f) The capacity available as a result of surrender or reduction or cancellation of the reserved capacity by the State Load Dispatch Centre, may be reserved for any other short-term open access customers in accordance with these regulations.
  - g) During peak load hour restrictions, the open access customers shall restrict their total drawal including open access power to the extent of the peak load exemption allowed.
  - h) On expiry of the period of the short-term open access, the short-term customer shall not be entitled to any overriding preference for renewal of the term.
  - i) The State Load Despatch Centre shall develop a detailed procedure for reservation of capacity to short term customers, including the procedure for bidding, within 30 days of notification of these Regulations and submit the same to the Commission for approval.
- 3) **Within same distribution system:** The procedure specified in clause (2) above, mutatis mutandis, shall apply to cases of short-term open access when the point of injection and the point of drawal are located in the area of the same distribution licensee.

#### 19. Consent by STU, SLDC or Distribution Licensee

1) **Inter-State open access :** STU in the case of application for grant of long-term and medium term access and SLDC in the case of grant of short-term open access shall convey its consent or otherwise as per the provisions of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, respectively or their statutory re-enactments, as amended from time to time. An applicant seeking short term open access shall submit his application

to SLDC along with non refundable fee of Rs.10000 (Rupees Ten thousand only) for issue of consent/standing clearance. The SLDC shall make a reference to the distribution licensee and the said distribution licensee shall convey its consent or otherwise within three days of receipt of reference from the SLDC.

**2) Without involving inter-State transmission system :**

- a) While processing the application seeking consent for intra-State open access, the Nodal agency shall verify the following, namely:
  - (i) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force, and
  - (ii) Availability of capacity in the transmission and/or distribution network;
- b) Where existence of necessary infrastructure and availability of capacity in the transmission and/or distribution network has been established, the nodal agency shall convey its consent to the applicant by e-mail or fax or by any other usually recognized mode of communication, within three (3) working days of receipt of the application;
- c) In case the nodal agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or fax or by any other usually recognized mode of communication, within two (2) working days of receipt of the application;
- d) In case the application has been found to be in order but the nodal agency refuses to give consent on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution network, such refusal shall be communicated to the applicant by e-mail or fax or by any other usually recognized mode of communication, within the period of three (3) working days from the date of receipt of the application, along with reasons for such refusal;
- e) Where the nodal agency has not communicated any deficiency or defect in the application within two (2) days from the date of receipt of application, or refusal or consent within the specified period of three (3) working days from the date of receipt of the application consent shall be deemed to have been granted.

### **3) Within same distribution system**

The procedure specified in sub-regulation (2) above, mutatis mutandis, shall apply to applicant seeking consent for intra-State open access when the point of injection and the point of drawal are located in the area of the same distribution licensee.

## **20. Consideration of applications from defaulters**

Notwithstanding anything contained in these Regulations, the Nodal agency shall be at liberty to summarily reject an application for Open Access on the ground of non-compliance of the provisions of these Regulations, more specifically the provisions relating to timely payment of the charges leviable as per these Regulations.

## **21. Application by eligible entities other than consumers:**

The procedure for submission of the application and processing the same as laid down in this chapter in respect of the consumers shall, mutatis mutandis, be applicable to the electricity trading licensees, distribution licensees, generating companies and open access customers who are not consumers.

## **22. Allotment Priority**

- 1) The priority for allotment of open access shall be decided on the following criteria:
  - a) The persons covered by Regulations 11 and 12 shall have the first priority;
  - b) A distribution licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term;
  - c) The long-term open access applicants shall have the priority next to the distribution licensee;
  - d) The medium-term open access applicants shall have the priority next to the long-term open access applicants;
  - e) The short-term open access applicants shall have the priority next to the medium-term open access applicants;

- f) When the requirement projected by an applicant is more than the available capacity and the said applicant is not able to limit his requirement to the available capacity, the request of applicant having next lower priority shall be taken up for consideration;
- g) Subject to sub-clauses (a) to (f) above, the decision for allotment of capacity for open access shall be on the basis of first-come-first served.

## CHAPTER 5

### OPEN ACCESS CHARGES

#### 23. Transmission Charges

Open Access customer using transmission system shall pay the charges as stated hereunder:

- 1) For use of inter-State transmission system - As specified by the Central Commission from time to time.
- 2) For use of intra-State transmission system:
  - a) Transmission charges payable to State Transmission Utility/ transmission licensee by an open access customer for usage of their system shall be determined as specified in the Regulations for determination of generation, transmission, wheeling and retail supply tariffs;
  - b) Long term, Medium term and Short term Open Access customers availing supply at 132/220kv shall be liable to pay full transmission charges;
  - c) Where a dedicated transmission system has been constructed for exclusive use of an Open Access customer, the transmission charges for such dedicated system shall be recovered entirely from such Open Access customer for such period till the surplus capacity is used for other persons or purposes;
  - d) The transmission charges for a short-term Open Access customer will be levied on hourly basis in rupees/MWh and will be levied on the quantum in MWh cleared by the concerned Load Despatch Centre for bilateral transactions and the National Load Despatch Centre in case of collective transactions;
  - e) When capacity has been reserved consequent to bidding, the Open Access charges will be taken as determined through bidding;

Provided further that the charges so determined under this Regulation will be the floor price for the purpose of Regulation 18.

## **24. Scheduling and System Operation charges**

Scheduling and system operation charges shall be payable by the Open Access customers at the following rates:

### **1) In respect of inter-State open access**

- a) Long-term access and Medium-term open access
  - i) Regional Load Despatch Centre fees and charges including charges for the Unified Load Despatch and Communication Scheme as specified by the Central Commission under section 28(4) of the Act.
  - ii) State Load Despatch Centre charges as specified by the Commission under sub-section (3) of section 32 of the Act.
- b) Short-term open access
  - i) Regional Load Despatch Centre and State Load Despatch Centre charges as specified by the Central Commission.

### **2) In respect of intra-State open access**

- a) The operating charge includes fee for scheduling and system operation, energy accounting, fee for affecting revisions in schedule on bonafide grounds and collection and disbursement of charges. The operation charges collected by the State Load Despatch Centre in accordance with Clause (c) shall be in addition to fees and charges specified by the Commission under clause (b) of this Regulation.
- b) Long-term access and Medium-term open access:  
  
Long-term access and medium-term open access customers shall be liable to pay SLDC charges determined by the Commission under sub-section (3) of section 32 of the Act.
- c) Short-term open access:  
  
A composite operating charge @ Rs.2,000/- (Rupees Two thousand only) per day or part of the day or as determined by the Commission from time to time shall be payable by a short-term open access customer for each transaction to the SLDC.

## 25. Wheeling Charges:

- 1) Wheeling Charges shall be payable by an Open Access customer who utilises the distribution network for wheeling of electricity.
- 2) The distribution licensee shall segregate the accounts for the consumer service (retail supply) business and its wire business and submit the same to the Commission.
- 3) The Annual Wheeling Charges (AWC) will represent the cost of the wires business of the distribution licensee. The Commission shall determine the prudent level of Annual Wheeling Charges. While doing so, it shall use its own assumptions for apportioning the expenses of a licensee for the purpose of computing expenses pertaining to wires business till such time segregated accounts of the licensee are available.
- 4) The wheeling charges payable shall be calculated in accordance with the following formula:

$$\text{Wheeling charges} = (\text{AWC}) / (\text{DIS\_CAP} * 365)$$

Where:

DIS\_CAP means the capacity in MW which can be served by the distribution system of the Distribution licensee and shall be the sum of import of power at each interface point of exchange of power at electrical boundary of distribution licensee and generation from captive power plants and co-generation plants (to the extent fed into the grid) and plants generating electricity from renewable sources of energy located in the area of such licensee.

- 5) Long term Medium term and Short term Open Access customers availing supply at 33/66 KV, in addition to transmission charges, shall be liable to pay 15% of the wheeling charges determined by the Commission as per the Tariff Order applicable for the year; whereas customers availing supply at 11 KV shall be liable to bear 30% of wheeling charges in addition to transmission charges.
- 6) Where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the wheeling charges for such

dedicated system shall be worked out by distribution licensee and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other persons or purposes.

- 7) The wheeling charges for short term open access will be levied on the quantum in MWh cleared by the concerned Load Despatch Centre for bilateral transactions and the National Load Despatch Centre in case of collective transactions.
- 8) When capacity has been reserved consequent to bidding, the Open Access charges will be taken as determined through bidding:

Provided further that the charges so determined under this Regulation will be the floor price for the purpose of Regulation 18.

Note: In case of wheeling of power generated from NRSE project, transmission and wheeling charges shall be levied @ 2% of the energy injected into the State Grid, irrespective of the distance i.e. additional 2% of the total energy shall be injected at injection point(s). 10% of the average revenue realized by distribution licensee from such additional injection shall be passed on to the STU/Transmission licensee for compensating on account of transmission charges.

## **26. Cross subsidy surcharge**

- 1) If open access facility is availed of by a subsidising consumer of a distribution licensee of the State, then such consumer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on Per Unit basis shall be payable, on monthly basis, by the open access consumers based on the actual energy drawn during the month through open access.

Provided that such surcharge shall not be leviable to a person who has established a captive generating plant for carrying the electricity to the destination of his own use.

- 2) The cross subsidy surcharge shall be determined in accordance with the following formula:

Surcharge formula

$S = T - C$  where,

S is the cross subsidy surcharge

T is the average per unit realization from the relevant category of consumers

C is the combined average cost of supply of distribution licensee

- 3) The surcharge shall be paid to the distribution licensee of area where the premises of the consumer availing Open Access are located. In case of more than one licensees supplying in the same area, the licensee from whom the consumer was availing supply shall be paid the amount of surcharge.
- 4) The consumers availing Open Access exclusively on interstate transmission system shall also pay the same surcharge as determined under this Regulation.
- 5) The consumers availing Open Access through dedicated lines even without involving licensee's Transmission and/or Distribution System shall be liable to pay same surcharge as determined under this Regulation.

## **27. Additional Surcharge**

- 1) An open access consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross-subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 42 of the Act.
- 2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. The distribution licensee shall indicate the quantum of such stranded costs and the period over which they would be stranded. The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge:

Provided that such additional surcharges shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

- 3) The additional surcharge shall be determined by the Commission.
- 4) The consumers availing Open Access exclusively on interstate transmission system shall also pay the additional surcharge as determined under this Regulation.
- 5) The consumers availing Open Access through dedicated lines even without involving licensee's transmission and / or distribution system shall be liable to pay same additional surcharge as determined under this Regulation.

## CHAPTER 6

### SCHEDULING, METERING AND LOSSES

#### 28. Scheduling :

- 1) Notwithstanding anything contained in the succeeding clauses of this regulation, scheduling of inter-State open access transactions shall be as specified by the Central Commission.
- 2) Subject to the foregoing clause, intra-State open access transactions in respect of all customers and generating stations irrespective of the capacity shall be scheduled by SLDC in accordance with the provisions of the State Grid Code.

#### 29. Metering:

- 1) The Open Access customer shall provide ABT compatible Special Energy Meters at the point(s) of injection if not already provided and point(s) of drawal. 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 State Grid Code.
- 2) Special Energy Meters shall always be maintained in good condition.
- 3) Special Energy Meters shall be open for inspection by any person authorized by the State Transmission Utility, State Load Despatch Centre or the Distribution Licensee.
- 4) The Open Access customer shall provide Main Meters on his premises as specified in the State Grid Code.
- 5) The distribution licensee shall provide along with Main Meters, Check Meters of the same specifications as Main Meters at the point(s) of injection and point(s) of drawal.
- 6) The Main and Check Meters shall be periodically tested and calibrated by State Transmission Utility / distribution licensee as per State Grid Code.
- 7) Readings of Main and Check Meters shall be taken periodically at appointed day and hour by the officer of distribution licensee authorized in this regard as per procedure

specified in State Grid Code.

- 8) Meter readings shall be immediately communicated by the distribution licensee within 12 hours to State Load Despatch Centre State Transmission Utility, customer and generating company/ or the trading licensee, as the case may be.
- 9) An Open Access customer may request distribution licensee to provide Main Meters. In that case he shall provide security to distribution licensee and shall pay as per Schedule of General Charges, rentals for the Main Meter(s) which shall be maintained by the distribution licensee.
- 10) Main and Check Meters shall have facility to communicate their readings/data to the State Load Despatch Centre on real time basis.
- 11) The term 'Meter' means a device suitable for measuring, indicating or recording consumption of electricity or any other quantity related to an electrical system and shall include, wherever applicable, other equipments such as current transformer, potential transformer, voltage transformer or capacitor voltage transformer with necessary wiring and accessories for such purpose.
- 12) The procedure for joint sealing, replacement of defective meter, billing in the event of meter(s) becoming defective shall be followed as laid down in the State Grid Code.
- 13) All the open access customers shall abide by the metering standards notified by the Central Electricity Authority (CEA) vide its notification dated 17<sup>th</sup> March, 2006, as amended from time to time.

### **30. Energy Losses:**

#### **1) Inter-State Open Access:**

- a) Long-term access and medium-term open access: The buyers of electricity shall bear apportioned energy losses in the transmission system in accordance with the provisions specified by the Central Commission.
- b) Short-term Open Access: The buyers and sellers of electricity shall absorb apportioned energy losses in the transmission system in accordance with the provisions specified by the Central Commission.

**2) Intra-State Open Access:**

The transmission and distribution losses for the Intra-State system shall be determined by the Commission in its Tariff Order for the applicable year and shall be apportioned in proportion to the actual energy drawl by the Open Access customer. The energy losses shall be compensated by additional injection at the injection point(s).

The open access customers availing supply at 132/220 KV, shall be required to bear only the transmission losses; whereas the customers availing supply at 33/66 KV shall bear 15% of the distribution losses in addition to transmission losses. The open access customers connected at 11 KV shall bear 40% of the distribution losses in addition to transmission losses. These losses shall also be applicable to NRSE generators.

## CHAPTER 7

### IMBALANCE, REACTIVE ENERGY CHARGES AND VOLTAGE SURCHARGE

#### 31. Imbalance Charge

The entitlement at the drawal point for any 15 minute time block shall be worked out after considering the Transmission and Distribution losses as determined by the Commission in the Tariff Order for that year.

1) Open Access customer

When the Open Access customer is not a consumer of the licensee, the mismatch of scheduled entitlement and actual drawal for any 15 minutes time block shall be met from the grid and will be paid/charged as under:

a) Overdrawal

UI charges + Congestion charges, if any, as notified by CERC from time to time.

or

Highest tariff for any permanent consumer category at that point of time (including PLEC), approved by the Commission in its Tariff Order for that year.

whichever is higher, will be paid by the Open Access customer to the distribution licensee.

However, the overdrawal will be loaded with the intra-State T&D losses determined by the Commission in its Tariff Order for that year, before calculating the payable amount.

b) Underdrawal

In the event of underdrawal for any 15 minute time block, the Open Access customer will be paid by the distribution licensee as under:

UI charges

or

Applicable lowest tariff for any permanent category/sub-category determined by the Commission in its Tariff Order for that year,

or

The purchase/sale price of the open access customer,

whichever is the lowest.

- c) Non drawal of scheduled power due to unscheduled power cut or failure of transmission/distribution system:

If an Open Access customer is unable to draw the scheduled energy due to unscheduled cut or failure of transmission/distribution system of the licensee, the power injected will be treated as banked power and the Open Access customer will be allowed to draw the same within a period of 15 days with an advance notice of 48 hours to the licensee. The power will in no case be drawn during peak load hours, unless banked during peak load hours. In case the Open Access customer is unable to draw the banked power, then he will be paid by the licensee as per (b) above.

- 2) Open Access customer who is a consumer of the licensee:

A consumer will be allowed to draw the total load equivalent to the sum of scheduled entitlement as an Open Access customer, limited to actual injection, and sanctioned Contract Demand as a consumer of the distribution licensee (sum of these two being admissible drawal), provided the Open Access consumer has taken permission to draw the open access power above the sanctioned contract demand. Out of the recorded drawal, the scheduled entitlement as an Open Access customer will first be adjusted and the balance will be treated towards sanctioned Contract Demand of the consumer. The recorded maximum drawal will be accounted for/charged as under:

- (a) When the recorded drawal of a consumer exceeds the admissible drawal or sanctioned contract demand as the case may be, the consumer will be liable to pay demand surcharge.
- (b) When the recorded drawal of a consumer is less than the schedule entitlement as an Open Access customer, it will be treated as a case of under drawal as per 1 (b) above.

The consumer will, however, be governed by the General Conditions of Tariff and relevant Schedule of Tariff approved by the Commission.

3) Open Access by a Generator/Trader:

- a) Over injection

Any over injection than scheduled by the Generator/Trader will be treated as per 1 (b) above.

- b) Under injection

Any under injection than scheduled will be treated as per 1 (a) above.

Provided that if the under injection persists for 2 days continuously, the SLDC will give notice to the generator/trader for revision of its schedule. If the generator/trader does not revise the schedule and under injection continues for another 2 days, no scheduling will be allowed to the generator/trader for next 3 days. Thereafter, scheduling will be allowed only when a revised schedule is submitted by the generator/trader. The generator/trader will however be liable to pay the Open Access charges for the full reserved capacity for the entire period.

4. Non evacuation of power due to breakdown of evacuation system of the licensee:

A generator in the State may be supplying power outside the State, within the State to an open access customer or sale to the distribution licensee. Non evacuation of power due to breakdown of evacuation system of the licensee will be dealt with as under:

(a) Inter-State sale

The schedule given by the generator will be passed on to NRLDC by the SLDC. The share of licensee from the central sector projects will be adjusted accordingly and the energy scheduled by the generator to be fed will be delivered to the purchaser/utility. If the licensee is unable to evacuate power from the generator due to failure of evacuation system of the licensee, the generator will pay to the licensee at the tariff rate charged to the purchaser for the energy which could not actually be evacuated by the licensee due to breakdown of evacuation system of the licensee. However, the generator will be compensated by the licensee for Open Access transmission and wheeling charges, if any, paid to the licensee during the period of non evacuation of power from the generator.

(b) Sale to the Distribution Licensee within the State

The payment to the generator will be made as per the agreement.

(c) Intra-State sale

SLDC will inform the purchaser about the failure of evacuating system and the purchaser shall stop drawing power within 6 blocks (each of 15 minutes) of this intimation. For the intervening period:

- (i) The purchaser will pay to the generator at the tariff agreed to between them.
- (ii) The generator will pay to the licensee for the energy supplied by the licensee to the purchaser, at the rate agreed between the generator and the purchaser.
- (iii) The generator will be compensated by the licensee for payment of Open Access transmission and wheeling charges, if any, paid by the generator during non evacuation of power.

After expiry of 6 blocks, the energy drawn by the Purchaser/Open Access customer will be charged for the mismatch as per provision in clause 31(1) above.

### **32. Reactive Energy Charges**

The payment for the reactive energy charges for the Open Access customers shall be calculated in accordance with Punjab State Electricity Regulatory Commission (Terms and Conditions for Determination of Generation, Transmission, Wheeling and Retail Supply Tariff) Regulations approved by the Commission.

Provided that no additional power factor surcharge/incentive shall be leviable on the energy drawn through open access.

### **33. Voltage Surcharge**

Where a consumer of the licensee opts to draw power (including power from the licensee) as an open access customer which is more than his sanctioned Contract Demand and the enhanced power is required to be catered at a higher voltage than his supply voltage as per Conditions of Supply of the licensee, then he may be allowed to draw power through open access only if the consumer agrees to pay voltage surcharge on his total electricity drawl for that month (open access plus as a consumer of the licensee), as applicable and as specified in the General Conditions of Tariff:

Provided that the consumers connected at voltages lower than those specified in the Conditions of Supply and paying voltage surcharge and drawing the total power within their sanctioned contract demand shall continue to pay such surcharge only on the quantum of energy drawn from the distribution licensee against their sanctioned contract demand.

## CHAPTER 8

### COMMERCIAL MATTERS

#### **34. Billing, collection and disbursement**

Billing in respect of the charges payable under these regulations shall be made as per the following procedure:

**1) Inter-State transactions:**

**a) Short-term Open Access**

- i) Collection and disbursement of transmission charges for use of CTU and STU systems and operating charges payable to RLDCs and SLDCs towards short term open access shall be made by the nodal RLDC in accordance with the procedure specified by the Central Commission.
- ii) The short-term open access customer connected to distribution system of a distribution licensee shall pay to such distribution licensee the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the nodal agency.
- iii) In case of collective transactions, the transmission and wheeling charges for the State network and operating charges for the State Load Despatch Centre shall be settled directly by the Power Exchange with the respective State Load Despatch Centre.

**b) Long-term access and medium- term open access**

- i) Billing, collection and disbursement of charges payable to RLDC including Unified Load Despatch and Communication Scheme shall be in accordance with the procedure specified by the Central Commission.
- ii) Bills towards the charges payable to SLDC and STU shall be raised by the STU directly to the open access customer connected to STU and to the distribution licensee in respect of the customers connected to the distribution system, before the 3rd working day of the succeeding calendar month.

- iii) Distribution licensee shall raise the bill with the open access customer connected to it within 3 days of receipt of bill from STU.
- iv) Open access customer connected to the distribution licensee shall pay the charges within five days of receipt of bill from distribution licensee. The distribution licensee shall disburse the amount payable to STU within 3 working days.
- v) Open access customer connected to the STU shall pay the bills within five working days of receipt of the bill.

**2) Intra-State transactions:**

- a) The transmission charges and wheeling charges in respect of short term Open Access customers shall be payable to SLDC who shall pass on these charges to STU and distribution licensee respectively within a period of three days. These charges in respect of medium and long term open access customers shall be payable directly to respective licensees;
- b) The surcharge and additional surcharge shall be payable directly to the distribution licensee in whose area of supply the consumer availing Open Access is located;
- c) The Operation Charges in respect of Open Access customers shall be paid to the State Load Despatch Centre; and
- d) The Reactive Energy Charges and Unscheduled Interchange Charges as determined by SLDC shall be paid to the distribution licensee in whose area of supply the consumer availing Open Access is located.

**35. Late payment surcharge**

In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation there under, a late payment surcharge at the rate of 1.25% per month or part thereof shall be levied.

### **36. Default in payment**

- 1) Non-payment of any charge or sum of money payable by the open access customer under these Regulations (including imbalance charges) shall be considered non-compliance of these Regulations and shall be liable for action under section 142 of the Act in addition to action under section 56 of the Act. The STU or any other transmission licensee or a distribution licensee may discontinue open access after giving customer an advance notice of seven days without prejudice to its right to recover such charges by suit.
- 2) In case of default in payment of charges due to the Load Despatch Centre, the Load Despatch Centre concerned may refuse to schedule power to the defaulting open access customer and direct the licensee concerned to disconnect such customer from the grid.

### **37. Payment Security Mechanism**

In case of long-term, medium term and short term (other than the consumers of the licensee), the applicant for open access will open an irrevocable Letter of Credit in favour of the agency responsible for collection of various charges for the estimated amount of various charges for a period of two months.

## CHAPTER 9

### INFORMATION SYSTEM

#### 38. Information system

The State Load Dispatch Centre shall post following information on its website in a separate web page titled "Open Access Information" and also issue a monthly and annual report containing such information:

- (1) A status report on the current long-term access, medium-term open access and the short term open access customers indicating:
  - a) Name of open access customer;
  - b) Period of open access granted (date of commencement and date of termination);
  - c) Point(s) of injection;
  - d) Point(s) of drawal;
  - e) Supply voltage at injection and drawal points; and
  - f) Open access capacity used.
- (2) The information regarding average loss in transmission and distribution system as determined by the Commission in Tariff Order for the applicable year.
- (3) The information regarding rate of surcharge payable by the Open Access customers.
- (4) The information shall be updated upon every change in status.
- (5) All previous reports shall be available in the web - archive.

## CHAPTER 10

### MISCELLANEOUS

#### **39. Under-Utilisation or Non-Utilisation of open access capacity in intra-State transmission system**

1) Long-term access : A long-term customer may relinquish the long-term access rights fully or partly before the expiry of the full term of long-term access, by making payment of compensation for stranded capacity as follows:-

a) **Long-term customer who has availed access rights for at least 12 years**

i) Notice of one (1) year - If such a customer submits an application to the State Transmission Utility at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights, there shall be no charges.

ii) Notice of less than one (1) year - If such a customer submits an application to the State Transmission Utility at any time lesser than a period of 1 (one) year prior to the date from which such customer desires to relinquish the access rights, such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of a notice period of one (1) year.

b) **Long-term customer who has not availed access rights for at least 12 (twelve) years** - Such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of 12 (twelve) years of access rights:

Provided that such a customer shall submit an application to the State Transmission Utility at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights:

Provided further that in case a customer submits an application for relinquishment of long-term access rights at any time at a notice period of less than one year, then

such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the period falling short of a notice period of one(1) year, in addition to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of 12 (twelve) years of access rights.

- c) The discount rate that shall be applicable for computing the net present value as referred to in sub-clause (a) and (b) of clause (1) above shall be the discount rate to be used for bid evaluation in the Central Commission's Notification issued from time to time in accordance with the Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by distribution licensees issued by the Ministry of Power.
  - d) The compensation paid by the long-term customer for the stranded transmission capacity shall be used for reducing transmission charges payable by other long-term customers and medium-term customers in the year in which such compensation payment is due in the ratio of transmission charges payable for that year by such long- term customers and medium-term customers.
  - e) In addition to the above, for customers who were also provided any dedicated transmission and/or distribution systems, the penalty payable for such dedicated capacity shall be 100% of the charges payable by such customer for balance period of allocation, unless alternative users are there for use of such dedicated capacity.
- 2) **Medium-term Open Access customers** -A medium-term open access customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the nodal agency:

Provided that the medium-term open access customer relinquishing its rights shall pay applicable transmission charges for the period of relinquishment or 30 days whichever is lesser.

**3) Short-term open access customer**

- a. The short-term open access schedules accepted by the nodal agency in advance or on first-come-first-served basis may be cancelled or revised downwards on an

application to that effect made to the nodal agency by the short-term open access customer:

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days from the date of application:

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the nodal agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

- b. The person seeking cancellation or downward revision of short-term open access schedule shall pay the transmission charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the nodal agency, and thereafter in accordance with the revised schedule prepared by the nodal agency during the period of such cancellation or downward revision.
- c. In case of cancellation, operating charges specified in Regulations 24 of these regulations shall be payable for two (2) days or the period of cancellation in days, whichever is less.

#### **40. Computation of capacity availability for open access**

- 1) The capacity available for the open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given below:
  - a) Available open access capacity of a transmission system segment: =  $(DC-SD-AC) + NC - ND$  where, DC=Designed capacity of the transmission segment in MW, SD = Sustained demand (peak load experienced) in MW recorded in the segment, AC = Already allotted capacity, but not availed in MW, NC = New capacity in MW expected to be added and ND = New Demand expected to be added.
  - b) Available open access capacity of a sub-station: =  $(TC-SP-AC)+NC - ND$  where,

TC = Transformer capacity of the sub-station in MVA, SP = Sub-station peak in MVA, AC = Already allotted capacity but not availed in MVA , NC = New transformer capacity in MVA expected to be added and ND = New Demand expected to be added.

- c) The STU shall update these values on monthly basis on the first calendar day of the month and publish it in its website.
- 2) The appropriate distribution licensee shall determine the available capacity for allotment for the portion of the distribution system over which open access has been requested for.

#### **41. Curtailment Priority**

- (1) The State Load Despatch Centre may curtail power flow on any transmission corridor by cancelling or rescheduling any transaction, if in its opinion cancellation or curtailment of such transaction is likely to relieve any transmission constraint on the corridor or to improve grid security. However, in all such cases of cancellation or curtailment, the SLDC will, as soon as practicable, intimate in writing to the customer the reasons therefor.
- (2) Subject to provisions of the State Grid Code, cancellation/curtailment will be effected as under:
  - (i) Short term transaction(s) will be cancelled or curtailed first, followed by medium term transactions, which shall be followed by long term transaction(s).
  - (ii) Among short term transactions, bilateral transaction will be cancelled or curtailed first, followed by collective transactions.
  - (iii) Open Access to a distribution licensee will be the last to be curtailed within a category.
  - (iv) Curtailment will be effected on a pro-rata basis amongst the customers of a particular category.
- (3) In case of curtailment of the approved schedule by the State Load Despatch

Centre, transmission and wheeling charges shall be payable pro-rata in accordance with the curtailed schedule.

- (4) Operating charges specified in regulation 24 will be payable irrespective of curtailment, if any.
- (5) The State Transmission Utility shall develop the guidelines in this regard in consultation with SLDC, within 30 days of notification of these Regulations and submit the same to the Commission for approval.

#### **42. Quantum of Renewable Purchase Obligation (RPO)**

Each Open Access customer shall fulfill its RPO as per Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2011. The minimum percentages of RPO are prescribed in clause 3(1) of these Regulations. The RPO shall be met by Open Access customers either by purchase of electricity (in kWh) from renewable sources or by purchase of Renewable Energy Certificate(s) (RECs) from the Power Exchange.

#### **43. Redressal Mechanism**

All disputes and complaints relating to open Access shall be referred to the Commission. However, the disputes and complaints regarding metering and billing etc. shall be first referred to the Commercial and Metering Committee constituted under the State Grid Code. The Committee shall investigate and endeavor to resolve the grievance within 30 days; and if the Committee is unable to redress the grievance, it shall be referred to the Commission by the Committee or the Open Access customer.

#### **44. Fee for Approaching the Commission**

The fee payable for approaching the Commission for redressal of issues relating to Open Access shall be as per Punjab State Electricity Regulatory Commission (Fee) Regulations, 2005, as amended from time to time. This will be besides the fee payable under these Regulations. No fee shall be payable to the Commission in case the matter is referred to the Commission by the Committee under Regulation 43.

#### **45. Powers to Remove Difficulties**

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Despatch Centre, licensees and the Open Access customers, to take such action, as may appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

#### **46. Power to Amend**

The Commission may, at any time add, vary, alter, modify or amend any provision of these Regulations.

#### **47. Repeal and Savings**

- 1) The Punjab State Electricity Regulatory Commission (Open Access) Regulations, 2005, as amended from time to time, shall stand repealed from the date of commencement of these Regulations.
- 2) Notwithstanding such repeal, anything done or purported to have been done under the repealed regulations shall be deemed to have been done or purported to have been done under these Regulations.

Sd/-  
(P.S. Jindal)  
Secretary,  
Punjab State Electricity Regulatory Commission.