

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
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**(Tele No. 24364911 FAX No. 24360010)**

No. L-7/25(5)/2003-CERC

New Delhi the

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**NOTIFICATION (DRAFT)**

In exercise of powers conferred under Section 178 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations to further amend the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004, hereinafter referred to as “the principal regulations”, namely: --

1. **Short title and commencement:** (1) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Fourth Amendment) Regulations, 2007.

(2) These regulations shall come into force on 3.12.2007.

2. **Amendment of Regulation 5:** After sub-clause (i) of Clause (3) of Regulation 5 of the principal regulations, the following proviso shall be added, namely:-

“Provided that while making the application for determination of provisional tariff, it shall not be necessary to file the details as specified under Forms 5B and 5C of the tariff filing forms, as applicable.”

3. **Amendment of Regulation 19:** Regulation 19 of the principal regulations shall be substituted as under, namely:-

“19. **Sale of Infirm Power:** Infirm power shall be accounted as Unscheduled Interchange (UI) and paid for from the regional / State UI pool account at the applicable frequency-linked UI rate. Any revenue earned by the generating company from sale of infirm power shall be applied for reduction in capital cost and shall not be treated as revenue”.

4. **Amendment of Regulation 35:** Regulation 35 of the principal regulations shall be substituted as under, namely:-

“35. **Sale of Infirm Power:** Infirm power shall be accounted as Unscheduled Interchange (UI) and paid for from the regional / State UI pool account at the applicable frequency-linked UI rate. Any revenue earned by the generating company from sale of infirm power shall be applied for reduction in capital cost and shall not be treated as revenue”.

5. **Amendment of Regulation 42:** Clause (2) of Regulation 42 of the principal regulations shall be substituted as under, namely:-

“(2) (i) The hydro-electric stations are expected to respond to grid frequency changes and inflow fluctuations. They would, therefore, be free to deviate from the given schedule, as long as they do not indulge in gaming, and do not cause a grid constraint. As a result, the actual net energy supplied by a hydro-electric generating station over a day may differ from the Scheduled Energy (ex-bus) for that day. A compensation shall then be made by the concerned Load Despatch Centre in the schedule for the (Day + 3), as described in Clause (xix) of Regulation 45.

(ii) The concerned Load Despatch Centre shall periodically check that the generating station is declaring the capacity and energy sincerely, and is not manipulating the declaration with the intent of making undue money through UI.”

6. **Amendment of Regulation 45:** (1) Clause (xii) of Regulation 45 of the principal regulations shall be substituted as under, namely:-

“(xii) Revision of declared capability and energy by the generator(s) and requisition by beneficiary (ies) for the remaining part of the day shall be permitted, but only in case of a contingency. Revised schedules/declared capability in such cases shall become effective from the 6<sup>th</sup> time-block, counting the time-block in which the request for revision has been received in the Load Despatch Centre to be the first one.”

(2) After Clause (xviii) of Regulation 45 of the principal regulations the following shall be added, namely:

“(xix) The schedule finalized by the concerned Load Despatch Centre for a hydro-electric generating station shall normally be such that the scheduled energy for a day equals the total energy (ex-bus) expected to be available on that day, as declared by the generating station, based on foreseen / planned water availability / release. It is also expected that the total net energy actually supplied by the generating station on that day would equal the declared total energy, in order that the water release requirement is met. While the 15-minute wise deviations from schedule would be accounted for as Unscheduled Interchange (UI), the net energy deviation for the whole day, if any, shall be additionally accounted for as shown in the illustration.

### **Illustration**

Suppose the foreseen/expected total energy (ex-bus) for Day 1 is E1, the scheduled energy is S1, and actual net energy (metered) is A1, all in ex-bus MWh. Suppose the expected energy availability for Day 4, as declared by the generator, is E4. Then, the schedule for Day 4 shall be drawn up such that the scheduled energy for Day 4, shall be

$$S4 = E4 + (A1 - E1).$$
$$\text{Similarly, } S5 = E5 + (A2 - E2),$$
$$S6 = E6 + (A3 - E3),$$
$$S7 = E7 + (A4 - E4), \text{ and so on.}”$$

### **Note**

The principal regulations were notified in the Gazette of India (Extraordinary) Part III, Section 4 on 29.3.2004 and were amended from time to time as under:

- (i) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2004, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 9.9.2004.
- (ii) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2005, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 25.8.2005.
- (iii) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2006, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 8.6.2006.
- (iv) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Amendment) Regulations, 2007, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 14.3.2007.
- (v) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Second Amendment) Regulations, 2007, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 27.4.2007.
- (vi) Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2007, notified in the Gazette of India (Extraordinary), Part III, Section 4 dated 1.10.2007.