

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**No. L-1/10/2009-CERC**

**Dated October 2009**

**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, namely:-

**CHAPTER 1  
PRELIMINARY**

**1. Short title and Commencement.**

(1) These regulations may be called the Central Electricity Regulatory Commission (Rates, Charges and Terms and Conditions for use of Intervening Transmission Facilities) Regulations, 2009.

(2) These regulations shall come into force with effect from the date of their publication in the Official Gazette.

**2. Scope and Applicability.**

(1) These regulations shall apply where the intervening transmission facilities incidental to inter-State transmission owned or operated by a licensee, are used or proposed to be used by any other licensee.

(2) The rates and charges specified in these regulations shall be the ceiling rates and charges.

(3) The terms and conditions contained in these regulations shall be the model terms and conditions and the parties may negotiate the rates and charges and the terms and conditions within the broad framework laid down under these regulations.

### **3. Definitions.**

(1) In these regulations, unless the context otherwise requires:

(a) “**Act**” means the Electricity Act, 2003 (36 of 2003), as amended from time to time;

(b) “**Applicant**” means a licensee who has made an application for using the intervening transmission facilities owned or operated by another licensee for transmitting electricity;

(c) “**Commission**” means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;

(d) “**Grid Code**” means the Indian Electricity Grid Code specified by the Commission under clause (h) of sub-section (1) of Section 79 of the Act

- (e) **“Intervening transmission facilities”** means the electricity lines owned or operated by a licensee where such facilities can be used to the extent of surplus capacity available therein for transmitting electricity for and on behalf of another licensee at his request and on payment of a tariff or charge;
- (f) **“Licensee”** means a person who has been granted licence by the Commission under Section 14 of the Act for inter-State transmission of electricity;
- (g) **“Parties”** means the applicant and the licensee owning or operating the intervening transmission facilities.

(2) Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires, words and expressions used in these regulations and not defined, but defined in the Act, rules or any other regulations made thereunder by the Commission shall have the meaning assigned to them in the Act, rules or regulations respectively.

## **CHAPTER 2 RATES AND CHARGES**

### **3. Rates and Charges.**

- (1) The rates and charges for use of the intervening transmission facilities shall be as specified under the schedule to these regulations.
- (2) The rates and charges specified are for a standard distance of 50 Km or a part thereof.

**CHAPTER 3  
TERMS AND CONDITIONS**

**5. Submission of Application:** An application by a licensee for use of intervening transmission facilities made to the licensee owning or operating the electricity lines shall contain details, such as:

- (a) Name and location of the seller and the buyer,
- (b) Quantum of contracted power (MW) to be scheduled and the interface at which it is referred to,
- (c) Point of injection and the point of drawl and
- (d) Starting and end time-blocks on each date during which the transmission facilities are required.

**6. Consent by the Licensee owning or operating the intervening transmission facilities:** The licensee owning or operating the intervening transmission facilities, in the event of availability of surplus transmission capacity in the network, shall convey its consent within three (3) working days of the receipt of the application referred to in Regulation 5.

**7. Scheduling:** Scheduling shall be carried out in accordance with the procedure specified in the Grid Code.

**8. Payment Security:** The applicant shall deposit with the licensee owning the intervening transmission facilities, the rates and charges as mutually agreed upon by the parties or as specified by the Commission in case they are unable to mutually agree, within three (3) working days from the date of grant of consent for use.

**9. Default in payment:** The applicant committing default in payment of charges, shall be liable to pay simple interest @ 0.04% on the outstanding charges for each day of default.

Provided that in case of default, the licensee owning or operating the intervening transmission facilities may decide not to schedule the transaction or may cancel the scheduling of already scheduled transaction or may not entertain any application made under these regulations of such person in future until such time the default is cured.

**10. Energy accounting and Settlement of deviation:** For energy accounting of all exchanges of power between the two parties, requisite energy metering infrastructure shall be provided in accordance with Grid Code, and any real time deviation of energy with respect to the contracted flow of energy shall be settled as per the Central Electricity Regulatory Commission (Unscheduled Interchange charges and related matters) Regulations, 2009 or by any other method as may be mutually agreed upon between the parties.

**11. Reactive Energy charge:** No separate reactive energy charge accounting for transaction in the intervening transmission facilities shall be carried out.

**12. Transmission Losses:** The transmission losses (upto the respective voltage level) shall be apportioned as estimated by the concerned Load Despatch Centre.

**CHAPTER 4  
MISCELLANEOUS**

**13. Dispute Resolution:** All disputes arising under these regulations shall be adjudicated by the Commission based on an application made by the person aggrieved.

Alok Kumar  
Secretary

## SCHEDULE

### Rates and charges for use of the intervening transmission facilities

Sr. No.	Type of Transmission system	Line Capacity	Total Capacity Cost	Rates and Charges
		MW	(Rs in Crore)	(Rs/MW/Day)
1	400 kV (D/C)	1030	40.15	229
2	400 kV (S/C)	515	22.00	252
3	220 kV (D/C)	264	27.50	595
4	220 kV (S/C)	132	16.50	718
5	132 kV (D/C)	100	14.30	853
6	132 kV (S/C)	50	13.20	1509