

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

NOTIFICATION (SUPPLEMENTARY DRAFT)

No.-L-1/(3)/2009-CERC

Dated, the 25th of July, 2011

In exercise of powers conferred under section 178 of the Electricity Act, 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 amend Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 (hereinafter referred to as "the Principal Regulations", namely:

1. Short title and commencement: (1) These regulations may be called the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (2nd Amendment) Regulations, 2011.

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

2. Amendment of Regulation 12: The following proviso shall be added before first proviso to Clause (1) of Regulation 12 of the Principal Regulations, namely:

“Provided that where the quantum of supply or procurement of power has been firmed up through signing of long term Power Purchase Agreement(s), the same shall be submitted to the nodal agency alongwith the application for long term access;”

3. **Addition of Regulation 15A:** A new regulation shall be added after Regulation 15 of the Principal Regulations, namely:

“15 A. Intimation regarding termination of Power Purchase Agreement(s): (1) Where the entire or part of the Power Purchase Agreement(s) on the basis of which long term access has been granted under these regulations are terminated by either party in accordance with the provisions of the said agreement(s) or through determination by a court or tribunal or commission of competent jurisdiction, it shall be incumbent on the long term customer to give intimation about the termination to the nodal agency immediately but not later than two weeks from the date of such termination;

(2) The nodal agency on receipt of the intimation in accordance with clause (1) of this regulation may cancel the entire long term access or part thereof, subject to provisions of Regulation 18 of these regulations. In the event of cancellation of long term access, the nodal agency shall consider the applications of other applicants, if any, for grant of long term

access and medium term open access to the whole or part of the same transmission corridor, as the case may be.”

4. Amendment to Regulation 16: The following proviso shall be added under Regulation 16 of the Principal Regulations:

“Provided that where long term access has been cancelled in accordance with clause (2) of Regulation 15A of these regulations, the nodal agency shall inform the Regional Load Despatch Centre and State Despatch Centre concerned to consider the said capacity for processing the request for short term open access in accordance with the Central Electricity Regulatory Commission (Open Access in inter-State transmission) Regulations, 2008 till long term access or medium term open access is granted to some other applicant.”

(Rajiv Bansal)
Secretary