

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

No.L-7/145(160)/2008-CERC

Dated 21st March 2011

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 amend the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 (hereinafter referred to as "the principal regulations"), namely:

CHAPTER - 1

PRELIMINARY

1. **Short title and commencement.** (1) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Second Amendment) Regulations, 2011.

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

2. Amendment of Regulation 5 of the Principal Regulations

A new clause is proposed to be added under Regulation 5 as under, namely:

"(4) Where determination of tariff in case of an existing or a new project is delayed for any reason whatsoever for which application has been filed in the Commission, the Commission may consider in its discretion to grant provisional tariff upto 95% of the annual fixed cost of the project claimed in the petition subject to adjustment after the final tariff order has been issued."

(Rajiv Bansal)
Secretary

Note: The principal regulations were notified in the Gazette of India Extraordinary Part III Section 4 on 20th January 2010 at Ser No.10.