

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 225/MP/2012

Coram:

**Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M. Deena Dayalan, Member**

Date of Hearing: 16.10.2012

Date of order: 25.10.2012

In the matter of

Petition for amendment to Central Electricity Regulatory Commission (grant of Connectivity, Long-term Access and Medium-Term Open Access in inter-State Transmission and related matters) Regulations, 2009 read along with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

And

In the matter of

National Load Despatch Centre, New Delhi

....Petitioner

The following were present:

Shri V.V.Sharma, NLDC.
Shri V.K.Agarwal, NLDC.
Miss Joyti Prasad, NRLDC
Shri V.K.Agarwal, NRLDC
Shri S.S.Barpanda, NLRDC
Shri Rajiv Porwal, NRLDC

ORDER

The petitioner, National Load Despatch Centre has filed the present petition for amendment 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 (hereinafter referred to as the 'Connectivity Regulations') with following prayers:

"(a) Consider to amend the Connectivity regulations to incorporate the following :

(i) Entities seeking connectivity may be required to avail Long Term Access (LTA) for the quantum of injection or withdrawal, including overload capacity, if any sufficiently in advance so that the transmission system required comes into operation well before the commissioning of the generator;

(ii) Any type of open access to the ISTS may be provided within the overall limits of LTA availed.

(b) Direct all generators to apply for LTA for the entire output (including overload capability); and

(c) Pass such other order or directions as deemed fit in the circumstances of the case. "

2. The petitioner has submitted that for a number of reasons, stakeholders, who have been granted connectivity are not availing the LTA as they are able to evacuate power through medium term open access and short term open access. Moreover, there are instances where the generators have sought reduction in LTA which may create issues with regard to sharing of transmission charges. The petitioner has suggested that it should be made mandatory for the new generators to apply for LTA corresponding to the quantum that shall be injected into the grid., including overload capacity. The petitioner has also suggested that all transactions by an entity, including Long-Term with identified beneficiary, Medium Term Open Access and Short Term Open Access should be limited to the

quantum of LTA availed. Accordingly, the petitioner has requested to amend the relevant provisions of the Connectivity Regulation.

3. During the course of hearing of the petition, the representative of the petitioner submitted that the purpose of the present petition is bring to the notice of Commission the difficulties being faced by the system operator for operation of the grid so that necessary process to amend the relevant regulations is initiated by the Commission.

4. We have perused the petition and heard the representative of the petitioner. After going through the contents of the petition, it appears to us that the petitioner is seeking amendments to certain provisions of the Connectivity Regulations in order to address the problems arising out of the tendency of some of the generators to supply power through medium term and short term open access instead of seeking long term open access. Without going into the merit of the issues raised, we intend to clarify that filing of the petition is not the proper process for initiating the amendment to the existing regulations. The Commission under Section 178 of the Act has been vested with the power to make, amend and repeal the regulations on the subjects which have been authorized under various provisions of the Act. Action to make or amend the regulations is initiated when the Commission is satisfied that there is need for such regulations or amendment to the regulations. The petitioner being a statutory body and vested with specific statutory functions is at liberty to approach the Commission with concrete



proposal for making any regulations or for amendment of any regulation which is considered necessary to enable it to discharge its statutory functions effectively. There is no requirement to file a petition for the purpose.

5. The petition is disposed of terms of the above.

Sd/-
(M.Deena Dayalan)
Member

sd/-
(V.S.Verma)
Member

sd/-
(S.Jayaraman)
Member

sd/-
(Dr. Pramod Deo)
Chairperson

