

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 124/MP/2013

Subject : Petition under Regulation 63 (1) and 64 of the Central Electricity Regulatory Commission (Power Market) Regulations, 2010 for making changes in the CERC (Open Access) Regulation pertaining to NLDC operating charges.

Date of hearing : 27.8.2013

Coram : Shri V.S. Verma, Member
Shri M. Deena Dayalan, Member

Petitioner : Power Exchange India Limited (PXIL), Mumbai

Respondents : Indian Energy Exchange (IEX), New Delhi
Power System Operation Company Limited (POSOCO), New Delhi

Parties present: Shri V. V. Sharma, PXIL
Shri Kapil Dev, PXIL
Shri Navneeraj Sharma, PXIL
Shri Akhilesh Awasthy, IEX
Shri Gaurav Maheshwari, IEX
Shri S.S Barpanda, POSOCO

Record of Proceedings

The petitioner, Power Exchange India Limited, has filed the present petition amendment in Central Electricity Regulatory Commission (Open Access) Regulations, 2008 (hereinafter referred to as "Open Access Regulations").

2. The representative of the petitioner submitted that the operating charges of NLDC for both the Power Exchanges should be aggregated and allocated equally to every participant of both Power Exchanges. He further submitted that the present practice places exchange with lesser clients at a disadvantage compared to the exchange with a high client base.

3. The representative of IEX referred to various provisions of Open Access Regulations and RLDC Fee and Charges Regulations and submitted that the petitioner

is challenging the basic principles of Open Access Regulations by way of expressing disadvantage of current methodology of operating charges levied by NLDC. He further submitted that the present case is a clear case of hardship suffered by the petitioner on account of competitive forces and IEX cannot be put to any additional burden in terms of charges on 'per client' or 'on volume' basis. The representative of the IEX requested to maintain status quo. The representative of the IEX requested the Commission for two weeks time to file written submission, which was allowed by the Commission.

4. The representative of the NLDC submitted that Open Access Regulations specifies the rate of operating charges for NLDC in case of collective transactions and further socialization among the participants is done by the Power Exchanges. He further submitted that the Open Access Regulations do not specify any particular methodology for this purpose.

5. The Commission directed the petitioner and IEX to file their written submissions, with copy to each other, by 26.9.2013.

6. Subject to above, the Commission reserved order in the petition.

By order of the Commission,

**Sd/-
(T. Rout)
Chief (Law)**