

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

NOTIFICATION(DRAFT)

Dated the 8th June, 2013

No.-7/143/158/2012-CERC: 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 (Procedure, Terms and Conditions for grant of trading licence and other 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 (Procedure, Terms and Conditions for grant of trading licence and other related matters) (Second Amendment) Regulations, 2013.

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

2. Amendment of Regulation 9 of Principal Regulations:

1) In clause (b) of Regulation 9 of Principal Regulations, the words "on the basis of the inter-State trading licence" shall be inserted after the words "intra-State trading".

2) In Regulation 9 of Principal Regulations, clause (ba) along with the proviso thereunder shall be deleted.

3) In clause (bc) of Regulation 9 of Principal Regulations, the words "on the basis of the inter-State trading licence" shall be inserted after the words "intra-State trading" and the words "as per Form IV- K" shall be added after the words "by 31st May of every year."

4) In clause (c) of Regulation 9 of Principal Regulations the words "on the basis of the inter-State trading licence" shall be inserted after the words "intra-State trading."

3. Amendment to clause (3) of Regulation 10 of Principal Regulations:

1) In clause (3) of Regulation 10 of Principal Regulations the words "on the basis of the inter-State trading licence" shall be inserted after the words "intra-State trading."

4. Insertion of new Regulation: The following new Regulation shall be inserted after Regulation 16 of the Principal Regulations.

"16A. Wherever the licensees are required under these regulations to post the information on their website, the licensees shall be required to post such information only in text converted PDF format, and not the images of the documents."

5. Amendment to Forms appended to the Principal Regulations:

(1) Form-1 (Application for grant of licence) of the Principal Regulations shall be replaced with the revised Form-1 (Application for grant of licence) appended to these Regulations.

(2) Form IV-I, appended to the Principal Regulations shall be deleted.

(3) A new form, Form IV-K shall be added after Form IV-J of the Principal Regulations.

(Rajiv Bansal)
Secretary

Note: Principal Regulations were published on 24.2.2009 in Part III, Section 4 of the Gazette of India (Extraordinary) No 28 and amended in terms of:

(a) Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) (Amendment) Regulations, 2009 published in Gazette of India (Extraordinary) Part III Section 4 dated 2.6.2009;

(b) Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) (Second Amendment) Regulations, 2009 published in Gazette of India (Extraordinary) Part III Section 4 No.197 dated 23.10.2009; and

(c) Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) (First Amendment) Regulations, 2010 published in Gazette of India (Extraordinary) Part III Section 4 No. 152 dated 7.6.2010.

(d) Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) (First Amendment) Regulations, 2012 published in Gazette of India (Extraordinary) Part III Section 4 No. 224 dated 11.10.2012.

Application form for grant of Licence for Inter-State Trading

1. Name of the applicant :

2. Address :

(a) Registered office address :

(b) Address for correspondence :

(c) Website address :

3. Name, Designation and Address of the contact person:

4. Contact Tel. Nos. :

5. Fax No. :

6. E-mail ID :

7. Status of the applicant :

(Whether a citizen of India or a partnership firm registered under the Indian Partnership Act, 1932 (9 of 1932) or a company incorporated under the Companies Act, 1956 (1 of 1956) or an association or a body of individuals who are citizens of India whether incorporated or not or an artificial juridical person recognized under the Indian Laws. If a listed company, name of Stock Exchanges on which listed and latest share price to be given)

8. Place of Incorporation/Registration :

9. Year of Incorporation/Registration :

10. Clause of the Memorandum of Association which authorizes undertaking inter-State trading in electricity (Extract the relevant portion)

11. Whether the Memorandum of Association authorizes undertaking transmission of electricity. If so, the extract of the relevant portion.

12. (a) Authorised share capital

(b) Issued share capital

(c) Subscribed share capital

(d) Paid up share capital

Note : Copies of the following documents shall be enclosed

(a) Certificate of incorporation/registration :

(b) Certificate for commencement of business, where applicable:

(c) Memorandum of Association and Articles of Association :

(d) Original power of attorney in favour of the signatory to commit the applicant:

13. Category of licence applied for :

14. Volume of power intended to be traded :

15. Area of Trading:

State the geographical areas within which the applicant proposes to undertake inter-State trading in electricity

16. (i) Net worth as per the last year's audited accounts prior to the date of application (if applicable).

(ii) Net worth on the date of preparation of the special balance sheet accompanying the application.

17. (i) Current Ratio as per the audited accounts for the past one year prior to the date of application (if applicable).

(ii) Current ratio on the date of preparation of the special balance sheet accompanying the application.

18. (i) Liquidity Ratio as per the audited accounts for the past one year prior to the date of application (if applicable).

(ii) Liquidity ratio on the date of preparation of the special balance sheet accompanying the application.

19. Details of shareholding as on the date of making application

(Give details of each of the shareholders holding 5% and above of the shares of the applicant directly or with relatives)

(a) Name of the shareholder

(b) Citizenship

(c) Residential status

(d) No. of shares held

(e) Percentage holding of total paid up capital of the company

20. (i) Annual turnover as per the audited accounts for the past one year prior to the date of application (if applicable).

(ii) Turnover on the date of preparation of the special balance sheet accompanying the application.

21. Organizational and Managerial capability of the applicant: (The applicant is required to enclose proof of his Organizational and Managerial capability, in terms of these regulations,

in form of his organizational structure and curricula vitae of various executives, proposed office and communication facilities, etc.)

22. Approach and Methodology: (The applicant is required to describe approach and methodology for establishment of the trading arrangements as proposed by him)

23. Other Information

(a) Whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent? If so, the details thereof and whether they have been discharged for not;

(b) Details of cases resulting in conviction for moral turpitude, fraud or economic offences of the applicant, any of his associates, or partners, or promoters, or Directors during the year of making the application and three years immediately preceding the year of making application and the date of release of the above person from imprisonment, if any, consequent to such conviction;

(c) Whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence. If so, give the details of date of making application, date of refusal and reasons for refusal;

(d) Whether the applicant holds a transmission licence. If so, give the details thereof;

(e) Whether an order canceling the licence of the applicant or any of his associates, or partners, or promoters, or Directors was ever passed by the Commission;

(f) Whether the applicant or any of his associates, or partners, or promoter, or Directors was ever found guilty of contravention of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the Appropriate Commission, in any proceedings. If so, give the details thereof.

24. List of documents enclosed: Name of the document

(a) _____

(b) _____

(c) _____

(d) _____

Place :

(Signature of the Applicant
or the authorized person)

Date :

FORM IV-K

Annual Return of Bilateral and Power Exchange Transactions by Trading Licensee

Name of the Trading Licensee :**Licence Details (No. and Date)** :**Financial Year** :

| 1 | Inter-State Bilateral Transactions | | |
|---|---|---------------------------------------|--|
| | Total Annual Volume Transacted (in MUs) | Total Annual Volume Transacted (in ₹) | Total Annual Trading Margin Charged (in ₹) |
| | | | |

| 2 | Power Exchange Transactions | | |
|---|---|---------------------------------------|--|
| | Total Annual Volume Transacted (in MUs) | Total Annual Volume Transacted (in ₹) | Total Annual Trading Margin Charged (in ₹) |
| | | | |

| 3 | Renewable Energy Certificates Trading (REC) | | |
|---|--|--|---|
| | Total Annual Volume of REC Transacted (No. of REC) | Total Annual Volume of REC Transacted (in ₹) | Total Annual Trading Margin Charged on REC (in ₹) |
| | | | |

| 4 | Intra-State Bilateral Transactions | |
|---|---|---------------------------------------|
| | Total Annual Volume Transacted (in MUs) | Total Annual Volume Transacted (in ₹) |
| | | |