

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**NEW DELHI**

Dated: 28<sup>th</sup> October, 2016

**NOTIFICATION (Draft)**

**No.L-1/44/2010-CERC** : In exercise of the powers conferred under section 178 read with Part V 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 makes the following regulations to amend Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges & Losses) Regulations, 2010 as amended from time to time (hereinafter referred to as “The Principal Regulations”), namely:

**1. Short Title and Commencement**

- (1) These regulations may be called the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) (Fifth Amendment) Regulations, 2016.
- (2) These regulations shall come into force from the date of their publications notification in the Gazette of India.

**2. Amendment to Regulation 7 of the Principal Regulations:**

- (1) Following sentence shall be added at the end of Sub-clause (q) of Clause (I) of Regulation 7 of the Principal Regulations:

“Additionally, Reliability Support Charge shall also be payable by a DIC for the quantum of Connectivity granted by CTU from the date of physical Connection to ISTS including the case where DIC is not availing any LTA / MTOA provided that the total quantum for the purpose of Reliability Charge shall not exceed the quantum of Connectivity granted to a DIC:

Provided further that if Connectivity has been sought in a phased manner, Reliability charges shall be billed accordingly:

Provided also that Reliability Support Charge paid by a DIC under STOA shall be off-set against the quantum covered under Connectivity.”

- (2) A New Sub clause (y) to Clause (1) to Regulation 7 of Principal Regulations shall be added as under:

"No transmission charges and losses for the use of ISTS network shall be attributed to wind based generation for the projects awarded through competitive bidding and commissioned till 31.3.2019. This shall be applicable for a period of 25 years from the date of commissioning of such projects.

Provided that such waiver will be available only for the projects entering into Power Purchase Agreements (PPAs) for sale of electricity to the Distribution Companies for compliance of their renewable purchase obligation."

### **3. Amendment to Regulation 8 of the Principal Regulations:**

- (1) Fourth proviso to Clause (5) to Regulation 8 of Principal Regulations shall be substituted as under:

"Provided also that during the period when a generating station draws start-up power or injects infirm power before commencement of LTA, withdrawal or injection charges corresponding to the actual injection or withdrawal shall be payable by the generating station and such amount received shall be reimbursed to the DICs in the following month, in proportion to the monthly billing of the respective month."

- (2) A new Clause (7) shall be added after Clause (6) to Regulation 8 of Principal Regulations:

“(7) For generators with LTA to target region whose POC rate has not been determined for the quarter, shall be billed at Average PoC rate of target region.”

**4. Amendment to Regulation 9 of the Principal Regulations:**

- (1) Sub-clause (l) of Regulation 9 of the Principal Regulations shall be substituted as under:

“(1)The transmission charges for MTOA customers who are not availing LTA to target region for the capacity under MTOA shall be charged 1.25 times of the LTA POC rates as notified by the Commission from time to time.

(2) The transmission charges for STOA customers who are not availing LTA to target region for the capacity under STOA shall be charged 1.35 times of the normal STOA POC rates as notified by the Commission from time to time.

Provided that the surplus charges collected under above clauses shall be reimbursed back to DICs paying charges under first bill in the next month.

**(1) Amendment to Clause (4) to Regulation 11 of the Principal Regulations:**

- a) Following shall be added after subpara (1) of Para 4 of Regulation 11.**

For DICs having MTOA over and above LTA:

$$\left[ \text{PoC transmission rate of demand zone in Rs / MW / month} \right] \times [1.25] \times \left[ \frac{\text{Approved withdrawal}}{\text{Approved injection}} \right]$$

- b) Following shall be added after subpara (2) of Para 4 of Regulation 11.**

For Generators having Connectivity over and above LTA + MTOA. The MTOA shall be considered in addition to LTA only if it is over and above LTA.

$$\left[ \text{Reliability Support Rate in Rs / MW / month} \right] \times \left[ \text{Connectivity Quantum} - (LTA + MTOA) \right]$$

**(2) Amendment to Clause (5) to Regulation 11 of the Principal Regulations:**

Second proviso to clause (5) of Regulation 11 of the Principal Regulations shall be substituted as under:

“Provided further that while billing transmission charges for next month, the quantum of Medium-term Open Access to any region shall be adjusted against the quantum of Long-term Access to the target region without identified beneficiaries limited upto quantum of Long Term Access.”

**(3) Amendment to Clause (6) to Regulation 11 of the Principal Regulations:**

Clause (6) of Regulation 11 of the Principal Regulations shall be substituted as under:

"The third part of the bill shall be used to adjust any variations in FERV, Incentive, rescheduling of commissioning of transmission assets etc. as allowed by the Commission for any ISTS Transmission Licensee. Total amount to be recovered / reimbursed because of such under recovery / over recovery shall be billed by CTU to each Designated ISTS Customer in proportion of its average Approved Injection / Approved Withdrawal Charges over the three months of PoC application period on quarterly basis. This part of the bill shall be raised on first working day of September, December, March and June for the previous PoC application period."

**(4) Amendment to Clause (9) to Regulation 11 of the Principal Regulations:**

First, Second and third proviso to clause (9) of Regulation 11 of the Principal Regulations shall be substituted as under:

"Provided that a DIC which has been granted LTA to a target region and is paying injection charges for Long Term Access avails Short Term Open Access to any region, the quantum of Short Term Open Access shall be adjusted in the following month against the quantum of Long Term Access to target region limited to quantum of Long Term Access to the extent of the quantum for which DIC has paid charges.

Provided further that a DIC, who has been granted Long-term Access to a target region, shall be required to pay PoC injection/ withdrawal charge for the Approved Injection/Withdrawal for the remaining quantum after offsetting the quantum for Medium-term Open Access, and Short-term open access to the extent of the quantum for which DIC has paid charges.

Provided also that the Withdrawal PoC charges paid by DIC towards Short-

term open access given to a DIC shall be offset against the corresponding Withdrawal PoC charges to be paid by the Withdrawal DICs for Approved withdrawal limited to difference of Approved Withdrawal and Net withdrawal (load minus own injection) considered in base case, if Approved withdrawal is less than the Net Withdrawal:”

#### **5. Amendment to Annexure of the Principal Regulations:**

(1) Sub clause under Para 2.8.1.c shall be substituted as follows:

“(i) Reliability Support Charges shall be 10% of the Monthly Transmission Charges. The Reliability Support Rate, in Rs/MW/month shall be as under:

Reliability Support Charge for Withdrawal DIC shall be obtained by multiplying the above rate (in Rs/MW/month) by Approved Withdrawal (LTA/MTOA). For Generator with Long term Access to target region shall be obtained by multiplying these charges by Approved Injection. For Generators whose Connectivity is for quantum more than its LTA+MTOA, Reliability Support Charges shall be obtained by multiplying the above rate by [Connectivity quantum – (LTA+MTOA)].

The above principle shall also apply for additional MTOA.”

**(Shubha Sarma)**  
**Secretary**

**Note:** The Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 were notified in Part III, Section 4, No. 162 of the Gazette of India (Extraordinary) dated 16.6.2010 and amended vide –

- (a) First Amendment Regulations, 2011 published in Part III, Section 4 No. 229 of the Gazette of India (Extraordinary) dated 25.11.2011.
- (b) Second Amendment Regulations, 2012 published in Part III, Section 4, No. 76 of the Gazette of India (Extraordinary) dated 29.3.2012.
- (c) Third Amendment Regulations, 2015 published published in Part III, Section 4, No. 118 of the Gazette of India (Extraordinary) dated 7.04.2015.
- (d) Third Amendment Regulations, 2015 published published in Part III, Section 4, No. 239 of the Gazette of India (Extraordinary) dated 8.07.2015.