

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.246/MP/2015**

**Coram:  
Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member**

**Date of Hearing: 3.12.2015  
Date of Order: 8.08.2016**

**In the matter of**

Petition seeking directions to prescribe an appropriate and reasonable methodology for allocation of the Operating Charges under Regulation 17 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, as amended from time to time, to be paid by Power Exchange(s) to National Load Despatch Centre for collective transactions, ensuring that a participant pays the same amount of Operating Charges irrespective of Power Exchange the participant is trading on.

**And  
In the matter of**

Power Exchange India Limited  
5th Floor, Tower 3, Equinox Business Park  
LBS Marg, Kurla (W), Mumbai

...**Petitioner**

**Parties Present:**

Shri M.G.Raoot, PXIL  
Shri Pawan Agarwal, PXIL  
Shri Kapil Dev, PXIL  
Ms Abiha Zaidi, POSOCO  
Ms. Shruti Bhatia, IEX

**ORDER**

The petitioner, Power Exchange India Ltd (PXIL) has filed the present petition seeking directions to prescribe an appropriate and reasonable methodology for allocation of the Operating Charges under Regulation 17 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations

2008, as amended from time to time (Open Access Regulations), to be paid by Power Exchange(s) to National Load Despatch Centre for collective transactions, ensuring that a participant pays the same amount of Operating Charges irrespective of Power Exchange the participant is trading on.

2. The petitioner has submitted that rationalization of the NLDC Operating Charges for the small participants such as open access consumers is desirable for encouraging competition in the electricity sector. Such objective cannot be achieved by continuing the present practice of socialization of the NLDC Operating Charges and my merely reducing the rates from Rs. 5000 to Rs. 2000 per regional entity. However, the said objective can be achieved by either of the proposed methodologies even without burdening the larger consumers by imposing maximum Operating Charges cap. The petitioner has requested to specify reasonable and appropriate methodology for allocation of NLDC operating charges under Regulation 17 of the Open Access Regulations ensuring that the participants pay the same amount of operating charges irrespective of the Power Exchange. The petitioner has submitted that a level playing field among all market infrastructure institutions needs to be created and the same rate of operating charges for all end consumers needs to be levied for the purpose, inducing competition in power markets and in the interest of the consumers.

3. The petitioner has made the following prayers:

- (i) Levying the NLDC Operating Charges on per participant basis irrespective of Power Exchange the participants is trading on; or
- (ii) Levying the NLDC Operating Charges on per MWh basis i.e., in proportion to the scheduled energy irrespective of Power Exchange the participant is trading on; or

- (iii) Any other manner/methodology of levying the NLDC Operating Charges as may deem appropriate by the Hon`ble Commission.”

4. The matter was heard on 3.12.2015. The staff of the Commission was directed to examine the issue in details and submit a report in this regard for consideration. After taking into consideration the submission of the petitioner, and the report submitted by the staff of the Commission, a draft Fourth Amendment to the Open Access Regulations was issued for inviting comments from the stakeholders and general public. The public hearing on the draft Fourth Amendment to the Open Access Regulations was held on 26.5.2016. After taking into consideration the comments received from the stakeholders and oral submissions made during the public hearing, Fourth Amendment to the Open Access Regulations were notified on 22.6.2016. Regulation 17 of the Open Access Regulations has been amended as under:

**“2. Regulation 17 of the Principal Regulations shall be substituted as under:**

- 1) Operating charges at the rate of Rs 1000/-, per day or part of the day for each bilateral transaction for each of the Regional Load Despatch Centre involved and at the rate of Rs 1000/- per day or part of the day for each State Load Despatch Centre involved shall be payable by the applicant.
- 2) In case of collective transaction, NLDC operating charges shall be payable by each of the successful buyer and seller on the basis of its energy scheduled (MWh) at regional periphery by NLDC for transactions in the respective power exchange.
- 3) The NLDC operating charges collected by the power exchanges shall be transferred to NLDC on a daily basis. The rate of NLDC operating charges shall be Re 1/MWh for collective transactions. NLDC operating charges payable by each of the successful buyer and seller in case of collective transaction, for a day, shall be capped to a maximum ceiling of Rs 200 per day.

4) The Power Exchanges will provide NLDC with a daily list of successful participants along with their volumes cleared and the NLDC operating charges levied on these successful participants

5) The successful buyers and sellers shall also pay Rs 1000/- per day for the SLDC involved for each point of the collective transaction.

6) For the purpose of the levy of operating charges for State Load Despatch Centre and levy of the intra-State transmission charges, each point of the injection or drawal in the State network shall be counted separately.”

5. The amended regulation as quoted above addresses the concern of the petitioner. No further direction is required to be issued and the petition is accordingly disposed of.

Sd/-	sd/-	sd/-	sd/-
<b>(Dr. M.K.Iyer)</b> Member	<b>(A.S. Bakshi)</b> Member	<b>(A. K. Singhal)</b> Member	<b>(Gireesh B. Pradhan)</b> Chairperson