

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

- 1. Shri Ashok Basu, Chairman**
- 2. Shri K.N. Sinha, Member**
- 3. Shri Bhanu Bhushan, Member**

**Petition No. 48/2003**

**In the matter of**

Open Access in Inter-State Transmission

**ORDER**

The Commission in exercise of its statutory powers under Section 178 of the Electricity Act, 2003, has framed the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2004. Regulation 16 lays down the manner for regulation of the transmission charges for use of the transmission system for inter-state transmission. Clause (i) of Regulation 17 further lays down that the scheduling and system operation charges are to be paid by a short-term customer to the Regional Load Despatch Centre and the State Load Despatch Centre involved in the inter-state transmission of electricity. Further, in accordance with clause (ii) of Regulation 31, the transmission charges and the scheduling and system operation charges in respect of short-term customers are to be collected and disbursed by the nodal Regional Load Despatch Centres.

2. It has been brought to the notice of the Commission that for short-term transactions, the nodal Regional Load Despatch Centres are insisting upon payment of charges for the transmission system owned by the State Electricity

Board or the State Transmission Utility and also State Load Despatch Centre charges, even where the power exchanges take place from the periphery of one State Electricity Board or State Transmission Utility to the periphery of another State Electricity Board or State Transmission Utility. In such cases, the transmission system owned by the State Electricity Board or the State Transmission Utility is effectively getting internalised to the respective party to the transaction. Similarly, the State Load Despatch Centre would also be getting internalised. It is, therefore, clarified that in case the transmission system owned by State Electricity Board or State Transmission Utility is internalised, the transmission charges under Regulation 16 and the scheduling and system operation charges payable under clause (i) of Regulation 17, to be collected by the nodal RLDC, shall not include the charges for the transmission system owned by the State Electricity Board or the State Transmission Utility and the State Load Despatch Centre charges.

3. We direct that this clarification be brought to the notice of the Central Transmission Utility as also the Regional Load Despatch Centres as the nodal agencies notified under the regulations *ibid*.

**Sd/-  
(BHANU BHUSHAN)  
MEMBER**

**Sd/-  
(K.N. SINHA)  
MEMBER**

**Sd/-  
(ASHOK BASU)  
CHAIRMAN**

New Delhi dated the 20<sup>th</sup> May, 2004