

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

No.L-7/145(160)/2008-CERC

Dated 2nd of May 2011

NOTIFICATION

In exercise of powers conferred under section 178 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 hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) 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 (Terms and Conditions of Tariff)(First Amendment) Regulations, 2011.

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

2. Amendment of Regulation 5 of the Principal Regulations: A new clause shall be added after clause (3) of Regulation 5 of the principal regulations as under, namely:

“(4) Where application for determination of tariff of an existing or a new project has been filed before the Commission in accordance with clauses (1) and (2) of this regulation, the Commission may consider in its discretion to grant provisional tariff upto 95% of the annual fixed cost of the project claimed in the application subject to adjustment as per proviso to clause (3) of this regulation after the final tariff order has been issued:

Provided that recovery of capacity charge and energy charge or transmission charge, as the case may be, in respect of the existing or new project for which provisional tariff has been granted shall be made in accordance with the relevant provisions of these regulations.”

Sd/-
(Rajiv Bansal)
Secretary

Note: The principal regulations were notified in the Gazette of India Extraordinary Part III Section 4 on 20th January 2010 at Ser No.10.