

CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

NOTIFICATION (DRAFT)

No. L-7/139(159)/2008

dated the 9th January 2009

In exercise of power conferred by 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, namely:-

CHAPTER – I: PRELIMINARY

1. Short Title and Commencement

- (a) These regulations may be called the Central Electricity Regulatory Commission (Application of Congestion Charge) Regulations, 2009.
- (b) These regulations shall come into force from the date of their publication in the Official Gazette.

2. Definitions and Interpretation. In these regulations, unless the context otherwise requires, -

- (a) “Commission” means the Central Electricity Regulatory Commission referred to in Section 76 of the Electricity Act, 2003 (36 of 2003);
- (b) “congestion charge” means the supplementary charge applicable for whole or part of a region for the deviations from the schedule causing over-loading of inter-regional or intra-regional transmission links;
- (c) “specified” means specified by the Commission.

CHAPTER –II: CONGESTION CHARGE

3. Applicability of Congestion Charge. (1) Based on the advice of the Regional Load Despatch Centre, the Commission may specify the region or a part of the region to which congestion charge may be applied, and the period over which it may be applied:

Provided that for the present, congestion charge shall be applicable to whole of Northern Region as one block till its termination by the Commission through a general or special order.

(2) Congestion charge shall be payable by or to the constituents in the concerned region or part thereof in addition to the Unscheduled Interchange charges specified separately.

4. Rate of congestion charge. The Commission may from time to time specify the rate of congestion charge applicable to whole or a part of the region:

Provided that till such time any other rate is specified, rate of congestion charge applicable shall be 300 paise/kWh:

5. Notice for application of congestion charge. When, in the opinion of the Regional Load Despatch Centre flow of electricity on an inter-regional or intra-regional link used for transfer of electricity to the region or a part of the region has crossed or is likely to cross safe transfer capability of such link or such flow is threatening the safety and security of the grid, it may after notice on its website and the common screen decide to apply congestion charge from a particular time-block in the whole or part of the region concerned:

Provided that at least 30 minutes notice shall be given by the Regional Load Despatch Centre before congestion charge becomes applicable.

6. Notice for withdrawal of congestion charge. When in the opinion of the Regional Load Despatch Centre, flow of electricity on the affected transmission link has come down to acceptable level, it may after notice on its website withdraw congestion charge from a particular time-block:

Provided that at least 30 minutes notice shall be given by the Regional Load Despatch Centre before congestion charge is withdrawn.

CHAPTER – III: ACCOUNT

7. Congestion Charge Account. (1) Each Regional Load Despatch Centre shall maintain a separate bank account called “Congestion Charge Account” wherein all money received on account of congestion charge shall be credited and the amount standing to the credit of Congestion Charge Account shall be utilized in accordance with these regulations or in any other manner as may be specified by the Commission under Regulation 11.

(2) Congestion charge account shall be maintained and operated by the Regional Load Despatch Centre in the same manner as the account for Unscheduled Interchange Charges.

CHAPTER – IV: PAYMENT AND UTILISATION OF CONGESTION CHARGE

8. Statement of Congestion Charge. The statement of payment and disbursal of congestion charge shall be issued by the Regional Power Committee Secretariat on weekly basis along with statement for Unscheduled Interchange charge.

9. Payment to Congestion Charge Account. The constituent liable to pay congestion charge shall deposit the amount in Congestion Charge Account within 10 days of issue of statement by the Regional Power Committee:

Provided that when payment of congestion charge is delayed beyond two days from due date, that is to say, beyond twelve days of the issue of statement by the Regional Power Committee, the constituent responsible for delay in depositing congestion charge amount shall be liable to pay interest at the rate of 0.04% per day.

10. Release of Congestion Charge Amount. The Regional Load Despatch Centre shall, within three working days of receipt of congestion charge payment, release the amount payable to the constituent entitled to receive congestion charge, along with interest if any on account of delay in payment of congestion charge.

11. Utilisation of Congestion Charge. The Commission shall separately specify the manner of utilisation of undisbursed amount of congestion charge collected from the constituents.