

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Dated the 12th of August 2014

NOTIFICATION

No. L-1/(93)/2009-CERC: In exercise of powers conferred under Section 178 of the Electricity Act, 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 Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) 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 (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Fourth Amendment) Regulations, 2014.

(2) These Regulations shall come into force with effect from the date of their publication in the Official Gazette.

2. Amendment to Regulation 8 of the Principal Regulations: Clause (7) of Regulation 8 of the Principal Regulations shall be substituted as under, namely:

"(7) Notwithstanding anything contained in Clause (6) of this Regulation and any provision with regard to sale of infirm power in the Power Purchase Agreement, a unit of a generating station including a captive generating plant which has been granted connectivity to the inter-State Transmission System in accordance with these regulations shall be allowed to inter-change infirm power with the grid during the commissioning period, including testing and full load testing before the COD, after obtaining prior permission of the concerned Regional Load Despatch Centre for the periods mentioned as under:-

(a) Drawal of Start-up power shall not exceed 15 months prior to the expected date of first synchronization and 6 months after the date of first synchronization.

(b) Injection of infirm power shall not exceed six months from the date of first synchronization.

Provided that drawal of Start-up power shall be subject to payment of transmission charges and the generator shall have to open a Revolving and Irrevocable Letter of Credit issued by a Scheduled Bank equivalent to 2 months transmission charges prior to drawal of Start-up power.

Provided further that the Start-up power shall not be used by the generating station for the construction activities;

Provided further that RLDC shall stop the drawl of the Start-up Power in the following events:

(a) In case, it is established that the Start-up power has been used by the Generating Station for construction activity.

(b) In case of default by the Generating Station in payment of monthly transmission charges to the transmission licensee for the drawal of Start-up power, on the request of the transmission licensee.

Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view:

Provided also that the onus of proving that the interchange of infirm power from the unit(s) of the generating station is for the purpose of commissioning activities, testing and commissioning, shall lie with the generating company and the respective RLDC shall seek such information on each occasion of interchange of power before COD. For this, the generating station shall provide RLDC sufficient details of the specific commissioning activity, testing and full load testing, its duration and intended period of interchange, etc:

Provided also that the infirm power so interchanged by the unit(s) of the generating plant shall be treated as deviation and the generator shall be

paid/charged for such injection/drawal of infirm power in accordance with the provisions of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014, as amended from time to time or subsequent re-enactment thereof."

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(Shubha Sarma)
Secretary

Note:

The Principal Regulations were published in Gazette of India Extraordinary, Part III, Section 4 Ser No. 140 dated 10.8.2009 and were amended vide:

(a) Notification dated 7.9.2010 published in Gazette of India Extraordinary, Part III, Section 4, Ser No. 225;

(b) Notification dated 22.3.2012 published in Government of India Extraordinary Part III, Section 4, Ser No. 72; and

(c) Notification dated 26.3.2013 published in Government of India Extraordinary Part III, Section 4, Ser No. 86.