

# INDIAN ENERGY REGULATORY SERVICES

IERS UP GSTIN: 09AFCPA3502J1ZX

IERS DELHI GSTIN: 07AFCPA3502J1Z1

Date: 07.09.18

To,

The Secretary,  
Central Electricity Regulatory Commission  
3<sup>rd</sup> & 4<sup>th</sup> Floor, Chanderlok Building  
36, Janpath  
New Delhi – 110001

Subject: Submission of Comments & Suggestions on Draft CERC (Open Access in Inter-State Transmission) (Fifth Amendment) Regulations 2018

Sir,

We are pleased to introduce ourselves as **Indian Energy Regulatory Services**, a Single Point Open Access Regulatory Services provider to power stakeholders.

With reference to Draft of CERC (Open Access in Inter-State Transmission) (Fifth Amendment) Regulations 2018, our Comments & Suggestions on the same are given below:

1. In the present scenario all states are struggling to allow Open Access to their consumers as the biggest challenge is that their own SERC Open Access guidelines were never in synchronisation with CERC Open Access regulations. Hence, even if we notify NOAR, it may not meet its ultimate objectives for removing the grievances in Open Access implementation.
2. Secondly, issues in Open Access coordination are not there at inter-state level as all RLDCs & NLDC are efficient in scheduling of power & for disbursement of amount among respective agencies.
3. Thirdly, those SLDCs which are denying Open Access or withholding Open Access applications of stakeholders, our existing Open Access Regulations are not able to address the issues because those issues are happening at very initial level of Open Access itself, i.e. At the stage of Conditional Open Access permission where consumers are approaching SLDC & Discom for Open Access permission for the installation of ABT meters at their site to meet statutory requirement to avail Open Access.

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*Handwritten notes:*  
07/09/18  
Ching/Eco  
Adv (PM)  
EoS/Secy  
10/14/18

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4. Now, SLDC & Discoms of respective states are either refusing Open Access applications or withholding it for indefinite time, and thereby consumers remain devoid of Open Access as Hon'ble CERC Open Access Regulations allowed the grievance redressal for only those stakeholders who are having existing ABT metering infrastructure. So, NOAR registry should be made capable to interact with State Stakeholders / intra-state entities too for addressing core problems of the consumers applying for Open Access.
5. If state level entities/ stakeholders/ intra-state entities are not there at NOAR and differences among SERCs & CERC Regulations are there, real problems of Open Access market will remain as they are prevailing, and again NOAR may only act as Software app for mere information sharing and wouldn't meet its objectives.
6. Additionally, the biggest issue in Open Access implementation are at the end of Discoms itself and not the SLDC as HT consumers have to avail first Discom permission for Open Access power procurement post which they approach SDLC for power scheduling. Now, at this stage only Discoms disallow their consumers for Open Access stating various invalid reasons which led to non-redressal of their grievances. So, Hon'ble CERC Regulations should include both Discom & SLDC in the ambit of Open Access timelines for issuing permission to respective Open Access applicants approaching for ABT installation.
7. Since, all the Open Access issues in the country are prevailing at consumer's end only and the existing consumers of Discom/ licensee don't possess ABT metering infrastructure & when these consumer's approach Discom for Open Access permission for ABT installation, these licensees refused it stating various invalid reasons on technical grounds. Hon'ble CERC Regulations needs ground testing and requires amendments in the fulfilment of overall objectives of NOAR through its Regulations.
8. In light of above, Hon'ble CERC Open Access Regulations needs following three amendments for bringing more clarity either through Regulations or its SOR:
  - a) ABT metering installation shall be made time-bound implementation
  - b) ABT installation shall be allowed by Discom/ Transco/ SLDC on Non-dedicated/ mixed feeders of consumers as various state discoms are refusing Open Access applications of consumers stating the discrimination among consumers existing on Independent feeders & Non- Independent feeders.

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- c) In case ABT meters installation is being delayed beyond allowed timelines, Consumers/ Applicant shall be allowed for Deemed Grant of Open Access permission.

Hon'ble CERC is requested to incorporate above suggestions while finalising Open Access Regulations towards implementation of NOAR for addressing Open Access issues of the country.

For **Indian Energy Regulatory Services**



Gaurav Nand  
Founder Owner

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