

Ref. No.- OAU/DEL/2018/007

Date: 7th September 2018

To,

Sanoj Kumar Jha

Secretary

Central Electricity Regulatory Commission (CERC)

Chanderlok Building, 36, Janpath,

New Delhi- 110001.

Subject: Comments and Suggestions on "Draft Central Electricity Regulatory Commission (Open Access in inter-State Transmission) (Fifth Amendment) Regulations, 2018"

Respected Sir,

The Central Electricity Regulatory Commission (CERC) has issued a Draft Regulation inviting Comments and Suggestions on "Central Electricity Regulatory Commission (Open Access in inter-State Transmission) (Fifth Amendment) Regulations, 2018".

We would like to introduce ourselves as Open Access Users Association, hereinafter referred to as the OAU, registered under the Societies Registration Act XXI of 1860, primarily constituted for the purpose of safeguarding the interests of the Open Access Users across the Country and to promote generation of electricity from the Renewable and Non Renewable Energy sources by acting as an interphase between normative regulatory practice and its viability for the existing open access users within the regulatory regime. OAU, as such, is entrusted with the task of taking up the cause of non-discriminatory Open Access across various segments of the consumer(s)/ Generator(s). OAU has a number of members across the Country who are either obtaining power through the Open Access arrangement or is planning to avail Open Access.



We are hereby sending our comments and suggestions with the hope that you takes into note our comments and suggestions on the Draft Regulation.

We would be grateful if you provide us with an opportunity to be heard in person during the public hearing if any.

Thanking You,

Sincerely



Abhishek Kumar Sah

Coordinator

OAU

COMMENTS AND SUGGESTIONS

We would like to appreciate the Hon'ble Commission as the proper implementation of National Open Access Registry (NOAR) will benefit the Power Market in India.

1. As per Regulation 8.1 of the Draft Central Electricity Regulatory Commission (Open Access in inter-State Transmission) (Fifth Amendment) Regulations, 2018, Short term interstate Open Access users (collective or bilateral) need not to pay any application fees to the nodal agency which is beneficial to the Open Access Users.
2. In Regulation 9 of Draft Central Electricity Regulatory Commission (Open Access in inter-State Transmission) (Fifth Amendment) Regulations, 2018, it is not aptly clear that whether Short term interstate Open Access users (collective or bilateral) are required to pay any fees for the processing of the application for standing clearance (concurrence) to SLDC. We would request your inputs to this.
3. We would also request the Hon'ble Commission to illustrate the below mentioned clause of Regulation 9.1 with an example for clarification.

In case the application has been found to be in order but the concerned SLDC/RLDC refuses to give the standing clearance on the grounds of nonexistence of necessary infrastructure or unavailability of surplus transmission capacity in intra-state/inter-state network as the case may be, or non-submission of the declaration in accordance with proviso to clause (1) of this regulation then such refusal shall be communicated to the applicant through NOAR within the period of three (3) working days or seven (7) working days as the case may be, from the date of receipt of the application along with reasons for such refusal.

Provided that where the concerned SLDC/RLDC has not communicated any deficiency or defect in the application within two (2) days from the receipt of the application or refusal or standing clearance, as the case may be, within the specified period of three (3) working days or seven (7) working days, as applicable, from the date of receipt of the application,



the NOAR shall issue a reminder message to the concerned SLDC/RLDC to respond to the application for refusal or issuance of standing clearance, as the case may be, within the next two working days.

4. We would request the Hon'ble Commission to specify that who will be liable for the loss incurred by Open Access Users in case of any technical, manual or communication error.

