

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2013/Elect(G)/150/4

New Delhi, Dated. 17.05.2019

Secretary,
Central Electricity Regulatory Commission,
3rd Floor, Chanderlok Building,
Janpath,
New Delhi.

Sub: Comments/Suggestion/Objection on Draft CERC (Deviation Settlement Mechanism and related matters) (Fifth Amendment) Regulations, 2019.

Ref: Public Notice No. L-1/132/2013-CERC Dated 18.04.2019

Central Commission vide above reference has invited public comments on the draft CERC (Deviation Settlement Mechanism and related matters) (Fifth Amendment) Regulations, 2019 by 17th May, 2019. Comments of Indian Railways as deemed licensee on the proposed clauses in the Fifth Amendment is enclosed as annexure.

Considering the peculiarity of Indian Railways having presence in all the states, new clauses related to preparation of DSM account for inter-state transactions by respective RLDC has also been proposed to be included in the proposed amendment.

The comments/suggestions/objections of Indian Railways as a deemed licensee on the above subject are enclosed for kind consideration and incorporation in the said Regulation.

The comments/suggestions/objections have also been sent through Email at jcra@cercind.gov.in and cerc.ra@gmail.com.

DA: As above.

SWG
17/05/19
(मेजर शोभित गुप्ता)
निदेशक विद्युत अभियांत्रिकी (बिजली आपूर्ति)

ANNEXURE

SN	Clause No.	Amendment Proposed by CERC in 5 th Amendment	Remark/Suggestion proposed by Indian Railway	Statement of Reason
1.	Clause (1) 2 of amendment V	Regulations shall come into force with effect from the date of notification in the official Gazette	Regulations shall come into force with effect from 01.01.2019.	The changes proposed in the fifth amendment are related to the changes proposed in the fourth amendment. As provisions of fourth amendment are being revised the effective date of fifth amendment should be from the effectiveness of fourth amendment. This is particularly when the fifth amendment is being proposed to give transitory time to adjust to new changes brought about by the fourth amendment recognising the difficulties in the implementation. The fifth amendment Regulations intends to provide a transitory time before implementation of the fourth amendment regulations which provided for a significant change in the DSM Regulations. The objective for which the fifth amendment Regulations are being proposed is equally applicable for the period effective 1.1.2019
2.	clause 4 of regulation 7 of the principal regulations	“(4) In addition to Charges for Deviation as stipulated under Regulation 5 of these regulations, Additional Charge for Deviation	Provision of this clause is inconsistency with Clause 10 of Regulation 7 of Principal Regulation. Clarification is	The regional entity to meet its obligation towards sign change will have to over-inject/under-draw or under-inject/over-draw irrespective

	<p>substituted as shall be applicable for over- clause 4 of regulation 7 of the principal regulations substituted as</p>	<p>injection/under-drawal of electricity for each time block by a buyer/seller as the case may be when grid frequency is '50.10 Hz and above' at the rates equivalent to charges of deviation corresponding to the grid frequency of 'below 50.01 Hz but not below 50.0 Hz', or cap rate for deviation of 303.04 Paise/kWh whichever is lower."</p>	<p>requested on the penalty on account of sign change under clause (10) of Regulation 7 of the Principal Regulations regarding the regional entity correcting its position by making the sign of deviation from schedule changed with the present additional charges in case of under-injection/ over-drawal when frequency is less than 49.85 and over-injection/under drawal when frequency is above 50.10 Hz. Frequency should be the Central Grid frequency for state connected entities.</p>	<p>of the grid frequency. The effect on the frequency should be more important as such changes should not be done in a manner it affects the maintenance of grid frequency which should be the primary objective. The grid frequency is the only aspect available for to be considered on real time basis. The SCADA details which is available on real time basis in regard to Scheduled and actual drawl or injection can always be different from the actual data which may be available subsequently based on SEM data. Till such time the SCADA Data is accurately available closer to what would be the actual data now being measured subsequently based on SEM data the dominant consideration should be the frequency being maintained.</p> <p>Thus in compliance to sign change the regional entity has to bear additional charges on account of over-inject/under-draw or under-inject/over-draw even by following the provision of Regulation.</p>
				<p>Both of the provision should not result in contradictory purpose .</p>

	Clause (10) of Regulation 7 of the Principal Regulations substituted as.....	<p>"In the event of sustained deviation from schedule in one direction (positive or negative) by any regional entity (buyer or seller), such entity shall correct its position in the manner as specified under clauses (a) and (b) of this Regulation.</p> <p>.....</p> <p>The additional charge shall be at the rate as specified in clause (b) of this Regulation.</p>	<p>Such Additional Charges should be levied on pro-rata basis based on the open access quantum on the intra-state entities embedded in state and drawing inter-state power.</p> <p>In case of multiple State connected entities, additional charges should be levied on the defaulting entities only.</p>	<p>The SLDC/STU are levying the charges on account of sign change on the intra-state entities in line with the CERC fourth amendment considering the intra-state entity as regional entity and shall implement fifth amendment similarly.</p> <p>As scheduling of intra-state entities is a part of the schedule of Regional entity at respective RLDC, any penalty levied on regional entity in accordance with the fourth amendment or proposed fifth amendment should be levied proportionately on the intra-state entities on pro-rata basis based on open access quantum.</p>
4.	Clause (10) of Regulation 7 of the Principal Regulations	<p>(a) Up to 31.03.2020, if the sustained deviation from schedule continues for 12 time blocks.....or by remaining in the range of +/- 10 MW with reference to schedule..... Provided that each violation of the requirement.....additional charge of 10% on the time block DSM payable/receivable as the case may be.</p> <p>(b) From 01.04.2020, if the</p>	<p>(a) The range of +/- 20 MW with reference to schedule.....additional charge of 5% on the time blocks DSM.....</p>	<p>(a) A broader range may be considered as there are a number of intra-state entities within a regional entity and it has to account for variation of individual state entity. Lower value of Additional Charge initially may be considered @ 5% of time block DSM.</p>

		sustained deviation from schedule continues for 6 time blocks.....by remaining in the range of +/- 10 MW with reference to its schedule, at least once, by 7 th time block.....	(b) From 01.04.2020, if sustained deviation continues..... by remaining in range of +/- 20 MW with reference to schedule.....	(b) As submitted above.
5.	The Clause 11 of the Regulation 7 of the Principal Regulations substituted as.....	“Payment of Charges for Deviation under Regulation 5 and the Additional Charges for Deviation under Clauses (3), (4) and (10) of this regulation, shall be levied without prejudice to any action that may be considered appropriate by the Commission under Section 142 of the Act for contravention of the provisions of the said regulations.”	Such Additional Charges should be levied on pro-rata basis based on the open access quantum on the intra-state entities embedded in state.	The SLDC/STU are levying the charges on account of sign change on the intra-state entities in line with the CERC fourth amendment considering the intra-state entity as regional entity and shall implement fifth amendment similarly. As scheduling of intra-state entities is a part of the schedule of Regional entity at respective RLDC, any penalty levied on regional entity in accordance with the fourth amendment or proposed fifth amendment should be levied proportionately on the intra-state entities on pro-rata basis based on open access quantum.
6.	New Clause	-----	For the Inter-State transactions Railway be considered as single regional entity and respective RLDC may prepare Indian Railways’ deviation account covering all the Drawl Points for the region (i.e Interstate Drawl	Indian Railways as deemed licensee has started drawing power under open access and is at parity with other distribution licensees operating in the State. Like all other State constituents, Indian Railways also have multiple

			<p>Points as well Drawl Points embedded in the Intra-State Transmission System of respective States). For this purpose, respective SLDCs may be required by this DSM Regulations, to communicate the metered Drawl at each of the Drawl Point after accounting for the applicable intra-State STU transmission losses and Losses of the Distribution Network.</p> <p>3. Alternatively the following may be considered :</p> <p>(a) the concerned SLDCs shall prepare a statement of Charges for Deviations including Additional Charges for Deviation levied under these regulations and shall be issued to all intra-state entities (licensees or open access consumers of licensees or open access customers or end-users of Captive generating stations using</p>	<p>injection points and multiple Drawl Points with a difference that Indian Railways drawl is “Pan India”. Indian Railways has its drawal points connected with ISTS as well as InSTS.</p> <p>SLDC may be advised to adjust the Additional charges collected from all intra-State entities embedded within the State System including Railways as per amendment IV to CERC DSM Regulation by State entities/SLDCs.</p> <p>It is submitted that in terms of Section 29 of the Electricity Act, 2003 RLDC can give such directives to SLDC</p>
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			<p>interstate open access) by next Wednesday, for seven day period ending on the penultimate Sunday midnight. A copy of the Statement shall be furnished to the concerned Regional Power Committee.</p> <p>(b) SLDC shall be the nodal Agency to collect charges from the intra-state entities of the State falling within its jurisdiction and pass on the same to RLDC. The concerned SLDC Account shall be Zero-sum for the State under its jurisdiction. SLDC may levy a fee of up to a ceiling of 5% of the deviation charges as may be determined by the Appropriate State Commission.</p>	
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