



DANS ENERGY PRIVATE LIMITED

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31st Dec, 2019

DEPL/CERC/2019-2020/02

To
The Secretary,
Central Electricity Regulatory Commission
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi- 110001

Sub: Comments on Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019.

Dear Sir,

This has reference to public notice issued by CERC on 31.10.2019 vide reference no. L-1/250/2019/CERC inviting comments on above subject matter. DANS Energy Pvt. Ltd., a hydro generating company having its project Jorethang Loop HEP in Sikkim with an installed capacity of 96 MW (2x48MW). Our comments on the draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019 are enclosed herewith for your kind consideration.

Thanking you,

Yours Sincerely,
for **DANS Energy Pvt. Ltd.**

Vijay Kumar Paila
AGM, Commercial

Registered Office

207, Chiranjeev Tower, 43 Nehru Place, New Delhi-110019

Corporate Identity No.

U72900DL2003PTC119047

Comments on Draft CERC Sharing of Inter-state Transmission Charges & Losses Regulations, 2019

S No.	Clause No. (As per draft amendment)	Current Clause	Comments / Rationale
1.	Clause No. 7 of Regulation 11	<p>11 (7) In case the generating station or unit(s) thereof has achieved COD and transmission system is delayed, the concerned transmission licensee(s) shall make alternate arrangement for dispatch of power in consultation with Central Transmission Utility at the cost of the transmission licensee(s).</p> <p>Provided that till such alternative arrangement is made, the transmission licensee(s) shall pay to the generating station the transmission charges proportionate to Long Term Access for the transmission system which is delayed.</p>	<p>In case the generating station or unit(s) thereof has been commissioned but could not achieved COD due to failure of transmission licensee to provide transmission access, the generating station will incur revenue loss during that period over and above IDC & IEDC it had to incur during such delayed period. As such, the transmission licensee should be liable to pay the transmission charges proportionate to Long Term Access for the transmission system which is delayed but the transmission licensee should be liable to pay for the loss of revenue and IDC & IEDC of the generating station pertaining to the delayed period. Accordingly, the proviso of clause 7 of Regulation 11 may be modified as under for the consideration of Hon'ble CERC.</p> <p><i>Provided that till such alternative arrangement is made, the transmission licensee(s) shall pay to the generating station the loss of revenue and IDC & IEDC of the generating station for the period of delay by transmission licensee in providing transmission access.</i></p>
2.	Clause No. 3 of Regulation 13	<p>13 (3) No transmission Charges shall be levied for Inter-State transmission system in respect of Short Term Open Access transactions.</p>	<p>For clarity, it should be specifically mentioned that the transmission charges should not be levied for Inter-State transmission system in respect of Short Term Open Access transactions executed by Long Term Customers. Accordingly, the clause 3 of Regulation 13 may be modified as under for the consideration of Hon'ble CERC.</p>



			<p><u>13 (3) No transmission Charges shall be levied for Inter-State transmission system in respect of Short Term Open Access transactions executed by Long Term Customers.</u></p>
<p>3. Clause No. 4 of Regulation 18</p>		<p>18 (4) After the expiry of 60 (sixty) days from the date of issue of notice, unless the circumstances giving rise to such notice as mentioned in clause (1) of this regulation shall have ceased to exist or have been remedied, the concerned DIC shall cease to be a DIC under these Regulations and the Central Transmission Utility shall issue a Termination Notice of 30 (thirty) days to this effect with a copy to the Commission and the Implementing Agency.</p> <p>Provided that in case of termination as DIC of an entity on account of DIC's event of default, the Long Term Access or Medium Term Open Access or both of such entity shall be cancelled. Such cancellation shall be treated as relinquishment of Long Term Access or Medium Term Open Access in terms of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and the said entity shall pay the relinquishment charges accordingly.</p>	<p>In the current market scenarios, the generating stations are under stress due to various reasons pertaining to the industry as a whole. In such circumstances it is very difficult to comply with the due date of the bills raised by implementing agencies. It is requested for the consideration of Hon'ble CERC that delay in payment of transmission charges should not result into relinquishment of the Long term and Medium term access rights for the generating station. The subject amendment will have serious commercial implications including effect on the PPA's of generating station with distribution licensee. Accordingly, the clause 4 of Regulation 18 may be modified as under for the consideration of Hon'ble CERC.</p> <p><i>If the payment by a DIC against any Bill raised under these Regulations is outstanding beyond thirty (30) days after the due date or in case the required Letter of Credit or any other agreed payment security mechanism is not maintained by the DIC, the CTU is empowered to proceed under the provisions of CERC (Regulation of Power Supply) Regulations, 2010 and any subsequent amendments there to.</i></p>
<p>4. Clause No. 5 of Regulation 18</p>		<p>18 (5) Upon termination of the status of DIC, the entity shall not be eligible for interchange of power under any form of open access unless such entity remedies the default and makes payment of all outstanding charges including relinquishment charges.</p>	<p>As the reasons/rationale provided for clause 4 of Regulations 18 above, accordingly clause 5 of Regulation 18 may be deleted for the consideration of Hon'ble CERC.</p>

