

Ref No: O2PPL/CERC/01
Date: 27/12/2019



To,
The Secretary
Central Electricity Regulatory Commission
3rd & 4th Floor,
Chandralok Building
36, Janpath
New Delhi. 122001

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

Dear Sir,

This is in reference of the above-mentioned draft regulations; Pl. find comments/suggestions (Annexure-1) with request to incorporate the same.

With Warm Regards,



Authorised Signatory
(O2 Power Private Limited)

O₂ Power Private Limited Comments / Suggestions on “Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2019.”

Sl. No.	Reference	Relevant Extract	Proposed Change (deletion, addition)	Explanation
1	Insert after Regulation 2.(1).(e)	-	<p>“Date of Commercial Operation” or “COD” in relation to a renewable generating station” means the date declared by the generating company after demonstrating availability/installation of 50 MW or 25% of the envisage renewable project capacity, whichever is higher, through a successful trial run/test run with or without grid support. The availability/installation of 50 MW or 25% of the envisaged capacity whichever is higher, shall be verified by an independent and competent authority within three (3) days from the receipt of such request.</p>	<p>Unlike the conventional generators, where large scale turbine sizes are available, the renewable generators especially wind, solar, hybrid and storage usually have smaller unit sizes, and gradually get commissioned in a phased manner. Therefore, the availability of 50 MW or 25% of the envisaged renewable capacity should be considered for declaration of COD.</p> <p>Since generation from the renewable sources is dependent on natural phenomena, and if not utilized, the potential will be lost permanently, unlike an option of fuel storage in conventional sources and could be used later. Therefore, it is essential to allow optimal utilization of such renewable resource and should be considered 50 MW or 25% of total capacity for the usage of transmission corridor.</p>

2	Insert after Regulation 2.(1).(m)	-	<p>“Renewable Generating Station” or “RGS” means the generating station supplying electrical energy by utilizing the renewable source of the generation which may be declared by the Ministry of New and Renewable Energy (MNRE), GoI, on time to time.</p>	<p>To define National Component-Renewable Energy (NC-RE), it is crucial to define the Renewable Generating Station (RGS) by the MNRE on time to time. We propose for the inclusion of hybrid generation and storage of power from renewable resource shall be categorized as RGS.</p>
3	Insert Regulation 5(6)	-	<p>(6) Transmission charges for National Component shall be allowed to include into the sharing pool from the date of operationalization of part or full transmission system and shall not be recovered from transmission licensee or generating station before their COD.</p> <p>Long Term Access grantees on such system shall bear the equivalent component of yearly transmission charges in the ratio of their Long Term Access unless exempted explicitly as in regulation 11(1) of these regulations.</p>	<p>Considering the transmission systems under the National Component (NC) is developed with advance planning and may require to build “plug and play” infrastructures, in the national interest. The yearly transmission charge for National Component (NC) shall be allowed to recover through the sharing pool from the date of operationalization and should be independent of availability or receipt of LTA applications or its operationalization.</p> <p>Considering the energy security requirements Long Term Access grantee at such system shall only be charged relative share unless explicitly waived.</p>

4	Regulation 11(1)(c)(ii)	(ii) Such generation capacity has been declared under commercial operation between 13.2.2018 and 31.3.2022;	(ii) Such generation capacity has been declared under commercial operation between 13.2.2018 and 31.3.2022;	As per the MoP notifications.
5	Regulation 11.(4)	<p>“Where COD of a generating station or unit(s) thereof is delayed, and the Associated Transmission System has achieved COD, which is not earlier than its SCOD, the generating station shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to capacity of generating station or unit(s) thereof which have not achieved COD.</p> <p>Provided that such transmission charges shall not be considered under Regulations 5 to 8 of these Regulations.”</p>	<p>“Where COD of a generating station or unit(s) thereof is delayed, and the Associated Transmission System has achieved COD, which is not earlier than its SCOD, the generating station shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to capacity of generating station or unit(s) thereof which have not achieved COD.</p> <p>Provided that such transmission charges shall not be considered under Regulations 56 to 8 of these Regulations.”</p>	Yearly Transmission Charges of National Component shall be independent of LTA applications and utilization as per proposed Regulation 5(6) above.

6	Regulation 11.(5)	<p>Where Long Term Access to ISTS is granted to a generating station on existing margins and COD of the generating station or unit(s) thereof is delayed, the generating station shall pay transmission charges @10% of transmission charge for the State where it is located for the quantum of such Long Term Access.</p> <p>Provided that the amount received on account of payments in the month towards such Long Term Access shall be reimbursed to the DICs in proportion to their shares under the First Bill in the following month.</p> <p>Provided that such Long Term Access shall be excluded for computation under Regulations 5 to 8 of these regulations.</p>	<p>Where Long Term Access to ISTS is granted to a generating station on existing margins and COD of the generating station or unit(s) thereof is delayed, the generating station shall pay transmission charges @10% of transmission charge for the State where it is located for the quantum of such Long Term Access.</p> <p>Provided that the amount received on account of payments in the month towards such Long Term Access shall be reimbursed to the DICs in proportion to their shares under the First Bill in the following month.</p> <p>Provided that such Long Term Access shall be excluded for computation under Regulations 5 to 8 of these regulations.</p>	Yearly Transmission Charges of National Component shall be independent of LTA applications and utilization as per proposed Regulation 5(6) above.
7	Regulation 11.(6)	Where operationalization of Long Term Access granted to a generating	Where operationalization of Long Term Access granted to a generating	Yearly Transmission Charges of National Component shall be independent of LTA

		<p>station is contingent upon COD of Associated Transmission System consisting of several transmission elements and only some of the transmission elements have achieved COD, the generating station may seek part operationalisation of Long Term Access. The Central Transmission Utility shall part operationalize Long Term Access corresponding to the capacity sought to be operationalised by the generating station, subject to availability of transmission system. The Yearly Transmission Charges for such transmission elements shall be included in Regulations 5 to 8 of these Regulations.</p>	<p>station is contingent upon COD of Associated Transmission System consisting of several transmission elements and only some of the transmission elements have achieved COD, the generating station may seek part operationalisation of Long Term Access. The Central Transmission Utility shall part operationalize Long Term Access corresponding to the capacity sought to be operationalised by the generating station, subject to availability of transmission system. The Yearly Transmission Charges for such transmission elements shall be included in Regulations 5 to 8 of these Regulations.</p>	<p>applications and utilization as per proposed Regulation 5(6) above.</p>
8	<p>proviso in Regulation 11(11)</p>	<p>Where a transmission system has been declared to have achieved deemed COD in terms of Transmission Service Agreement under Tariff Based Competitive Bidding (TBCB) or the Commission</p>	<p>Where a transmission system has been declared to have achieved deemed COD in terms of Transmission Service Agreement under Tariff Based Competitive Bidding (TBCB) or the Commission has approved the</p>	<p>Due to the planning of the transmission system under Regulation 5, part of the transmission system or generating station may not be available for utilisation of the planned system for the time being. Since the above system is to be included in sharing pool from the date of</p>

	<p>has approved the date of commercial operation of such transmission system in terms of clause (2) of Regulation 5 of Tariff Regulations, 2019 or proviso (ii) to clause (3) of Regulation 4 of the Tariff Regulations, 2014, the transmission licensee or generating company whose transmission system or generating station or unit thereof is delayed shall pay the transmission charges of the transmission system till the generating station or unit thereof or the transmission system achieves COD.</p> <p>Provided that where more than one transmission licensee or both transmission licensee and generating station are getting delayed, the proportionate sharing of above transmission charges shall be as decided by Commission.</p>	<p>date of commercial operation of such transmission system in terms of clause (2) of Regulation 5 of Tariff Regulations, 2019 or proviso (ii) to clause (3) of Regulation 4 of the Tariff Regulations, 2014, the transmission licensee or generating company whose transmission system or generating station or unit thereof is delayed shall pay the transmission charges of the transmission system till the generating station or unit thereof or the transmission system achieves COD.</p> <p>Provided that where more than one transmission licensee or both transmission licensee and generating station are getting delayed, the proportionate sharing of above transmission charges shall be as decided by Commission.</p>	<p>operationalisation, and drawee DICs of all country share transmission charge for National Component. Therefore, the associated transmission system or generating station under Regulation 5, should be excluded from Regulation 11(11) of these regulations.</p>
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