

NRSS XXXI (B) Transmission Limited

September 27, 2022

NR31B.REG.EXM.041.00.27092022

To,

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

Subject: Comments on Draft Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022.

Dear Sir,

NRSS XXXI (B) Transmission Limited (NBTL) is a ISTS Transmission Licensee owning and operating a 400 kV double circuit transmission line from Amritsar to Kurukshetra, awarded on TBCB basis.

At the outset, we would like to welcome the amendments proposed by the Hon'ble Commission to the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022. The proposed amendment is envisaged to bring clarity on some of the pertinent issues with respect to providing deemed availability for the Transmission Licensee in case of specific outage events which was not covered in the Principle Regulations. Vide this letter, we would like to submit our suggestion herewith (**Annexure-1**) to the proposed amendment, for your kind perusal and consideration.

Thanking You,

NRSS XXXI (B) Transmission Limited



Authorized Signatory

Encl:

Annexure-1: Suggestions on the Draft Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022

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Sr. No.	Proposed Amendment	Our Suggestion	Rationale
2.1	<p>“(iii) Shut down availed for shifting of Transmission Line for Project(s) of NHAI, Railways and Border Road Organisation. Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work involved;</p> <p>Provided that such deemed availability shall be considered only for the period for which DICs are not affected by the shutdown of the such transmission Line</p>	<p>“(iii) Shut down availed for shifting of Transmission Line for Project(s) of NHAI, Railways and Border Road Organisation. Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work Involved. <u>In case of dispute regarding deemed availability, the matter may be referred to Chairperson CEA within 30 days.</u></p> <p><u>Provided that monthly transmission system availability certificates based on deemed availability granted to the transmission system involved, shall be issued to the transmission licensee by RPC on a regular basis, as per timeframe specified in Clause (6)</u></p> <p>Provided that such deemed availability shall be considered only for the period for which DICs are not affected by the shutdown of the such transmission Line</p>	<p>a) In case there is any event of disagreements, mechanism of redressal of the same is required. Therefore, the same is suggested to be included as is specified for events under Clause (4) (i).</p> <p>b) Where deemed availability is granted to the Transmission Licensee, the monthly transmission system availability certificates based on deemed availability shall be issued to transmission licensee by RPC on a regular basis in a timebound manner. In this context, a relevant proviso is proposed to be included to clause 4 (iii).</p> <p>c) The event of shut down of any Transmission Licensee’s system due to outage requested by NHAI, Railways and Border Road Organisation, is purely beyond the control of the Transmission Licensee. This makes the aforesaid event a clear case for granting deemed availability to the affected Transmission Licensee. Any proposal that makes grant of deemed availability in such clear cases, to be contingent upon affecting/not affecting DICs - would be highly detrimental. The Transmission Service Agreement entered by the Transmission Licensee warrants Licensee to exhibit</p>

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			<p>minimum availability for recovery of its revenue and demonstrate its performance under the contract. In case deemed availability is denied in such genuine and clear cases, it will have adverse commercial implications to the Transmission Licensee. In view of the above, it is humbly requested to not impose any condition such that grant of deemed availability is linked to how the outage impacts DICs. Hence, it is suggested to remove the proposed proviso to Clause 4 (iii).</p>
3.2	<p>Provisos to sub-clause (ii) to Clause (5) under Appendix-II of the Principal Regulations shall be deleted.</p> <p>5(ii) Outage caused by grid incident/disturbance not attributable to the transmission licensee, e.g. faults in substation or bays owned by other agency causing outage of the transmission licensee's elements, and tripping of lines, ICTs, HVDC, etc. due to grid disturbance. However, if the element is not restored on receipt of direction from RLDC while normalizing the system following grid incident/disturbance within reasonable time, the element will be considered not available for the period</p>	<p>5(ii) Outage caused by grid incident/disturbance not attributable to the transmission licensee, e.g., faults in substation or bays owned by other agency causing outage of the transmission licensee's elements, and tripping of lines, ICTs, HVDC, etc. due to grid disturbance. However, if the element is not restored on receipt of direction from RLDC while normalizing the system following grid incident/disturbance within reasonable time, the element will be considered not available for the period of outage after issuance of RLDC's direction for restoration;</p>	<p>The deletion of the provisos of Clause 5 (ii) of the Principal Reg. may not be considered from the following perspectives:</p> <p>a) In case there is any event of disagreements, mechanism of redressal of the same is required and therefore, the related clause as per prevailing clause is suggested to be retained.</p> <p>b) There are several instances in which integration of one licensee element is being done with other licensee as part of integral transmission planning and because of that sometime there are certain trippings/ outages occurred in the system of one licensee because of certain reasons either beyond control of element owner or because of real time behaviour of the grid.</p>

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	<p>of outage after issuance of RLDC's direction for restoration;</p> <p>Provided that in case of any disagreement with the transmission licensee regarding reason for outage, same may be referred to Chairperson, CEA within 30 days. The above need to be resolved within two months:</p> <p>Provided further that where there is a difficulty or delay beyond sixty days, from the incidence in finalizing the recommendation, the Member Secretary of concerned RPC shall allow the outage hours on provisional basis till the final view.</p>	<p><u>Provided that in case of any disagreement with the transmission licensee regarding reason for outage, same may be referred to Chairperson, CEA within 30 days. The above need to be resolved within two months:</u></p> <p><u>Provided further that where there is a difficulty or delay beyond sixty days, from the incidence in finalizing the recommendation, the Member Secretary of concerned RPC shall allow the outage hours on provisional basis till the final view.</u></p>	<p>In such a case, if some damage has happened to any plant/ machinery of the transmission elements, then essentially it requires some reasonable time to restore/ replace that element since it involves some necessary initial root cause investigation of the incident & then thereafter rectification/ maintenance/ replacement (as may be required) of the affected/ damaged transmission asset. In view of the above, the provisos of the prevailing clause specifying timeframe is suggested to be retained.</p>
3.2	<p>New sub-clause (iii) shall be added after sub-clause (ii) of Clause (5) under Appendix-II of the Principal Regulations as under:</p> <p>“(iii) The outage period which can be excluded for the purpose of sub-clauses (i) and (ii) of this clause shall be declared as under:</p> <p>a) Maximum up to one month by Member Secretary, RPC b) Beyond one month and up to three months after decision at RPC</p>	<p>“(iii) The outage period which can be excluded for the purpose of sub-clauses (i) and (ii) of this clause shall be declared as under:</p> <p>a) Maximum up to one month by Member Secretary, RPC b) Beyond one month by decision at RPC c) Beyond three months by the Commission for which the transmission licensee shall approach the Commission along with reasons, steps taken to mitigate the outage and restoration timeline.”</p>	<p>It is observed that the approval at different level is proposed to ensure consultation with DICs. In our view, CEA or CERC may be approached only in case there is in any disputes/disagreements and in this context declaration of outage period may be done/decided at RPC level itself which has representation from DICs.</p>

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	c) Beyond three months by the Commission for which the transmission licensee shall approach the Commission along with reasons, steps taken to mitigate the outage and restoration timeline.”		