

**AGEL's comments and suggestion on Draft Sharing of Inter-State Transmission Charges and Losses
(First Amendment) Regulations, 2022.**

SN	Existing Clause No.	Existing/Proposed Clause	Proposed Clause	Justification Remarks
1	Part 1 of Clause (1), Regulation 13 (as proposed)	<p>No transmission charges for the use of ISTS shall be levied for the following GNA quantum (GNA_{RE}), for scheduling power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources:</p> $GNA_{RE} \text{ (in MW)} = GNA \times \sum_{n=1}^T \left(\frac{SDR_G}{SDT_G} \right)$ <p>Where SDR_G is drawl schedule (in MW) through ISTS under GNA from entities covered under sub clauses (i) and (ii) of this Regulation in nth block. SDT_G is total drawl schedule (in MW) under GNA through ISTS from all sources in nth block. 'n' is the nth time block T is number of time blocks in a month = 96X number of days in a month</p> <p>Provided that in case total drawl schedule (in MW) under GNA through ISTS from all sources, for nth time block, is less than 75% of Maximum schedule corresponding to GNA, the "SDTG" shall be taken as 75% of maximum schedule corresponding to GNA for the nth block.</p>	<p>No transmission charges for the use of ISTS shall be levied for the GNA quantum, for power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources:</p>	<p>There is no rationale to link the waiver in ISTS charges for the RE power w.r.t. its power scheduled. Instead, it should be corresponding to the RE capacity (in MW) tied-up / LTA converted to GNA. Transmission charges billing based on energy unit (MUs) is not a sustainable mechanism particularly in a situation when there are multiple stakeholders with divergent interest.</p> <p>Also, since the ISTS infrastructure is common corridor for RE as well as non-RE power; thus, any corridor/GNA availed for RE power capacity should be allowed for waiver in ISTS charges.</p> <p>Hence, it is suggested to retain the waiver as per pre GNA mechanism.</p>
2	Part 2 of Clause (1), Regulation 13 (as proposed)	<p>No transmission charges for the use of ISTS shall be levied for the following T-GNA quantum, for scheduling power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources:</p> $T-GNA_{RE} \text{ (in MW)} = T-GNA \times \sum_{n=1}^T \left(\frac{SDRTG}{SDTTG} \right)$ <ul style="list-style-type: none"> SDRTG is drawl schedule (in MW) through ISTS under T-GNA from entities covered under subclauses (i) and (ii) of this Regulation in nth block. SDTTG is total drawl schedule (in MW) under T-GNA through ISTS from all sources in nth block. 'n' is the nth time block T is number of time blocks in a month = 96X number of days in a month or part of the month, as the case may be. <p>Provided that in case total drawl schedule (in MW) under T-GNA through ISTS from all sources for a time-block, is less than 75% of maximum schedule corresponding to T-GNA for the time-block, the "SDTTG" shall be taken as 75% of maximum schedule corresponding to T-GNA.</p>	<p>No transmission charges for the use of ISTS shall be levied for the T-GNA quantum, for power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources:</p>	<p>There is no rationale to link the waiver in ISTS charges for the RE power w.r.t. its power scheduled. Instead, it should be corresponding to the RE capacity (in MW) tied-up / LTA converted to GNA. Transmission charges billing based on energy unit (MUs) is not a sustainable mechanism particularly in a situation when there are multiple stakeholders with divergent interest.</p> <p>Also, since the ISTS infrastructure is common corridor for RE as well as non-RE power; thus, any corridor/GNA availed for RE power capacity should be allowed for waiver in ISTS charges.</p> <p>Hence, it is suggested to retain the waiver as per pre GNA mechanism.</p>



		Provided further that the reimbursement, from the already paid T-GNA charges, on account of T-GNARE shall be made ex-post on finalization of schedules, by 15th day of the next month.																	
3	Part 3 of Clause (1), Regulation 13 (as proposed)	Clauses (1) and (2) of this Regulation shall be applicable for scheduling of power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources which have declared commercial operation upto 30.6.2025.	<p>Clauses (1) and (2) of this Regulation shall be applicable for power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources which have declared commercial operation up to 30.6.2025 and the project covered under sub clause (4) & (5) of regulation 13 (1).</p> <p>Provided, transmission charges for the use of ISTS shall be gradually as per following trajectory for the GNA and TGNA quantum, for scheduling power from (i) REGS or RHGS based on wind or solar sources or (ii) ESS charged with REGS or RHGS based on wind or solar sources commissioned after 30.06.2025:</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Period of Commissioning</th> <th>Inter-State Transmission Charges</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>01.07.2025 to 30.06.2026</td> <td>25 % of the applicable ISTS charges</td> </tr> <tr> <td>2</td> <td>01.07.2026 to 30.06.2027</td> <td>50 % of the applicable ISTS charges</td> </tr> <tr> <td>3</td> <td>01.07.2027 to 30.06.2028</td> <td>75 % of the applicable ISTS charges</td> </tr> <tr> <td>4</td> <td>From 01.07.2028</td> <td>100 % of the applicable ISTS charges</td> </tr> </tbody> </table> <p>Provided further that in case of the commercial operation date of projects of connectivity grantee covered under 13 (1), (2), (4) & (5) surpasses the date of 30.06.2025 but have the valid extension in SCOD/SCD granted by competent authority/nodal agency, shall continue to be eligible for such waiver in terms of regulation 13.</p>	S.No.	Period of Commissioning	Inter-State Transmission Charges	1	01.07.2025 to 30.06.2026	25 % of the applicable ISTS charges	2	01.07.2026 to 30.06.2027	50 % of the applicable ISTS charges	3	01.07.2027 to 30.06.2028	75 % of the applicable ISTS charges	4	From 01.07.2028	100 % of the applicable ISTS charges	It is proposed so to align same with the MOP Order dated 30.11.2021 on Waiver of inter-state transmission charges as Renewable Energy Projects are highly capital extensive infra projects which requires at least 18-24 months' time starting from identification of land, availability of substation, bays, ROW issues, connectivity etc. and therefore in order to have long term visibility and certainty to the renewable power generation and for promotion of drawl of power from RE, would request Hon'ble Commission to adopt as it is the waiver of ISTS charges up to 30.06.2025 and the concessions on ISTS charges beyond 30.06.2025 as have been envisaged under MOP Order dated 30.11.2021.
S.No.	Period of Commissioning	Inter-State Transmission Charges																	
1	01.07.2025 to 30.06.2026	25 % of the applicable ISTS charges																	
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4	From 01.07.2028	100 % of the applicable ISTS charges																	
4	Part 4 of Clause (1), Regulation 13 (New proposal)	New proposal for inclusion	<p>Following provisos is proposed to be added as part 4 of Regulation 13 (1) of the Supplementary to Principal Regulations:</p> <p><i>"(4) No transmission charges for the use of ISTS shall be levied for the GNA quantum for power from Solar PV power plants commissioned under "MNRE's Central Public Sector Undertaking (CPSU) Scheme Phase-II (Government Producer Scheme) dated 5.3.2019" and SECI Tender for manufacturing linked capacity scheme (RFS No. SECI/C&P/RFS/2GW Manufacturing/P-3/R1/062019 dated 25.06.2019) for sale to entities having RPO, irrespective of whether this power is within RPO or not.</i></p>	It is proposed so to align same with the MOP Order dated 30.11.2021 on Waiver of inter-state transmission charges stipulating to extend the waiver of ISTS charges to the capacities under the SECI tender for manufacturing linked capacity scheme.															
5	Part 5 of Clause (1), Regulation 13 (New proposal)	New proposal for inclusion	<p>Following provisos is proposed to be added as part 5 of Regulation 13 (1) of the Supplementary to Principal Regulations:</p> <p><i>(5) No transmission charges for the use of ISTS shall be levied for the GNA quantum for power from REGS or RHGS based on wind or solar</i></p>	It is proposed so to align same with para 3.1(vi) of MOP order 23.11.2021 on Waiver of inter-state transmission charges.															



			<i>sources as per RE bundling scheme issued by MOP on 16.11.2021. Further, no transmission charges for use of ISTS shall be levied, when power from REGS or RHGS based on wind or solar sources situated at one Thermal/Hydro Generating Station is supplying to procurers of another Generating Station, of the same Generating Company, located at a different location."</i>	
6	Clause (3), Regulation 13 (as proposed with Modification)	Where COD of a Connectivity grantee is delayed from start date of Connectivity in terms of GNA Regulations, and the Associated Transmission System has achieved COD, which is not earlier than such start date of Connectivity, the Connectivity grantee shall pay Yearly Transmission Charges for the Associated Transmission System corresponding to Connectivity capacity which have not achieved COD: Provided that Yearly Transmission Charges in respect of Associated Transmission System corresponding to the Connectivity capacity which have achieved COD shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations."	Proposed to be amended/deleted.	In terms of the statutory advice issued by MoP under sec. 107 of Electricity Act, there should not be any liability w.r.t. payment of transmission charges by either generating company or the transmission licensee which could not commissions their respective project for any reason. In light of the above, it is necessary to amend/delete Clause 3 of Regulation 13 suitably. In any case, there shall not be liability of transmission charges on other entities if their commissioning is affected by FM and/or any other reasons not attributable to them.
7	Clause (6), Regulation 13 (as proposed with Modification)	If any transmission element(s) of the Associated Transmission System is required by the Connectivity grantee prior to COD of the Associated Transmission System, the Yearly Transmission Charges for such transmission element(s) shall be payable by the generating station from the COD of the said transmission element(s) of the Associated Transmission System till the generating station achieves COD.	If any transmission element(s) of the Associated Transmission System is required by the Connectivity grantee prior to COD of the Associated Transmission System, the Yearly Transmission Charges for such transmission element(s) shall be payable by the generating station from the COD of the said transmission element(s) of the Associated Transmission System till the generating station achieves COD. Provided if the generating station of connectivity grantee supplies power prior to its SCOD under PPA only and/or could not achieved COD due to FM and/or other reasons not attributable to them, the Yearly Transmission Charges for such transmission element(s) made available to the generating station, shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations.	It is submitted that requirement of arranging availability of ISTS system or ATS shall only occur in case generating station of connectivity grantee or part thereof are expected to come prior to its SCOD. Wherein, just to avoid idling of any capacity of generating station it intends to inject power also from its early commissioned capacity. In such case, it is proposed so to accommodate the ISTS waiver eligibility
8	Clause (7), Regulation 13 (as proposed with Modification)	Where Connectivity is granted to a Connectivity grantee on existing margins and COD of such Grantee is delayed, the Connectivity grantee shall, corresponding to the capacity that is delayed, pay transmission charges from the start date of such Connectivity at the rate of Rs. 3000 /MW/month: Provided that the amount so received in a billing month, shall be reimbursed to the DICs in proportion to their share in the first bill in the following billing month.	Proposed to be deleted.	There would be very few cases of GNA being granted on existing ISTS system margin and associated cost/transmission tariff is already being recovered. In such case it is mis-appropriate to recover any cost from the connectivity grantee who are covered for such waiver under regulation 13 (1) to (5) where recover is already being for entire ISTS. There is no loss to ISTS licensee rather the connectivity grantee is making its optimum utilisation by using the system margin. It is also against the principal Setout under the Hon'ble commission order dt 08.03.2019 in Petition no 92/MP/2015.
9	Clause (8), Regulation 13 (as proposed with Modification)	In case a generating station or unit(s) thereof has achieved COD and the Associated Transmission System is delayed, the concerned inter-State transmission licensee(s) shall make alternate arrangement at its own cost for despatch of power of the generating station or unit(s) thereof in consultation with the Central Transmission Utility: Provided that till such alternate arrangement is made, the inter-State transmission licensee(s) shall pay to the generating station, the Yearly Transmission Charge corresponding to the quantum of	In case a generating station or unit(s) thereof is ready for energisation as per energisation approval granted by competent authority which is not earlier than its SCOD and the Associated Transmission System is delayed, the concerned inter-State transmission licensee(s) shall make alternate arrangement at its own cost for despatch of power of the generating station or unit(s) thereof in consultation with the Central Transmission Utility:	Said clause is completely irrational as no commissioning or COD can be achieved by any projects until the associated ATS specially the interconnecting PSS is ready and able to provide power for synchronisation of generating stations with the grid. Parity should be maintained with ISTS system where deemed commissioning is granted irrespective of readiness of generating station or upstream/downstream system. CEA/CEIG energisation approval is to be considered to



		Connectivity for the period for which the transmission system has got delayed.	Provided that once the energisation approval by competent authority is granted and request for grid synchronisation/physical connectivity has been made with CTU/PGCIL/RLDC, from the date of such request till such alternate arrangement of power evacuation, the inter-State transmission licensee(s) shall pay to the generating station, the deemed generation loss at respective PPA tariff corresponding to the quantum of Connectivity for the period for which the transmission system has got delayed.	establish the readiness of power project for its energisation followed by grid synchronisation. Accordingly, rational provision should be in place for recovery of deemed losses in case the power project is ready for commissioning but got delayed due to non-readiness of its ATS or non-availability of any alternate arrangement.
10	Clause (10), Regulation 13 (as proposed with modification)	Regional entity Generating stations (a) drawing start-up power or (b) drawing power during shutdown after COD or (c) for REGS drawing power during non-generation hours or (d) injecting infirm power, through ISTS, shall pay transmission charges for injection or drawl beyond its T-GNA , at the rate of Transmission Deviation Rate for the State in which they are located: Provided that the amount so received in a billing month, shall be reimbursed to the DICs in proportion to their share in the first bill in the following billing month	following may please be added after the end of proposed regulation 13(10) that: Provided it shall not apply to the projects of connectivity grantee covered under regulation 13 (1), (2), (4) & (5) who are eligible for waiver of transmission charges in terms of regulation 13 (1)	There is no rationale to put liability of paying transmission charges for drawl of power or injecting infirm power when it has been waived off to the eligible projects who are covered under regulation 13 (1), (2) , (4) & (5) for supply of power. It can be removed, or the proposed provision may please be added appropriately to protect the interest of such projects.
11	Clause (12), Regulation 13 (as proposed with modification)	In case of a transmission system where COD has been approved in terms of proviso (ii) of Clause (3) of Regulation 4 of the Tariff Regulations, 2014 or Clause (2) of Regulation 5 of the Tariff Regulations, 2019 or where deemed COD has been declared in terms of Transmission Service Agreement under Tariff based Competitive Bidding, the Yearly Transmission Charges for the transmission system shall be: a) paid by the transmission licensee whose transmission system is delayed till its transmission system achieves COD, or b) paid by the generating company whose generating station or unit(s) thereof is delayed, till the generating station or unit thereof, achieves COD, or c) shared in the manner as decided by the Commission on case-to-case basis, where more than one inter-State transmission licensee is involved or both transmission system and generating station are delayed.	Proposed to be deleted	In terms of the statutory advice issued by MoP under sec. 107 of Electricity Act, there should not be any liability w.r.t. payment of transmission charges by either generating company or the transmission licensee which could not commissions their respective project for any reason. In light of the above, it is necessary to delete Clause 12 of Regulation 13. In any case, there shall not be liability of transmission charges on other entities if their commissioning is affected by FM and/or any other reasons not attributable to them.

