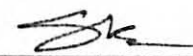


Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

Sl. No.	Regulation No.	Present Regulation	Proposed Amendment	Comments of NHPC
1.	11(1) and 11(5)	<p>11(1) Short Term Open Access Rate (in paise/kWh) shall be published for each billing month by the Implementing Agency which shall be calculated State-wise as under: Transmission charges of the State for the billing month (in rupees) / (7200 X the quantum, in MW, of Long Term Access plus Medium Term Open Access of the State for the corresponding billing period)</p> <p>11(5) No transmission charges for Short Term Open Access for inter-State transmission system, shall be payable by a distribution licensee which has Long Term Access or Medium Term Open Access or both,</p>	<p>10. Amendment to Regulation 11 of the Principal Regulations</p> <p>(2) Clause (1) of Regulation 11 of the Principal Regulations shall be substituted as under: “(1) T-GNA Rate (in Rs./MW/block) shall be published for each billing month by the Implementing Agency which shall be calculated State-wise as under: Transmission charges for GNA for entities located in the State, for the billing month, under first bill (in rupees) X 1.10 / (number of days in a month X 96 X GNA quantum, in MW, for all such entities located in the State considered for billing, for the corresponding billing period.)”</p>	<p>In the present regulation, transmission charges for short term open access are levied in proportion to the transmission charges for long term and medium term open access. Further, there is no payment of transmission charges for STOA, if the distribution licensee or trading licensee has LTOA or MTOA of such capacity.</p> <p>However, in the proposed regulation, Hon’ble CERC has levied a penalty of 10% for transmission of electricity through T-GNA and transmission charges has been levied on distribution licensee even if they have spare capacity under GNA.</p> <p>In view of NHPC, the approach under existing regulation is a more balance approach as it promotes trading of electricity through power exchange,</p>



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		<p>or by a trading licensee acting on behalf of such distribution licensee: Provided that other charges or fees as per Open Access Regulations, 2008 and the Transmission Deviation charges, if any, as per these regulations shall be payable.</p>	<p>(5) Clause (4) and Clause (5) of Regulation 11 of the Principal Regulations shall be deleted.</p>	<p>further, a distribution licensee or power trading licensee does not have to pay transmission charges for T-GNA, if they have spare GNA for which they are already paying transmission charges. Therefore, Hon'ble Commission is requested to keep the provisions of existing regulation.</p>
2.	12(1)(a)	<p>For a generating station, net metered ex-bus injection, in a time block in excess of the sum of Long Term Access, Medium Term Open Access and Short Term Open Access: Provided that for a hydro-generating station, overload capacity of 10% during peak season shall be taken into account.</p>	<p>Sub-clauses (a), (b), and (c) of Clause (1) of Regulation 12 of the Principal Regulations shall be substituted as under: "(a) For a generating station, net metered ex-bus injection, in a time block in excess of GNA: Provided that for a hydro-generating station, schedules for overload capacity of 10% during peak season shall not be charged under transmission deviation.</p>	<p>As per Central Electricity Regulatory Commission (Indian Electricity Grid Code), regulations 2010 & its subsequent amendments, (clause 5.2.f. System Security Aspects), Hydro units of 25 MW and above shall have the capability of instantaneous picking upto 110 % of their MCR (Maximum Continuous Rating), when frequency falls suddenly. Moreover, as per order issued by NRLDC vide their letter no NRLDC/SO-117/721 dated 08/05/2018 during lean season/less</p>

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				<p>inflow period, RLDCs shall not schedule the generating stations beyond normative ex-bus generation (Installed Capacity minus normative Auxiliary Consumption) corresponding to 100% of the Installed capacity of the generating station. That means during lean season/less inflow period, there would be margin available to the RLDC, especially in peak period, from Ex-bus installed capacity up to 110% of the MCR of the generating stations or unit thereof, for getting primary response, when frequency falls suddenly in the Grid.</p> <p>Accordingly, to adhere the above regulations, Hydro power plants bound to respond in balancing the grid to increase/decrease their generation based on frequency variation.</p> <p>The power plants are being operated over and above its RLDC schedule as per</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

				<p>requirement of grid to fulfil the requirement of ancillary services in terms of primary response. As per the provision, of proposed regulations, the generator has to pay the Regional Transmission Deviation charges (RTDA) for over injection, if any, for giving the primary response which is not justified.</p> <p>Further, as per CERC order dated 28th of August, 2019 on “Automatic Generation Control (AGC) implementation in India”, the Automatic Generation Control System has been implemented on all new thermal ISGS stations with installed capacity of 200 MW and above and hydro stations having capacity exceeding 25 MW excluding the Run-of-River Hydro Projects irrespective of size of the generating station and whose tariff is determined or adopted by CERC. Accordingly, the AGC has been</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

				<p>implemented to NHPC's eligible Power Stations and the operation through AGC is being done by NLDC as and when required to the grid. In compliance to the provisions of AGC, a generator is to operate upto its over load capacity (110% of IC) and the same may be continued upto 15 minutes. Sometimes it is experienced that the SRAS signal is received continuously 2-3-time blocks, resulting generators are liable to pay the Regional Transmission Deviation Charges which needs to be reviewed.</p> <p>It will be pertinent to mention that in the draft CERC Sharing of ISTS Charges Regulations, 2019, Hon'ble Commission has considered this rationale as no transmission deviation charges were proposed to be levied on hydro generating station upto their overload capacity as</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

				<p>evident from Regulation 13(2)(c)(iv) of draft regulation</p> <p><i>“iv For hydro-generating stations, the transmission deviation shall be calculated after considering overload capacity of 10% over quantum of Long Term Access and Medium Term Open Access.”</i></p> <p>In view of above, it is proposed to modify the proviso of 12(1)(a) as under:</p> <p><i>“Provided that for a hydro-generating station, schedules for overload capacity of 10% shall not be charged under transmission deviation.”</i></p>
2.	12(2)	<p>Transmission Deviation Rate in Rs./MW, for a State or any other DIC located in the State, for a time block during a billing month shall be computed as under:</p> <p>1.05 X (transmission charges of the</p>	<p>Clause (2) of Regulation 12 of the Principal Regulations shall be substituted as under:</p> <p>“(2) Transmission Deviation Rate in Rs./MW, for a State or any other DIC located in the State, for a time block</p>	<p>In the present regulation, a penalty of 5% was imposed for transmission deviation. In the proposed regulation, the penalty for transmission deviation has been increased to 35%.</p> <p>Ministry of Power has notified Electricity</p>

Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

		<p>State for the billing month in Rs.)/ (quantum in MW of Long Term Access plus Medium Term Open Access of the State for the corresponding billing period X 2880)</p>	<p>during a billing month shall be computed as under: 1.35 X (transmission charges for GNA of entities located in the State, under first bill for the billing month in Rs.)/ (GNA quantum in MW of such entities located in the State, considered for billing, for the corresponding billing period X number of days in a month X 96)</p>	<p>(Transmission System Planning, Development and Recovery of Inter-State Transmission Charges) Rules, 2021 dated 01.10.2021. In these Rules under rule 5, Ministry of Power has laid down some guidelines for recovery of ISTS charges. In sub-rule 5 of Rule 5 of these rules, following has been mentioned: <i>“(5) The monthly transmission charges shall be paid by the Designated Inter-state Customers for the General Network Access capacity sanctioned for them or drawal or injections as the case maybe, whichever is higher and all drawals or injections within the sanctioned capacity shall be at normal rate and excess drawal or injection over the capacity sanctioned shall be charged at rates, which are at least 25% higher, as determined by the Central Commission”.</i> Thus, as per above provisions rates for</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

				<p>transmission deviation has to be at least 25% higher.</p> <p>Generally, Transmission Deviation for a hydro generating station is beyond its control as the deviation in lean season can be a result of grid support due to Governor response.</p> <p>In view of above, Hon'ble Commission is requested not to levy penalty in case of hydrogenerating station up to 110% of its capacity even during lean season as proposed for peak season or kindly restrict the penalty to minimum of 25%.</p>
3.	13(1)	<p>(1) No transmission charges and losses for the use of ISTS shall be payable for:</p> <p>(a) generation based on solar power resource for the useful life of the projects commissioned during the period from 1.7.2011 to 30.6.2017.</p>	<p>Amendment to Regulation 13 of the Principal Regulations:</p> <p>(1) Clauses (1) and (2) of Regulation 13 of the Principal Regulations shall be deleted.</p>	<p>In the existing regulation, transmission charges and losses for the use of ISTS are not being levied for solar and wind projects which satisfied some qualifying criteria. In the proposed amendment, the clause has been deleted, which means that the waiver of ISTS charges for these projects is no</p>



Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

	<p>(b) generation based on solar or wind power resources for a period of 25 years from the date of commercial operation, fulfilling the following conditions: (.....)</p> <p>(c) generation based on solar or wind power resources , for a period of 25 years from the date of commercial operation, fulfilling the following conditions: (.....)</p>		<p>longer applicable.</p> <p>Ministry of Power vide its order dated 23rd November 2021 has waived ISTS charges for electricity generated through solar and wind sources of energy and for BSES and Pump Storage plants which meet 51% of annual charging or pumping requirement through solar and wind commissioned till 30.06.2025. Further, Projects expected to complete after 30.06.2025, a projection of waiver of ISTS charges has been provided. The waiver of transmission losses is only applicable for projects whose bidding was completed by 15.01.2021.</p> <p>In view of above, Hon'ble Commission is requested to kindly keep the provisions of Clause 13(1) of existing regulations with modification as per MOP order dated 23.11.2021.</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

4.	13(3)	<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 Long Term Access granted for the generating station or unit(s) thereof, which have not achieved COD:</p> <p>Provided that Yearly Transmission Charges in respect of Associated Transmission System shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations upon the generating station or unit(s) thereof achieving COD</p>	<p>Clause (3) of Regulation 13 of the Principal Regulations shall be substituted as under:</p> <p>“(3) 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:</p> <p>Provided that Yearly Transmission Charges in respect of Associated Transmission System corresponding to the Connectivity capacity which have</p>	<p>As per existing regulation and proposed Regulation, if COD of the generating station is delayed and the associated transmission system has achieved COD, the generating station is supposed to make payment of Yearly Transmission Charges (YTC) (corresponding to the capacity of generating station not declared under COD) as compensation. In this regard, NHPC requests the Hon’ble Commission that the following aspects need to be suitably incorporated in the proposed Regulations:</p> <p>Prior availability of transmission system <u>minimum for a period of 30-45 days</u> prior to COD of the first generating unit of a hydro generating station is essentially required for testing & commissioning of hydro generating units / station. There are specific requirements under Regulation 6.3A of IEGC for trial operation of a</p>
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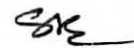
Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

			<p>achieved COD shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations.”</p>	<p>generating unit. Therefore, transmission system (grid voltage) availability shall always be proceeding to COD of generating units. The generating company and transmission licensee shall endeavour to commission the generating units / station and the transmission system in a co-ordinated manner by catering the above aspect, and the same needs to be ensured through appropriate Implementation Agreement. During the testing & commissioning period and till declaration of COD of first unit of Power Station, hydro generating stations should be excluded from the purview of payment of any penalty by way of ‘Yearly Transmission Charges’.</p> <p>NHPC has submitted the above comments even during formulation of Sharing of ISTS Charges Regulations, 2022. Hon’ble</p>
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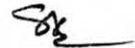
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	<p>in a billing month, shall be reimbursed to the DICs in proportion to their share in the first bill in the following billing month.</p>	<p>after COD or (c) for REGS drawing power during non-generation hours or (d) injecting infirm power, through 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:</p> <p>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.”</p>	<p>requirement of generating station as per Grid Code.</p> <p>Further, as per existing regulation and the proposed amendment a generating station is already paying the transmission charges for the capacity which has not been declared under COD as per Regulation 13(3), 13(7) and 13(9) of extant regulations i.e. during the period of injection of infirm power. Thus, levy of transmission deviation charges shall result into payment of double charges for same transmission line.</p> <p>In view of above, it is proposed that no transmission deviation charges should be applicable for infirm power.</p> <p>Further, it has also been proposed in the draft amendment that transmission deviation charges shall also be levied for drawing power during shutdown after</p>
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Comments/ Suggestions of NHPC on draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022

				Commission in its SoR has discussed this point, however no relief has been provided to generator. It is pertinent to mention that achieving of COD of power station at the same date when the transmission lines has achieved COD is practically impossible and therefore a generator is being penalized for not performing a particular task which is not technically feasible. Therefore, Hon'ble Commission is once again prayed to review the provisions of Regulation 13(3) and similarly review the provisions of Regulation 13(7) and 13(9)
5.	13(10)	Generating stations drawing start-up power from ISTS shall pay transmission charges at the rate of Transmission Deviation Rate for the State in which they are located: Provided that the amount so received	Clause (10) of Regulation 13 of the Principal Regulations shall be substituted as under: “(10) Regional entity Generating stations (a) drawing start-up power or (b) drawing power during shutdown	Infirm Power is the power injected during testing and commissioning of a Generating Station and during performance of trial operation of the generating station before COD of the generating station. Thus, injection of infirm power is the technical



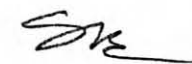
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				<p>COD. It is submitted that in a generating station multiples lines are evacuating power from the station, and there can be situation that during shutdown power is flowing from one line to another line through that station and such power flow can be recorded as consumption of power due to meter error being in opposite direction. This can be illustrated by an example:</p> <p>Suppose two lines Y1 and Y2 are emanating from a generating station and during shutdown 50 MW power is flowing from line Y1 to line Y2 through busbar of generating station and there is a meter error of +0.2% in SEM of Y1 and -0.2% in SEM of Y2. This will result in recording of high inflow in Line Y1 of 0.1 MW and less outflow from line Y2 of 0.1 MW, which will be then recorded as power</p>
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				<p>consumption of 0.2 MW i.e. 200kW by the generating station and thus transmission deviation charges shall be levied in case of meter errors being recorded as consumption of power. Therefore, it is proposed that considering meter error, if 2% of power flowing from the line is recorded as power consumption by the generating station, then transmission deviation charges shall not be levied.</p>
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Central Electricity Regulatory Commission



Regulation Summary

Reference No. 10/2022 Cerc File Number No. L-1/250/2019/CERC
Regulation No. L-1/9/2022/CERC Regulation No. Generation Date Jul 8, 2022, 5:21 PM

Reguation Type	Amendment
Regulation Title	Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020
Subject	Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2022.
Date of Closure of E-Regulation Portal	Aug 19, 2022, 12:00 AM
Date of Public Hearing	

Regulation Details				
Regulation No.	Clause	Sub Clause	Added On	Description
1	0		Jul 8, 2022, 4:28 PM	Short Title and Commencement
2	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 2 of the Principal Regulations
3	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 3 of the Principal Regulations
4	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 5 of the Principal Regulations
5	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 6 of the Principal Regulations
6	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 7 of the Principal Regulations
7	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 8 of the Principal Regulations
8	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 9 of the Principal Regulations
9	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 10 of the Principal Regulations
10	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 11 of the Principal Regulations

Regulation No.	Clause	Sub Clause	Added On	Description
12	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 12 of the Principal Regulations:
13	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 13 of the Principal Regulations
14	0		Jul 8, 2022, 4:28 PM	.Amendment to Regulation 14 of the Principal Regulations
15	0		Jul 8, 2022, 4:28 PM	.Amendment to Regulation 19 of the Principal Regulations:
16	0		Jul 8, 2022, 4:28 PM	.Amendment to Regulation 21 of the Principal Regulations:
17	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 23 of the Principal Regulations:
18	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 24 of the Principal Regulations:
19	0		Jul 8, 2022, 4:28 PM	Amendment to Regulation 25 of the Principal Regulations
20	0		Jul 8, 2022, 4:28 PM	Amendment in Annexure-1 of the Principal Regulations
1000	0		Jul 8, 2022, 4:28 PM	full comment

Core Document Details				
S.No	Document Type	Description	Document Name	Uploaded On
1	Public Notice		PN-SISTCL-11062022.pdf	Jul 8, 2022, 4:30 PM
2	Draft Notification		Draft-SISTCL-11062022.pdf	Jul 8, 2022, 4:30 PM

Core Communication Documents Details				
S.No	Document Type	Description	Document Name	Uploaded On
1	Public Notice Extension	Extension of date for seeking comments/ suggestions on Draft Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 202	PN8.pdf	Jul 18, 2022, 10:58 AM

Stakeholder Comments

Reference No.	Stakeholder Name	Added By	Comment On	Aided On
SH/CO/294/2022	Maharashtra State Electricity Distribution Company Limited (MSEDCL)	Maharashtra State Electricity Distribution Company Limited (MSEDCL)	regulation no-1000	Aug 4, 2022, 5:44 PM
SH/CO/296/2022	NHPC LTD	NHPC LTD	regulation no-12	Aug 4, 2022, 7:00 PM
SH/CO/299/2022	NHPC LTD	NHPC LTD	regulation no-13	Aug 4, 2022, 7:04 PM
SH/CO/301/2022	NHPC LTD	NHPC LTD	regulation no-1000	Aug 4, 2022, 7:07 PM
SH/CO/273/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-2	Jul 11, 2022, 10:37 AM
SH/CO/274/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-2	Jul 11, 2022, 10:38 AM
SH/CO/275/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-9	Jul 11, 2022, 10:39 AM
SH/CO/276/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-9	Jul 11, 2022, 10:39 AM
SH/CO/277/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-12	Jul 11, 2022, 10:40 AM
SH/CO/282/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-17	Jul 11, 2022, 10:44 AM
SH/CO/283/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-1000	Jul 11, 2022, 10:45 AM
SH/CO/293/2022	Maharashtra State Electricity Distribution Company Limited (MSEDCL)	Maharashtra State Electricity Distribution Company Limited (MSEDCL)	regulation no-1	Aug 4, 2022, 5:43 PM
SH/CO/278/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-12	Jul 11, 2022, 10:40 AM
SH/CO/279/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-13	Jul 11, 2022, 10:41 AM
SH/CO/281/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-13	Jul 11, 2022, 10:42 AM
SH/CO/285/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-17	Jul 11, 2022, 10:46 AM
SH/CO/280/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-13	Jul 11, 2022, 10:41 AM
SH/CO/284/2022	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	SOUTHERN REGIONAL POWER COMMITTEE (SRPC)	regulation no-17	Jul 11, 2022, 10:46 AM
SH/CO/295/2022	NHPC LTD	NHPC LTD	regulation no-10	Aug 4, 2022, 6:59 PM

Reference No.	Stakeholder Name	Added By	Comment On	Added On
SH/CO/297/2022	NHPC LTD	NHPC LTD	regulation no-12	Aug 4, 2022, 7:01 PM
SH/CO/298/2022	NHPC LTD	NHPC LTD	regulation no-10	Aug 4, 2022, 7:02 PM
SH/CO/300/2022	NHPC LTD	NHPC LTD	regulation no-1000	Aug 4, 2022, 7:06 PM