

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

No. L-1/250/2019/CERC

Dated: 17.03.2023

**DRAFT NOTIFICATION**

In exercise of the powers conferred under Section 178 read with Part V of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 (hereinafter referred to as “the Principal Regulations”) namely:

**1. Short Title and Commencement:**

- (1) These regulations may be called the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Second Amendment) Regulations, 2023.
- (2) These regulations shall come into effect from the date as notified by the Commission.

**2. Amendment to Regulation 2 of the Principal Regulations:**

- (1) A new sub-clause (i-i) shall be added after sub-clause (i) of Clause (1) of Regulation 2 of the Principal Regulations as under:

“ **(i-i) Deemed COD**’ means the (a) COD of the transmission system approved by the Commission 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 (b) deemed COD of the transmission system declared by the transmission licensee, in terms of Transmission Service Agreement under Tariff Based Competitive Bidding. “

### **3. Amendment to Regulation 11 of the Principal Regulations:**

- (1) The words “to these regulations” shall be substituted with words “and sub-clause (b) of Clause (12) of Regulation 13 of these regulations”, in Clause (3) of Regulation 11 of the Principal Regulations.

### **4. Amendment to Regulation 12 of the Principal Regulations:**

- (1) The following words shall be inserted after the words “billing month” in Clause (3) of Regulation 12 of the Principal Regulations:

“after adjustment of such charges as per sub-clauses (c) and (g) of Clause (12) of Regulation 13 of these regulations.”

### **5. Amendment to Regulation 13 of the Principal Regulations:**

- (1) The words “is delayed” in the main provision of Clause (3) of Regulation 13 of the Principal Regulations shall be substituted with words “has not achieved COD”:

- (2) Clause (12) of Regulation 13 of the Principal Regulations shall be substituted as under:

“(12) For the cases other than those covered Clauses (3), (6) or (9) of Regulation 13 of these regulations, the YTC for the inter-State transmission system approved or declared as deemed COD shall be treated as follows:

- (a) The inter-State transmission licensee shall be paid 20% of YTC of its inter-State transmission system for a period of six (6) months from date of deemed COD or till commencement of actual power flow, whichever is earlier.

- (b) The inter-State transmission licensee shall be paid 100% of YTC of its inter-State transmission system from seventh (7<sup>th</sup>) month till commencement of actual power flow, in case actual power flow does not commence within a period of 6 months from date of deemed COD.

- (c) The charges under sub clauses (a) and (b) of this Clause shall be disbursed from charges collected under third bill in terms of Clause (3) of Regulation 12 of these regulations:

Provided that in case of shortfall in collection under third bill to meet the requirement of payment under sub-clauses (a) and (b) of this Regulation, the balance shall be paid from charges collected under T-GNA in terms of Clause (3) of Regulation 11 of these regulations:

Provided further that in case of shortfall in charges collected under T-GNA to meet the requirement of payment under sub-clauses (a) and (b) of this Regulation, the balance shall be paid from Deviation and Ancillary Service Pool Account under DSM Regulations.

- (d) In case an inter-State transmission licensee is responsible for the delay (for any reason including the reason attributable to Force Majeure events) in commencement of power flow in the inter-State transmission system of another inter-State transmission licensee which has achieved deemed COD, inter-State transmission licensee of the delayed inter-State transmission system shall pay 20% of YTC of its transmission system **OR** 20% of YTC of the transmission system which has achieved deemed COD, whichever is lower, till its delayed inter-State transmission system achieves COD.
- (e) In case an intra-State transmission licensee is responsible for the delay (for any reason including the reason attributable to Force Majeure events) in commencement of power flow in the inter-State transmission system of an inter-State transmission licensee which has achieved deemed COD, intra-State transmission licensee of the delayed intra-State transmission system shall pay 20% of YTC of the inter-State transmission system which has achieved deemed COD, till its delayed intra-State transmission system achieves COD.
- (f) The billing and collection for the charges in terms of sub-clauses (d) and (e) of this Clause shall be made in accordance with Clause (3) of Regulation 15 of these regulations.

- (g) The charges collected as per sub-clause (f) of this Clause shall be reimbursed in terms of Clause (3) of Regulation 12 of these regulations.
- (h) In case of inter-State transmission system under Tariff based Competitive Bidding, the first year of the contract shall commence from the date when such transmission licensee starts receiving 100% of YTC under sub-clause (b) of this Clause or under Regulation 5 to 8 of these regulations.”

**(Harpreet Singh Pruthi)**  
**Secretary**

Note:

- (1) The Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 were published on 01.07.2020 in Part III, Section 4 of the Gazette of India (Extraordinary) No 243.
- (2) The Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (First Amendment) Regulations, 2023 were published on 01.03.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No 149.