



सेंद्रल ट्रान्समिशन यूलिटी ऑफ इंडिया लिमिटेड

(पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व में)

(भारत सरकार का उद्यम)

CENTRAL TRANSMISSION UTILITY OF INDIA LTD.

(A wholly owned subsidiary of Power Grid Corporation of India Limited)

(A Government of India Enterprise)

Ref: CTU/CBTE/2nd amend/

Date: 17.02.2025

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

Sub: Draft Central Electricity Regulatory Commission (Cross Border Trade of Electricity) (Second Amendment) Regulations, 2024: Submission of comments/suggestions-Reg.

Sir,

CERC vide notification No. 13/2/7/2015-PM/CERC dated 31.12.2024 has issued draft notification for CERC (Cross Border Trade of Electricity) (Second Amendment) Regulations, 2024 for stake holders' suggestions/comments.

In this regard, please find enclosed CTUIL's Comments/suggestions on proposed Draft Central Electricity Regulatory Commission (Cross Border Trade of Electricity) (Second Amendment) Regulations, 2024 for consideration of Hon'ble commission.

Thanking you,

Yours faithfully,

(K. K. Jain)

Sr. GM (BCD& Reg.), CTUIL

Encl: CTUIL's Comments on subject amendment.

Comments/Suggestions of CTULL on draft CERC (Cross Border Trade of Electricity) (Second Amendment) Regulations, 2024.

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTULL in the draft	Remarks
2(1 (e))	'Applicant' means an entity located in neighbouring country who has been recognized as a Participating Entity as defined in these regulations	'Applicant' means an entity located in neighbouring country who has been recognized as a Participating Entity as defined in these regulations or an electricity trading licensee of India	'Applicant' means an entity located in neighbouring country who has been recognized as a Participating Entity (including Indian trading licensees) as defined in these regulations of an electricity trading licensee of India	As per MoP's Guidelines on Cross Border Trade, only Indian entities can participate in trade. Accordingly, change is suggested.
2(1(s))	'Cross Border Transmission Link' or 'CBTL' means the transmission link from the pooling station within India till the pooling station of a neighbouring country, as may be specified by the Designated Authority in consultation with the Planning Agency of any of the neighbouring countries and shall include	Cross Border Transmission Link' or 'CBTL' means the transmission link from the pooling station within India till the pooling station of a neighbouring country, as may be specified by the Designated Authority in consultation with the Transmission Planning Agency of any of the neighbouring countries for electricity and shall include the dedicated transmission line from the generating station or a drawee facility (i) located	Cross Border Transmission Link' or 'CBTL' means the transmission link from the pooling station within India till the pooling station of a neighbouring country, as may be specified by the Designated Authority in consultation with the Planning Agency of any of the	The word "dedicated transmission line" has been used in the definition, however, "dedicated transmission lines" is defined in the Electricity Act 2003. Accordingly, it is suggested that the phrase "dedicated transmission line" may be replaced with

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	<p>the dedicated transmission line from the generating station located within the territory of a neighbouring country getting connected with the Indian grid</p>	<p>within the territory of a neighbouring country getting connected with the Indian grid or (ii) located within the territory of India getting connected with the grid of the neighbouring country;</p>	<p>neighbouring countries for trade of electricity and shall include the dedicated transmission system from the generating station or a drawee facility (i) located within the territory of a neighbouring Cross country getting connected with the Indian grid or (ii) located within the territory of India getting connected with the grid of the neighbouring country;</p>	<p>"dedicated transmission system". As per definition of dedicated transmission line as per Electricity act 2003 "dedicated transmission lines" means any electric supply-line for point to point transmission which are required for the purpose of connecting electric lines or electric plants of a captive generating plant referred to in section 9 or generating station referred to in section 10 to any transmission lines or sub-stations or</p>

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
2(1(u))	<p>'Dedicated Transmission System' means the transmission system developed by a Participating Entity for transmitting electricity from a generating station located in a neighbouring country to a specified point in the Indian grid</p>	<p>"Dedicated Transmission System" means (i) the transmission system developed by a Participating Entity for transacting electricity between a generating station or a drawee facility located in a neighbouring country to a specified point in the Indian grid or (ii) the transmission system developed by a Participating Entity for transacting electricity between a generating station or a drawee facility located in the Indian grid to a specified point located in a neighbouring country or (iii) transmission system to connect, with Indian Grid under Regulation 10(7) of these regulations for a generating station located in India but electrically directly connected to a neighbouring country;</p>	<p>"Dedicated Transmission System" means (i) the transmission system developed by a Participating Entity for transacting electricity between a generating station or a drawee facility located in a neighbouring country to a specified point in the Indian grid or (ii) the transmission system developed by a Participating Entity for transacting electricity between a generating station or a drawee facility located in the Indian grid to a specified point located in a neighbouring country grid or (iii) transmission system to</p>	<p>generating stations, or the load centre, as the case may be;</p> <p>As per MOP's Guidelines on Cross Border Trade, only Indian entities can participate in trade. Further, as per DA Procedure also applicant can be Indian entity.</p> <p>DTS need not be implemented by Participating Entity. The Entity developing DTS and Entities engaged in trade on the DTS can be separate. Thus, change has been proposed.</p>

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
3(1)	These regulations shall be applicable to the Participating Entities in India and the neighbouring countries which are engaged in cross border trade of electricity with India	These regulations shall be applicable to the Participating Entities in India and the neighbouring countries which are engaged in cross border trade of electricity with India and the SNAs.	These regulations shall be applicable to the Participating Entities in India (including Indian trading licensees) and the neighbouring countries which are engaged in cross border trade of electricity with India and the SNAs.	The suggestion is in line with provisions in MoP Guidelines and DA Procedure.
4(4)	National Load Dispatch Centre shall act as the System Operator for cross border trade of electricity between India and the neighbouring countries and shall be responsible for granting short-term open access and for billing,	National Load Dispatch Centre shall act as the System Operator for cross border trade of electricity between India and the neighbouring countries and shall be responsible for granting short-term open access and for billing, collection and disbursement of the transmission charges for short-term open access transactions in accordance with the	National Load Dispatch Centre shall act as the System Operator for cross border trade of electricity between India and the neighbouring countries and shall be responsible for granting short-term open access T-GNA and for billing,	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	collection and disbursement of the transmission charges for short-term open access transactions in accordance with the Sharing Regulations	Sharing Regulations and the GNA Regulations	collection and disbursement of the transmission charges for short term open access transactions T-GNA in accordance with the Sharing Regulations and the GNA Regulations	
8(1)	A Participating Entity located in a neighbouring country shall be required to seek connectivity or long-term access or medium-term open access or short-term open access, as the case may be, through separate applications	A Participating Entity located in a neighbouring country, for the purpose of injection into or drawl from the Indian grid, shall be required to seek connectivity or GNA or T-GNA, as the case may be, through separate applications: Provided that an electricity trading licensee of India engaged in cross border trade of electricity may seek GNA or T-GNA, in accordance with these Regulations	A Participating Entity for the purpose of injection into or drawl from the Indian grid, shall be required to seek connectivity or GNA or T-GNA, as the case may be, through separate applications: Provided that an electricity trading licensee of India engaged in cross border trade of electricity may seek GNA or T-GNA, in accordance with these Regulations	
9(1)	New Clause	The applications for connectivity or GNA shall be accompanied by a	The applications for connectivity or GNA shall be accompanied by a	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		nonrefundable application fee of Rs 5 lac in Indian Rupees, payable in the name and in the manner to be laid down by the CTU	nonrefundable application fee of Rs 5 lac in Indian Rupees, payable in the name and in the manner to be laid down by the CTU. Taxes, cess, statutory duties and levies shall be payable by the Cross Border Customers as per the applicable laws of India	
10(8)	New Clause	Participating Entity located in neighbouring country and getting connected to the Indian grid through dedicated transmission system, shall submit one time connectivity charges for Rs. one lakh per MW for the quantum of connectivity granted, one month prior to a physical connection to the Indian Grid. The one time charges paid by such entity shall be adjusted in Monthly	Participating Entity located in neighbouring country and getting connected to the Indian grid through dedicated transmission system, shall submit one time connectivity charges for Rs. one lakh per MW for the quantum of connectivity granted, one month prior to a physical connection to the Indian Grid. The one time charges paid by such entity shall be used for	From the wording adjustment it appears that one time charges shall be adjusted only in the transmission charges payable by cross border customers. Accordingly, to clarify that one time connectivity charges shall be used for reduction in monthly

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		Transmission Charges under the Sharing Regulations	reducing Monthly Transmission Charges under the Sharing Regulations.	transmission charges applicable to all the customers under sharing regulation. Therefore similar wording as used in Regulation 22.2(d) of GNA regulations 2022 for treatment of one time GNA charges is being provided.
12(1)	The application for long-term access or medium-term open access to Indian grid and across Indian grid for cross border trade of electricity shall be made to CTU	(1) The following entities shall be eligible as Applicants to apply for a grant of GNA or for enhancement of the quantum of GNA for injection into the Indian grid or drawal from the Indian grid: a) A Participating Entity located in the neighbouring country; b) An Electricity Trading licensee of India. (1-i) Separate applications for grant of GNA for injection into the Indian grid or	(1) The following entities shall be eligible as Applicants to apply for a grant of GNA or for enhancement of the quantum of GNA for injection into the Indian grid or drawal from the Indian grid: a) A Participating Entity; b) An Electricity Trading licensee of India. (1-i) Separate applications for grant of GNA for injection	T-GNA is to be provided upto eleven months therefore GNA period should be more than eleven months.

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
14 (3)	In case of delay in commissioning of generating station or unit(s) thereof and associated dedicated transmission system in the neighbouring country beyond the scheduled date agreed in the Long Term Transmission Access Agreement, the generator shall be liable to pay full transmission charges from the date of	In case of delay in achieving commercial operation date of generating station or unit(s) thereof and associated dedicated transmission system in the neighbouring country beyond the scheduled date agreed in the GNA Agreement, the generator or the trading licensee which has obtained GNA for the purpose of injection into the Indian Grid shall be liable to pay transmission charges as under:	into the Indian grid or drawal from the Indian grid shall be made to CTU. (1-ii) GNA under these regulations may be applied for a period of eleven months or more. Provided that where augmentation of ISTS of India is required for the grant of GNA, GNA shall be applied for a period of sixty months or more	Clause 14(3) (a) & (b) proposes transmission charges to be paid by generating station in case of delay in achieving COD of generating units. It is likely that generating station in the neighbouring country may apply for GNA for less quantum w.r.t.

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	operationalisation of long-term access.	<p>(a) In case where augmentation has been taken up under ISTS for grant of such GNA for the purpose of injection into the Indian Grid, the Yearly transmission charges for such augmentation which has achieved COD proportionate to the quantum of GNA from the date of effectiveness of GNA till the generating station or unit thereof achieves COD.</p> <p>(b) In the case where GNA for the purpose of injection into the Indian Grid has been granted on existing ISTS with no identified augmentation to ISTS for such GNA, the transmission charges shall be payable till the generating station or unit thereof achieves COD at 2% of T-GNA rate for the State where injection point is located in Indian Grid (where T-GNA rate shall be as per the Sharing Regulations).</p>	<p>purpose of injection into the Indian Grid, the Yearly transmission charges for such augmentation which has achieved COD proportionate to the quantum of GNA which has not achieved COD from the date of effectiveness of GNA till the capacity of generating station or unit thereof equal to GNA granted achieves COD.</p> <p>Provided that Yearly Transmission Charges in respect of Augmentation Transmission System shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of Sharing Regulations corresponding to the generating station or unit(s) thereof achieved COD.</p>	<p>installed capacity. Hence, it will be more clear if, transmission charges to be paid for delay are linked with GNA granted and GNA capacity delayed thereof. Further transmission charges corresponding to GNA capacity which has achieved COD has to be included in YTC for sharing under regulation 5 to 8 of Sharing Regulations, 2020.</p>

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
14 (5)	In the event of delay by the transmission licensee in commissioning of transmission system within	In the event of delay by the transmission licensee in commissioning of the transmission system within India beyond its scheduled date and the	In the event of delay by the transmission licensee in commissioning of the transmission system within	Clause 14(5) proposes compensation to be paid by transmission
			<p>(b) In the case where GNA for the purpose of injection into the Indian Grid has been granted on existing ISTS with no identified augmentation to ISTS for such GNA, the transmission charges shall be payable proportionate to the quantum of GNA which has not achieved COD at 2% of T-GNA rate for the State where injection point is located in Indian Grid (where T-GNA rate shall be as per the Sharing Regulations) till the capacity of generating station or unit thereof equal to GNA granted achieves COD.</p>	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	<p>India beyond its scheduled date and the generating company is ready with its generating station or unit(s), the transmission licensee shall pay transmission charges to generating company proportionate to commissioned generation capacity in case no alternative arrangement is made by the CTU.</p> <p>Provided that in case of non-payment of transmission charges by the transmission licensee to the generating company, such charges shall be recovered by the CTU from the Contract Performance Guarantee furnished by the transmission licensee and paid to the generating company.</p>	<p>generating company is ready with its generating station or unit(s), the transmission licensee shall pay transmission charges (which such transmission licensee would have received after achieving COD) to generating company or the trading licensee on behalf of such generating company proportionate to commissioned generation capacity which has achieved commercial operation, in case no alternative arrangement is made by the transmission licensee in consultation with CTU to evacuate the power of such generating station, in case no alternative arrangement is made by CTU.</p> <p>Provided that in case of non-payment of transmission charges by the transmission licensee to the generating company or the trading licensee, as the case may be, such charges shall be recovered by the CTU from the Contract Performance Guarantee furnished by</p>	<p>India beyond its scheduled date and the generating company is ready with its generating station or unit(s), the transmission licensee shall pay the generating transmission charges (which such transmission licensee would have received after achieving COD) to generating company or the trading licensee on behalf of such generating company, the yearly transmission charges (which such transmission licensee would have received after achieving its COD) proportionate to commissioned generation capacity which has achieved commercial operation corresponding to quantum of GNA granted in case no alternative arrangement is made by the transmission licensee in consultation with CTU to evacuate the power of such generating station, in</p>	<p>licensee to generating /trading licensee in case transmission system is delays and no alternate arrangement is made by transmission licensee. For better clarity, compensation to be paid by transmission licensee has to be linked to GNA capacity which has achieved COD. Further, 3 month time after due date is to be considered for encashment of CPG in line with Regulation 16 (3) of GNA Regulations.</p>

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
15 (4-i) New Clause		the transmission licensee and paid to the generating company.	<p>case no alternative arrangement is made by CTU.</p> <p>Provided that in case of non-payment of transmission charges for more than three months from due date by the transmission licensee to the generating company or the trading licensee, as the case may be, such charges shall be recovered by the CTU from the Contract Performance Guarantee furnished by the transmission licensee and paid to the generating company.</p>	New clause 15 (4-i) is proposes liability in case of relinquishment of GNA. There may be cases where, only part quantum is relinquished by
		If a Cross Border Customer who has been granted GNA on existing margins with no augmentation in Indian Grid, relinquishes GNA granted under these Regulations, the subsisting Application Bank Guarantee and Access Bank Guarantee shall be encashed by the CTU. In case of no	If a Cross Border Customer who has been granted GNA on existing margins with no augmentation in Indian Grid, relinquishes GNA granted in part or full under these Regulations, the subsisting Application Bank	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
15 (5)	In case there is delay in commissioning of the generating station and associated transmission system beyond the timelines agreed in the Long Term Access Agreement, and long-term access has been operationalized, the transmission charges if not	In case there is delay in commissioning of the generating station and associated dedicated transmission system beyond the timelines agreed in the GNA long-term access Agreement, and GNA long-term access has been operationalized, the transmission charges if not paid by the Cross Border Customer generator as provided in Clause (3) of Regulation 14, shall be recovered by CTU by encashing the Access Bank Guarantee	Guarantee and Access Bank Guarantee shall be encashed by the CTU in proportion to the relinquished quantum. In case of no subsisting Access Bank Guarantee, one month transmission charges payable by such entity in proportion to the relinquished relinquished quantum under the Sharing Regulations shall be payable as relinquishment charges.	Cross Border Customer, in that case Subsisting Access Bank Guarantee should be encashed corresponding to relinquished quantum. Further, One month charges should be levied corresponding to relinquished quantum.
				Clause 15(5) deals with encashment of Access Bank Guarantee in case of GNA is operationalised and Generator /associated dedicated transmission system is delayed and transmission charge

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	<p>paid by the generator as provided in Clause (3) of Regulation 14, shall be recovered by CTU by encashing the Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be.</p>	<p>submitted in terms of Clause (1) or Clause (2), as the case may be.</p>	<p>Customer generator for more than three months from due date as provided in Clause (3) of Regulation 14, shall be recovered by CTU by encashing the Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be.</p>	<p>as per clause 14(3) are not paid by Cross Border Customer. However, 3 month time after due date in line with GNA Regulations is to be provided before encashment of Access Bank Guarantee. As per provisions in GNA Regulations. Connectivity revocation. In case of non payment of charges and if the Bank guarantee is not available connectivity / GNA granted should be revoked. In case of delay in payment LPS rules should be applicable.</p>
15 (7)	<p>The quantum of Access Bank Guarantee submitted in terms of Clause (1) or</p>	<p>The quantum of Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be,</p>		<p>In case of non payment of charges and if the Bank</p>

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
	<p>Clause (2), as the case may be, shall be progressively reduced each year after the generating company begins to avail long term access corresponding to one fifth of its total value. On completion of each year, one fifth of the value of Access Bank Guarantee shall be returned to the Applicant each year up to fourth year and one-fifth of the Access Bank Guarantee shall be retained upto twelfth year of the long term access as a security towards relinquishment charges. The Applicant shall submit revised Access Bank Guarantee accordingly.</p>	<p>shall be progressively reduced each year after the Cross Border Customer generating company begins to avail GNA long term access corresponding to one fifth of its total value. On completion of each year, one fifth of the value of Access Bank Guarantee shall be returned to the Cross Border Customer Applicant each year up. to fourth year and one fifth of the Access Bank Guarantee shall be retained upto twelfth year of the long term access as a security towards relinquishment charges. The Applicant shall submit revised Access Bank Guarantee accordingly.</p>		<p>guarantee is not available Connectivity / GNA granted should be revoked. In case of delay in payment LPS rules should be applicable.</p>

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
15 (10) New Clause		The amount received from the encashment of Application Bank Guarantee and Access Bank Guarantee shall be adjusted in Monthly Transmission Charges under the Sharing Regulations."	The amount received from the encashment of Application Bank Guarantee and Access Bank Guarantee shall be used for reducing Monthly Transmission Charges under the Sharing Regulations."	Wording aligned with GNA regulations for similar provisions.
30 (1)	PoC injection charges or PoC withdrawal charges for delivery of electricity at the pooling station within India shall be governed as per provisions of Sharing Regulations	(a) Transmission charges towards the use of ISTS of India shall be payable for drawl from Indian Grid by Cross Border Customer as per provisions of the Sharing Regulations. (b) The transmission charges for the Cross Border Transmission Link(s) covered under Clauses (1) and (2) of Regulation 7 of these regulations shall be payable as per Government-to-Government negotiations. (c) The transmission charges for the use of the Cross Border Transmission Link developed under Clause (2-i) and (2-ii) of Regulation 7 of these regulations shall be		Modifications suggested in Annex-II



Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
Annex-II (a) New Clause		<p>recovered as detailed at Annexure-II to these regulations.</p> <p>The transmission charges for the use of the Indian portion of Cross Border Transmission Link, developed under Clause (2-i) of Regulation 7 of these regulations, if utilized for open access, shall be recovered in the following manner:</p> <p>i. The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the portion of CBTL.</p> <p>ii. The YTC corresponding to the capacity under open access shall be determined on a pro-rata basis. A per unit rate shall be determined considering the capacity under open access by dividing prorated YTC by the anticipated yearly energy transaction over the link for the</p>	<p>i. The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the Indian portion of CBTL.</p> <p>ii. The YTC corresponding to the capacity under open access shall be determined on a pro-rata</p>	

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		<p>capacity under open access. Such anticipated yearly energy transactions shall be determined by the Designated Authority. In case of uncertainty in the determination of energy transaction, energy corresponding to surge impedance loading shall be used for determination of per unit rate.</p> <p>iii. The per unit rate shall be payable by the:</p> <p>a. Participating entity drawing power through the CBTL based on scheduled drawal.</p> <p>b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at per unit rate as determined under sub-clause (ii) of this Clause.</p> <p>iv. Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p>	<p>basis. A per unit rate shall be determined considering the capacity under open access by dividing prorated YTC by the anticipated yearly energy transaction over the link for the capacity under open access. Such anticipated yearly energy transactions shall be determined by the Designated Authority. In case of uncertainty in the determination of energy transaction, energy corresponding to surge impedance loading shall be used for determination of per unit rate.</p> <p>iii. The per unit rate shall be payable by the:</p> <p>a. Participating entity drawing power through the CBTL based on scheduled drawal.</p>	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		<p>v. Actual injection over and above approved access quantum (under sub-clause (iii)(b) of this Clause, shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>vi. If over recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared between in the ratio of 20:80 between the owner of CBTL and entities who scheduled injection/drawl through the CBTL under open access.</p>	<p>b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at per unit rate as determined under sub-clause (ii) of this Clause.</p> <p>iv. Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>v. Actual injection over and above approved access quantum (under sub-clause (iii)(b) of this Clause, shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p>	

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Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
			<p>vii. If over recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared between in the ratio of 20:80 between the owner of CBTL and entities who scheduled injection/drawl through the CBTL under open access.</p> <p>viii. Transmission charges paid by the entities under Collective transactions at Indian Power exchanges for using such CBTL at per unit rate as determined under sub-clause (ii) of this Clause shall be collected and the details of the same may be separately maintained by Grid-India or any other</p>	



Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
Annex-II (b) New Clause		<p>The transmission charges for the use of the Indian portion of Cross Border Transmission Link, developed under Clause (2-ii) of Regulation 7 of these regulations shall be recovered in the following manner:</p> <p>i. The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the CBTL.</p> <p>ii. The capacity of such transmission system may be booked on a dedicated basis by Participating entities, in which case YTC corresponding to such booked capacity shall be paid by such</p>	<p>Nodal Agency as nominated for adjustment provided under sub-clause (vi) of this Clause.</p> <p>The transmission charges for the use of the Indian portion of Cross Border Transmission Link, developed under Clause (2-ii) of Regulation 7 of these regulations shall be recovered in the following manner:</p> <p>i. The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the CBTL.</p> <p>ii. The capacity of such transmission system</p>	<p>Detailed remarks is provided at the bottom of the table*</p>

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		<p>Participating entity to such transmission licensee.</p> <p>iii. The YTC corresponding to the capacity under open access shall be determined on a pro-rata basis. A per unit rate shall be determined considering the capacity under open access by dividing prorated YTC by the anticipated yearly energy transaction over the link for the capacity under open access. Such anticipated yearly energy transactions shall be determined by the Designated Authority.</p> <p>iv. The per unit rate shall be payable by the:</p> <p>a. Participating entity drawing power through the CBTL based on scheduled drawal.</p> <p>b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at per unit rate as</p>	<p>may be booked on a dedicated basis by Participating entities, in which case YTC corresponding to such booked capacity shall be paid by such Participating entity to such transmission licensee.</p> <p>iii. The YTC corresponding to the capacity under open access shall be determined on a pro-rata basis. A per unit rate shall be determined considering the capacity under open access by dividing prorated YTC by the anticipated yearly energy transaction over the link for the MW capacity under open access. Such anticipated yearly energy transactionsMW capacity under open</p>	

Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
		<p>determined under sub-clause (ii) of this Clause.</p> <p>v. Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>vi. Actual injection over and above approved access quantum (under sub-clause (iii)(b) of this Clause, shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>vii. If the average recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared in the ratio of 20:80 between the owner of CBTL and entities who scheduled drawal through the CBTL.</p>	<p>access shall be determined by the Designated Authority.</p> <p>iv. The per unit rate shall be payable by the:</p> <p>a. Participating entity power drawing through the CBTL based on scheduled drawal/MW capacity contracted..</p> <p>b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at per unit rate as determined under sub-clause (ii) of this Clause.</p>	



Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
			<p>v. Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>vi. Actual injection over and above approved access quantum (under sub-clause (iii)(b) of this Clause, shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.</p> <p>vii. If the average recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared in the ratio of 20:80 between the owner of CBTL and entities who scheduled drawl/contract</p>	



Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUIL in the draft	Remarks
33 (3)	(3) In case of default of payment of Transmission Charges and other Grid related charges, the Cross Border Customer shall be denied access to the Indian		<p>“In case of failure on the part of maintain or replenish the Letter of Credit or such other instrument of payment security mechanism for the required amount, payment of</p>	<p>Surcharge and Regulatory Action under LPS rules is to be made applicable in case of default in payment of charges</p>
			<p>MW capacity through the CBTL.</p> <p>viii. Transmission charges paid by the entities under Collective transactions at Indian Power exchanges for using such CBTL at per unit rate as determined under sub-clause (ii) of this Clause shall be collected and the details of the same may be separately maintained by Grid-India or any other Nodal Agency as nominated for adjustment provided under sub-clause (vi) of this Clause.</p>	



Clause	Existing clause	Amendment proposed in the draft	Modifications proposed by CTUILL in the draft	Remarks
	Grid till discharge of its dues.		Transmission Charges and other Grid related charges, Cross Border Customer shall be liable for action in accordance with the LPS Rules."	under these regulations or Sharing regulations.
New proposed clause			A new clause defining "Due date" in line with CERC Sharing Regulations may be added considering the same entity may be required to pay ISTS charges as per Sharing Regulations in addition to charges for CBTL.	Definition of due date may be added for better clarity.

*The recovery of transmission charges on the basis of energy flow is departure from the present practice of recovery of total transmission charges through sharing, on the basis of MW usage.

1. This condition may result in difficulty in planning of capacity of DTS or CBTL. For example, there is initial requirement of 500MW transfer capacity from say Nepal to India, the DTS/CBTL can be planned with Twin Moose (1100MVA per circuit) or Quad Moose (2200MVA per circuit). Foreseeing the future requirement and to optimise RoW at border, the tendency is generally to adopt higher capacity link i.e. Quad Moose. The anticipated energy flow calculations shall be difficult and further the per unit charges value shall also be affected on yearly basis. The entities in such case may resort to insist on planning capacity just commensurate with the access requirements, which shall be sub optimal planning. There will be various subjectivities in calculations.
2. Such practice may also result in under recovery of transmission charges, if transacted energy is less than anticipated energy. Further, the anticipated energy would also likely be less than the energy corresponding to the total capacity of the CBTL because of the requirement to plan for the higher

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capacity in order to conserve the ROW and that the transmission system is lumpy in nature. It shall be against the interest of the transmission licensee implementing the Indian portion of the DTS/CBTL.

3. Further, in case of multiple parallel AC links between two countries, it shall be difficult to assess the power transfer capability of individual links as the Total Transfer Capability is dependent on various factors such as capacity of individual links, load-generation balance, reliability criteria to be adopted etc. In case of unavailability of individual link capacity, assessing anticipated energy values for each link shall be an issue.

