

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

No. 13/2/7/2015-PM/CERC

Dated: 31.12.2024

DRAFT NOTIFICATION

In exercise of the powers conferred by Section 178 of the Electricity Act 2003 (36 of 2003) read with Section 66 thereof and the Guidelines on Import /Export (Cross Border) of Electricity, 2018 issued by the Ministry of Power, Government of India, and all other powers enabling it in this behalf, the Central Electricity Regulatory Commission hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019 (hereinafter referred to as “the Principal Regulations”), namely:

1. Short Title and Commencement

- (1) These regulations may be called the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) (Second Amendment) Regulations, 2024.
- (2) These regulations shall come into force with effect from the date of their publication in the Official Gazette.

2. Amendment to Clause (1) of Regulation 2 of the Principal Regulations:

- (1) The words “long-term access,” appearing multiple times, shall be replaced with the words “General Network Access (GNA)” in sub-clause (d) of Clause (1) of Regulation 2 of the Principal Regulations.
- (2) The words “or an electricity trading licensee of India” shall be inserted at the end of sub-clause (e) of Clause (1) of Regulation 2 of the Principal Regulations.
- (3) The words “long-term access, medium-term open access, and short-term open access” shall be replaced with the words “GNA and T-GNA” in sub-clause (f) of Clause (1) of Regulation 2 of the Principal Regulations.

- (4) The words “which has been granted long-term access or medium-term open access or short-term open access” shall be replaced with the words “that has been granted GNA or T-GNA” in sub-clause (g) of Clause (1) of Regulation 2 of the Principal Regulations.
- (5) A new sub-clause, namely, sub-clause (k-i), shall be added after sub-clause (k) in Clause (1) of Regulation 2 of the Principal Regulations, as under:
- “(k-i) ‘Communication Regulations’ means Central Electricity Regulatory Commission (Communication System for inter-State transmission of electricity) Regulations, 2017;”
- (6) The words “the purpose of cross border trade of electricity” shall be replaced with the words “entities covered under Regulation 10 of these regulations” in sub-clause (m) of Clause (1) of Regulation 2 of the Principal Regulations.
- (7) Sub-clause (n) of Clause (1) of Regulation 2 of the Principal Regulations shall be deleted.
- (8) The words “or CTU, as the case may be,” shall be added after the words “Long Term Transmission Customers” in sub-clause (o) of Clause (1) of Regulation 2 of the Principal Regulations.
- (9) Sub-clause (r), of Clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:
- “(r) ‘Cross Border Customer’ means an entity who has been granted GNA or T-GNA, as the case may be, for carrying out cross border trade of electricity in accordance with these regulations;”
- (10) Sub-clause (s), of Clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:
- “**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 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;”

(11) Sub-clause (u) of Clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:

“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;”

(12) The word “2014” shall be replaced with the word “2024” in sub-clause (x) of Clause (1) of Regulation 2 of the Principal Regulations.

(13) Two new sub-clauses, namely, sub-clause (y-i) and sub-clause (y-ii), shall be added after sub-clause (y) in Clause (1) of Regulation 2 of the Principal Regulations, as under:

“(y-i) General Network Access (GNA)’ shall have the same meaning as defined under the GNA Regulations;

(y-ii) ‘GNA Regulations’ means the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022;”

(14) The word “2010” shall be replaced with the word “2023” in sub-clause (z) of Clause (1) of Regulation 2 of the Principal Regulations;

(15) Sub-clause (ff), sub-clause (hh), sub-clause (mm) and sub-clause (oo) of Clause (1) of Regulation 2 of the Principal Regulations shall be deleted.

(16) The words “which has been granted long-term access or medium-term open access or short-term open access” shall be replaced with the words “that has been granted GNA or T-GNA” in sub-clause (ss) of Clause (1) of Regulation 2 of the Principal Regulations.

(17) The word “2010” shall be replaced with the word “2020” in sub-clause (uu) of Clause (1) of Regulation 2 of the Principal Regulations;

(18) Sub-clause (vv) and sub-clause (ww) of Clause (1) of Regulation 2 of the Principal Regulations shall be deleted.

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

“(yy-i) ‘Temporary General Network Access (T-GNA)’ shall have the same meaning as defined under the GNA Regulations;”

(20) The words “Connectivity Regulations or STOA” shall be replaced with the word “GNA” in Clause (2) of Regulation 2 of the Principal Regulations;

(21) A new Clause, namely, Clause (3), shall be added after Clause (2) of Regulation 2 of the Principal Regulations, as under:

“(3) Reference to any Acts, Rules and Regulations shall include amendments or consolidation or re-enactment thereof.

3. Amendment to Regulation 3 of the Principal Regulations:

(1) The words “and the SNAs” shall be added at the end of the main paragraph of Clause (1) of Regulation 3 of the Principal Regulations.

(2) The words “long-term access or medium-term open access or short-term open access” shall be replaced with the words “GNA or T-GNA” in the proviso, and the words “Connectivity Regulations or STOA” shall be replaced with the word “GNA” in the proviso of Clause (1) of Regulation 3 of the Principal Regulations.

(3) A new sub-clause (iv) shall be added after sub-clause (iii) in Clause (2) of Regulation 3 of the Principal Regulations, as under:

“(iv) through Indian Power Exchange in terms of Regulation 6 of these regulations;”

4. Amendment to Regulation 4 of the Principal Regulations:

(1) The words “short-term open access” shall be replaced with the word “T-GNA” in Clause (4) of Regulation 4 of the Principal Regulations, and the words “and the GNA Regulations” shall be added at the end, in Clause (4) of Regulation 4 of the Principal Regulations.

(2) The words “long-term access and medium-term open access” shall be replaced with the words “GNA” in Clause (5) of Regulation 4 of the Principal Regulations.

5. Amendment to Regulation 5 of the Principal Regulations:

- (1) The words “or by the Commission if agreed by both parties” shall be added at the end of the second proviso to Clause (3) of Regulation 5 of the Principal Regulations.

6. Amendment to Regulation 7 of the Principal Regulations:

- (1) Clause (2) of Regulation 7 of the Principal Regulations shall be substituted as under:

“(2) The manner of implementation of Cross Border Transmission Link covered under Clause (1) of this Regulation, between the pooling station within India till the Indian border and the implementing agency shall be decided by the Government of India.

(2-i) A participating entity having a generating station or a drawl facility located in one country may develop, operate, and maintain the dedicated transmission system from their generating station or drawl facility to the pooling station of a neighbouring country at its own cost after obtaining all the necessary approvals from respective countries:

Provided that spare capacity in the dedicated transmission system can be utilized by other entities under open access, subject to payment of transmission charges as per Regulation 30 (1) of these regulations.

(2-ii) A transmission licensee may develop, operate, and maintain Indian portion of CBTL after obtaining the necessary approvals from the Government of India, for the purpose of facilitating the transaction of power between the neighbouring countries under open access, subject to payment of transmission charges by the participating entities as per Regulation 30 (1) of these Regulations.”

- (2) The words “covered under Clauses (1) and (2) of this Regulation” shall be added after the words “Cross Border Transmission Link” in Clause (3) of Regulation 7 of the Principal Regulations.
- (3) The word “PoC charges” shall be replaced with the words “Yearly Transmission charges” in Clause (4) of Regulation 7 of the Principal Regulations.
- (4) Clause (5) of Regulation 7 of the Principal Regulations shall be deleted.

7. Amendment to Regulation 8 of the Principal Regulations:

- (1) The words “Long Term Access, Medium Term Open Access, and Short Term Open Access” shall be replaced with the words “GNA and T-GNA” in the title of Regulation 8 of the Principal Regulations.
- (2) Clause (1) of Regulation 8 of the Principal Regulations shall be substituted as under:

“(1) 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.”
- (3) The words “long-term access or medium-term open access” shall be replaced with the word “GNA”, and the words “short-term open access” shall be replaced with the word “T-GNA” in Clause (2) of Regulation 8 of the Principal Regulations.
- (4) The words “STOA Regulations and Connectivity” shall be replaced with the word “GNA” in Clause (3) of Regulation 8 of the Principal Regulations.
- (5) A new Clause (4) shall be added after Clause (3) of Regulation 8 of the Principal Regulations, as under:

“(4) Connectivity granted under these regulations shall allow connection to the Indian grid but shall not confer any rights towards transmission access (GNA or T-GNA) for the Indian Grid, which shall be required to be obtained separately.”

8. Amendment to Regulation 9 of the Principal Regulations:

- (1) Clause (1) of Regulation 9 of the Principal Regulations shall be substituted as under:

“(1) The applications for connectivity or GNA shall be accompanied by a non-refundable application fee of Rs 5 lac in Indian Rupees, payable in the name and in the manner to be laid down by the CTU.”
- (2) The words “Participating Entities along with the application for long-term access” shall be replaced with the words “Applicant along with the application for grant of GNA” in Clause (2) of Regulation 9 of the Principal Regulations.

- (3) Clause (3) of Regulation 9 of the Principal Regulations shall be substituted as under:
- “(3) The fee for T-GNA applications shall be Rs 5000 in Indian Rupees per application.”

9. Amendment to Regulation 10 of the Principal Regulations:

- (1) The words “. In addition to the requirements specified under Connectivity Regulations, the Applicant shall furnish” shall be replaced with the words “along with” in the main paragraph of Clause (2) of Regulation 10 of the Principal Regulations.
- (2) A new sub-clause (c) shall be added after Clause (2) of Regulation 10 of the Principal Regulations, as under:
- “(c) Application Bank Guarantee (Conn-BG1) for Rs 50 Lac in Indian Rupees per application”
- (3) The words “the Detailed Procedure made under Connectivity” shall be replaced with the word “these” in Clause (3) of Regulation 10 of the Principal Regulations.
- (4) Clause (4) of Regulation 10 of the Principal Regulations shall be substituted as under:
- “(4) Upon grant of Connectivity, an agreement as provided in the Central Electricity Authority (Technical Standards for Connectivity to the Grid), Regulations, 2007 shall be signed between the entity which has been granted Connectivity, CTU, and such inter-State transmission licensee to whose inter-State transmission system, the Connectivity has been granted.”
- (5) The words “long-term access or medium-term open access or short-term open access” shall be replaced with the words “GNA or T-GNA” in Clause (5) of Regulation 10 of the Principal Regulations.
- (6) New Clauses (7) to (10) shall be added after Clause (6) of Regulation 10 of the Principal Regulations, as under:
- “(7) A generating station supplying power exclusively to a neighbouring country through a dedicated transmission system may seek connectivity and access to Indian Grid as per Annexure-I to these regulations.

(8) 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 Transmission Charges under the Sharing Regulations.

(9) In case application for Connectivity under these regulations is withdrawn, Application Bank Guarantee submitted under this regulation shall be encashed.

(10) The Application Bank Guarantee submitted under this regulation shall be returned within thirty (30) days of physical connection to Indian Grid through the dedicated transmission system.”

10. Amendment to Regulation 11 of the Principal Regulations:

- (1) The words “Short Term Open Access” shall be replaced with the word “T-GNA” in the title of Regulation 11 of the Principal Regulations.
- (2) Clause (1) of Regulation 11 of the Principal Regulations shall be substituted as under:
“(1) The Application for grant of T-GNA to the Indian grid by a Participating entity located in the neighbouring Country or by an electricity trading licensee of India, for the purpose of injection into the Indian grid or drawal from the Indian grid, for cross border trade of electricity shall be made to NLDC under these Regulations, subject to Regulation 6 of these regulations”.
- (3) The words “STOA Regulations for grant short-term open access” shall be replaced with the words “the GNA Regulations for grant of T-GNA” in the main paragraph of Clause (2) of Regulation 11 of the Principal Regulations.
- (4) Clause (3) of Regulation 11 of the Principal Regulations shall be substituted as under:
“(3) NLDC shall process the Application and grant T-GNA in accordance with the GNA Regulations.”

11. Amendment to Regulation 12 of the Principal Regulations:

(1) The words “Long Term Access and Medium Term Open Access” shall be replaced with the words “General Network Access (GNA)” in the title of Regulation 12 of the Principal Regulations.

(2) Clause (1) of Regulation 12 of the Principal Regulations shall be substituted as under:

“(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 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. “

(3) The word “Connectivity Regulations for grant of long-term access or medium-term open access” shall be replaced with the word “GNA Regulations for grant of GNA” in the main paragraph of Clause (2) of Regulation 12 of the Principal Regulations.

(4) Sub-clause(c) shall be substituted with sub-clauses (c) and (d) in Clause (2) of Regulation 12 of the Principal Regulations as under:

“(c) Application Bank Guarantee (GNA-BG1) for Rs. 50 lac in Indian Rupees per application;

(d) Access Bank Guarantee (GNA-BG2) as specified under Regulation 15 for GNA.”

- (5) Clause (3), Clause (4) and Clause (5) of Regulation 12 of the Principal Regulations shall be substituted as under:

“(3) CTU shall process the application and grant GNA to the Indian grid in accordance with the GNA Regulations except for the provisions specified herein.

(4) Upon grant of GNA for cross border trade of electricity, the entity who has been granted GNA shall sign the GNA Agreement with CTU, which shall contain the date of commencement of GNA, the point of injection or drawal of power into/from the Indian grid.

(5) Implementation of the transmission system augmentation in the Indian Grid, if any, for grant of GNA shall be undertaken only after the applicant has submitted the Access Bank Guarantee specified under Clause (2) of Regulation 15 of these regulations.”

12. Amendment to Regulation 13 of the Principal Regulations:

- (1) The words “Long Term Access and Medium Term Open Access” shall be replaced with the words “GNA” in the title of Regulation 13 of the Principal Regulations.
- (2) The words “long-term access” shall be replaced with the word “GNA” in Clause (1) and Clause (2) of Regulation 13 of the Principal Regulations.
- (3) Clause (3) of Regulation 13 of the Principal Regulations shall be deleted.

13. Amendment to Regulation 14 of the Principal Regulations:

- (1) Clause (3) of Regulation 14 of the Principal Regulations shall be substituted as under
- “(3) 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:

(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.

(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).”

(2) Clause (5) of Regulation 14 of the Principal Regulations shall be substituted as under:

“(5) In the event of delay by the transmission licensee in commissioning of the transmission system within 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 (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 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:

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 the transmission licensee and paid to the generating company.”

14. Amendment to Regulation 15 of the Principal Regulations:

(1) The words “long-term access” appearing multiple times shall be replaced with the word “GNA” in Clause (1) and in Clause (2) of Regulation 15 of the Principal Regulations.

(2) The words and numbers “valid for five (5) years” shall be deleted from Clause (2) of Regulation 15 of the Principal Regulations.

(3) Clause (3) of Regulation 15 of the Principal Regulations shall be substituted as under:

“(3) The Cross Border Customer who has been granted GNA may approach CTU and seek permission to exit prior to the award of the contract for execution of the transmission system by the transmission licensee. All such requests shall be considered and decisions communicated to the applicant not later than thirty (30) days from the date of the request:

Provided that where exit is permitted, the CTU shall encash the Application Bank Guarantee and return the Access Bank Guarantee.”

(4) The words “long-term access” shall be replaced with the word “GNA” in Clause (4) of Regulation 15 of the Principal Regulations.

(5) A new Clause (4-i) shall be inserted after Clause (4) of Regulation 15 of the Principal Regulations as under:

“(4-i) 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 subsisting Access Bank Guarantee, one month transmission charges payable by such entity under the Sharing Regulations shall be payable as relinquishment charges.”

(6) Clause (5), Clause (6), and Clause (7) of Regulation 15 of the Principal Regulations shall be substituted with Clauses (5) to (10) as under:

“(5) In case there is a delay in the commissioning of the generating station and associated dedicated transmission system beyond the timelines agreed in the GNA Agreement, and GNA has been operationalized, the transmission charges if not paid by the Cross Border Customer 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.

(6) If a Cross Border Customer relinquishes Transmission Access granted under these Regulations after operationalization of GNA, subsisting Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be, shall be encashed by the CTU subject to Clause (7) of this Regulation.

(7) The quantum of Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be, shall be progressively reduced each year after the Cross Border Customer begins to avail of GNA corresponding to one-fifth of its total value. On completion of each year, one-fifth of the value of the Access Bank Guarantee shall be returned to the Cross Border Customer each year.

(8) Application Bank Guarantee submitted along with application for GNA shall be returned within a period of 30 days of Commercial Operation declaration of the generating station or start of drawl of power, as the case may be, under the GNA by the entity which has been granted GNA.

(9) In case an electricity trading licensee of India is making an application for a grant of GNA, it may furnish the Access Bank Guarantee issued by the entity on whose behalf such trading licensee has sought GNA, subject to a condition that Access Bank guarantee shall be issued by any scheduled commercial bank in India recognized by Reserve Bank of India.

(10) 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.”

15. Amendment to Regulation 16 of the Principal Regulations:

- (1) The words “Long Term Access” shall be replaced with the words “GNA” in the title of Regulation 16 of the Principal Regulations.

- (2) The words “long-term access” and the words “Long Term Transmission Access” shall be replaced with the word “GNA” in Clause (1) and in Clause (2) of Regulation 16 of the Principal Regulations.

16. Amendment to Regulation 18 of the Principal Regulations:

- (1) Clause (2) of Regulation 18 of the Principal Regulations shall be substituted as under:
- “(2) All Participating Entities shall ensure that the voice and data communication facilities to telemeter power system parameters such as power flow, voltage, and status of switches or transformer taps, etc., are installed in line with interface requirements as per the Communication Regulations and Central Electricity Authority (Technical Standards for Communication System in Power System Operations) Regulations, 2020 and amendment thereof. The associated voice and data communication system to facilitate voice and data flow up to the appropriate data collection point on the CTU system shall be established by the concerned Participating Entities as specified by CTU in the Connection Agreement.

17. Amendment to Regulation 21 of the Principal Regulations:

- (1) Clause (1) of Regulation 21 of the Principal Regulations shall be substituted as under:
- “(1) All Participating Entities shall have in place a cyber-security framework in accordance with the Information Technology Act, 2000; CEA (Technical Standards for Connectivity) Regulations, 2007; CEA (Cyber Security in Power Sector) Guidelines, 2021 and any such regulations issued from time to time, by an appropriate authority, to identify the critical cyber assets and protect them and shall conduct Cyber Security Audit, so as to support reliable operation of the grid. NLDC shall monitor the progress in this regard.”

18. Amendment to Regulation 23 of the Principal Regulations:

- (1) The words “costly” shall be replaced with the words “critical” in sub-clause (c) of Clause (2) of Regulation 23 of the Principal Regulations.
- (2) Clause (5) of Regulation 23 of the Principal Regulations shall be substituted as under:

“The Control Centres of the System Operators and the Substation Control Rooms at either end of the Cross Border Transmission Link or at the participating entity control centres shall be manned by adequate and trained manpower at all times to facilitate the round-the-clock operation of the cross border interconnections or the dedicated transmission system.”

19. Amendment to Regulation 25 of the Principal Regulations:

- (1) The words “Part-6” shall be deleted in Clause (2) of Regulation 25 of the Principal Regulations.

20. Amendment to Regulation 26 of the Principal Regulations:

- (1) The words “DSM Regulations in India” shall be replaced with the words “charges for the general seller and buyer under the DSM Regulations in India for injecting and buying entities” in Clause (6) of Regulation 26 of the Principal Regulations.

21. Amendment to Regulation 27 of the Principal Regulations:

- (1) Clause (2) of Regulation 27 of the Principal Regulations shall be substituted as under:

“(2) The curtailment shall be carried out in terms of provisions of the Grid Code, with T-GNA to be curtailed first (within transactions under T-GNA, bilateral transactions shall be curtailed first followed by collective transactions under day ahead market followed by collective transactions under real time market), followed by the GNA:

Provided that amongst the grantees of access to a particular category, curtailment shall be carried out on a pro-rata basis.

22. Amendment to Regulation 29 of the Principal Regulations:

- (1) The words “, or earlier as per requirements” shall be added after the word “meetings” in Regulation 29 of the Principal Regulations.

23. Amendment to Regulation 30 of the Principal Regulations:

- (1) Clause (1) of Regulation 30 of the Principal Regulations shall be substituted as under:

“(1)

(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 recovered as detailed at Annexure-II to these regulations.”

24. Amendment to Regulation 31 of the Principal Regulations:

(1) Regulation 31 of the Principal Regulations shall be substituted as under:

“31. Transmission Losses

In line with the provisions of Scheduling and Despatch Procedure of Grid Code and Regulation 10 of the Sharing Regulations the transmission losses shall be applied at the rate of Average all India ISTS losses for drawal schedules at Indian end of the Cross Border Transmission Link.”

25. Amendment to Regulation 32 of the Principal Regulations:

(1) The word “2009” shall be replaced with the word “2024” in Clause (1) of Regulation 32 of the Principal Regulations.

26. Amendment to Regulation 33 of the Principal Regulations:

(1) The words “long-term access and medium-term open access” shall be replaced with the word “GNA” in Clause (2) of Regulation 33 of the Principal Regulations.

27. Annexure-I and Annexure-II:

- (1) Annexure-I and Annexure-II shall be added at the end of the Principal Regulations as under:

“

Annexure-I

Modalities for Connectivity, GNA, T-GNA for an entity under Regulation 10(7) of these regulations

- (a) Such entity shall take approval from the Government of India for such additional connectivity and access with the Indian Grid. The Applicant shall be required to make a separate application for a grant of connectivity to the Indian Grid and Access to the Indian Grid (GNA or T-GNA).
- (b) The application for a grant of connectivity to the Indian Grid shall be accompanied by an application fee of Rs 5 lac, Application Bank Guarantee of Rs 50 lacs.
- (c) CTU, within 60 days of receipt of an application for connectivity, shall grant the connectivity.
- (d) Grant of connectivity to such applicant shall not confer the right for the transaction of power into the Indian Grid. Such Applicant shall separately apply for GNA or T-GNA for transaction power into Indian Grid.
- (e) The application for a grant of GNA shall be accompanied by an application fee of Rs 5 lac in Indian Rupees and Access Bank Guarantee as per Regulation 15(1) of these regulations.
- (f) In case the grant of GNA requires augmentation of ISTS, CTU, within 90 days of receipt of an application for GNA, shall inform the applicant of the amount of Access Bank Guarantee to be furnished by the Applicant as per Regulation 15(2) of these regulations. The applicant shall be required to furnish such Access Bank Guarantee within one month of such intimation by CTU, and upon submission of the revised Access Bank Guarantee, the Access Bank Guarantee submitted along with the application shall be returned.
- (g) Applicant may seek T-GNA under Advance application or Exigency Application as per timelines provided in the GNA Regulations for the purpose of injection in the Indian Grid or drawl of power from Indian Grid (drawl only for the purpose of startup

power or auxiliary consumption). Each application for T-GNA shall be accompanied by a non-refundable application fee of Rs. 5000 in Indian Rupees per application.

- (h) The grant of GNA or T-GNA shall be limited up to the quantum of connectivity granted;
- (i) Applicant shall develop, operate, and maintain the dedicated transmission system up to the ISTS point, along with associated bay(s) at the ISTS substation;
- (j) Applicant 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.
- (k) The one-time charges paid by such entity shall be adjusted in Monthly Transmission Charges under the Sharing Regulations.
- (l) In case the entity withdraws the connectivity and GNA (if any), the subsisting Application Bank Guarantee and Access Bank Guarantee shall be encashed.
- (m) Application Bank Guarantee shall be returned within one month of the effective date of GNA. In case GNA is not obtained for any capacity, the Application Bank Guarantee shall be returned after five years from the date of connection with the Indian Grid.
- (n) Access Bank Guarantee shall be returned in five equal parts over five years after the effective date of GNA.
- (o) The mode of operation of the dedicated transmission system connecting to the Indian Grid shall be as per the Standard Operating Procedure (SOP) issued in this regard.

Annexure-II

- (a) 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:
- 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.
 - 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 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.
 - iii. The per unit rate shall be payable by the:
 - a. Participating entity drawing power through the CBTL based on scheduled drawal.
 - 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.
 - 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.
 - 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.
 - 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.

(b) 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:

- 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.
- 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 Participating entity to such transmission licensee.
- 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.
- iv. The per unit rate shall be payable by the:
 - a. Participating entity drawing power through the CBTL based on scheduled drawal.
 - 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.
- 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.
- 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.

- 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 through the CBTL.
- (c) If agreed between governments of the two countries, and where the entity owning the portion of Cross Border Transmission Link located in neighbouring country approaches the Commission, the Tariff for a portion of CBTL located in the neighbouring Country shall be determined by the Commission and, the steps under sub-clauses (a) and (b) of this Annexure, shall be applicable for a portion of CBTL located in the neighbouring country also.

(Harpreet Singh Pruthi)
Secretary

Note:

- (1) The Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019, were published on 14.05.2019 in Part III, Section 4 of the Gazette of India (Extraordinary) No. 160.
- (2) The Central Electricity Regulatory Commission (Cross Border Trade of Electricity) (First Amendment) Regulations, 2023, were published on 26.12.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No. 857.