

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

No. L-1/250/2019/CERC

Dated: 9.10.2024

**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) (Fourth Amendment) Regulations, 2024.
- (2) These regulations shall come into effect from the date of publication in the official Gazette.

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

- (1) New Sub-clauses (aa-i) and (aa-ii) shall be included after subclause (aa) of Regulation 2 of the Principal Regulations as under:

(aa-i) ‘Tariff Regulations, 2024’ means the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024, as amended from time to time;

(aa-ii) ‘Terminal Bay’ shall have the same meaning as defined in GNA Regulations;

**3. Amendment to Regulation 12 of the Principal Regulations:**

- (1) A new Proviso shall be added after the third Proviso of sub-clause (a) of Clause (1) of Regulation 12 of the Principal Regulations as under:

“Provided also that for a Generating Station having dual connectivity to both inter-

State transmission system and intra-State transmission system, the transmission deviation shall be computed as net metered ex-bus injection, in a time block in excess of (GNA to the inter-State transmission system + Connectivity with STU system)”

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

- (1) The words “or (iv) REGS based on Offshore wind” shall be inserted after the words “(iii) generation based on hydro power sources” in Clause (2) of Regulation 13 of the Principal Regulations.
- (2) The words “or Hydro PSP ESS” shall be deleted in sub-clause (a) of Clause (2) of Regulation 13 of the Principal Regulations.
- (3) New sub-clauses (a-i) and (a-ii) shall be inserted after sub-clause (a) in Clause (2) of Regulation 13 of the Principal Regulations:

“(a-i) Hydro PSP ESS, which has awarded the contract on or before 30.6.2025, shall be eligible for a waiver of transmission charges for a period of 25 years from the COD, subject to conditions as per sub-clause (c) of this Clause.

(a-ii) REGS based on Offshore wind which has declared commercial operation on or before 31.12.2032 shall be eligible for a waiver of transmission charges for a period of 25 years, from the COD of said REGS.”

- (4) The sub-clause (b) of Clause (2) of Regulation 13 of the Principal Regulations shall be substituted as under:

“(b) Battery ESS which has declared commercial operation on or before 30.6.2025 shall be eligible for a waiver of transmission charges for a period of 12 years from the date of COD of such ESS subject to conditions as per sub-clause (c) of this Clause.”

- (5) The words ‘on or after 1.12.2022 but’ shall be added after the words “(b) construction work is awarded” in sub-clause (e) of Clause (2) of Regulation 13 of the Principal Regulations.

(6) The sub-clause (f) of Clause (2) of Regulation 13 of the Principal Regulations shall be substituted as under:

“(f) Waiver for REGS or RHGS based on wind or solar source or ESS or new Hydro projects or Green hydrogen or Green Ammonia Plants shall be calculated in terms of the following:

(i) REGS or RHGS based on wind or solar source or Battery ESS which is declared under commercial operation after 30.6.2025 or Hydro PSP ESS which has awarded the construction contract after 30.6.2025 shall be eligible for grant of waiver in the following manner:

Category	(i) Period of COD (for REGS or RHGS based on wind or solar source and Battery ESS / (ii) Period of award of construction work (for hydro PSP ESS)	Number of years from COD	% of drawl Schedule from identified generating station or ESS, to be considered under Annexure-III
<b>REGS or RHGS based on wind or solar source or Hydro PSP ESS</b>	1.7.2025 to 30.6.2026	25 years	75
	1.7.2026 to 30.6.2027	25 years	50
	1.7.2027 to 30.6.2028	25 years	25
	After 30.6.2028		0
<b>Battery ESS</b>	1.7.2025 to 30.6.2026	12 years	75
	1.7.2026 to 30.6.2027	12 years	50
	1.7.2027 to 30.6.2028	12 years	25
	After 30.6.2028		0

“

(ii) New hydro project where the award of construction work and signing of PPA takes place after 30.06.2025 shall be considered as follows:

Date of signing of PPA and award of construction work	Number of years from COD	% of drawl Schedule from hydro generating station, to be considered under Annexure-III
1.7.2025 to 30.6.2026	18 years	75
1.7.2026 to 30.6.2027		50
1.7.2027 to 30.6.2028		25
After 30.6.2028		0

“

(iii) REGS based on Offshore Wind which is declared under commercial operation on or after 1.01.2033, shall be considered as follows:

Period of COD	Number of years from COD	% of drawl Schedule from off shore wind generating station, to be considered under Annexure-III
01.01.2033 to 31.12.2033	25 years	75
01.01.2034 to 31.12.2034		50
01.01.2035 to 31.12.2035		25
After 31.12.2035		0

“

(iv) Waiver of transmission charges for the use of ISTS shall be applicable for Green Hydrogen or Green Ammonia Plant as a drawee DIC as follows:

Period of COD (1)	Number of years from COD (2)	% of drawl Schedule to be considered under Annexure-III* (3)
Upto 31.12.2030	25 years	100
01.01.2031 to 31.12.2031	25 years	75
01.01.2032 to 31.12.2032	25 years	50
01.01.2033 to 31.12.2033	25 years	25
After 01.01.2034		0

As a drawee DIC, a Green Hydrogen or Green Ammonia Plant having drawl schedule from (i) REGS or RHGS based on wind (including off shore wind) or solar source, (ii) ESS which is meeting at least 51% of its annual electricity requirement for pumping of water or charging of battery with electricity generated from REGS or RHGS based on wind or solar source and (iii) hydro generating station, shall be eligible to waiver considering drawl schedule as per Table under sub-clause (f-iii) or as per sub-clauses(a) to (f-i) of Clause (2) of this Regulation, whichever is higher.

**Illustration:**

(i) A Green Hydrogen plant, which declares COD on 01.01.2032 (eligible for 50% waiver as per Table under sub-clause (f-iii)), is scheduling power from a REGS based on wind source which has declared commercial operation on 01.07.2025 (eligible for 75% waiver under sub-clause (f)). In this case, the drawl schedule from such REGS to such Green Hydrogen plant will be considered @ 75% under Annexure-III.

(ii) A Green Hydrogen plant, which declares COD on 01.01.2030, is scheduling power from a REGS based on a wind source, which has declared commercial

operation on 01.07.2027. In this case, the drawl schedule from such REGS to such Green Hydrogen plant will be considered @ 100% under Annexure-III.

- (7) A new sub-clause (h) shall be inserted after sub-clause (g) under Clause (2) of Regulation 13 of the Principal Regulations as under:

“(h) Any REGS based on wind or solar source which is eligible for a waiver of inter-state transmission charges under Regulation 13(2) of these regulations and is having its scheduled date of commissioning on or before 30th June 2025 is granted extension of time to achieve COD by the competent authority in terms of the Power Purchase Agreements (where PPA has been entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee, consequent to tariff based competitive bidding) or the Commission (for cases other than specified PPA, on an appropriate application made by the entity), on account of any Force Majeure event including non-availability of transmission or for reasons not attributable to the REGS, and the project achieves COD before the extended date, it shall be eligible for a waiver of inter-state transmission charges as if the said REGS had achieved COD on 30.6.2025:

Provided that, for the purpose of this Clause, such extension shall not exceed a period of six months at a time and not more than two times.”

- (8) The second Proviso of Clause (3) of Regulation 13 of the Principal Regulations shall be substituted as follows:

“Provided further that for cases of augmentation without ATS and where the Terminal Bay(s) at the ISTS sub-station, in the scope of the transmission licensee have achieved COD, which is not earlier than the start date of Connectivity, and the COD of a Connectivity grantee or the Renewable Power Park Developer, as the case may be, has not been achieved, the Connectivity Grantee or the Renewable Power Park Developer, as the case may be, shall pay Yearly Transmission Charges for the Terminal Bay(s) corresponding to the Connectivity capacity which has not achieved COD:

Provided also that Yearly Transmission Charges in respect of the Associated Transmission System and terminal bay(s) corresponding to the Connectivity

capacity that have achieved COD shall be included for determination of transmission charges of DICs in accordance with Regulations 5 to 8 of these regulations.”

- (9) The words ‘Associated Transmission System’ occurring multiple times shall be replaced with the words ‘Associated Transmission System and Terminal bay(s)’ in Clause (6) of Regulation 13 of the Principal Regulations.
- (10) The words ‘and where the terminal bay is not constructed under ISTS’ shall be added after the words ‘on margins of existing system or on the augmented system with no ATS’ in Clause (7) of Regulation 13 of the Principal Regulations.
- (11) A new Clause (13) shall be added after Clause (12) of Regulation 13 of the Principal Regulations as under:

**“(13) Availability of the Transmission System**

Notwithstanding any provisions to the contrary in the Transmission Service Agreement, the Availability of a transmission system or an element thereof shall be calculated as specified in the Tariff 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.

(3) The Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Second Amendment) Regulations, 2023 were published on 27.10.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No 733.

(4) The Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Third Amendment) Regulations, 2023 were published on 27.10.2023 in Part III, Section 4 of the Gazette of India (Extraordinary) No 734.