

**ITPCL Queries on the Draft Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2024**

Sr. No.	Draft Provisions	Query
1.	<p><b>3 (x) – ‘Reference Charge Rate’ or ‘RR’</b> means (i) in respect of a general seller <u>whose tariff is determined under Section 62 or Section 63 of the Act</u>, Rs/kWh energy charge as determined by the Appropriate Commission, or (ii) in respect of a general seller whose tariff is not determined under Section 62 or Section 63 of the Act, the daily weighted average ACP of the Day Ahead Market segments of all the Power Exchanges, as the case may be;</p> <p><b>8(13) –</b> In case of multiple contracts, the contract rate or the reference rate referred to in this Regulation shall be the weighted average of the contract rates of all such contracts.</p>	<p>IL&amp;FS Tamil Nadu Power Company Limited (ITPCL) has a long-term PPA with TANGEDCO for 540 MW with the tariff adopted by TNERC under Section 63 of the Electricity Act, 2003 (Act).</p> <p>ITPCL is one among a few Imported Coal Based (ICB) Power Plants in the Country to whom directions have been issued by the Ministry of Power, Government of India (MoP) under Section 11 of the Act to generate and supply power to the PPA holder and the un-requisitioned quantum in the Power Exchange. The Energy Charge Rate (ECR) under Sec 11 is determined and notified by MoP and revised on fortnightly basis.</p> <p>In the above context, it may please be clarified if the ‘RR’ would refer to</p> <ol style="list-style-type: none"> <li>a. In case of supply only under the LT PPA, the tariff as adopted by the Commission under Sec 63 of the Act OR the ECR of MoP under Sec 11 of the Act when directions under Sec 11 persist, more so taking due cognizance of the fact that the ECR notified on a particular date by MoP is effective from a few days before the notification itself and real-time ‘RR’ may be unknown for some of the days.</li> </ol>

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		<p>b. When power is being supplied under some ST Contracts also in addition to the LT Contract, if the 'weighted average of the contract rates of all such contracts' referred to in 8(13) would need to include the tariffs of ST Contracts also especially considering that some of the ERC Orders approving of such power procurement by the Utilities under ST Contracts do not specifically mention about adoption/determination under Section 63 of the Act.</p>

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