

KERALA STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 1824/CT/KSERC/2012

Dated, Thiruvananthapuram 10th September, 2013

Kerala State Electricity Regulatory Commission (Connectivity and Intra-state Open Access) Regulations, 2013

In exercise of the powers conferred by section 181 of the Electricity Act, 2003 (Central Act 36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Kerala State Electricity Regulatory Commission hereby makes the following Regulations namely.-

CHAPTER – I

INTRODUCTION

1. Short title, extent and commencement.- (1) These regulations may be called the Kerala State Electricity Regulatory Commission (Connectivity and Intra-state Open Access) Regulations, 2013 .

(2) These regulations shall extend to the whole State of Kerala.

(3) These regulations shall come into force from the date of publication in the Kerala Government Gazette

2. Scope.- These regulations shall apply to connectivity and open access for use of intra-state transmission system and distribution systems in the State of Kerala, including when such system is used in conjunction with inter-State transmission system.

CHAPTER – II

DEFINITIONS

3. Definitions.- In these regulations, unless the context otherwise requires;

(1) “Act” means the Electricity Act, 2003 (Central Act 36 of 2003);

(2) “allotted capacity” means the power transfer in MW between the specified point or points of injection and point or points of drawal allowed to a long-term or

medium-term open access customer on the intra-state transmission system and/or distribution system and the expression "allotment of capacity" shall be construed accordingly;

(3) "applicant" means a consumer, trader, distribution licensee or a generating company who has applied for connectivity or open access as the case may be, including consumers with captive generation capacity.

(4) "average pooled power purchase cost" means the weighted average pooled price as approved by the Commission at which distribution licensee has purchased electricity including cost of self generation if any, in the previous year from all energy suppliers, long-term and short-term, but excluding those based on renewable energy sources, as the case may be;

(5) "Central Commission" means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;

(6) "the Commission" means the Kerala State Electricity Regulatory Commission constituted under Section 82 of the Act;

(7) "connection agreement" means an agreement between State Transmission Utility (STU), intra-state transmission licensee other than STU, if any and / or distribution licensee and an applicant, setting out the terms relating to connectivity to the intra-state transmission system and / or distribution system.

(8) "connectivity" means the state of getting connected to the intra-state transmission and / or distribution system.

(9) 'consumer' shall carry the same meaning as in the Act, but shall be restricted to such consumers within the State of Kerala to whom these regulations will apply.

(10) "contracted load" means the contract demand in kilo Watt / kilo Volt Ampere (kW / kVA) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions and may be different from the connected load;

(11) "day" means a day starting at 00.00 hours and ending at 24.00 hours;

(12) "detailed procedure" means the detailed procedure laid down under these regulations by the STU in consultation with transmission licensees other than STU and distribution licensees and approved by the Commission.

(13) "distribution licensee" means any person licensed under Part IV of the Act for distribution and retail supply of electricity in the State of Kerala;

(14) “embedded open access consumer” or in short ‘embedded consumer’ means a consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails the option of drawing part or full of its demand from any other person by availing open access, in any one or more time slots during a day or more in any month or more during the year, without ceasing to be a consumer of the said distribution licensee and continues to pay monthly demand charges and other charges as per rate schedule applicable to relevant category;

(15) “IEGC” means the Indian Electricity Grid Code specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act, as amended from time to time;

(16) “imbalance” in a time block for a generating station means its total actual generation minus its total scheduled generation and for a consumer or buyer means its total actual drawal minus its total scheduled drawal.

(17) “interconnection facilities” means interconnection facilities at interconnection point in respect of generating station or licensee or consumer or applicant, without limitation, inclusive of all facilities such as switching equipment ; control, protection and metering devices etc. for the dedicated feeder bay, owned by the applicant or by STU or an intra-state transmission licensee or by a distribution licensee, as the case may be, and located in the premises or switchyard of the STU or transmission licensee or distribution licensee or generating station or consumer or applicant to enable power interchange through the intra-state transmission and/ or distribution system.

(18) “interconnection point” means the interface point at which the generating plant / electrical plant and / or electric line, including inter-connection facilities of the applicant or the open access customer or the intra-state transmission licensee other than the STU, is connected to the intra-state transmission system and / or distribution system.

Provided that in case of pooling stations for solar photovoltaic and wind energy generating stations, the interconnection point shall be the line isolator on the outgoing feeder of the pooling station and for solar thermal generating station, interconnection point shall be the line isolator on the outgoing feeder of the generator transformer .

(19) “interface meter” means interface meter installed in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.

(20) “limited short-term open access customer” means a consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails open access in distribution and / or transmission system only during pre-scheduled load shedding due to shortage of power.

(21) “long-term open access” means the right to use the inter-State and/or intra-state transmission and / or distribution system for a continuous period exceeding twelve years but not exceeding twenty five years;

(22) "medium-term open access" means the right to use the interstate and/or intra-state transmission and / or distribution system for a continuous period exceeding three months but not exceeding three years.

(23) "month" means a calendar month as per the Gregorian calendar;

(24) "nodal agency" means the nodal agency specified in Regulation **15(1)** of these regulations read with the schedules mentioned therein;

(25) "open access" means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with these regulations and includes long-term open access, medium-term open access and short-term open access;

(26) "open access customer" means a consumer, trader, distribution licensee or a generating company who has been granted open access under these regulations.

(27) "reserved capacity" means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a short-term customer on the transmission/distribution system depending on availability of transmission/distribution capacity and the expression "reservation of capacity" shall be construed accordingly;

(28) "schedule" means the schedule to these regulations notified by the Commission from time to time;

(29) "short-term open access" means open access for a period up to one month at a time;

(30) "SLDC" means the State Load Dispatch Centre of the State of Kerala;

(31) "State Distribution Code" means the Kerala State Electricity Distribution Code specified by the Commission or its statutory re-enactments as amended from time to time;

(32) "State Grid Code" means the Kerala State Electricity Grid Code 2005 (KSEGC 2005) specified by the Commission under clause (h) of sub-section (1) of section 86 of the Act or its statutory re-enactments as amended from time to time;

(33) "State Supply Code" means the Kerala Electricity Supply Code 2005 specified by the Commission under Section 50 of the Act or its statutory re-enactments as amended from time to time.

(34) "State Transmission Utility" (STU) means the State Transmission Utility of the

State of Kerala, notified by the State Government under sub-section (1) of section 39 of the Act;

(35) “stranded distribution capacity” means the distribution capacity which remains or is likely to remain unutilized due to relinquishment of access rights by a long-term open access customer in accordance with these regulations.

(36) “stranded transmission capacity” means the transmission capacity in the intra- state transmission system which remains or is likely to remain unutilized due to relinquishment of access rights by a long-term open access customer in accordance with these regulations.

(37) “transmission licensee” means any person licensed under Part IV of the Act for transmission of electricity.

(38) “transmission system segment” means a part or whole of the transmission system from the point of injection to the point of drawal.

(39) “unscheduled interchange” means the unscheduled interchange of energy as mentioned in the Indian Electricity Grid Code or Central Electricity Regulatory Commission regulations or as defined in the regulations on intra-state availability based tariff to be notified by the Commission.

(40) "wheeling" means the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under section 62 of the Act;

CHAPTER – III

GRANT OF CONNECTIVITY

4. Eligibility for connectivity.- (1) A consumer having contracted load above 12 MVA or a generating station having capacity above 12 MW shall be eligible to obtain connectivity to the intra-state transmission system and shall apply for connectivity in accordance with the provisions in the State Grid Code, unless already connected at the appropriate voltage level as specified in the State Supply Code.

(2) A consumer having contracted load of and below 12 MVA or a generating station having installed capacity of and below 12 MW shall be eligible to obtain connectivity to the distribution system and shall apply for connectivity as per the provisions of the State Supply Code or the State Distribution Code, unless already connected at appropriate voltage level as specified in the said Codes:

Provided that in case where connectivity cannot be given at the voltage level specified in the State Grid Code or the State Supply Code or the State Distribution Code due to non availability of requisite system or on account of system or technical constraints, then connectivity shall be given at an appropriate higher voltage level irrespective of the load of the consumer or the installed capacity of a generating station seeking the connectivity:

Provided further that, in the case of the consumer or a generating station already connected either to the transmission system or to the distribution system at voltage level other than that specified in the State Grid Code or in the State Supply Code, then such consumer or the generating station shall continue to remain connected at the same voltage level.

(3) A distribution licensee shall be eligible to get connectivity to the intra-state transmission system and/or to the distribution system of any other distribution licensee.

5. Procedure for application for connectivity to intra-state transmission system.-

(1) Application for connectivity to intra-state transmission system shall be as specified in the State Grid Code.

(2) Application for grant of connectivity shall be submitted to STU or to the transmission licensee other than STU in the form and manner stipulated in the detailed procedure:

Provided that till such time the detailed procedure prepared by the co-ordination committee as specified in chapter X of these regulations, is approved by the Commission, the application for grant of connectivity shall be processed in accordance with the existing procedure.

6. Procedure for grant of connectivity to intra-state transmission system.- (1)

The application for grant of connectivity to the intra-state transmission system for the purpose of open access shall be accompanied by a non-refundable fee as notified by the Commission from time to time.

(2) The application for grant of connectivity to the intra-state transmission system shall contain details such as proposed geographical location of the applicant, the quantum of power to be injected in the case of a generating stations, including a captive generating plant and quantum of power to be drawn in the case of consumer and such other details as specified in the detailed procedure:

Provided that in case of any material change in the location or a change of more than ten per cent in the quantum of power to be interchanged as per the original application, the applicant shall file a new application incorporating revised particulars and no application fee shall be required to be deposited if the new application is filed within fifteen days of the filing of the original application:

Provided further that if the new application is filed after fifteen days from the date of filing of original application, then the same shall be considered as a fresh application and requisite fee shall be payable by the applicant in accordance with these regulations.

(3) On receipt of the application, the STU or the Transmission licensee other than STU shall, in consultation and through co-ordination with other agencies involved in the intra-state transmission system and/or distribution system and the State Load Despatch Centre, process the application and carry out the necessary feasibility study in accordance with the provisions of the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 as amended from time to time and IEGC / State Grid Code.

(4) The STU or the Transmission licensee other than STU shall, within thirty days from the receipt of an application complete in all respects and after considering all suggestions and comments received from other agencies involved in the intra-state transmission system and/or distribution system and State Load Despatch Centre:

(a) accept the application with such modification or such conditions as may be stipulated by other agencies which are not inconsistent with these regulations,

(b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these regulations or grant of connectivity is not technically feasible.

Provided that, before rejecting an application, opportunity of being heard shall be given to the applicant by issuance of a notice, and in case the applicant does not avail of the opportunity within the period specified in the notice, the application shall be rejected forthwith.

(5) In case a dedicated line in the transmission system or distribution system is required to be constructed or where augmentation of the transmission system and/or distribution system is to be carried out for grant of connectivity, the STU or transmission licensee other than STU shall, within thirty days from the date of receipt of application, inform the applicant about the broad design features, estimated cost of

construction / installation and the time frame for completion of the dedicated line or the system augmentation.

(6) The cost of construction/installation of dedicated line or the augmentation of the transmission or distribution system and associated facilities shall be borne by the applicant and the requisite steps to be taken in this regard shall be as mentioned in the State Grid Code or the State Supply Code or the State Distribution Code as the case may be.

(7) In the case of acceptance of an application the STU or the transmission licensee other than STU, shall make a formal offer of connectivity to the applicant with details such as the name of the sub-station or pooling station or switchyard or the line, the point of connection etc. where connectivity is to be granted.

(8) The applicant and all intra-state transmission licensees including the State Transmission Utility and distribution licensee shall comply with the provisions of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 as amended from time to time and IEGC / State Grid Code.

(9) Within ten days from the date of receipt of offer for connectivity the applicant may either accept the “connectivity offer” or may seek clarification / change. In case some clarifications / changes have been sought for by the applicant, and such clarifications / changes do not affect the status of original application or the connectivity offer, then the STU or the transmission licensee other than STU shall convey its decision within ten days from the date of receipt of communication in this regard from the applicant:

Provided that no material change in the original application or the connectivity offer shall be allowed to be considered at this stage:

Provided further that, in case clarification / change sought for by the applicant affects the status of original application or the connectivity offer, such as change in the location or quantum of power etc., then the same shall be considered as new application and processed accordingly.

(10) Immediately after completion of all formalities in accordance with these regulations and the detailed procedure, the STU or the transmission licensee other than STU shall inform the applicant in writing to sign a ‘connection agreement’ in the format and within the time period provided in the detailed procedure.

(11) In case connectivity is granted to the intra-state transmission system of an intra-state transmission licensee other than the STU, a tripartite agreement, as provided in

the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and IEGC / State Grid Code, shall be signed among the applicant, the STU and such intra-state transmission licensee.

(12) The STU/transmission licensee other than STU shall provide a copy of each and every connection agreement to the State Load Despatch Centre and the concerned transmission and / or distribution licensee within a week of signing the connection agreement.

(13) In case the applicant fails to sign the 'connection agreement' within the stipulated period, without applying in writing for extension, the acceptance of applicant to the connectivity offer shall stand lapsed and in case the applicant is interested in applying for connectivity even after expiry of extended period, his request shall be treated as a fresh application and processed accordingly.

(14) The applicant shall be eligible for connectivity to the intra-state transmission system from the date mentioned in the connection agreement.

(15) The grant of connectivity shall not entitle an applicant to interchange any power with the state grid unless it obtains long-term open access, medium-term open access or short-term open access in accordance with the provisions of these regulations:

Provided that any interchange of power with the grid without any type of open access shall amount to violation of these regulations and is liable to be proceeded in accordance with section 142 of the Act:

Provided further that a generating station, including a captive generating plant, which has been granted connectivity to the intra-state grid, shall be allowed to inject infirm power into the grid during testing including full load testing before commencing its commercial operation after obtaining prior permission of the State Load Despatch Centre.

(16) The State Load Despatch Centre shall, while granting the permission for injecting infirm power into the grid, keep the security of the grid in view and ensure that injection of such infirm power is only for the purpose of testing, prior to commencing of commercial operation of the generating station or a unit thereof.

(17) Exit Option: A person shall not relinquish or transfer his rights and obligations specified in the connection agreement without prior approval of the STU or the transmission licensee other than STU or the distribution licensee as the case may be and the relinquishment or transfer of rights and obligations by such person shall be

subject to payment of compensation to the STU or transmission licensee other than STU or distribution licensee, as the case may be, as determined by the Commission on a case to case basis.

7. Procedure for application for connectivity for a generating station to distribution system.- (1) All eligible generating stations including a captive generating plant, seeking connectivity to a distribution system, shall apply to the distribution licensee for connectivity in the format stipulated in the procedure as per State Distribution Code.

(2) The application shall be accompanied by a non-refundable fee as specified by the Commission from time to time in the manner to be stipulated in the State Distribution Code.

(3) The application for connectivity shall contain details such as, proposed geographical location of the generating station, quantum of power to be injected and such other details as may be laid down in the State Distribution Code.

8. Procedure for grant of connectivity for a generating station to distribution system.- (1) On receipt of the application, the distribution licensee shall, in consultation and through co-ordination with State Transmission Utility, process the application and carry out the necessary study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and the State Grid Code, as amended from time to time.

(2) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard or switching station where connectivity is to be granted.

(3) The distribution licensee shall indicate the broad design features such as switchyard and interconnection facility up to the point of injection as well as the time frame for completion of the same and the cost of construction/installation of these facilities shall be borne by the generating company.

(4) In cases where augmentation of the distribution licensee's sub-station and other systems are involved, the generating company shall also bear the cost of bay, breaker etc., at the distribution licensee's point of injection and equipment for inter-connection of real time data to SLDC where ever required.

(5) The distribution licensee, may within thirty days from the receipt of an application complete in all respects and after considering all suggestions and comments received

from other agencies involved in the distribution system and State Load Despatch Centre, shall:

(a) accept the application with such modification or such conditions as may be stipulated by other agencies which are not inconsistent with these regulations;

(b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these regulations or grant of connectivity is not technically feasible:

Provided that, before rejecting an application, opportunity of being heard shall be given to the applicant by issuance of a notice and in case the applicant does not avail of the opportunity within the period stipulated in the notice, the application shall be rejected forthwith.

(6) In case a dedicated line in distribution system is required to be constructed or where augmentation of the distribution system is to be carried out for grant of connectivity, distribution licensee shall, within thirty days from the date of receipt of application, inform the applicant about the broad design features, estimated cost and the time frame for completion of the dedicated line or the system augmentation.

(7) The cost of construction of dedicated line or the augmentation of the distribution system and associated facilities shall be borne by the applicant and the requisite steps to be taken in this regard shall be as mentioned in the detailed procedure.

(8) In the case of acceptance of an application the distribution licensee shall make a formal offer of connectivity to the applicant with details such as the name of the sub-station or pooling station or switchyard or the line, the point of connection etc. where connectivity is to be granted.

(9) The applicant and distribution licensee shall comply with the provisions of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and IEGC / State Grid Code, as amended from time to time.

(10) Within ten days from the date of receipt of offer of connectivity the applicant may either accept the offer or may seek clarification / change. In case some clarifications / changes have been sought by the applicant, and such clarifications / changes do not affect the status of original application or the connectivity offer, then the distribution licensee shall convey its decision within ten days from the date of receipt of communication in this regard from the applicant:

Provided that no material change in the original application or in the offer of connectivity shall be considered or allowed at this stage:

Provided further that, in case clarification / change sought for by the applicant affects the status of original application or the offer of connectivity, such as change in the location or quantum of power etc., then the same shall be considered as new application and processed accordingly.

(11) Immediately after completion of all formalities in accordance with these regulations, the distribution licensee shall inform the applicant in writing to sign within the period stipulated therein, a 'connection agreement' in the format stipulated in the detailed procedure.

(12) The distribution licensee shall provide a copy of each and every connection agreement to the State Load Despatch Centre and/or to the concerned transmission and / or distribution licensee within a week of signing the same.

(13) In case the applicant fails to sign the 'connection agreement' within the stipulated period, without applying in writing for extension, the acceptance of applicant to the offer of connectivity shall stand lapsed and in case the applicant is interested in applying for connectivity even after expiry of extended stipulated period, his request shall be treated as a fresh application and processed accordingly.

(14) The applicant shall be eligible for connectivity to the distribution system from the date mentioned in the connection agreement.

(15) The grant of connectivity shall not entitle an applicant to interchange any power with the distribution system unless it obtains long-term open access, medium-term open access or short-term open access in accordance with the provisions of these regulations:

Provided that any interchange of power with the grid without any type of open access shall amount to violation of these regulations and is liable to be proceeded in accordance with section 142 of the Act:

Provided further that a generating station, including a captive generating plant, which has been granted connectivity to the distribution system shall be allowed to inject infirm power during testing including full load testing before commencing its commercial operation after obtaining prior permission of the State Load Despatch Centre.

(16) The State Load Despatch Centre while granting the permission for injecting infirm power into the grid shall keep the security of the grid in view and ensure that injection of such infirm power is only for the purpose of testing, prior to commencing of commercial operation of the generating station or a unit thereof.

(17). **Exit option:** A person shall not relinquish or transfer his rights and obligations specified in the connection agreement without prior approval of the distribution licensee and the relinquishment or transfer of rights and obligations by such person shall be subject to payment of compensation to the distribution licensee, as determined by the Commission on a case to case basis.

9. Procedure for application and grant of connectivity to distribution system by persons other than generating station.- The procedure for application and grant of connectivity for persons other than generating station to distribution system shall be governed by the State Supply Code.

CHAPTER IV

GRANT OF OPEN ACCESS

10. Categories of intra-state open access customers.- The open access customers shall be classified into the following categories:

(i) According to the system to which connected.-

- (a) Intra-state transmission system
- (b) Distribution system

(ii) According to inter-se location of drawal and injection points.-

- (a) Both within the same distribution system
- (b) within the State of Kerala but in different distribution systems
- (c) Injection in other state

(iii) According to duration of open access.-

- (a) Long-term open access
- (b) Medium-term Open access
- (c) Short-term open access

11. Eligibility for open access and conditions to be satisfied.- (1) Subject to the provisions of these regulations and with due regard to the operational constraints and

such other relevant matters, the licensees, generating companies including persons who have established captive generating plants, generation plants, electricity traders and consumers shall be eligible for open access to the intra-state transmission system of the State Transmission Utility or of any transmission licensee other than STU on payment of transmission and other charges as may be determined by the Commission from time to time.

(2) Subject to the provisions of these regulations and with due regard to the operational constraints and such other relevant matters, the licensees, generating companies including persons who have established a captive generating plant, generation plants, electricity traders and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling charges and other charges if any, as may be determined by the Commission from time to time:

Provided that the open access customers using intra-state transmission system and distribution system will also be subjected to the load shedding imposed by the distribution licensee unless they are connected through a dedicated feeder emanating from a grid substation.

(3) A person having outstanding dues against him for more than two months billing of transmission or distribution licensee at the time of application shall not be eligible for open access:

Provided that, the amount payable to transmission or distribution licensee will not be considered as outstanding dues if a judicial authority or any other competent authority has passed an order staying the realization of the said amount.

(4) Before granting open access, the nodal agency shall ensure that special energy meters are installed and maintained in accordance with the provisions of The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and remote terminal units (RTU) are installed and maintained, as stipulated in the detailed procedure, to facilitate real time monitoring by SLDC.

Provided that, the distribution licensee shall install special energy meters and remote terminal units in the premises of the applicants for open access within the time frame as stipulated in the detailed procedure.

(5) The applicant and the distribution licensee shall comply with the provisions of the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 as amended from time to time.

12. Special provisions for existing contracts for wheeling of power.- (1)The persons availing open access to the intra-state transmission system and/or to the distribution system in the state on the date of coming into force of these regulations under an existing contract shall be entitled to continue to avail such access to the transmission and distribution system on the same terms and conditions, as stipulated under such existing contract:

Provided that the open access for subsequent period in respect of such persons shall be governed by the provisions of these regulations.

(2) The open access customers existing on the date of commencement of these regulations shall, within sixty days of coming into force of these regulations, furnish to the STU and the SLDC, the details of their use of the transmission system and/or distribution system and the terms and conditions for such use.

13. Criteria for granting open access.- (1) Before granting long-term open access, the State Transmission Utility and distribution licensee shall have due regard to the planning and augmentation required for the intra-state transmission system and/or distribution system.

(2) Medium-term and short-term open access shall be granted if the resultant power flow can be accommodated in the existing transmission system and/or distribution system or in the transmission system and /or distribution system under execution:

Provided that no augmentation shall be carried out to the transmission system or distribution system for the sole purpose of granting short-term and medium-term open access, unless the applicant bears the cost of such system augmentation at the rates approved by the Commission:

Provided further that construction of a dedicated transmission line / distribution line at the cost of the applicant shall not be regarded as augmentation of the transmission system/ distribution system for the purpose of this regulation.

(3) Short-term open access shall be granted for the surplus capacity available on intra-state transmission and/or distribution system after the use by long-term and medium-term open access customer by virtue of:

- (a) inherent design margins
- (b) margins available due to variation in power flows; and
- (c) margin available in the inbuilt spare transmission and/or distribution capacity created to cater to future load growth.

14. Computation of capacity availability for open access.- (1) The capacity available for the intra-state open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given below:

(a) Available open access capacity of a transmission system segment: = $(DC - SD - AC) + NC$ where, DC = designed capacity of the transmission segment in MW, SD = sustained demand in MW (peak) recorded in the segment, AC = already allocated capacity, but not availed and NC = capacity in MW expected to be added.

(b) Available open access capacity of a sub-station: = $TC - SP - AC$ where, TC=transformer capacity of the sub-station in MVA, SP = sub-station peak in MVA, and AC=already allotted capacity but not availed in MVA.

(2) The appropriate distribution licensee shall determine the available capacity for the portion of the distribution system over which open access is requested for.

(3) The STU shall update these values on monthly basis on the first working day of each calendar month and post on its own website, the updated available capacity of open access in the transmission and distribution system and e-mail the requisite data to other transmission licensees and the distribution licensees who shall ensure immediate posting of the same on their respective websites for the information of the public.

15.Procedure for application for open access.- (1) All applications for open access shall be submitted to the nodal agency as stipulated in the schedule to these regulations in the format as stipulated in the detailed procedure.

(2) All applicants for open access shall submit an undertaking for not having entered into any power purchase agreement (PPA) or any other bilateral agreement with more than one person for the same capacity /quantum of power for which open access is applied for.

(3) Subject to the provisions of these regulations, the details such as the nodal agency, application fee, documents to accompany the application and time frame for disposal of application shall be as specified in the schedule to these regulations. However the details in the schedule are only indicative and charges other than those indicated in the schedule may also be payable as approved by the Commission depending upon the combination of systems utilized for actual drawal of power.

16. Procedure for grant of open access to inter-State transmission system.- (1)

The procedure for grant of long-term open access or medium-term open access involving inter-State transmission system shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and Related Matters) Regulations, 2009 or its statutory re-enactments as amended from time to time.

(2) The procedure for grant of short-term open access involving inter-State transmission system shall be as per the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008 or its statutory re-enactments as amended from time to time.

(3) In the case of application for grant of long-term open access or medium-term open access, the STU shall convey its consent or otherwise as per the provisions of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and Related Matters) Regulations, 2009 or its statutory re-enactments as amended from time to time.

(4) In the case of short-term open access, the STU shall convey its consent or otherwise as per the provision of Central Electricity Regulatory (Open Access in Inter-State Transmission) Regulations, 2008 or its statutory re-enactments as amended from time to time.

(5) In respect of a consumer connected to a distribution system seeking inter-State long-term or medium-term or short-term open access, the SLDC, before giving its consent shall obtain the consent of the distribution licensee concerned:

Provided that, in the case of short-term open access, the said distribution licensee shall convey its consent or otherwise within three working days of receipt of request of the applicant.

Provided further that, any applicant connected to the intra-state transmission or distribution system can utilise the inter-State open access, only after availing intra-state open access and SLDC shall, before giving consent to the CTU, ensure that such intra-state open access has been approved for the corresponding periods.

(6) In respect of a consumer connected to a distribution system seeking inter-state short-term open access, the SLDC, before giving its consent and standing clearance for collective transactions to the RLDC as required under the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008 as amended from time to time, shall require the consumer to

submit the consent of the distribution licensee concerned:

Provided that any applicant connected to the state transmission or distribution system can utilise the inter-State open access only after availing intra-state open access and the SLDC shall, before giving consent to the CTU, ensure that such intra-state open access has been approved for the corresponding periods.

17. Procedure for grant of long-term open access to intra-state transmission system and/or distribution system.- (1) Long-term open access to intra-state transmission system and/or distribution system shall be granted in accordance with the provisions of sub-regulation (2) to sub-regulation (15) herein below.

(2) The application for grant of long-term open access shall contain details such as name of the entity or entities from whom electricity is proposed to be procured or to whom to be supplied, along with the quantum of power and such other details as may be laid down by the STU in the detailed procedure:

Provided that in the cases where there is any material change in the location of the applicant or change by more than ten per cent in the quantum of power to be interchanged using the intra-state transmission system, a fresh application shall be made, which shall be considered in accordance with these regulations:

Provided further that no fresh application is required to be submitted in the cases where there is no change in the injection point or the drawal point and in the cases where the change in the quantum of power to be interchanged using the intra-state transmission system is less than or equal to ten per cent , even after the grant of open access.

(3) The applicant shall submit any other information sought by the nodal agency including the basis for assessment of power to be interchanged using the intra-state transmission system or distribution system and power to be transmitted to or from various entities or regions to enable the nodal agency to plan the intra-state transmission system in a holistic manner.

(4) The application shall be accompanied by a bank guarantee for an amount as specified in the schedule appended to these regulations, for the total power to be transmitted and the bank guarantee shall be in favour of the nodal agency, in the manner laid down under the detailed procedure.

(5) The bank guarantee as stipulated in sub regulation (4) shall be kept valid and subsisting till the execution of the long-term open access agreement, in the

cases where, augmentation of transmission system or distribution system is required and till the long-term open access is made operational in the cases where augmentation of transmission system or distribution system is not required.

(6) The bank guarantee may be encashed by the nodal agency, if the application is withdrawn by the applicant or the long-term open access rights are relinquished prior to such rights are made operational in the cases where augmentation of transmission system or distribution system is not required.

(7) The aforesaid bank guarantee will stand discharged with the submission of another bank guarantee required to be given by the applicant to the STU during construction phase when augmentation of transmission system is required, in accordance with the provisions in the detailed procedure.

(8) On receipt of the application, the nodal agency shall, in consultation and through co-ordination with other agencies involved in the intra-state transmission system to be used, process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant long-term open access is arrived at within the time frame as specified in the schedule:

Provided that in case the nodal agency faces any difficulty in the process of consultation or co-ordination, it may approach the Commission for appropriate directions.

(9) Based on the system studies, the nodal agency shall specify the intra-state transmission system or distribution system that would be required to give long-term open access and in case augmentation to the existing intra-state transmission system or distribution system is required, the same will be intimated to the applicant.

(10) While granting long-term open access, the nodal agency shall communicate to the applicant, the date from which long-term open access shall be granted and an estimate of the charges including additional charges, if any, payable based on the prevailing costs, prices and methodology of sharing of charges for the works pertaining to augmentation of transmission system or distribution system, as determined by the Commission from time to time.

(11) The applicant shall sign an agreement for long-term open access with the concerned licensees in accordance with the provisions in the detailed procedure as stipulated hereunder:

- (a) with the STU in case long-term open access is granted only on the transmission system of STU;
- (b) with the STU and all those licensees on whose transmission / distribution system long-term open access has been granted.

(12) The long-term open access agreement shall be in the format as stipulated in the detailed procedure and shall contain the date of commencement of long-term open access, the point of injection of power into the grid and point of drawal from the grid and the details of dedicated transmission line, if any:

Provided that, in case augmentation of transmission system or distribution system is required, the long-term open access agreement shall contain the time frame for construction of the same.

(13) The bank guarantee required to be provided by the applicant and other details shall be in accordance with the detailed procedure.

(14) Immediately after grant of long-term open access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing the requests received for grant of short-term open access, under these regulations.

(15) On the expiry of the period of long-term open access, the same shall be extended on a written request by the customer to the State Transmission Utility, if such written request is submitted at least six months prior to such expiry, mentioning the period for which extension is required:

Provided that in case no written request is received from the customer within the time frame specified above, the said long-term open access shall stand terminated on the date up to which it was initially granted.

18. Procedure for grant of medium-term open access involving intra-state transmission system and distribution system.- (1) Medium-term open access involving intra-state transmission system and distribution system shall be granted in accordance with the provisions of sub-regulation (2) to sub-regulation (9) herein below.

(2) The application for grant of medium-term open access shall contain such details as may be laid down under the detailed procedure and shall, in particular, include the details such as point of injection into the grid, point of drawal from the grid and the quantum of power for which medium-term open access has been applied for.

(3) The start date of the medium-term open access shall not be earlier than five

months and not later than one year from the last day of the month in which application has been made.

(4) On receipt of the application, the nodal agency shall, in consultation and through co-ordination with other agencies involved in intra-state transmission and / or distribution system, process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant or refuse medium-term open access is made within the time frame specified in the schedule:

Provided that in case the nodal agency faces any difficulty in the process of consultation or co-ordination, it may approach the Commission for appropriate directions.

(5) On being satisfied that the requirements as per these regulations are met, the nodal agency shall grant medium-term open access for the period stated in the application:

Provided that for reasons to be recorded in writing, the nodal agency may grant medium-term open access for a period less than that sought for by the applicant.

(6)The applicant shall sign an agreement for medium-term open access with the concerned licensees, in accordance with the provisions in the detailed procedure:

- (a) with the STU, in case open access is granted only on the transmission system of STU;
- (b) with the STU and all those licensees on whose transmission / distribution system open access has been granted.

(7) The medium-term open access agreement shall contain the details such as the date of commencement and end of medium-term open access, the point of injection of power into the grid and point of drawal from the grid, the details of dedicated transmission lines required, if any, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure.

(8) Immediately after grant of medium-term open access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing the requests received for short-term open access under these regulations.

(9) On expiry of the period of the medium-term open access, the medium-term customer shall not be entitled to any over-riding preference for renewal of the term.

19. Procedure for grant of intra-state short-term open access involving intra-state transmission system and distribution system.-

(1)Open access in advance.- Subject to the provisions of these regulations, the intra-state short-term open access shall be granted in accordance with the following clauses:

- a) An application for advance scheduling under short-term open access may be submitted to the nodal agency up to the fourth month, considering the month in which the application is made as the first month:
- b) Separate application shall be made for each month and for each transaction.
- c) The application shall be submitted to the nodal agency in the format stipulated in the detailed procedure which shall contain details such as capacity required, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information as may be required by the nodal agency.
- d) The application shall be accompanied by non-refundable application fee as may be specified by the Commission in the schedule, in the mode of remittance in favour of the person, as may be mentioned in the detailed procedure.
- e) An application for grant of short-term open access commencing in any month may be submitted in a cover marked "Application for Short-Term Open Access for the Month (-----) in Advance".
- f) Nodal agency shall acknowledge receipt of the cover containing the application by indicating the time and date of its receipt on the acknowledgement to the applicant.
- g) A consumer of distribution licensee intending to avail intra-state short-term open access shall furnish a copy of the application to the distribution licensee of his area of supply.
- h) Based on the nature of transactions, the nodal agency shall take a decision on the applications for intra-state short-term open access in the manner stipulated below:

- (i) The nodal agency before granting intra-state open access shall take into consideration the resultant congestion of any element, line or transformer, of the transmission and distribution system involved in the proposed short-term transaction.
 - (ii) The nodal agency shall, after satisfying itself that the application is complete in all respects and the applicant has complied with all other technical/metering requirements, convey grant of open access or otherwise, in stipulated format along with schedule of payments to the applicant.
- i) An application for scheduling during the fourth month shall be made up to the last day of the first month and shall be processed in the manner provided below:
 - (i) All applications received shall be taken up together for consideration and processed as per the allotment priority criteria specified in these regulations.
 - (ii) The nodal agency shall convey its acceptance or otherwise to the applicant in the format stipulated in the detailed procedure along with schedule of payments, latest by the fifth day of the second month.
- j) An application for scheduling during the third month shall be made up to five days prior to the close of the first month and shall be processed in the manner provided below:
 - (i) All applications received shall be taken up together for consideration and processed as per the allotment priority criteria specified in these regulations.
 - (ii) The nodal agency shall convey its acceptance or otherwise to the applicant in the format stipulated in the detailed procedure along with schedule of payments, latest by the close of the first month.
- k) An application for scheduling in the second month shall be made up to ten days prior to the close of the first month and shall be processed in the manner provided below:
 - (i) All applications received shall be taken up together for consideration and processed as per the allotment priority criteria specified in these regulations.

- (ii) The nodal agency shall convey its acceptance or otherwise to the applicant in the format specified in the detailed procedure along with schedule of payments, five days prior to the last day of the first month.
- l) While accepting the application, the short-term open access already granted to any person prior thereto shall not be withdrawn.
- m) The nodal agency shall record and inform the reasons in writing in case open access is denied to any eligible applicant.

(2) Day-ahead open access:

- (i) An application for grant of day ahead open access may be submitted to the nodal agency within three days prior to the date of scheduling but not later than 13.00 hours of the day immediately preceding the day of scheduling for day-ahead transaction.
- (i) The nodal agency shall check for resultant congestion due to the proposed day ahead open access transaction and convey approval or otherwise in the format stipulated in the detailed procedure.
- (ii) All other provisions for intra-state short-term open access shall apply for day ahead open access also *mutatis mutandis*.

(3) Capacity constraints and bidding procedure:

- (i) If the capacity sought by the consumers for open access in advance for the following month is more than the available capacity or the SLDC perceives congestion in any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure.
- (ii) The decision of the SLDC in respect of an expected congestion shall be final and binding on all the parties.
- (iii) The SLDC shall convey to the applicants, through nodal agency, the information of congestion and decision for invitation of bidding indicating the floor price in the format stipulated in the detailed procedure.
- (iv) The SLDC shall also display bidding information on its website.

- (v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in the format stipulated in the detailed procedure.
 - (vi) The bids shall be accepted in the format stipulated in the detailed procedure up to the bid closing time as indicated in bid invitation notice. Request for modification / amendment to a bid, once submitted, shall not be entertained.
 - (vii) If any applicant does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed.
 - (viii) The SLDC shall not entertain any request for extension of time / date for submission of bids.
 - (ix) The bidders shall quote price which shall not be less than the floor price, rounded-off to whole number, in the denomination in which floor price has been determined.
 - (x) The quoted price shall be arranged in a descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is fully exhausted.
 - (xi) In the case of a tie in the bid price of two or more applicants, the allocation from the residual available capacity at any stage shall be made in proportion to the capacity being sought by such applicants.
 - (xii) All open access customers, in favour of whom full capacities have been allotted, shall pay the highest price discovered through the bidding process.
 - (xiii) The open access customers, who are allotted less capacity than sought for, shall pay the price as quoted by them.
 - (xiv) The SLDC shall reject bids which are incomplete, vague in any manner or not found in conformity with the bidding procedure / guidelines.
 - (xv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges and/or wheeling charges, as the case may be, determined by bidding under sub-clause (xii) or (xiii) of this clause.
- (4) The reserved capacity by a short-term open access customer is strictly non-transferable.

(5) The capacity available with the State Load Dispatch Centre as a result of surrender or reduction or cancellation of the reserved capacity, may be kept aside for any other short-term open access customer in accordance with these regulations.

(6) After expiry of the period of the short-term open access, the short-term open access customer shall not be entitled to any over-riding preference for renewal of the term.

(7) Procedure for scheduling of transactions in a contingency.- In the event of a contingency, the buyer or on his behalf a trader may locate and the power exchange may offer its platform to locate, a source of power to meet short-term contingency requirement even after the cut-off time of 13.00 hours of the preceding day and apply to the nodal agency for open access and scheduling and in that event, the nodal agency shall endeavour to accommodate such request as soon as and to the extent practically feasible, in accordance with the provisions in the detailed procedure.

(8) Revision of schedule for open access.- (i) The short-term open access schedules accepted by the nodal agency in advance or on first-come-first-served basis may be cancelled or revised downwards on an application to that effect made to the nodal agency by the short-term open access customer:

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two days:

Provided further that the day on which notice for cancellation or downward revision of schedule for open access is served on the nodal agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of above minimum period of two days.

(ii) The person seeking cancellation or downward revision of schedule for short-term open access shall pay the transmission charges for the first two days of the period for which the cancellation or downward revision of the schedule for open access, as the case may be, has been sought, in accordance with the schedule for open access originally approved by the nodal agency, and thereafter in accordance with the revised schedule for open access approved by the nodal agency during the period of such cancellation or downward revision.

(iii) In the case of cancellation, operating charges specified under regulation 42 shall be payable for two days or the period of cancellation in days, whichever is less.

20. Grant of open access to generating station connected to distribution system.-

(1) A generating station connected to a distribution system seeking open access shall have to follow, the same procedure as applicable to a consumer seeking open access under different scenarios, namely long-term open access, medium-term open access and short-term open access.

(2) Such generating station shall also be liable to pay the same application fee and other open access charges as specified in Chapter VIII of these regulations except the cross subsidy surcharge and additional surcharge as are applicable to a consumer seeking open access.

(3) A generating station seeking open access only within the area of the same distribution licensee shall make an application to the distribution licensee in the format stipulated in the detailed procedure.

(4) The distribution licensee, while processing the application of such a generating station, shall ensure the following:

(a) existence of special energy meters in accordance with the provisions of Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and other related infrastructure.

(b) availability of capacity in the distribution network and

(c) availability of RTU and communication facility to transmit real time data to the SLDC.

(4) Where existence of necessary infrastructure and availability of capacity in the distribution network have been established, the distribution licensee shall convey its approval within the time frame indicated in the schedule as applicable to a consumer.

(5) In case the distribution licensee finds that the application is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or fax or by any other usually recognised mode of communication, within two working days of receipt of the application.

(6) In case the application has been found to be in order but the distribution licensee declines to give approval for medium-term open access or short-term open access on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution network, such refusal along with reasons, shall be communicated to the applicant by e-mail or fax or by any

other usually recognized mode of communication, within the period of seven working days from the date of receipt of the application.

21. Application by eligible entities other than consumers and generating stations connected to distribution system.- The procedure for submission of the application and processing the same as laid down in this chapter in respect of the consumers shall, *mutatis mutandis*, be applicable to the electricity trading licensees, distribution licensees and the generating companies connected to the STU as well.

Chapter – V

LIMITED SHORT-TERM OPEN ACCESS

22. Nodal agency, eligibility criteria, procedure and conditions to be satisfied for grant of limited short-term open access. - (1) A consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails open access in distribution and / or transmission system only during pre-scheduled load shedding due to shortage of power shall be designated as the limited short-term open access customer.

(2) Nodal agency, eligibility criteria and procedure for grant of limited short-term open access shall be the same as in respect of short-term open access customer specified in these regulations.

(3) Only those consumers who have dedicated feeders and meters capable of time differentiated measurement of consumption shall be eligible for the limited short-term open access.

23. Settlement of energy at drawal point in respect of limited short-term open access customer.- The mechanism for settlement of energy at drawal point in respect of limited short-term open access customer shall be as under:

- (a) Out of recorded drawal of energy, the scheduled entitlement as an limited short-term open access customer will first be adjusted and balance will be treated as his drawal from the distribution licensee.
- (b) Deviation from the schedule shall be settled as provided in regulation 46

24. Charges applicable to limited short-term open access customers.- (1) Limited short-term open access customers shall be exempted from payment of wheeling charges, cross subsidy surcharge and additional surcharge.

(2) Limited short-term open access customers shall pay other charges such as demand / fixed charge, applicable to them as per the tariff and charges determined by the Commission in the relevant tariff order.

(3) The energy charges shall be payable for balance energy / consumption calculated as per energy settlement mechanism.

(4) Limited short-term open access customers shall also be liable to pay composite operating charges for each transaction to the SLDC at the rates as determined by the Commission from time to time.

(5) In case inter-State transmission system is used by such customer in addition to intra-state transmission system or distribution system, the transmission charges, RLDC charges etc., as approved by the Central Electricity Regulatory Commission shall be payable for use of inter-State transmission system in addition to payment of above charges.

25. Drawal of power by limited short-term open access customer from distribution licensee. – In the cases where supplier fails to supply power, in any time slot, to limited short-term open access customer due to any reason, the said supplier shall revise his schedule as per provisions of State Grid Code and the same shall be communicated to the SLDC and concerned open access customer.

(2) The SLDC shall revise the schedule which shall become effective from second time slot onwards, counting from the time slot in which such eventuality has taken place to be the first one and the revised schedule shall be provided to distribution licensee.

(3) It shall be duty of such open access customer to draw power as per revised schedule. Drawal of power in excess of the revised schedule by limited short-term open access customer shall be treated as over-drawal of power by such customer and he shall be liable to pay penalty as per these regulations for such over-drawal.

26. Metering for limited short-term open access customer.- Special energy meter shall be installed at the premises of the limited short-term open access customer in accordance with the provisions of The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.

27. Billing and payment for limited short-term open access customer.– (1) Limited short-term open access customer, being a consumer of distribution licensee, shall continue to pay electricity charges billed to him on monthly basis by the distribution licensee subject to adjustments of quantum of energy and other charges for drawal of power during the period of open access.

(2) Distribution licensee shall provide the details of adjustments of quantum of energy and other charges, applicable to such consumer, separately in his electricity bill.

CHAPTER VI

EMBEDDED OPEN ACCESS CONSUMERS

28. Eligibility criteria, procedure and conditions.– Eligibility criteria, procedure and conditions to be satisfied for grant of open access to embedded consumers shall be the same as applicable for short-term open access.

29. Settlement of energy at drawal point in respect of embedded open access consumers. - The mechanism for settlement of energy at drawal point in respect of embedded open access consumer shall be as under:

- (a) Out of the recorded drawal of energy, the scheduled entitlement as an open access consumer will first be adjusted and balance will be treated as his drawal from the distribution licensee.
- (b) Deviation from the schedule shall be settled as provided under regulation 46.

30. Charges applicable to embedded open access consumers. – (1) Embedded open access consumers shall pay all charges such as transmission charges, wheeling charges, cross subsidy surcharge, additional surcharge as determined by the Commission and in accordance with the methodology specified for the short-term open access customers in these regulations.

(2) In addition to the above charges in respect of open access, the embedded consumers shall continue to pay other charges namely demand / fixed charge, minimum monthly consumption charges etc., applicable to them at the rates determined by the Commission in the tariff order for the relevant financial year:

Provided that energy charges shall be payable for the balance energy consumption calculated as per energy settlement mechanism provided in these regulations.

(3) In case inter-State transmission system is used by such consumer in addition to the intra-state transmission system or distribution system; the transmission charges, RLDC charges etc., as approved by the Central Commission shall be payable for use of inter-State transmission system in addition to payment of charges as per sub regulations (1) and (2) above.

31. Scheduling for embedded open access consumers. - (1) Scheduling shall be done in accordance with the relevant provisions of IEGC for inter-State transactions and in accordance with the relevant provisions of the State Grid Code for intra-state transactions.

(2) By 10.00 hours every day, the embedded consumers shall prepare and submit to the SLDC, the daily schedule of power in MW, separately showing schedule of power from licensee and that from another supplier through open access for the next day, i.e. from 00.00 hours to 24.00 hours of the following day, along with copy to distribution licensee:

Provided that in case the quantum of energy as per accepted bid is less than the quantum applied by the embedded open access consumer, then he shall inform the SLDC / distribution licensee about the quantum of energy as per approved bid and also the quantum of energy he would be drawing from the distribution licensee during the period in which supply was scheduled through open access.

(3) Time of the Day (ToD) charges shall not be applicable for the energy scheduled and drawn under open access.

(4) Deviation from the schedule shall be settled as provided in regulation 46

32. Procedure for grant of short-term open access to embedded consumers. - Application and procedure for grant of short-term open access to embedded consumers shall be same as applicable to short-term open access customers.

33. Metering for embedded open access consumer. - Special energy meter shall be installed at the premises of the limited short-term open access customer in accordance with the provisions of The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.

34. Billing and payment for embedded open access consumer. - (1) Billing, collection, disbursement and other commercial matters applicable to embedded open

access consumer shall be same as applicable to the short-term open access customers specified in these regulations.

(2) Embedded open access consumer shall continue to pay electricity charges billed to him on monthly basis by the distribution licensee subject to adjustments of quantum of energy and other charges for drawal of power during the period of open access as provided in these regulations.

(3) Distribution licensee shall provide the details of the adjustments of quantum of energy and other charges, applicable to such consumer, separately in his electricity bill.

CHAPTER – VII

SCHEDULING, METERING AND LOSSES

35. Scheduling. – (1) Scheduling of inter-State open access transactions shall be done in the manner as specified by the Central Electricity Regulatory Commission from time to time.

(2) Scheduling of intra-state open access transactions shall be done by SLDC in accordance with the provisions of the State Grid Code or in accordance with the detailed procedure as approved by the Commission.

(3) Revision of scheduled energy shall be permitted in accordance with the provisions of IEGC or the State Grid Code as the case may be.

36. Metering. - (1) All generating stations irrespective of capacity and all open access customers including embedded consumers shall be provided with special energy meters (SEM) by the State Transmission Utility or the distribution licensee, as the case may be:

Provided that, in case an open access customer or embedded consumer elects to purchase his own special energy meter, he shall purchase the same from the firms empanelled by the STU as specified in The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time:

Provided further that the Commission, in consultation with the STU or the distribution licensees, may exempt small generators of capacity less than or equal to 1 MW and consumers with contract demand less than or equal to 1 MVA from this condition as and when found necessary.

(2) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with The Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and the provisions of State Grid Code and shall have remote terminal unit (RTU) to facilitate real time monitoring by the SLDC as and when specified by the Commission.

(3) Special Energy Meters shall be open for inspection by any person authorized by the STU or the State Load Despatch Centre or the distribution licensee as the case may be.

(4) All open access customers, STU, transmission licensee other than STU, distribution licensee and generating company shall abide by The Central Electricity Authority (Installation and Operation of Meters) Regulations 2006 as amended from time to time.

37. Losses.- (1) In the case of inter-State transmission, the long-term open access customers and the medium-term open access customers, who are buyers of electricity through open access and the short-term open access customers, both buyers and sellers, shall bear the apportioned energy losses in the inter-State transmission system in accordance with the regulations specified by the Central Commission.

(2) In the case of intra-state transmission, the open access customers shall bear the average energy losses in the transmission system as estimated by the State Load Dispatch Centre and approved by the Commission and such energy losses shall be compensated by additional injection at the injection point.

(3) The information regarding average energy losses for the previous fifty two weeks shall be posted on the website of the State Load Dispatch Centre.

(4) Fortnightly average transmission loss in the system applicable to all open access customers shall be monitored by the SLDC

(5) In the case of open access to distribution system, the losses as estimated by the distribution licensee and approved by the Commission shall be borne by the open access customer.

(6)The STU and the distribution licensee shall endeavor to assess the losses using

improved scientific methods and the details of assessment shall be posted on the websites of STU, distribution licensee and the SLDC.

CHAPTER VIII

CHARGES FOR OPEN ACCESS

38. Liability of open access customers to pay charges.- The long-term open access customers, medium-term open access customers, short-term open access customers, limited short-term open access customers and embedded open access consumers shall pay the transmission, wheeling, and other charges applicable to them as specified in this chapter in addition to the charges payable for the inter-State open access availed, if any, by them at the rates specified by the Central Commission.

39. Transmission charge and wheeling charge.- (1) Transmission charges payable to State Transmission Utility / transmission licensee other than the STU and wheeling charges payable to distribution licensee, by an open access customer shall be as determined by the Commission.

(2) Where a dedicated transmission system or a distribution system used for open access has been constructed for exclusive use of an open access customer, the transmission charges or wheeling charges for such dedicated system shall be worked out by the licensee and got approved by the Commission and shall be borne entirely by such open access customer till such time when the surplus capacity is allotted and used by the other persons who shall pay such charges in proportion to their usage.

(3) In case intra-state transmission system or distribution system is used by an open access customer in addition to inter-State transmission system, transmission charges and wheeling charges as fixed and approved by the Commission shall be payable for the use of intra-state system, in addition to payment of transmission charges for inter-State transmission.

40. Cross subsidy surcharge.- (1) If open access facility is availed of by a subsidising consumer of a distribution licensee of the State, then such consumer, shall, in addition to transmission and/or wheeling charges, pay cross subsidy surcharge as determined by the Commission.

(2) Cross subsidy surcharge determined on per unit basis shall be payable, on monthly basis, by the open access customers based on the actual energy drawn during the month through open access.

(3) The amount of surcharge shall be paid to the distribution licensee of the area of supply from whom the consumer was availing supply before seeking open access:

Provided that such surcharge shall not be levied in case transmission/distribution open access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

41. Additional surcharge.- (1) An open access customer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and surcharge, to meet the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 42 of the Act.

(2) The additional surcharge for obligation to supply shall become applicable only if it is conclusively demonstrated that the obligation of the licensee in terms of existing power purchase commitments has been and continues to be stranded or there is unavoidable obligation and incidence to bear fixed costs consequent to such a contract.

(3) The distribution licensee, whose consumer intends to avail open access, shall submit to the Commission within fifteen days of receipt of application, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply.

(4) The Commission shall scrutinize the statement of calculation of such fixed cost submitted by the distribution licensee and obtain objections, if any, from the open access customer and determine the amount of additional surcharge.

(5) The additional surcharge shall be levied for such period as the Commission may determine.

42. Scheduling and system operation charges.- (1) The scheduling and system operation charges payable to the SLDC by open access customer shall be as determined by the Commission under section 32 of the Act.

(2) The scheduling and system operation charges collected by the SLDC in accordance with sub-regulation (1) above shall be in addition to the other fees and charges approved by the Commission under these regulations.

(3) The scheduling and system operation charges shall be payable even when the open access customer happens to be a generating company or trading licensee, availing open access under these regulations:

Provided that this regulation is applicable only if the SLDC is established in accordance with section 31 of the Act and is ring fenced to function as an independent unit.

43. Unscheduled interchange (UI) pricing.- The Commission may, from time to time, as the occasion may require, by separate order, and in accordance with tariff policy issued under section 3 of the Act, determine the unscheduled interchange charges payable by the generators, licensees and consumers:

Provided that the actual payment of such unscheduled interchange charges may be deferred by the Commission till such period which may be determined by the Commission having regard to the extent of demand for open access and the extent of involvement of private operators in power generation and distribution:

Provided further that this regulation is applicable only when intra-state availability based tariff system is introduced in the State.

44. Reactive energy charges.- In respect of open access customer (except embedded consumers), the payment for the reactive energy charges shall be in accordance with the provisions stipulated in the IEGC till such provision is stipulated in the State Grid Code or by any order by the Commission.

45. Deviations and grid support charges.- (1) Scheduling of all transactions pursuant to grant of long-term open access or medium-term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC, regulations on inter-State open access issued by the Central Commission, State Grid Code and / or orders of the Commission on intra-state transactions.

(2) Deviations between the scheduled and the actual injection/drawal in respect of an open access customer (other than embedded consumer) and the generating stations, shall be regulated as given below:

a) The excess drawal over and above the applicable sanctioned open access load shall be accounted on a daily basis in 15 minutes time blocks, where ever applicable, and the excess drawal will be billed at the rate of the grid support charge as determined by the Commission from time to time.

b) The grid support charges will also be payable for the actual drawal in excess of the actual injection during any time block consequent to short fall in generation due to any reasons whatsoever.

c) The accounts shall be settled on a monthly basis.

d) In the case of under drawal as a result of non availability of the distribution system or unscheduled load shedding, the open access customer shall be compensated by the distribution licensee at the average pooled power purchase cost (APPC) of the distribution licensee.

e) In the case a generating station participating exclusively in intra-state open access transactions, injects energy in excess of schedule, or the net actual energy drawal by intra-state customers is less than the injection during any time blocks, such excess injection shall be compensated by the distribution licensee at the unscheduled interchange rates applicable for the time block and quantum of such excess injections.

(3) The procedure under sub-regulation (2) shall be applicable to limited short-term open access customer also, subject to the condition that if the demand imposed by these customers on the distribution system exceeds the contract demand of the customers during the periods of load shedding such excess demand will be penalised at twice the applicable tariff on a monthly basis.

(4) In the case of deviation by open access customer who is also an embedded open access consumer of distribution licensee, the difference between the applicable scheduled open access energy and actual drawal shall be accounted and settled in accordance with the following:

(a) In case actual energy drawal is more than the scheduled drawal and the recorded maximum demand is within the contract demand, customer shall be liable to pay for such over drawal at the applicable tariff rates as determined by the Commission from time to time.

(b) In case the actual drawal of energy is more than the scheduled energy drawal and the total recorded maximum demand is more than the contracted demand, payment

for the capacity over and above the contract demand, shall have to be made at the penal rate as specified by the Commission for such categories of customers in the tariff schedule from time to time.

(c) In the case of under drawal as a result of non-availability of the distribution system or unscheduled load shedding, the open access customer (who is also embedded consumer) shall be compensated by the distribution licensee by an equal quantum of energy injected by the participating generator in the same time block and the generator will not be eligible for any compensatory payments for that quantum of energy.

[Explanation.- For the purpose of this regulation, unscheduled load shedding means, load shedding during hours other than the hours for which load shedding has been announced by the distribution licensee after obtaining approval from the Commission and will also include unscheduled shutdowns of lines.]

(5) If a generator happens to be an open access customer, partly or fully in third party sale of power and he desires to avail start up power from the grid, the generator shall be permitted to do so at a charge to be determined by the Commission for the start up power:

Provided that if the generator who has availed open access, happens to be a captive power producer or a renewable energy generator or independent power producer (IPP) and desires to avail start up power from the Grid, the transaction shall be governed by the respective Captive Power Policy or Renewable Energy Policy of the Government or of the Commission or as per the power purchase agreement as approved by the Commission in the case of an IPP.

46. Restoration charges.- (1) Any default in payment of the various charges as specified under the chapter VIII, within the time stipulated by the Commission will result in the discontinuance of the open access to the customer.

(2) Restoration of such discontinuance shall be subject to the payment of restoration charges and other restoration conditions to be determined by the Commission separately from time to time.

CHAPTER – IX

COMMERCIAL MATTERS - BILLING, COLLECTION AND DISBURSEMENT

47. Inter-State transactions. - (1) Billing, collection and disbursement of charges payable to RLDC including Unified Load Despatch and Communication Scheme (ULDCS) in respect of inter-State long-term open access and medium-term open access shall be in accordance with the procedure specified by the Central Commission.

(2) STU shall raise bills for the charges payable to the SLDC directly to the long-term open access customers and medium-term open access customers connected to intra-state transmission system and/or distribution system before third working day of the succeeding calendar month.

(3) Respective open access customers shall make payment to STU within five working days from the date of receipt of the bill and STU shall disburse the payment to SLDC by fifteenth day of every month.

(4) Billing, collection and disbursement of transmission charges for use of common to CTU and STU and operating charges payable to RLDC and SLDC towards inter-State short-term open access shall be in accordance with the procedure specified by the Central Commission.

(5) Short-term open access customer connected to the distribution system shall pay to the SLDC the charges payable for the use of distribution system, within three working days from the date of grant of inter-State short-term open access by the nodal agency and the SLDC shall disburse the payment to the distribution licensee on weekly basis.

48. Intra-state transactions. - (1) STU in consultation with the SLDC, transmission licensees other than STU and distribution licensee, as the case may be, shall raise bills by the third working day of the succeeding calendar month directly to the long-term open access customers and medium-term open access customers for the open access charges and other charges payable by them.

(2) The long-term and medium-term open access customers shall pay the charges to the STU within five working days from the date of receipt of the bill and the STU shall disburse the charges payable to SLDC, transmission licensee other than STU and distribution licensee by fifteenth day of every month.

(3) SLDC shall raise bills for the open access and other charges payable by the short-term open access customers to the SLDC, STU, intra-state transmission licensee other than STU and the distribution licensee along with the letter to be issued to them intimating grant of open access.

(4) The short-term open access customer shall make payment within three days from the grant of the short-term open access by the nodal agency and SLDC shall disburse such charges to the STU, intra-state transmission licensee other than STU and distribution licensee on a weekly basis, after retaining the charges due to the SLDC.

49. Late payment surcharge. - In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation thereunder, a late payment surcharge at the rate of one and a half percent per month or part thereof shall be levied.

50. Default in payment. – (1) Non-payment of any charge or sum of money payable by the open access customer under these regulations shall be considered non-compliance of these regulations.

(2) In case the default is in payment of charges of intra-state transmission licensee and distribution licensee then they may discontinue open access after giving the defaulting open access customers an advance notice of ten days without prejudice to their right to recover applicable charges.

(3) In the case of default in payment of charges due to the State Load Despatch Centre, the State Load Despatch Centre may refuse to schedule power to the defaulting open access customer and direct the intra-state transmission licensee or the distribution licensee to disconnect such open access customer from the grid.

51. Payment security.- (1) The long-term and medium-term open access customer shall maintain with the State Transmission Utility, a deposit equal to three months of the average billing on the basis of agreed contract demand and/or scheduled drawal as a payment security towards transmission charges.

(2) The long-term and medium-term open access customer shall maintain with the SLDC, a deposit equal to three months of the average scheduling and system operation charges as a payment security towards such charges, subject to the proviso under sub regulation (3) of regulation 42.

(3) The long-term and medium-term open access customer shall maintain with the distribution licensee of the area of supply, a deposit equal to three months of the average billing of wheeling charges, surcharge and additional surcharge as a payment security towards such charges.

(4) Such securities may be in the form of cash deposit, irrevocable letter of credit or bank guarantee from a nationalized bank.

(5) The open access customer shall furnish the above payment security within thirty days from the date of commencement of availing open access.

52. Billing, collection and disbursement costs.- In the case of intra-state open access where STU is the nodal agency to bill, collect and disburse various open access charges on behalf of licensees, the STU shall be entitled to reimbursement of reasonable costs incurred by it, at the rates to be stipulated in the detailed procedure, for billing, collecting and disbursement of open access charges and such expenses of the licensees shall be allowed as pass through in their respective aggregate revenue requirements (ARR).

53. Advance payment by short-term open access customers, limited short-term open access customers and embedded consumers.- Notwithstanding anything contained in these regulations, all the payments applicable to the short-term open access customer, limited short-term open access customer and embedded consumer as per these regulations shall be made in advance before actual transactions are scheduled.

CHAPTER -X

CO-ORDINATION COMMITTEE AND DETAILED PROCEDURE

54. Constitution of co-ordination committee.- The STU shall constitute a co-ordination committee within one month from the date of notification of these regulations. The co-ordination committee shall have a nominee each of the distribution licensees, transmission licensees and the SLDC. The nominee of the STU shall be the chairperson of the co-ordination committee.

55. Functions of co-ordination committee and detailed procedure.- (1)The co-ordination committee shall facilitate timely approval of connectivity and open access application and exchange of information when network of more than one licensee is involved in the open access transactions.

(2)The co-ordination committee shall frame rules for the conduct of its business and also the detailed procedure for grant of connectivity and open access.

(3)The rules for conduct of its business and the detailed procedure, consistent with provisions of these regulations and the provisions of State Grid Code, shall be submitted by the co-ordination committee within sixty days from the date of its constitution to the Commission for approval.

(4) Till such time the rules for the conduct of business of co-ordination committee and detailed procedure for grant of connectivity and intra-state open access is approved by the Commission, connectivity and intra-state open access shall continue to be granted as per the existing procedure, which shall, however, not be inconsistent with the provisions of these regulations.

(5) The co-ordination committee while preparing detailed procedure and various formats for application, approval, agreement etc., may adopt the formats provided along with the model terms and conditions of intra-state open access regulations approved by the Forum of Regulators with suitable amendments so as to make all the formats consistent with the provisions of the Act and these regulations.

CHAPTER –XI

INFORMATION SYSTEM

56. Information system.- (1) The nodal agency shall post the following documents/information on its website in a specific link titled “Open Access Information”:

- (a) These regulations.
- (b) Detailed procedure.
- (c) List of applications, separately, for long-term open access and medium-term open access received by the nodal agency along with necessary details.
- (d) Separate lists for long-term open access and medium-term open access granted, indicating:
 - (i) Name of open access customers;
 - (ii) Period of the access granted (start date and end date);
 - (iii) Point or points of injection;
 - (iv) Point or points of drawal;

- (v) Transmission systems / corridor (details of lines / substations) used;
- (vi) Distribution licensees involved and distribution systems used
- (vii) Capacity (MW) for which access has been granted
- (viii) List of applications where approval for connectivity or open access has not been granted along with reasons thereof.

(e) Peak load flows and capacity available including the reserve capacity on all EHT lines and HT lines emanating from EHT sub-stations.

(f) The information regarding actual losses in inter-State and intra-state transmission and distribution system in terms of energy (MUs) as well as percentage.

(g) any other information relevant to inter-State and intra-state open access.

Provided that it shall be a constant endeavour of the nodal agency to take necessary action, in accordance with the requirements herein, to provide as much information as possible *suo motu* to the public at regular intervals through various means of communications, including Internet, so that information is disseminated widely and in such form and manner which is easily accessible to the public.

CHAPTER – XII

GENERAL

57. Compliance of grid code.- The open access customers and the applicants for connectivity shall abide by the IEGC, the State Grid Code, the State Distribution Code, the State Electricity Supply Code and their statutory re-enactments as amended from time to time as well as the instructions given by the Commission, State Transmission Utility and State Load Dispatch Centre as applicable from time to time.

58. Priority for allotment and curtailment.- (1) The priority for allotment of open access in intra-state transmission system and distribution system shall be decided on the following criteria:

(a) A distribution licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term.

(b) The applicants for long-term open access shall have the priority next to the distribution licensee.

(c) The applicants for medium-term open access shall have the priority next to the applicants for long-term open access.

(d) The applicants for short-term open access shall have the priority next to the applicants for medium-term open access.

(e) Allotment priority for the applicants for short-term open access shall be decided *on the basis of first come first served for each category* subject to availability of capacity.

(f) When the requirement projected by an applicant is more than the available capacity and the said applicant is not able to limit his requirement to the available capacity, the request of applicant having next lower priority shall be taken up for consideration.

(2) Priority for curtailment of open access in intra-state transmission system and distribution system shall be decided on the following criteria:

(a) When, because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of the State Grid Code and other operational parameters, the open access to a distribution licensee shall be the last to be curtailed.

(b) Among others, services to short-term open access customers shall be curtailed first, followed by the medium-term open access customers, followed by long-term open access customers and amongst the open access customers of a particular category, curtailment shall be carried out on pro rata basis.

(c) The SLDC shall prepare guidelines for curtailment of open access, which shall be consistent with the provisions of State Grid Code and other relevant regulations. The curtailment guidelines shall be prepared by the SLDC within sixty days from the date of notification of these regulations and shall form part of detailed procedure.

59. Consent by STU, SLDC or distribution licensee for long-term open access, medium-term open access and short-term open access on intra-state transmission system and distribution system.– (1) While processing the application seeking consent for intra-state open access, the nodal agency shall ensure the following:

(a) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code and Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.

(b) Availability of capacity in the transmission and/or distribution network.

(2) In case the existence of necessary infrastructure and availability of capacity in the transmission and/ or distribution network have been established, the nodal agency shall convey its consent to the applicant by e-mail or fax or by any other standard mode of communication, within three working days of receipt of the application.

(3) In case the nodal agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or fax or by any other standard mode of communication, within two working days of receipt of the application:

Provided that the application may be resubmitted after curing the defect and the date of its re-submission shall be the deemed to be the date of application.

(4) In case the application has been found to be in order but the nodal agency refuses to give consent on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the transmission and / or distribution network, such refusal shall be communicated to the applicant by e-mail or fax or by any other standard mode of communication, within the period of three working days from the date of receipt of the application, along with reasons for refusal.

(5) In case the nodal agency has not communicated any deficiency or defect in the application within two working days from the date of receipt of application, or refusal or consent within the period of five working days from the date of receipt of the application, consent shall be deemed to have been granted.

60. Under-utilisation or non-utilisation of open access capacity in intra- state transmission and distribution system. - (1) A long-term open access customer who has availed open access rights for at least twelve years may relinquish the long-term open access rights fully or partly before the expiry of the full term of long-term open access, by making payment of compensation for stranded capacity as follows:

(a) If a long-term open access customer submits an application to the nodal agency at least one year prior to the date from which such customer desires to relinquish the open access rights, he shall not be liable to pay any charges in this regard.

(b) If a long-term open access customer submits an application to the nodal agency at any time lesser than a period of one year prior to the date from which such customer desires to relinquish the open access rights, such customer shall pay an amount equal to sixty per cent of the open access charges, as applicable on the date from which the open access right is relinquished, for the stranded transmission and / or distribution capacity for the period falling short of a notice period of one year.

(2) A long-term open access customer, who has not availed open access rights for at least twelve years, shall pay an amount equal to sixty per cent of the transmission / wheeling charges, as applicable on the date from which the open access right is relinquished, for the stranded transmission and / or distribution capacity for the period falling short of twelve years of open access rights:

Provided that such an open access customer shall submit an application to the nodal agency at least one year prior to the date from which such customer desires to relinquish the open access rights:

Provided further that in case an open access customer submits an application for relinquishment of long-term open access rights at any time with a notice period of less than one year, then such open access customer shall pay an amount equal to sixty per cent of the transmission / wheeling charges , as applicable on the date from which the open access right is relinquished, for the period falling short of a notice period of one year, in addition to sixty per cent of the transmission / wheeling charges, as applicable on the date from which the open access right is relinquished, for the stranded transmission and / or distribution capacity for the period falling short of twelve years of open access rights.

(3) The compensation paid by the long-term open access customer for the stranded transmission and / or distribution capacity shall be used for reducing the transmission and / or wheeling charges payable in the year in which such compensation payment is due, by other long-term open access customers and medium-term open access customers who share the stranded capacity, in the ratio of open access charges payable for that year by such long-term open access customers and medium-term open access customers, as approved by the Commission.

(4) A medium-term open access customer may relinquish open access rights, fully or partly, by giving at least thirty days prior notice to the nodal agency and such medium-

term open access customer shall pay applicable transmission / wheeling charges for the period of relinquishment or thirty days whichever is less.

(5) The short-term open access schedules accepted by the nodal agency in advance or day-ahead basis may be cancelled or revised on an application to that effect made to the nodal agency by the short-term open access customer :

Provided that such cancellation or revision of the short-term open access schedules shall be effective only after expiry of a minimum period of two days:

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the nodal agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the above minimum period of two days.

(6) The short-term open access customer seeking cancellation or downward revision of short-term open access schedule shall pay the transmission / wheeling charges for the first two days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the nodal agency, and thereafter in accordance with the revised schedule prepared by the nodal agency during the period of such cancellation or downward revision.

(7) In the case of cancellation, specified scheduling and system operation charges shall be payable by the short-term open access customer for two days or the period of cancellation in days, whichever is less.

61. Over injection and over drawal from the system.- In case an open access customer injects or draws more than the allocated capacity in the transmission and/or distribution system beyond ten percent, the open access customer shall pay one hundred and fifty percent of the applicable transmission and/or wheeling charges for this over injection or over drawal than the allocated capacity. The charges for this over injection /over drawal beyond ten per cent shall be levied in accordance with the detailed procedure:

Provided that in case an open access customer frequently injects or draws more than the allocated capacity, then the nodal agency may revise the allocated capacity in the transmission and/or distribution system in accordance with the detailed procedure after giving opportunity to the open access customer to explain its position.

62. Dispute resolution. – (1) All disputes and complaints arising under these regulations shall be decided by the co-ordination committee constituted as per regulation 54 within a period of thirty days from the date of receipt of application from the concerned party.

(2) Appeal against the decision of the co-ordination committee shall lie before the Commission.

(3)The decision of the Commission shall be final and binding.

63. Enquiry and investigation. - All enquiries, investigations and adjudications under these regulations shall be done by the Commission through the proceedings in accordance with the provisions of the Electricity Act, 2003 and the KSERC (Conduct of Business) Regulations, 2003 amended from time to time.

64. Force majeure.- (1) Events such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake, strike, lockout, fire affecting the premises, installations and activities of any of the parties having open access agreement shall be classified as force majeure events for the purpose of these regulations.

(2) If any person being party to an open access agreement is unable to, wholly or in part, perform on time and as required, any obligation under such agreement or under these regulations because of the occurrence of a force majeure event, then, subject to these regulations, that obligation is suspended to the extent for so long as the ability of the affected person to perform such obligation is affected by that force majeure event.

65. Interpretation of regulations.- (1) Words and expressions used and not defined in these regulations but defined in the Act or the IEGC or the State Grid Code or State Supply Code or State Distribution code shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, or State Supply Code or Distribution Code as the case may be.

(2) The General Clauses Act, 1897 (10 of 1897) as amended from time to time, shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Parliament.

(3)In the interpretation of these regulations, unless the context otherwise requires:

(a) Words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;

(b) The terms “include” or “including” shall be deemed to be followed by “without limitation” or “but not limited to” regardless of whether such terms are followed by such phrases or words of like import;

(c) References herein to the regulations shall be construed as a reference to these regulations as amended or modified by the Commission from time to time in accordance with the applicable laws in force;

(d) References to the statutes, regulations or guidelines shall be construed as including all statutory provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be, referred to.

66. Power to amend. - The Commission, for reasons to be recorded in writing, may at any time vary, alter or modify any of the provision of these regulations by specific order.

67. Powers to remove difficulties.- If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may, by a general or special order, not being inconsistent with the provisions of these regulations or the Act, do or undertake to do things or direct to do or undertake such things which appear to be necessary or expedient for the purpose of removing the difficulties.

68. Repeal and savings.- (1) Kerala State Electricity Regulatory Commission (Terms and Conditions for Open Access) Regulations 2005 shall stand repealed from the date of coming into force of these regulations.

(2) Notwithstanding such repeal, any thing done or any action taken under the said regulation shall be deemed to have been done or taken under the corresponding provisions of this regulation.

(3) Nothing contained in these regulations shall invalidate the powers of the Commission to exempt any licensee or customer or person engaged in generation or a person whose premises are situated within the area of supply of a distribution licensee from any or all of the conditions for availing open access, whether before or after the notification of these regulations:

Provided that the Commission shall, as far as practicable, give reasonable opportunity to any interested or affected party to make representations before granting such exemption.

(4) Nothing in these regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuses of the process of the Commission.

(5) Nothing in these regulations shall bar the Commission from adopting in conformity with the provisions of the Act, a procedure which is at variance with any of the provisions of these regulations or relax any of the provisions of these regulations, if the Commission, in view of the special circumstances of a matter or class of matters or in public interest and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.

(6) Nothing in these regulations shall, expressly or impliedly, bar the Commission from dealing with any matter or exercising any power or function under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

By order of the Commission

Sd/-
K.Mathew Kurien
Secretary

Explanatory Note

The Electricity Act 2003 has been enacted with a view to promoting efficiency, transparency, competition and overall development in power sector ensuring protection of the interest of all the stakeholders especially the consumers. One of the strategies for achieving the above broad objectives is non-discriminatory open access to transmission and distribution system. The Sections 38, 39, 40 & 42 of the Electricity Act 2003 enable the introduction and implementation of open access in transmission and distribution sectors. Sub Section (2) of Section 42 of the Act stipulates that the State Commissions shall introduce open access in such phases and subject to such conditions as may be specified by the State Commission.

The National Electricity Policy framed under Section 3 of the Electricity Act 2003 has reiterated the importance of implementation of open access in transmission and distribution networks for promoting competition amongst the generating companies and for enabling the bulk consumers to buy energy directly from competing generators. It is also envisaged that open access would foster competition in power sector and would thereby increase the availability of cheaper and reliable power.

The Tariff Policy issued by Government of India does also emphasize the importance of open access and stipulates that the consumer who is permitted to avail open access will have to pay cross subsidy surcharge also to the distribution licensee in addition to the transmission and wheeling charges payable to the transmission licensee and distribution licensee respectively. The Electricity Act 2003 as well as the policies issued by Government of India have set certain time lines for the introduction and implementation of open access. Therefore Open Access has to be introduced in a time bound manner in such a way that the interest of the distribution licensee is also protected, while facilitating competition in the larger interest of the consumers.

The KSERC had already issued the KSERC (Open Access) Regulations, 2006, with a view to achieving the advantages of open access. Establishment of power exchanges and merchant power stations as well as acceleration in power trading have brought about considerable changes in power sector since the issuance of open access regulations by the Commission. Therefore it is found that the existing regulation has to be reviewed and revised with a view to formulating an integrated regulation to meet the requirements of the advancements in the sector and to facilitate seamless integration of inter-State and intra-state open access. Hence these revised regulations are issued repealing the existing regulations. This explanatory note does not form part of the regulations.

Schedule I (1)			
Particulars relating to Application for grant of Short Term Open Access for customer connected to Distribution System when inter-se locations of injection & drawal point are within the distribution system of same licensee			
1	Nodal Agency to whom application has to be submitted		SLDC
2	Application Fee		Rs.2000/-
3	Documents to accompany application		1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee
4	Time Frame for Disposal of application (days from the receipt of application)		5 days
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39(1)	Wheeling Charges	Distribution Licensee
(b)	40(1) 41(1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42(1)	Scheduling and system operating charges	SLDC
(f)	39(1)	Transmission Charge	STU/Transmission Licensee
6	Agency to bill & collect the amount and disburse according to entitlement.		SLDC
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (2)

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to Distribution System where injection point and drawl point are both within State of Kerala but in areas of different Distribution Licensees

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.3000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	5 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU/Transmission Licensee
6	Agency to bill & collect the amount and disburse according to entitlement.	SLDC	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	

Schedule I (3)

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to Distribution System where injection point is in the intra state transmission system within Kerala

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.5000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	5 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		SLDC
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (4)

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to Distribution System where injection point and drawl point are in different states

1	Nodal Agency to whom application has to be submitted	SLDC/CTU	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	As per CERC	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	RLDC/SLDC
(f)	39 (1)	Transmission Charge	STU/Transmission Licensee
6	Agency to bill & collect the amount and disburse according to entitlement.	SLDC/CTU	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	

Schedule I (5)

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to Distribution System where injection point and drawl point are within the same Distribution Licensees

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.25,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (6)

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to Distribution System where injection point and drawl point are within Kerala but in different Distribution Licensees

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.35,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (7)

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to Distribution System where injection point is in the intra-state transmission system within the state

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.35,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (8)

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to Distribution System where injection point and drawl point is in different states

1	Nodal Agency to whom application has to be submitted	STU/CTU	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC/RLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU/CTU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (9)

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to Distribution System where injection point and drawl point are both within the same Distribution Licensees

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.25,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels
8	Bank guarantee as per Regulation 17(4)		Rs.50/kW

Schedule I (10)

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to Distribution System where injection point and drawl point are both within Kerala but in different Distribution Licensees

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.50,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	120 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels
8	Bank guarantee as per Regulation 17(4)		Rs.50/kW

Schedule I (11)

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to Distribution System where injection point is in the intra state transmission system within the state

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.50,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) In case of generating station documentary evidence of connectivity. 4) In the case of generating stations evidence for connectivity 5) Consent from Distribution Licensee	
4	Time Frame for Disposal of application (days from the receipt of application)	120 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels
8	Bank guarantee as per Regulation 17(4)		Rs.50/kW

Schedule I (12)

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to Distribution System where injection point and drawl point are in different states

1	Nodal Agency to whom application has to be submitted	STU/CTU	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) In case of generating station documentary evidence of connectivity. 4) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	CERC	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC/RLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels
8	Bank guarantee as per Regulation 17(4)		Rs.50/kW

Schedule I (1) A

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to intra state transmission system where injection point and drawl point are both within the state.

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.2000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	5 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		SLDC
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (2) A

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to intra state transmission system where injection point is in the distribution system within the state

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.35,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	5 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.	STU	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	

Schedule I (3) A

Particulars relating to Application for grant of **Short Term Open Access** for customer connected to intra state transmission system where injection point and drawl point is in different states

1	Nodal Agency to whom application has to be submitted	RLDC	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	As per CERC	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC/RLDC
(f)	39 (1)	Transmission Charge	STU/CTU
6	Agency to bill & collect the amount and disburse according to entitlement.	RLDC/SLDC	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	

Schedule I (4) A

Particulars relating to Application for grant of **Medium Term Open Access** customer connected to intra state transmission system where injection point and drawl point in the intra state transmission system

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.25,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	30 days	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (5) A

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to intra state transmission system where injection point is in distribution system within Kerala

1	Nodal Agency to whom application has to be submitted	STU	
2	Application Fee	Rs.25,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)		
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.	SLDC	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	

Schedule I (6) A

Particulars relating to Application for grant of **Medium Term Open Access** for customer connected to intra state transmission system where injection point and drawl point are in different states

1	Nodal Agency to whom application has to be submitted	CTU	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	As per CERC regulation	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	RLDC/SLDC
(f)	39 (1)	Transmission Charge	STU/CTU
6	Agency to bill & collect the amount and disburse according to entitlement.		CTU/LTU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels

Schedule I (7) A

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to intra state transmission system where injection point and drawl point are both within the state.

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.50,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Bank Guarantee 4) Consent from distribution licensee concerned	
4	Time Frame for Disposal of application (days from the receipt of application)	120 days 150 days (where augmentation is required)	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.	STU	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	
8	Bank guarantee as per Regulation 17(4)	Rs.50/kW	

Schedule I (8) A

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to intra state transmission system where injection point is in the distribution system within Kerala

1	Nodal Agency to whom application has to be submitted	SLDC	
2	Application Fee	Rs.50,000/-	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Bank Guarantee	
4	Time Frame for Disposal of application (days from the receipt of application)	120 days 150 days (where augmentation is required)	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Stand by Charges if any	
(d)	44	Reactive Energy Charges as applicable	SLDC
(e)	42 (1)	Scheduling and system operating charges	
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.		STU
7	Nature of losses and modus of compensation		Loss in kind – at relevant voltage levels
8	Bank guarantee as per Regulation 17(4)		Rs.50/kW

Schedule I (9) A

Particulars relating to Application for grant of **Long Term Open Access** for customer connected to intra state transmission system where injection point and drawl point are in different states

1	Nodal Agency to whom application has to be submitted	STU/CTU	
2	Application Fee	As per CERC	
3	Documents to accompany application	1) Proof of payment of Application Fee 2) PPA or sale purchase agreement 3) Consent from distribution licensee concerned 4) Bank Guarantee 5) In case of generating station not already connected to grid, documentary evidence that the connectivity shall be completed before intended date of LTA	
4	Time Frame for Disposal of application (days from the receipt of application)	CERC	
5	Applicable charges		
Sl. No.	Regulation No.	Particulars	To whom due
(a)	39 (1)	Wheeling Charges	Distribution Licensee
(b)	40 (1) 41 (1)	Cross Subsidy Surcharge and additional surcharge	
(c)	45	Grid support Charges if any	
(d)	44	Reactive Energy Charges as applicable	
(e)	42 (1)	Scheduling and system operating charges	SLDC
(f)	39 (1)	Transmission Charge	STU
6	Agency to bill & collect the amount and disburse according to entitlement.	STU/CTU	
7	Nature of losses and modus of compensation	Loss in kind – at relevant voltage levels	
8	Bank guarantee as per Regulation 17(4)	Rs.50/kW	