

Fwd: Comments /suggestions on CERC(Terms and Conditions of Tariff) (Third Amendment) Regulations 2022 ----

From : Shilpa Agarwal <shilpa@cercind.gov.in>
Subject : Fwd: Comments /suggestions on CERC(Terms and Conditions of Tariff) (Third Amendment) Regulations 2022 ----
To : Mukesh Kumar <mukeshkr.cea@gov.in>, Awdhesh Kumar Yadav <awdhesh@nic.in>

Thu, Sep 29, 2022 11:33 AM

From: JIGNESHLANGALIA@torrentpower.com
To: "Harpreet Singh Pruthi" <secy@cercind.gov.in>, "Shilpa Agarwal" <shilpa@cercind.gov.in>
Cc: chetanbundela@TORRENTPOWER.COM, lunapal@TORRENTPOWER.COM
Sent: Thursday, September 29, 2022 11:09:52 AM
Subject: Comments /suggestions on CERC(Terms and Conditions of Tariff) (Third Amendment) Regulations 2022 ----

Dear Sir/Mam,

This has reference to the draft Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022 circulated by Hon'ble Commission vide its public notice dated 6th September, 2022.

In this regard, we take this opportunity to thank the Hon'ble Commission for giving us an opportunity to submit our comments / suggestions on the proposed Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022 as under:

Draft Amendment	Proposed Changes in Draft Amendment	Rationale
<u>Appendix-II Procedure for Calculation of Transmission System Availability Factor for a Month</u> 4(iii) Shut down availed for shifting of Transmission Line for Project(s) of NHAI, Railways and Border Road Organisation. Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work involved;	<u>Appendix-II Procedure for Calculation of Transmission System Availability Factor for a Month</u> 4(iii) Shut down availed for shifting of Transmission Line for Project(s) of NHAI, Railways and Border Road Organisation <u>and other projects of national importance notified by Central or State government.</u> Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work involved <u>after hearing the licensee/generator and beneficiary;</u>	At the outset, we appreciate the efforts to facilitate such projects. However, as Electricity business is to be operated on commercial principles as per the provisions of the Act, there is a need to give clarity about the liability to pay compensation for such facilitation. We would like to point out that Railway or NHAI and/ or any other entity operates with Electrical entities on commercial principles and demands necessary payments for any services / supports. Further, Railway gives differential treatment to Private Electrical Entities

Provided that such deemed availability shall be considered only for the period for which DICs are not affected by the shutdown of the such transmission Line.

Provided that such deemed availability shall be considered only for the period for which DICs are not affected by the shutdown of such transmission Line. **If deemed availability is not considered by RPC for whatsoever reason, concessionaries i.e., NHAI, Railways, Border Road Organisation, etc. shall compensate for transmission charges as well as incentive corresponding to availability considering the deemed availability as above.**

Provided further that if outage of any line for modification work results in revenue loss to the generator or the generator will have to be run on Auxiliary supply or beneficiary has to purchase replacement power, cost of running of generator on such auxiliary supply or cost of replacement power will be borne by NHAI/ Railway/ Border Road Organisation/ or any other concessionaries, as the case may be, independent of loss owing to availability of line.

vis-à-vis Govt Electrical Entities and in turn, Private entities are required to pay more charges/ cost on account of such differential treatment even for ROW. Regarding Coal Transportation facilities, we all aware that Railway charges at higher rate to cross subsidize its public transport facilities. In the above background, we would like to submit as under :

It may kindly be noted that Transmission Licensee/ Generator are also receiving requests from various entities like METRO Rail Corporation, Local Authorities, Public Water Works Department, Urban Development Department, Irrigation Department, etc. seeking shutdown of transmission lines for carrying out various infrastructure projects. Hence, mechanism should be defined in the fair manner to protect the commercial interest of Electrical Utilities as well. Further, Railway or NHAI also compensates the other affected persons for its various activities.

We also suggest that Member Secretary RPC should hear the affected transmission licensee/generator before taking decision by passing the reasoned order regarding deemed availability period along with payment of compensation.

Further, in case of deemed availability, entity seeking the shutdown is required to compensate the affected generator/ transmission licensee/ beneficiaries for revenue loss/running Generator on Auxiliary power/ replacement cost to

We earnestly request Hon'ble Commission to give due consideration to our comments/ suggestions while finalizing the final notification on proposed Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2022.

Thanking You.

Yours faithfully,

Jignesh Langalia
Torrent Power Ltd

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