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Ref: RA/BYPL/ 2021-22/ 304

14.02.2022

To
The Secretary
Central Electricity Regulatory Commission
3rd and 4th Floor, Chanderlok Building,
Janpath, New Delhi-11001

Sub : Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations,2021

Ref: Hon'ble CERC Public Notice no. L-1/261/2021/CERC dated 16.12.2021 & 14.01.2022.

Sir,

We write with reference to the aforementioned issuance of Public Notices on 16.12.2021 and 14.01.2022 regarding the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations,2021.

In view of above, BYPL hereby submits comments on the aforementioned subject matter for kind consideration for the Hon'ble Commission

Thanking you,

Yours faithfully

For BSES Yamuna Power

Abhishek Srivastava

Authorised Signatory (Regulatory affairs)

Encl: As above

Comments on draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2021 dated 16.12.2021

The Central Electricity Regulatory Commission ("CERC") has brought out the draft Connectivity and General Network Access to the inter-State Transmission System Regulations, 2021. The objective of these regulations, as may be inferred from the definitions and clauses is to ensure easy transmission access to generating and distribution utilities. By the implementation of these draft regulations, distribution utilities can plan their system strengthening effectively and proper planning of transmission system can be done and there would assured recovery of transmission charges from the applicant. Further, through these draft regulations, the discoms who seek minimum load of 250 MW from the inter-State transmission system shall be treated as eligible for inter-State connectivity.

The 2021 Draft GNA Regulations consists of broadly three sections - (A) Connectivity, (B) General Network Access (GNA), and (C) Temporary GNA (T-GNA). At present the transmission planning is being done on the basis of Long term access taken by ISGSs. As per the draft regulations, the proposed planning to be done on the basis of the projected load of the States and anticipated generation scenario based on economic principles of merit order operation. The GNA approach proposed in the draft regulations is different from the present LTA or MTOA approach as LTA is allowed on the basis of MW applied for power transaction from source to drawal point/targeted region whereas GNA shall be allowed on the estimated (by CTU) max injection/drawal of a node/zone for a specified period and not on considering source to drawal point route.

The draft regulations provides for only generating stations to be the eligible entities for the connectivity. However, the State discoms and bulk consumers are also eligible for making application for grant of General Network Access (GNA) directly and not necessarily through STU. These would require to be given connectivity to ISTS. It is not clear from the draft regulations as how these entities would be granted connectivity to ISTS.

The comments and suggestions on the draft regulations and its terms on behalf of BSES Yamuna Power Limited (BYPL) are provided in the following matrix for the kind perusal of the Hon'ble CERC.

S.N	Regulation no.	Regulation	Comments/Suggestions
1	2. Definitions 4. Eligibility for Connectivity to ISTS	2 (k) "Connectivity" means the state of getting connected to the inter-State transmission system in accordance with these regulations; 4.1 (a) Generating station(s), including REGS(s), with or without ESS, with an installed capacity of 50 MW and above individually or with an aggregate installed capacity of 50 MW and above through a Lead Generator or a Lead ESS;	a) As per the draft regulations generator with installed capacity of 50 MW and above are eligible for connectivity. By allowing connectivity to such small generating capacity will not only increase the cost burden on DICs (Designated ISTS Customers) of inter-state transmission system, but, will also impact the transmission system planning at ISTS level. To avoid such issues of system utilization and stranded costs, such small capacities should be connected at STU level based on state level planning. Provided that there are not using the Distribution company network.
2	3.Application for Grant of Connectivity and GNA	3.3. Each application for grant of GNA shall be accompanied by a nonrefundable application fee of Rs.5 lakh along with applicable taxes. Provided that no application fee shall be payable by the State Transmission Utilities while applying for GNA.	a) Distribution Utilities are doing the same job as Transmission Utilities except power supply. They have Universal obligation of power supply and ISTS expenses are chargeable to them through STU. b) Therefore, no application fee shall be payable by State Transmission Utilities and Distribution Utilities while applying for GNA.
3	3.Application for Grant of Connectivity and GNA	3.5 After scrutiny, the Nodal Agency shall intimate the deficiencies, if any, in the application for grant of Connectivity or grant of GNA, to the Applicant within one week of the receipt of application, in order of date and time of receipt of application. The Applicant shall rectify the deficiency within one week thereafter, failing which the application shall be closed and 20% of the application fee shall be forfeited. Balance 80% of the application fee shall be refunded by the Nodal Agency to the	a) One week time is too short for rectification of deficiencies. Time limit should be two weeks atleast.

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		Applicant within 15 days of closure of the application	
3	18. Deemed Grant of GNA	<p>18.1 On the date, these regulations come into force,</p> <p>(a) GNA for a (i) State including intra-State entity(ies) and (ii) other drawee entities, shall be the average of "A" for the financial years 2018-19, 2019-20 and 2020-21:</p> <p>Where, $A = \{0.5 \times \text{maximum ISTS drawl in a time block during the year}\} + \{0.5 \times [\text{average of (maximum ISTS drawl in a time block in a day) during the year}]\}$</p> <p>(b)</p> <p>(d) GNA deemed to have been granted to STU as per clause (c) of this Regulation, shall be published by the Nodal Agency within 30 days of notification of these regulations, as (i) GNA within the region and (ii) GNA from outside the region, in proportion to contracts, within the region or outside the region, under Long Term Access and Medium Term Open Access obtained in terms of the Connectivity Regulations.</p> <p>(e) GNA deemed to have been granted to STU under clause(d) of this Regulation, shall be segregated for each intra-State entity, including distribution licensee, by the respective SLDC, and intimated to STU, Nodal Agency and NLDC within 1 month of publication of details by the Nodal Agency under clause (d) of this Regulation.....</p>	<p>a) For para a- We submit that the methodology for calculation of GNA should be more inclined towards practical approach as the connectivity would be based on the usage by any entity.</p> <p>b) For para e- The allocation of power for distribution licensees are being done by the state regulators and the share of allocation may change by the State Regulators based on (i) increase/ decrease of consumption of one discom due to change in availability of power also due to addition of Solar and deletion of old Thermal power plants w.r.t other and/or (ii) Re-arrangement of discom long term power portfolio. So, the discom level GNA changes based on above reason keeping the State level GNA same.</p> <p>c) Accordingly, it is suggested that respective SLDC should intimate Discom , STU, Nodal Agency and NLDC in regards of GNA on regular basis & further immediate communication be done whenever there will be a change in DISCOM level GNA share . We request the Commission to incorporate the provisions accordingly.</p> <p>d) For para d: In case a Distribution Utility enforces Regulation 17 of CERC Tariff Regulations (2019-24) before these Regulations are effected, Deemed GNA in proportion to Contracts (considering drawl was there from such contracts during the last 3 years) should be corrected.</p> <p>e) For para f- We understand that the generators</p>

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		(g) The Central generating stations which are connected to the grid and have not been granted Long term Access under the Connectivity Regulations but whose power is allocated by the Ministry of Power, shall be deemed to have been granted GNA equal to the installed capacity of such generating station(s).	<p>where LTA has been granted based on identified buyers, shall be deemed to have been granted GNA equal to such LTA. The provisions regarding reduction of GNA in case of expiry of PPA or surrender of power or reallocation of power such capacity should be there to auto reduced (if not intimated by discom/STU on 30 Days advance basis) from discom/STU GNA without any liability of relinquishment charges.</p> <p>f) For para g- The draft regulations are proposing that the granted GNA shall be equal to installed capacity. We humbly request the Hon'ble Commission to introduce the provision by which the ISTS billing shall be done on ex-bus capacity rather than installed capacity.</p>
4	19. Application for Grant of additional GNA by STU	19.1 Within 3 months of coming into force of these regulations, STU may, on behalf of intra-State entities including distribution licensees, apply for additional GNA over and above the GNA deemed to have been granted under clauses (a) to (e) of Regulation 18.1 of these regulations, with entity-wise segregation indicating GNA within the region and from outside the region.	a) We welcome this move in which STU would apply for additional GNA only after taking consent from discom in relevant forum/ committee.
5	22. Grant of GNA	<p>22.1. Grant of additional GNA to STU</p> <p>22.1 (a) The Nodal Agency shall process all applications received under Regulation 19.1 of these regulations together, within two months from last day of receipt of applications and grant additional GNA to STU based on available transmission capacity, or on pro-rata basis, if necessary. GNA once granted shall remain valid until relinquished.</p> <p>22.1 (c) The total GNA of STU shall be the sum of GNA deemed to have been granted under</p>	<p>a) We request the Hon'ble Commission to specify the validity of generator linked GNA. Either it is deemed GNA or while granting additional GNA there should be some limit to its validity.</p> <p>b) It is submitted that there are instances where a contracted capacity varies during termination of PPAs or completion of useful of the power station. In that scenarios there must be some clauses which specify the procedure to reduce the period of GNA(the options for reduction of GNA should be with STU/discom). However, the proposed regulation does not have any such</p>

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		Regulation 18.1 and additional GNA granted under this Regulation.	clauses. We humbly request the Hon'ble Commission to provide the same.
6	23 Use of GNA by other GNA grantee(s)	<p>23.1 An entity covered under Regulation 17.1 which is a GNA grantee, may authorize other entities covered under Regulation 17.1 which are GNA grantee(s), to use its GNA, in full or in part, with prior approval of the Nodal Agency, for a period not exceeding 1 (one) year at a time on mutually agreed terms and conditions:</p> <p>Provided that payment liability for transmission charges shall continue to be with the original GNA grantee that authorised its GNA to be used by other GNA grantee(s):</p> <p>Provided further that for the purpose of calculating the transmission deviation charges under the Sharing Regulations, GNA authorized to be used by other GNA grantee(s) shall be reduced from original GNA grantee that authorised its GNA to be used by other GNA grantee(s) and shall be added to GNA of other GNA grantee(s) which is using it.</p>	<p>a) The payment of transmission charges of shared GNA capacity should be borne by other GNA grantee to which the original GNA grantee has authorized. Also transmission deviation should be applicable while finalizing the GNA sharing. Further, provisions/ clarifications for following need to be provided by the Hon'ble Commission:-</p> <p>b) Presently the LTAs are granted to specific discoms. This draft Regulation does not consider a discom as a direct GNA grantee (unless directly connected to ISTS). There is no clarity on treatment of existing discom specific LTAs. The interchangeability should be allowed at discom level.</p> <p>c) It seems that GNA transfer is allowed only b/w the original GNA grantees. However, the discoms (who are Intra state entities) which are actually utilizing the GNA may require to add/reduce their ISTS usage based on the demand/internal generation (solar/WTE etc). We suggest that the transfer of GNA at discoms level should also be allowed subject to no change in state GNA.</p>
7	25 Relinquishment of GNA	<p>25.1 For an entity covered under Regulation 17.1, GNA once granted can be relinquished, in full or in part, on payment of relinquishment charges in advance as per following:</p> <p>(a) For an entity covered under clause (i) of Regulation 17.1 of these regulations, STU may relinquish GNA on behalf of identified intra-State entity. The relinquishment charges shall be equal</p>	<p>a) It is submitted that during transition period from LTA+MTOA to GNA+ additional GNA, in that case there should be provision for zero relinquishment charges.</p> <p>b) The Rationale for 60 times of the transmission charge is not understood. Needs a relook as it is almost 29% of capital refund in case GNA.</p>

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		<p>to 60 times the transmission charges paid by such intra-State entity for the last billing month under the Sharing Regulations, corresponding to the relinquished quantum.</p> <p>(b) For an entity covered under clauses (ii) to (iv) of Regulation 17.1 of these regulations, the relinquishment charges shall be equal to 60 times, the transmission charges paid by such entity for the last month under the Sharing regulations, corresponding to the relinquished quantum.</p> <p>Provided that, if the balance period of GNA is less than 60 months, the relinquishment charges shall be equal to the number of balance months times the transmission charges paid by such entity for the last month under the Sharing Regulations, corresponding to the relinquished quantum.</p> <p>(d) On relinquishment of full quantum of GNA by entity covered under clause (iii) of Regulation 17.1 of these regulations, such entity shall be disconnected from the grid.</p> <p>25.2 In case an intra-State entity including a distribution licensee having GNA covered under clause (i) of Regulation 17.1, substitutes GNA with GNA under clause (ii) of Regulation 17.1, GNA for such intra-State entity shall be reduced from the total GNA of STU as held under clause (c) of Regulation 22.1, for the quantum so substituted and for such substituted period.</p>	<p>c) As per Annexure-A, Delhi GNA is 4,810 MW for FY 2021-22. However Delhi's total long term Access as on date (including RE power) is 6,272 MW. If ISTS charges shall be computed GNA (as in annexure-1) it shall lead to saving in transmission charges and if not, then provision or way forward for reallocation of surplus GNA to deficit GNA state should be there.</p> <p>d) The provisions regarding reduction of GNA in case of expiry of PPA or surrender of power or reallocation of power such capacity should be there to auto reduced (if not intimated by discom/STU on 30 Days advance basis) from discom/STU GNA without any liability of relinquishment charges.</p> <p>e) There should not be relinquishment provision as load/ capacity allocation depends on topography/ growth of area and also depends on OA and other Regulations.</p> <p>f) For para 25.2: As per the provision of Regulation 23.1 payment liability remains with original GNA grantee. It is not clear who will be responsible for transmission charge in case of substitution.</p>