CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI

NOTIFICATION

No. 13/2/7/2015-PM/CERC **Dated: 8th March, 2019**

In accordance with the provisions of Section 178 of the Electricity Act 2003 (36 of 2003) read with Section 66 thereof, and the Guidelines on import and export of Electricity issued by Ministry of Power, Government of India, the Central Electricity Regulatory Commission hereby makes the following regulations:

CHAPTER-1

PRELIMINARY

1. **Short Title and Commencement**

(1) These regulations may be called the Central Electricity Regulatory Commission (Cross Border Trade of Electricity) Regulations, 2019.

(2) These regulations shall come into force from the date of publication in the Official Gazette.

2. **Definitions and Interpretation**

(1) In these regulations, unless the context otherwise requires:

(a) **'Act'** means the Electricity Act, 2003 (36 of 2003);

(b) **'Actual Drawal'** in a time-block means electricity drawn by a buying entity measured by the interface meters;

(c) **'Actual Injection'** in a time-block means electricity injected by a selling entity, measured by the interface meters;

(d) **'Access Bank Guarantee or ABG'** means the bank guarantee which an applicant shall be required to furnish while seeking GNA to Indian grid for cross border trade of electricity and shall also include the bank guarantee required to be furnished by the applicant in case the grant of GNA requires augmentation of transmission system in India;

(e) **'Applicant'** means an entity located in a neighbouring country that has been recognized as a Participating Entity as defined in these regulations or an electricity trading licensee of India or a generating station located within India and electrically connected to the neighbouring country through its dedicated transmission line(s);

(f) **'Available Transmission Capability' or 'ATC'** means the transfer capability, in MW, of the inter- control area transmission system available for scheduling cross-border transactions (under GNA and T-GNA) in a specific direction, taking into account the network security;

(g) **'Buying Entity'** means the entity that has been granted GNA or T-GNA and is purchasing electricity in accordance with these regulations;

(h) **'Central Electricity Authority' or 'CEA'** means Authority referred to in sub-section (1) of Section 70 of the Act;

(i) **'Central Transmission Utility' or 'CTU'** means Central Transmission Utility as defined in sub-section (10) of Section 2 of the Act;

(j) **'Commission' or 'CERC'** means Central Electricity Regulatory Commission referred to in sub-section (1) of Section 76 of the Act;

(k) **'Competent Authority'** means the authority of the neighbouring country vested with the power to accord approval(s) on matters related to cross border trade of electricity with India;

(k-i) '**Communication Regulations'** means Central Electricity Regulatory Commission (Communication System for inter-State transmission of electricity) Regulations, 2017;

(l) '**Connection Agreement'** means an Agreement defining technical conditions of connecting to Indian grid in the course of cross border trade of electricity;

(m) **'Connectivity'** means the state of getting connected to the Indian grid for entities covered under Regulation 10 of these regulations;

(n) DELETED

(o) '**Contract Performance Guarantee**' means the irrevocable, unconditional and revolving bank guarantee submitted by the Transmission Service Provider to the Long Term Transmission Customers or CTU, as the case may be, in terms of the Transmission Service Agreement;

(p) **'Control Area'** means an electrical system bounded by interconnections (tielines), metering and telemetry which controls the generation and/or load within the area to maintain its interchange schedule with other control areas whenever required to do so and contributes to frequency regulation of the synchronously operating system. Each neighbouring country inter-connected with Indian Grid shall be treated as a separate control area;

(q) **'Cross Border Trade of Electricity'** means transactions involving import or export of electricity between India and any of the neighbouring countries and shall also include transactions across India involving neighbouring countries;

(r) **'Cross Border Customer'** means an entity that has been granted GNA or T-GNA , as the case may be, for carrying out cross border trade of electricity in accordance with these regulations;

(s) **'Cross Border Transmission Link' or 'CBTL'** means the transmission link from the pooling station within India till the pooling station of a neighbouring country, as may be specified by the Designated Authority in consultation with the Transmission Planning Agency of any of the neighbouring countries and shall include the dedicated transmission line from the generating station located within the territory of a neighbouring country getting connected with the Indian grid ;

(t) **'Data Acquisition System'** or **'DAS'** means a device designed to record the sequence of operation in time, of the relays, equipments, system parameters at a particular location;

(u) **'Dedicated Transmission System'** means the transmission system developed by a Participating Entity for transmitting electricity from a generating station located in a neighbouring country to a specified point in the Indian grid or transmission system to connect , with Indian Grid under Regulation 10(7) of these regulations for a generating station located in India and electrically directly connected to a neighbouring country;

(v) **'Designated Authority'** or **'DA'** means the authority designated by Ministry of Power, Government of India, in accordance with the Guidelines;

(w) **'Deviation'** in a time-block for a seller means its total actual injection minus its total scheduled injection, and for a buyer means its total actual drawal minus its total scheduled drawal, and shall be calculated at the Interconnection point;

(x) '**DSM Regulations'** means Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2024, as amended from time to time or any subsequent re-enactment thereof;

(x-i) **'Due Date'** means the forty fifth (45^{th}) day from the date of presentation the bill raised by the Central Transmission Utility under these regulations;

(y) **'Entity'** means a company or authority or Board or autonomous body corporate or juridical person of India or any of the neighbouring countries which proposes to participate in cross border trade of electricity;

(y-i) '**General Network Access (GNA)'** shall have the same meaning as defined under the GNA Regulations;

(y-ii) '**GNA Regulations'** means the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022;

(z) **'Grid Code'** means the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023, as amended from time to time or re-enactment thereof;

(aa) **'Guidelines'** means the Guidelines on Cross Border Trade or Import/Export (Cross Border) of Electricity issued by Ministry of Power, Government of India, from time to time;

(bb) **'Indian Grid'** means the Inter-State Transmission System (ISTS) or Intra-State Transmission System (In-STS) or both as the case may be;

(cc) **'Interface Meters'** means special energy meters in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time;

(dd) **'Inter-State transmission system'** and **'intra-State Transmission System'** shall have the same meaning as assigned to them under sub-sections (36) and (37) of Section 2 of the Act, respectively;

(ee) **'Interconnection Point'** means the point of interconnection located within the territory of India for the purpose of scheduling, metering, accounting and billing of electricity in the course of cross border trade of electricity between India and any of the neighbouring countries;

(ff) DELETED

(gg) **'Long-term Power Purchase Agreement'** means a Power Purchase Agreement for a period of 7 years or more;

(hh) DELETED

(ii) **'Medium-term Power Purchase Agreement'** means a Power Purchase Agreement for a period exceeding 1 year but not exceeding 5 years;

(jj) **'National Load Despatch Centre'** or **'NLDC'** means the Centre established under sub-section (45) of Section 2 of the Act;

(kk) **'Open Access'** within the territory of India shall have the same meaning as defined under sub-section (47) of Section 2 of the Act;

(ll) **'Participating Entity'** means an entity approved by the Designated Authority for the purpose of cross border trade of electricity between India and any of the neighbouring countries or any entity as designated by Government of India for import or export of power through bilateral agreement between Government of India and Government of any of the neighbouring countries;

(mm) DELETED

(nn) **'Pooling Station'** means the sub-station interfacing two or more transmission lines of the same or different voltage;

(oo) DELETED

(pp) **'Regional Power Committee'** or **'RPC'** means the Committee as defined in sub-section (55) of Section 2 of the Act;

(qq) **'Scheduled Drawal'** at any time or for time block(s) means schedule of drawal in MW or MWh ex-bus given by the concerned System Operator;

(rr) **'Scheduled Generation'** at any time or for any time block(s) means schedule of generation in MW or MWh ex-bus given by the concerned System Operator;

(ss) **'Selling Entity'** means the entity that has been granted GNA or T-GNA and is selling electricity in accordance with these regulations;

(tt) **'Settlement Nodal Agency'** or **'SNA'** means the nodal agency as notified by Ministry of Power, Government of India, for each neighbouring country for settlement of grid operation-related charges;

(tt-A) '**Settlement Nodal Agency Charge'** or '**SNA Charge**' means the charge payable to the SNA by the participating entities located in neighbouring countries, for discharging the mandated functions.

(uu) **'Sharing Regulations'** means the Central Electricity Regulatory

Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2020, as amended from time to time or re-enactment thereof;

(vv) DELETED

(ww) DELETED

(xx) **'Short-term Power Purchase Agreement'** means a Power Purchase Agreement for duration of less than one year;

(yy) **'System Operator'** means the entity which shall discharge the following main functions:

(i) Scheduling and dispatch of electricity over the Cross Border Transmission Links in accordance with grid standards specified as per the provisions of the Act;

(ii) Monitoring of operations and grid security of the Cross Border Transmission Links with respective neighbouring country;

(iii) Supervision and control over the inter-regional and or Cross Border Transmission Links as may be required for ensuring stability of the power system in coordination with the agency responsible for system operation in the concerned neighbouring country;

(iv) Any other functions as may be assigned by the Commission in the interest of grid security;

(yy-i) '**Temporary General Network Access (T-GNA)**' shall have the same meaning as defined under the GNA Regulations;

(zz) **'Time-block'** means a block of 15 minutes or any such other duration as may be specified by the Commission, for recording specified electrical parameters and quantities by special energy meters, with the first time block starting at 0000 hrs of the day;

(aaa) **'Total Transfer Capability'** or **'TTC'** means the electric power that can be transferred reliably over the inter-control area transmission systems under a given set of operating conditions, considering the effect of occurrence of the worst credible contingency;

(bbb) **'Transmission Planning Agency'** or **'TPA'** means the Planning Agency for India or neighbouring country as specified under Regulation 4(2) of these regulations;

(ccc) **'Transmission Reliability Margin'** or **'TRM'** means the margin factored in the total transfer capability for ensuring secure operation of the Cross Border Transmission Link under a reasonable range of uncertainties in system conditions.

(2) Words and expressions used in these regulations and not defined herein but defined in the Act or the GNA Regulations or Grid Code or any other regulations specified by the Commission shall, unless the context otherwise requires, have the meanings assigned to them under the Act or the GNA Regulations or the Grid Code or any other regulations specified by the Commission from time to time.

(3) Reference to any Acts, Rules and Regulations shall include amendments or consolidations or re-enactments thereof.

CHAPTER-2

GENERAL PROVISIONS

3. **Scope**

(1) These regulations shall be applicable to the Participating Entities in India and the neighbouring countries which are engaged in cross border trade of electricity with India and the SNAs.

Provided that the entities located in India who are seeking connectivity or GNA or T-GNA to the Indian grid in the course of cross border trade of electricity between India and any of the neighbouring countries shall continue to be governed by GNA Regulations.

(2) Cross border trade of electricity between India and the neighbouring country(ies) shall be allowed through mutual agreements between Indian entity(ies) and

entity(ies) of the neighbouring country(ies) under the overall framework of agreements signed between India and the neighbouring country(ies), consistent with the provisions of the prevailing laws in the respective country(ies), including:

(i) through bilateral agreement between two countries;

(ii) through bidding route; or

(iii) through mutual agreements between entities; or

(iv) through Indian Power Exchange in terms of Regulation 6 of these regulations:

Provided that in case of tripartite agreements, the cross border trade of electricity across India shall be allowed under the overall framework of bilateral agreements signed between Government of India and the Governments of the respective neighbouring countries of the Participating Entities.

(3) Notwithstanding the provisions of these regulations, anything done or any action taken or purported to have been done or taken for cross border trade of electricity with neighbouring country(ies) under any Agreement in force prior to the date of coming into force of these Regulations, shall be deemed to have been done or taken under the provisions of these Regulations and shall continue to be in place till the expiry of the said Agreements.

4. **Institutional Framework**

(1) Designated Authority appointed by the Ministry of Power, Government of India, shall be responsible for facilitating the process of approval and laying down the procedure for import and export of electricity. The Designated Authority shall coordinate with any authority designated by the concerned neighbouring country for all purposes stated in the Guidelines.

(2) Transmission Planning Agency shall be responsible for planning of transmission system for the purpose of facilitating cross border trade of electricity and may coordinate with the Transmission Planning Agency of the concerned neighbouring country, wherever necessary. For India, this function shall be discharged by the Designated Authority.

(3) Settlement Nodal Agency shall be responsible for settling all charges pertaining to grid operations, including operating charges, charges for deviation and other charges related to transactions with a particular neighbouring country in the course of cross border trade of electricity. The Settlement Nodal Agency shall be a member of the deviation pool, reactive energy pool and other regulatory pools for payment and settlement of the corresponding charges in the pool accounts of the region having connectivity with any neighbouring country.

(4) National Load Dispatch Centre shall act as the System Operator for cross border trade of electricity between India and the neighbouring countries and shall be responsible for granting T-GNA and for billing, collection and disbursement of the transmission charges for T-GNA transactions in accordance with the Sharing Regulations.

(5) Central Transmission Utility shall be responsible for granting GNA with respect to cross border trade of electricity between India and the neighbouring countries and for billing, collection and disbursement of the transmission charges in accordance with the Sharing Regulations.

5. **Tariff Determination**

(1) Tariff for import of electricity by the Indian Entity(ies) shall be determined through a process of competitive bidding as per the Tariff Policy notified from time to time under Section 3 of the Act or through mutual agreement between the buying Indian entity and the selling entity of the respective neighbouring country under the overall framework of agreements signed between India and the neighbouring country(ies) subject to payment of the applicable charges for transmission or wheeling of electricity through the Indian grid.

Provided that in case of import of electricity from the hydro generation projects located in any of the neighbouring countries, the tariff thereof shall be determined by the Commission as per the parameters specified in the Tariff Regulations notified from time to time, only if the hydro generator approaches the Commission through the Government of the neighbouring country and is agreed to by the buying Indian entity(ies).

(2) Tariff for export of electricity to entities of a neighbouring country by the Indian entities through long-term or medium-term or short-term agreements may be either mutually agreed under the overall framework of agreements signed between India and the neighbouring country(ies) or discovered through competitive bidding, subject to payment of the applicable charges for transmission or wheeling of electricity through the Indian grid.

(3) Where the tariff for import or export of electricity is mutually agreed between the Government of India and the Government of any neighbouring country involving the participating entities of the two countries, the same shall be final.

Provided that the tariff for import or export of electricity already determined through Government-to-Government negotiations, including under Inter Government Agreements (IGA) shall continue to be determined through Government to Government negotiations till the expiry of the Agreement or as may be decided by the two countries including determination of tariff through competitive bidding.

Provided further that on expiry of the Agreement, if not extended further, the tariff may be determined through the process of competitive bidding or mutual agreements or Government-to-Government negotiations or by the Commission if agreed by both parties.

(4) The tariff for the Cross Border Transmission Link from the pooling station within India till the Indian border may be determined through a process of competitive bidding or through Government – to – Government negotiations or by the Commission.

6. Trade Through Indian Power Exchanges

(1) Any electricity trading licensee of India may, after obtaining approval from the Designated Authority, trade in the Indian Power Exchanges on behalf of any Participating Entity of neighbouring country, for the specified quantum as provided in the Approval subject to compliance with the applicable Regulations of the Commission.

CHAPTER-3

TRANSMISSION PLANNING, CONNECTIVITY AND ACCESS

7. **Planning and Implementation of Cross Border Transmission Link**

(1) The Cross Border Transmission Link between India and any neighbouring country shall be planned jointly by Transmission Planning Agencies of the two countries with the approval of the respective Governments, keeping in view the future need for electricity trade between India and the neighbouring country.

(2) The manner of implementation of Cross Border Transmission Link between the pooling station within India till the Indian border and the implementing agency shall be decided by Government of India:

Provided that a participating entity having a generating station located in a neighbouring country may develop, operate and maintain the dedicated transmission system from the generating station to the pooling station within India at its own cost after obtaining all the necessary approvals from respective countries.

(2-i) Spare capacity in the Indian portion of the dedicated transmission system, developed, operated and maintained by the generating station located in a neighbouring country, can be utilised by other entities under open access, subject to payment of transmission charges as per Regulation 30 (1) of these regulations.

(2-ii) A transmission licensee may develop, operate, and maintain the Indian portion of Cross Border Transmission Link after obtaining the necessary approvals from the Government of India, for the purpose of facilitating the transaction of power between the neighbouring countries under open access, subject to payment of transmission charges by the participating entities as per Regulation 30(1) of these Regulations.

(3) Transmission Planning Agency of India, in consultation with the Transmission

Planning Agency of neighbouring country, shall grant access to the Participating Entities to use Cross Border Transmission Link covered under Clauses (1), (2) (2-i), and (2-ii) of this Regulation, for cross border trade of electricity.

(4) The Cross Border Transmission Link shall not form part of the basic ISTS network for the determination of, Yearly Transmission charges under the Sharing Regulations.

(5) DELETED

8. **General provisions for Connectivity, General Network Access (GNA) and Temporary General Network Access (T-GNA)**

(1) A Participating Entity located in a neighbouring country, for the purpose of injection into or drawl from the Indian grid, shall be required to seek connectivity or GNA or T-GNA, as the case may be, through separate applications:

Provided that an electricity trading licensee of India engaged in cross border trade of electricity, may seek GNA or T-GNA, in accordance with these Regulations read with the GNA Regulations:

(2) Applications for grant of connectivity or GNA shall be made to CTU, and Applications for grant of T-GNA shall be made to NLDC under these Regulations, with the conditions as under:

(a) Connectivity granted under these regulations shall allow connection to the Indian grid but shall not confer any rights towards transmission access (GNA or T-GNA) for the Indian Grid, which shall be required to be obtained separately.

(b) Applicant seeking grant of Connectivity or GNA or T-GNA under these regulations shall furnish the Application fee and Bank Guarantee(s) in accordance with these regulations.

(3) Except where specifically provided in these Regulations, the provisions contained in the GNA Regulations shall apply mutatis mutandis to the participating entities for cross border trade of electricity.

9. **Application fee**

(1) The applications for connectivity or GNA shall be accompanied by a non-refundable application fee of Rs 5 lakh along with applicable taxes in Indian Rupees, payable in the name of the CTU.

(2) Access Bank Guarantee as specified under Clause (1) of Regulation 15 of these Regulations, shall be deposited by the Applicant along with the application for grant of GNA.

(3) The fee for T-GNA applications shall be Rs 5000 in Indian Rupees along with applicable taxes, per application.

10. **Application for Grant of Connectivity**

(1) A Participating Entity located in neighbouring country and getting connected to the Indian grid through dedicated transmission systems for cross border trade of electricity within or across India shall be required to apply for Connectivity to the Indian grid.

(2) The Participating Entity, as specified under Clause (1) above, shall make an application to CTU for the grant of Connectivity to the Indian grid. In addition to the requirements specified under the GNA Regulations, the Applicant shall furnish the following:

(a) Approval from Designated Authority with regard to eligibility of the Participating Entity for cross border trade of electricity or copy of the Inter Government Agreement (IGA), wherever available; and

(b) Necessary Approvals for implementing the dedicated transmission system.

(c) Application Bank Guarantee (Conn-BG1) for Rs 50 lakh in Indian Rupees per application.

(3) On receipt of the application, the CTU shall process the application and grant Connectivity in terms of these regulations read with the GNA Regulations. CTU may consult and coordinate with Transmission Planning Agency(ies) of neighbouring countries while processing the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority

(Technical Standards for Connectivity to the Grid) Regulations, 2007.

(4) Upon grant of Connectivity, an agreement as provided in the Central Electricity Authority (Technical Standards for Connectivity to the Grid), Regulations, 2007 shall be signed between the entity which has been granted Connectivity , CTU and such inter-State transmission licensee to whose inter-State transmission system the Connectivity has been granted.

(5) Grant of Connectivity shall not entitle an applicant to interchange any power with the Indian grid unless it obtains GNA or T-GNA for cross border trade of electricity.

(6) A Participating Entity located in the neighbouring country and getting connected to the Indian grid through Cross Border Transmission Link (other than a dedicated transmission system) shall not be required to apply for Connectivity to the Indian grid.

(7) A generating station supplying power exclusively to a neighbouring country through a dedicated transmission system may seek connectivity and access to the Indian Grid as per Annexure-I to these regulations. Such entity shall comply with the requirements of the Grid Code and the Technical Standards of CEA, and shall be liable for payment of applicable charges under Regulations issued by the Commission, including reactive energy charges, transmission charges, and deviation charges directly and not through SNA.

(8) Participating Entity located in a neighbouring country and getting connected to the Indian grid through a dedicated transmission system, shall submit one time connectivity charges for Rs. One lakh per MW for the quantum of connectivity granted, one month prior to a physical connection to the Indian Grid. The one time charges paid by such entity shall be used for reducing the Monthly Transmission Charges under the Sharing Regulations.

(9) In case the application for Connectivity under these regulations is withdrawn, the Application Bank Guarantee submitted under this regulation shall be encashed.

(10) The Application Bank Guarantee submitted under this regulation shall be

returned within thirty (30) days of physical connection to the Indian Grid through the dedicated transmission system.

11. **Application for T-GNA**

(1) The Application for grant of T-GNA to the Indian grid by a Participating entity located in the neighbouring Country or by electricity trading licensee of India, for the purpose of injection into the Indian grid or drawal from the Indian grid, for cross border trade of electricity shall be made to NLDC under these Regulations, subject to Regulation 6 of these regulations.

(2) In addition to the requirements specified under the GNA Regulations for grant of T-GNA to the Indian grid, the Applicant shall furnish the following:

(a) Approval from Designated Authority with regard to eligibility of the Participating Entity for cross border trade of electricity or copy of the Inter Government Agreement (IGA) wherever available; and

(b) Approval from Designated Authority in India and Competent Authority in neighbouring country(ies) to use Cross Border Transmission Link(s) in case connectivity is not through dedicated transmission lines.

(3) NLDC shall process the Application and grant T-GNA in accordance with the GNA Regulations.

12. **Application for General Network Access (GNA)**

(1) The following entities shall be eligible as Applicants to apply for grant of
(1) The following entities shall be eligible as Applicants to apply for a grant of GNA or for enhancement of the quantum of GNA for injection into the Indian grid or drawal from the Indian grid:

a) A Participating Entity located in the neighbouring country;

b) An electricity trading licensee of India

(1-i) Separate applications for grant of GNA for injection into the Indian grid or drawal from the Indian grid, shall be made to CTU.

(1-ii) GNA under these regulations may be applied for a period of more than eleven months:

Provided that where augmentation of ISTS of India is required for the grant

of GNA, GNA shall be applied for a period of sixty months or more.

(2) In addition to the requirements specified under the GNA Regulations for grant of GNA to the Indian grid, the Applicant shall furnish the following:

(a) Approval from Designated Authority with regard to eligibility of the Participating Entity for cross border trade of electricity or copy of the Inter Government Agreement (IGA), wherever available; and

(b) Approval from Designated Authority in India and Competent Authority in neighbouring country(ies) to use Cross Border Transmission Link(s) in case connectivity is not through dedicated transmission lines; and

(c) Application Bank Guarantee (GNA-BG1) for Rs. 50 lakh in Indian Rupees per application;

(d) Access Bank Guarantee (GNA-BG2) as specified under Regulation 15 for GNA.

(3) CTU shall process the application and grant GNA to the Indian grid in accordance with the GNA Regulations, except for the provisions specified herein.

(4) Upon grant of GNA for cross border trade of electricity, the entity that has been granted GNA shall sign the GNA Agreement with CTU, which shall contain the date of commencement of GNA, the point of injection or drawal of power into /from the Indian grid.

(5) Implementation of the transmission system augmentation in the Indian Grid, if any, for grant of GNA shall be undertaken only after the applicant has submitted the Access Bank Guarantee specified under Clause (2) of Regulation 15 of these regulations.

(6) Where tripartite agreement is signed for transaction across India involving two neighbouring countries, the transmission system augmentation in India for transmission of electricity across the territory of India shall be undertaken only after obtaining approval from Government of India and the Commission and the Access Bank Guarantee as specified under Clause (2) of Regulation 15 is submitted by the Applicant.

13. **Timeframe for processing GNA Application**

(1) CTU shall process the GNA applications made under these Regulations requiring augmentation of transmission system in the Indian Grid within one hundred twenty (120) days from the last date of the month in which application is made.

(2) GNA applications where augmentation of transmission system is not required shall be processed within ninety (90) days from the last date of the month in which application is made.

(3) DELETED

14. **Treatment of delay in Transmission system and Generation projects**

(1) Designated Authority shall monitor the progress of generating station, including units thereof in neighbouring country along with transmission system for evacuation of power for cross border trade of electricity in consultation and co-ordination with CTU of India, Transmission Planning Agency(ies) of neighbouring country(ies) and the developer of the generating station, at regular interval.

(2) The generating company located in the neighbouring country, implementing agency(ies), and the transmission licensee(s) shall endeavour to commission the generating station, Cross Border Transmission Link(s), and the transmission system within India respectively in matching time-frame as far as practicable.

(3) In case of delay in achieving commercial operation date of generating station or unit(s) thereof and associated dedicated transmission system in the neighbouring country beyond the scheduled date agreed in the GNA Agreement, the generator or the trading licensee which has obtained GNA for the purpose of injection into the Indian Grid, shall be liable to pay transmission charges as under:

(a) In case where augmentation has been taken up under ISTS for grant of

such GNA, the Yearly transmission charges for such augmentation which has achieved COD, shall be payable, from the date of effectiveness of GNA till the generating station or unit thereof achieves COD, proportionate to the quantum of GNA which has been made effective but the corresponding capacity of the generating station or unit thereof has not achieved the COD ;

(b) In the case where GNA for the purpose of injection into the Indian Grid has been granted on existing ISTS with no identified augmentation to ISTS for such GNA and the GNA has been made effective but the generating station or unit thereof has not achieved the COD, the transmission charges shall be payable till the generating station or unit thereof achieves COD at 2% of T-GNA rate for the State where injection point is located in Indian Grid (where T-GNA rate shall be as per the Sharing Regulations);

(c) The amount received under this Clause, shall be used for reducing Monthly Transmission charges under the Sharing Regulations.

(4) In case of delay in the commissioning of a Cross Border Transmission Link (except covered under Regulation 7(2-i) and 7(2-ii) , compensation, if any, to the generating company or transmission licensee or both, as the case may be, shall be as decided by the respective Governments.

(5) In the event of delay by the transmission licensee in commissioning of the transmission system within India beyond its scheduled date and the generating company is ready with its generating station or unit(s), the transmission licensee shall pay transmission charges (which such transmission licensee would have received after achieving its COD) to the generating company or the trading licensee on behalf of such generating company, proportionate to the quantum of GNA for which corresponding generation capacity has achieved commercial operation, in case no alternative arrangement is made by the transmission licensee in consultation with CTU to evacuate the power of such generating station:

Provided that where YTC of the delayed transmission system is not available, CTU

shall work out the YTC for such transmission system, for the purpose of this Clause, based on the indicative capital cost of a similar configuration of the inter-State transmission system:

Provided further that in case of non-payment of transmission charges for more than three months from the due date, by the transmission licensee to the generating company or the trading licensee, as the case may be, such charges shall be recovered by the CTU from the Contract Performance Guarantee furnished by the transmission licensee and paid to the generating company or the trading licensee, as the case may be.

15. **Access Bank Guarantee**

(1) An entity seeking GNA for cross border trade of electricity shall be required to furnish to the CTU, along with the application, an Access Bank Guarantee , for an amount of Rs. Five (5) Lakh/MW corresponding to the quantum of GNA sought.

(2) In case the grant of GNA requires augmentation of transmission system in India, the CTU shall intimate the cost of augmentation within ninety (90) days from the date of the month in which the application is made and the entity shall furnish a fresh Access Bank Guarantee for an amount equivalent to the cost of such augmentation within one (1) month of intimation of the cost of augmentation by CTU:

Provided that on receipt of the Access Bank Guarantee in pursuance of the above, CTU shall return the Access Bank Guarantee submitted in terms of Clause (1).

(3) The validity Period of the Access Bank Guarantee shall be included by CTU in the format of the Access Bank Guarantee.

(4) The Cross Border Customer who has been granted GNA may approach CTU and seek permission to relinquish part or full quantum of GNA granted under these regulations, with a notice period of one month. CTU shall consider such requests and communicate the decision to the applicant not later than thirty (30) days from the date of the request. The request for the relinquishment of GNA

shall be treated as follows:

(a) If the full quantum GNA is sought to be relinquished prior to the award of the contract for execution of the transmission system (identified under grant of GNA) by the transmission licensee and relinquishment is permitted by CTU, the Application Bank Guarantee shall be encashed, and the Access Bank Guarantee shall be returned;

(b) If the part quantum of GNA is sought to be relinquished prior to the award of the contract for execution of the transmission system (identified under grant of GNA) by the transmission licensee and relinquishment is permitted by CTU, the Application Bank Guarantee shall be considered for the balance quantum of the GNA and proportionate Access Bank Guarantee for the quantum of GNA relinquished shall be returned;

(c) If the full quantum of GNA is sought to be relinquished after the award of the contract for execution of the transmission system (identified under the grant of GNA) and before the effectiveness of GNA, and relinquishment is permitted by CTU, the Application Bank Guarantee and the Access Bank Guarantee shall be encashed by the CTU;

(d) If part quantum of GNA is sought to be relinquished after the award of the contract for execution of the transmission system (identified under grant of GNA) and before the effectiveness of GNA, and relinquishment is permitted by CTU, the Application Bank Guarantee shall be considered for the balance quantum of the GNA and the Access Bank Guarantee shall be encashed for proportionate quantum of the GNA relinquished by the CTU;

(e) If the full quantum of GNA is sought to be relinquished by a Cross Border Customer who has been granted GNA on existing margins with no augmentation in the Indian Grid, before the effectiveness of such GNA and relinquishment is permitted by CTU, the Application Bank Guarantee shall be encashed and the Access Bank Guarantee shall be returned by the CTU;

(f) If part quantum of GNA is sought to be relinquished by a Cross Border Customer who has been granted GNA on existing margins with no augmentation in Indian Grid, before the effectiveness of such GNA and relinquishment is permitted by CTU, the Application Bank Guarantee shall be considered for the balance quantum of the GNA and the Access Bank Guarantee shall be returned by the CTU in proportion to such quantum GNA;

(g) If the full quantum of GNA is sought to be relinquished by a Cross Border Customer who has been granted GNA with augmentation or without augmentation, after the effectiveness of such GNA, and relinquishment is permitted by CTU, the subsisting Application Bank Guarantee and Access Bank Guarantee shall be encashed by the CTU. In the event of no subsisting Access Bank Guarantee, one month transmission charges payable by such entity under the Sharing Regulations shall be payable as relinquishment charges;

(h) If part quantum of GNA is sought to be relinquished by a Cross Border Customer who has been granted GNA with augmentation or without augmentation, after the effectiveness of such GNA, and relinquishment is permitted by CTU, subsisting Application Bank Guarantee shall be considered for the balance quantum of the GNA and the Access Bank Guarantee shall be encashed by the CTU in proportion to such quantum of the GNA. In case of no subsisting Access Bank Guarantee, one month transmission charges payable by such entity under the Sharing Regulations shall be payable in proportion to the quantum of GNA relinquished as relinquishment charges.

(5) In case there is a delay in achieving the commercial operation date of the generating station or unit thereof and associated dedicated transmission system beyond the timelines agreed in the GNA Agreement, and the GNA has been made effective, the transmission charges if not paid for more than three months from due date by the Cross Border Customer as provided in Clause (3) of Regulation 14, shall be recovered by CTU by encashing the Access Bank

Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be.

(6) The quantum of Access Bank Guarantee submitted in terms of Clause (1) or Clause (2), as the case may be, shall be progressively reduced each year after the Cross Border Customer begins to avail GNA corresponding to one-fifth of its total value. On completion of each year, one-fifth of the value of the Access Bank Guarantee shall be returned to the Cross Border Customer each year.

(7) Application Bank Guarantee submitted along with the application for GNA shall be returned within a period of 30 days of the Commercial Operation declaration of the generating station or start of drawl of power, as the case may be, under the GNA by the entity which has been granted GNA.

(8) In case an electricity trading licensee of India is making an application for a grant of GNA, it may furnish the Access Bank Guarantee issued by the Entity on whose behalf such trading licensee has sought GNA, subject to a condition that the Access Bank guarantee shall be issued by any scheduled commercial bank in India recognised by the Reserve Bank of India.

(9) The amount received from the encashment of Application Bank Guarantee and Access Bank Guarantee shall be used for reducing the Monthly Transmission Charges under the Sharing Regulations.

16. **Effectiveness of GNA**

(1) The effectiveness of GNA for cross border trade of electricity shall start from the date indicated in the GNA Agreement or from the availability of the transmission system for effectiveness of GNA , whichever is later, and the liability of payment of transmission charges shall begin from this date.

(2) Where the effectiveness of GNA is contingent upon commissioning of several transmission lines or systems and only some of the transmission lines or elements have been declared under commercial operations, GNA to the extent which can be operationalized without affecting the security and reliability of the Indian Grid may be permitted for which the Cross BorderCustomer shall pay the transmission charges for the quantum of GNA operationalized.

(3) The Cross Border Customer shall submit certificate regarding Commercial Operation declaration of the generating station or transmission system as required under Grid Code.

17. **Metering Arrangements**

(1) Interface Meters (Main Meter, Check Meter, and Standby Meter) shall be installed at both the ends of the Cross Border Transmission Link in accordance with Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 and amendments thereof.

(2) Before flow of electricity on the Cross Border Transmission Link, Transmission Planning Agencies of both countries shall confirm the availability of Main Meter, Check Meter, and Standby Meter to System Operator of respective country.

(3) Interface Meters as specified in Clause (1) above, shall be open for inspection by any person authorized by the Transmission Planning Agencies or System Operators of the respective countries.

18. **Data and Communication Facilities**

(1) Reliable and efficient voice and data communication systems shall be provided to facilitate necessary communication and data exchange, and supervision or control of the grid by the NLDC or RLDC under normal and extraordinary conditions. Such communication system must be established from generating station or concerned grid substation(s) to control room of System Operator of a neighbouring country and from there to control room of System Operator of India.

Provided that the Cross Border Transmission Link shall necessarily have reliable and efficient voice and data communication systems with the System Operators on both the sides.

(2) All Participating Entities shall ensure that the voice and data communication facilities to telemeter power system parameters such as power flow, voltage, and status of switches or transformer taps etc., are installed in line with interface requirements as per the Communication Regulations and Central Electricity

Authority (Technical Standards for Communication System in Power System Operations) Regulations, 2020 and amendment thereof. The associated voice and data communication system to facilitate voice and data flow up to the appropriate data collection point on the CTU system shall be established by the concerned Participating Entities as specified by CTU in the Connection Agreement.

19. **System Recording Instruments**

Recording instruments, including Data Acquisition System/Disturbance Recorder/Event Logging Facilities/Fault Locator (including time synchronization equipment) shall be provided by all Participating Entities and shall always be kept in working condition in the Indian grid and transmission system of the neighbouring country for recording of dynamic performance of the system.

20. **Reactive Power Compensation**

(1) Reactive Power compensation and/or other facilities shall be provided by Participating Entities connected to Indian grid as far as possible in the low voltage systems close to the load points thereby avoiding the need for exchange of Reactive Power to/from Indian grid and to maintain voltage within the specified range.

(2) The Participating Entities already connected to the grid shall also provide additional reactive compensation as per the quantum and timeframe decided by respective Regional Power Committee(s) in consultation with NLDC. The Participating Entities shall provide information to Regional Power Committee(s) and NLDC regarding the installation and functioning of the reactive compensation equipment on regular basis. Regional Power Committee(s) shall regularly monitor the status in this regard.

21. **Cyber Security**

(1) All Participating Entities shall have in place a cyber-security framework in accordance with the Information Technology Act, 2000; CEA (Technical

Standards for Connectivity) Regulations, 2007; CEA (Cyber Security in Power Sector) Guidelines, 2021 and any such regulations issued from time to time, by an appropriate authority, to identify the critical cyber assets and protect them and shall conduct Cyber Security Audit, so as to support reliable operation of the grid. NLDC shall monitor the progress in this regard.

CHAPTER-4 SYSTEM

OPERATION

22. Cross border trade of electricity shall be undertaken in a manner that ensures reliable, secure, and stable operation of the interconnected grid and does not jeopardize grid security at any point of time. For purposes of cross border trade of electricity, all grid operation related provisions shall be applicable as per the prevailing regulations of the Commission.

23. **System Security Aspects**

(1) The interconnection between India and the neighbouring country shall be monitored and controlled by the respective System Operators of the two countries, with proper coordination.

(2) No part of the Cross Border Transmission Link shall be isolated from the rest of the system, except,

a) Under an emergency, and conditions in which such isolation would prevent a total grid collapse and/or would enable early restoration of electricity supply; or
b) For safety of human life; or
c) When serious damage to a critical equipment is imminent, and such isolation would prevent it; or
d) When such isolation is specifically instructed by the System Operator(s) of either of the two Countries through specific messages exchanged to this effect.

(3) Restoration of the cross border interconnection shall be carried out as soon as

the conditions permit it. The restoration process shall be supervised by respective country's System Operator.

(4) Provision of protection and relay settings shall be coordinated periodically by the Transmission Service Providers of both countries. These settings would be periodically reviewed as and when network configuration changes at either of the ends. If necessary, the respective countries may also put into place System Protection Schemes (SPS) to take care of any contingencies.

(5) The Control Centres of the System Operators and the Substation Control Rooms at either end of the Cross Border Transmission Link or at the participating entity control centres shall be manned by adequate and trained manpower at all times to facilitate round-the-clock operation of the cross border interconnections or the dedicated transmission system.

(6) Operational planning, including outage plan, shall be carried out by NLDC and its counterpart in the neighbouring country for secure and reliable operation of the Cross Border Transmission Link.

(7) A system of exchanging 'operational codes' shall be evolved and used for exchanging any operating instructions between the System Operators of both the countries.

24. **Declaration of Transfer Capability**

Total Transfer Capability (TTC), Transmission Reliability Margins (TRM) and Available Transfer Capability (ATC) for the cross border trade of electricity shall be assessed in advance by System Operators in India and the concerned neighbouring country and lower of the two values of ATC assessed by the two countries shall be considered for allowing cross border trade of electricity.

Provided that NLDC may revise TTC and ATC due to change in anticipated network topology or change of anticipated generation or load at any of nodes giving reason for such changes.

25. **Scheduling**

(1) The following procedure shall be followed for scheduling and despatch of cross border trade of electricity transactions between India and the respective neighbouring country:

(a) Scheduling of electricity shall be carried out between the buying entity and selling entity as per agreed quantum in the contracts.
(b) Scheduling shall be carried out for each 15-minute time block or such other duration as may be notified subsequently.
(c) Transmission System losses declared on weekly basis shall be borne in kind by the buying entity or the selling entity, as the case may be, as per the quantum declared by the concerned System Operator of India or the neighbouring country.

(2) The selling entity or the buying entity, as the case may be, shall inform their requisitions to the Settlement Nodal Agency in accordance with the procedure specified as per on Scheduling and Despatch Code of Grid Code.

(3) Settlement Nodal Agency shall co-ordinate with System Operators of respective neighbouring countries for scheduling of cross border transactions and revisions during the day of operation.

(4) In case of multiple participants having cross border transactions, the net schedule at delivery point shall be arithmetic sum of individual schedules for each transaction.

26. **Metering, Energy Accounting & Settlement**

(1) The Energy Accounting for all the electricity imported from a neighbouring country to India or exported from India to a neighbouring country shall be carried out on a net basis for each country by the concerned Regional Power Committee(s) (RPC(s)) in India.

(2) The Settlement Nodal Agency shall be a member of the Regional Deviation Pool Account acting on behalf of the selling entity or buying entity of the neighbouring country. In case a neighbouring country is connected to more than one region of India, Settlement Nodal Agency shall be member of respective

Regional Deviation pool.

(3) The Settlement Nodal Agency shall pay or receive charges on account of deviation to or from Regional Deviation Pool maintained by NLDC as per Deviation Pool account issued by Regional Power Committee. The Settlement Nodal Agency shall settle the same with the selling entity or buying entity of the neighbouring country, as the case may be.

(4) Reactive Energy Charges shall be paid by the Settlement Nodal Agency in accordance with Grid Code, and the said charges shall be collected from the selling entity or buying entity of the neighbouring countries, as the case may be.

(5) Weekly meter readings (import or export in terms of MWh and MVArh) for actual injection or drawl by entities located in neighbouring country shall be provided to the concerned RLDC(s) or NLDC through Settlement Nodal Agency by Tuesday noon for the previous week so as to facilitate energy accounting.

(6) The charges for deviation from the schedule at the inter-connection point shall be as per the charges for the general seller and buyer under the DSM Regulations in India for injecting and buying entities respectively. The segregation of charges within the neighbouring country shall be carried out by the agency designated by the concerned neighbouring country.

(7) All payments shall be settled by the parties through the Settlement Nodal Agency as per timeline specified in the DSM Regulations.

27. **Curtailment of Cross Border Electricity Trades in case of Contingency**

(1) When, for the reasons of transmission constraints or in the interest of grid security, it becomes necessary to curtail power flow on a transmission corridor, the transactions already scheduled may be curtailed by the NLDC.

(2) The curtailment shall be carried out in terms of provisions of the Grid Code, with T-GNA shall be curtailed first (Within transactions under T-GNA, bilateral transactions shall be curtailed first followed by collective transactions under day ahead market followed by collective transactions under real time market),

followed by the GNA:

Provided that amongst the grantees of access to a particular category, curtailment shall be carried out on a pro-rata basis.

(3) In case of curtailment of the approved schedule by NLDC, transmission charges shall be payable on a pro-rata basis in accordance with the curtailed schedule.

Provided that operating charges shall not be revised in case of curtailment.

28. **Event Information**

(1) Events like tripping of elements impacting the electricity flow across the Cross Border Transmission Link, complete or partial blackout or any other such incidents affecting the grid operations would be reported by the concerned System Operator of India to the System Operator of the neighbouring country and vice versa.

(2) A written communication shall be exchanged between the respective System Operators covering the date and time of the event, location, plant or equipment affected and any other relevant detail (for example, Flags, disturbance recorder and sequence event recorder output) as may be necessary.

29. **Coordination Between System Operators**

The System Operator of India (NLDC) and its counterpart in the neighbouring country shall hold six-monthly operational coordination meetings, or earlier as per requirements, to discuss various aspects associated with the operation of the cross border interconnection(s), including any protection and commercial related issues and cyber security issues.

CHAPTER-5

PAYMENT OF CHARGES AND PAYMENT SECURITY MECHANISM

30. **Payment of Transmission charges and other charges**

(1)

(a) Transmission charges towards the use of ISTS of India shall be payable for drawal from the Indian Grid by the Cross Border Customer as per provisions of the Sharing Regulations.

(b) The transmission charges for the Cross Border Transmission Link(s) covered under Clauses (1) and (2) of Regulation 7 of these regulations (except dedicated transmission lines), shall be payable as per Government-to-Government negotiations.

(c) The transmission charges for the use of the Cross Border Transmission Link covered under Clauses (2-i) and (2-ii) of Regulation 7 of these regulations shall be recovered as detailed at Annexure-II to these regulations.

(2) Settlement Nodal Agency may recover from the participating entities located in the neighbouring countries, SNA charge of 0.50 paisa (Half paisa)/kWh on the energy scheduled and shall formulate a suitable payment security mechanism for the charges to be collected by it.

(3) Taxes, cess, statutory duties, and levies shall be payable by the Cross Border Customers as per the applicable laws of India.

31. **Transmission Losses**

In line with the provisions of Scheduling and Despatch Procedure of Grid Code and Regulation 10 of the Sharing Regulations, the transmission losses shall be applied at the rate of the Average all India ISTS losses for drawal schedules at the Indian end of the Cross Border Transmission Link -.

32. **System Operation Fees and Charges**

(1) On behalf of the entities in neighbouring countries, the Settlement Nodal Agency shall pay the Fees and Charges of the System Operator in India as per Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2024 or any subsequent

enactment thereof.

(2) Settlement Nodal Agency shall register itself as a user of concerned System Operator and shall pay the registration charges as per CERC Regulations.

(3) Any selling entity or buying entity in India proposing to sell or buy electricity from or to the neighbouring country shall make payments to the Settlement Nodal Agency for fees & charges of System Operation in India.

33. **Payment Security Mechanism for Transmission Charges**

(1) The Cross Border Customer shall be liable to establish payment security mechanism for payment of transmission charges and various grid related charges.

(2) The Cross Border Customer shall establish payment security towards transmission charges and grid-related charges at least ninety (90) days prior to the intimated date of commencement of Transmission Access, which shall include the following for availing GNA:

(a) An irrevocable, unconditional, and revolving Letter of Credit in favour of the Central Transmission Utility through a bank as specified in Regulation 35, equivalent to two point one (2.1) times the average monthly bill amount towards transmission charges, with a validity of 1 year.

(b) an irrevocable, unconditional, and revolving Letter of Credit in favour of the Settlement Nodal Agency of India through bank as specified in Regulation 35, equivalent to two point one (2.1) times the average monthly bill amount towards grid-related charges with a validity of 1 year.

(3) In case of default of payment of Transmission Charges and other Grid-related charges, the Cross Border Customer shall be denied access to the Indian Grid till discharge of its dues.

(33-A) Nodal Agency, i.e., CTU, shall issue the 'Detailed Procedure for Connectivity and GNA' in line with these regulations, including the following formats after stakeholders' consultation within a period of 3 months of notification of these

regulations and submit the same for information of the Central Commission:

a) Application for Connectivity;
b) Intimation for grant of Connectivity;
c) Format for Bank Guarantees;
d) Application for the grant of GNA;
e) Grant of GNA;
f) Relinquishment of GNA:

Provided that till the formats for Connectivity and GNA are issued by the Nodal Agency, the application for Connectivity or GNA under these regulations shall be made utilising the formats under the GNA Regulations along with the submission of necessary details as required under these regulations. Post issuance of the formats under these regulations, the same shall be utilissed for making the application for Connectivity or GNA under these regulations.

CHAPTER-6

MISCELLANEOUS

34. **Dispute Settlement and Resolution mechanism**

(1) The disputes in relation to the cross border trade of electricity within the Indian territory shall be settled as per the provisions of Electricity Act, 2003.

(2) Disputes involving entities of separate countries may be resolved mutually by the participating entities within a period of 60 days from the date of raising of the dispute.

(3) In case the dispute remains unresolved even after sixty (60) days from the date of raising of the dispute, the same shall be attempted to be mutually resolved at the Government level.

(4) In case the dispute still remains unresolved, it shall be settled through the International Arbitration Centre as may be mutually acceptable to the parties to

the dispute.

35. **Bank details**

Bank Guarantees, Letter of Credit, or any other payment security or payment required to be provided under these regulations shall be furnished by the Applicant or the Cross Border Customer in Indian Rupees from a Nationalised Bank of India or from a bank in the concerned neighbouring country, which shall be confirmed by a Nationalised Bank of India.

36. **Power to Relax**

The Commission may, by general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected, relax any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

37. **Power to issue directions**

If any difficulty arises in giving effect to these regulations, the Commission may on its own motion or on an application filed by any affected party, issue such directions as may be considered necessary in furtherance of the objective and purpose of these regulations.

Annexure-I

Modalities for Connectivity, GNA, T-GNA for an entity under Regulation 10(7) of these regulations

(a) Such entity shall take approval from the Government of India for such additional connectivity and access to the Indian Grid. The Applicant shall be required to make a separate application for a grant of connectivity to the Indian Grid and Access to the Indian system (GNA or T-GNA).

(b) The application for grant of connectivity to the Indian Grid shall be accompanied by an application fee of Rs 5 lakh along with applicable taxes, an Application Bank Guarantee for Rs 50 lakh.

(c) CTU, within 60 days of receipt of an application for connectivity, shall grant the connectivity.

(d) Grant of connectivity to such applicant shall not confer the right for the transaction of power into the Indian Grid. Such Applicant shall separately apply for GNA or T-GNA for transaction power into the Indian Grid.

(e) The application for a grant of GNA shall be accompanied by an application fee of Rs 5 lakh along with applicable taxes in Indian Rupees and an Access Bank Guarantee as per Regulation 15(1) of these regulations.

(f) In case the grant of GNA requires augmentation of ISTS, CTU, within 90 days of receipt of an application for GNA, shall inform the applicant of the amount of Access Bank Guarantee to be furnished by the Applicant as per Regulation 15(2) of these regulations. The applicant shall be required to furnish such an Access Bank Guarantee within one month of such intimation by CTU, and upon submission of a revised Access Bank Guarantee, the Access Bank Guarantee submitted along with the application shall be returned.

(g) Applicant may seek T-GNA under an Advance application or Exigency Application as per timelines provided in the GNA Regulations for the purpose of injection in the Indian Grid or drawal of power from the Indian Grid (drawal only for the purpose of startup power or auxiliary consumption). Each application for T-GNA shall be accompanied by a non-refundable application fee of Rs. 5000 in Indian Rupees, along with applicable taxes per application.

(h) The grant of GNA or T-GNA shall be limited to the quantum of connectivity granted.

(i) Applicant shall develop, operate, and maintain the dedicated transmission system

up to the ISTS point, along with associated bay(s) at the ISTS substation.

(j) Applicant shall submit one time connectivity charges for Rs. One lakh per MW for the quantum of connectivity granted one month prior to a physical connection to the Indian Grid.

(k) The one time charges paid by such entity shall be adjusted in Monthly Transmission Charges under the Sharing Regulations.

(l) In case the entity withdraws the connectivity and GNA (if any), the subsisting Application Bank Guarantee and Access Bank Guarantee shall be encashed.

(m) Application Bank Guarantee shall be returned within one month of the effective date of GNA. If GNA is not obtained for any capacity, the Application Bank Guarantee shall be returned after five years from the date of connection with the Indian Grid.

(n) Access Bank Guarantee shall be returned in five equal parts over five years after the effective date of GNA.

(o) The mode of operation of the dedicated transmission system connecting to the Indian Grid shall be as per the Standard Operating Procedure (SOP) issued in this regard.

Annexure-II

(a) The transmission charges for the use of the Indian portion of the Cross Border Transmission Link (CBTL) under Clause (2-i) of Regulation 7 of these regulations, if utilized for open access, shall be recovered in the following manner:

(i) The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the Indian portion of CBTL.

(ii) The YTC corresponding to the capacity under open access shall be determined on a pro-rata basis. A per unit rate shall be determined by the NLDC considering the capacity under open access by dividing the prorated YTC by the anticipated yearly energy transaction over the link for the capacity under open access. Such anticipated yearly energy transactions shall be determined by the Designated Authority. In case of uncertainty in the determination of energy transaction, energy corresponding to surge impedance loading shall be used for the determination of per unit rate.

(iii) The per unit rate shall be payable by the:

a. Participating entity drawing power through the CBTL based on scheduled drawal;

b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at a per unit rate as determined under sub-clause (ii) of this Clause.

(iv) Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.

(v) Actual injection over and above approved access quantum shall be payable at 1.25 times the rate under sub-clause (ii) of this Clause.

(vi) If over recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared between in the ratio of 20:80 between the owner of CBTL and entities that are scheduled for injection/drawal through the CBTL under open access.

(b) The transmission charges for the use of the Indian portion of the Cross Border Transmission Link, developed under Clause (2-ii) of Regulation 7 of these regulations, shall be recovered in the following manner:

(i) The capital cost of such Indian portion of CBTL shall be approved by the Commission, and Yearly transmission charges (YTC) shall be determined for the full capacity of the CBTL.

(ii) The capacity of such transmission system may be booked on a dedicated basis by Participating entities, in which case YTC corresponding to such booked capacity shall be paid by such Participating entity to such transmission licensee.

(iii) The YTC corresponding to the capacity under open access shall be determined on a pro-rata basis. A per unit rate shall be determined by the NLDC considering the capacity under open access by dividing the prorated YTC by the anticipated yearly energy transaction over the link for the capacity under open access. Such anticipated yearly energy transactions shall be determined by the Designated Authority.

(iv) The per unit rate shall be payable by the:

a. Participating entity drawing power through the CBTL based on scheduled drawal;

b. Participating entity injecting power into the Indian grid under collective transactions at Indian Power exchanges using such CBTL shall also pay transmission charges for such CBTL at a per unit rate as determined under sub-clause (iii) of this Clause.

(v) Actual drawal over and above the approved access quantum shall be payable at 1.25 times the rate under sub-clause (iii) of this Clause.

(vi) Actual injection over and above approved access quantum shall be payable at 1.25 times the rate under sub-clause (iii) of this Clause.

(vii) If the average recovery of transmission charges on an annual basis is more than the approved tariff for the CBTL (for the capacity under open access) for a block period of 5 years, the same shall be shared in the ratio of 20:80 between the owner of CBTL and entities that scheduled drawal through the CBTL.

(c) If agreed between governments of the two countries, and where the entity owning the portion of Cross Border Transmission Link located in a neighbbouring country approaches the Commission, the Tariff for portion of CBTL located in the neighbouring Country shall be determined by the Commission and, the steps under sub-clauses (a) and (b) of this Annexure, as the case may be, shall be applicable for portion of CBTL located in the neighbouring country also.