

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**NOTIFICATION**

No.-L-1/(3)/2009-CERC

Dated the 7<sup>th</sup> August 2009

In exercise of powers conferred by section 178 of the Electricity Act, 2003 and all other powers enabling it in this behalf and after previous publication, the Central Electricity Regulatory Commission, hereby makes the following regulations, namely –

**CHAPTER 1  
PRELIMINARY**

**1. Short Title and Commencement**

(1) These regulations may be called the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009.

(2) These regulations shall come into force on such date as the Commission may notify:

Provided that the date for the coming into force of these regulations shall be after the 'detailed procedure' of the Central Transmission Utility has been approved by the Commission.

2. **Definitions**

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

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

(b) “Applicant” means

(i) a Generating station of installed capacity 250 MW and above, including a captive generating plant of exportable capacity of 250 MW and above or a bulk consumer in respect of grant of connectivity and

(ii) a generating station including a captive generating plant, a consumer, an Electricity Trader or a distribution licensee, in respect of long-term access or medium-term open access , as the case may be;

(c) “Bulk consumer” means in respect of connectivity, any consumer who intends to avail supply of a minimum load of 100 MW from the Inter-State Transmission System;

(d) “Commission” means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;

(e) “Connectivity” for a generating station, including a captive generating plant, a bulk consumer or an inter-State transmission

licensee means the state of getting connected to the inter-State transmission system;

(f) “consumer” means any consumer eligible to avail open access as specified by the State Commission under sub-section (2) of section 42 of the Act;

(g) “day” means the day starting at 00.00 hours and ending at 24.00 hours;

(h) “detailed procedure” means the procedure issued by the Central Transmission Utility as referred to in regulation 6 hereof;

(i) “Grid Code” means the Grid Code specified by the Commission under Clause (h) of sub-section (1) of section 79 of the Act;

(j) “intra-State entity” means a person whose metering and energy accounting are done by the State Load Despatch Centre or by any other authorized State utility;

(k) ‘interface meters’ means interface meters installed in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, specified by the Central Electricity Authority and amended from time to time;

(l) “long-term access” means the right to use the inter-State transmission system for a period exceeding 12 years but not exceeding 25 years;

(m) “long-term customer” means a person who has been granted long-term access and includes a person who has been allocated central sector generation that is electricity supply from a generating station owned or controlled by the Central Government;

(n) “medium-term open access” means the right to use the inter-State transmission system for a period exceeding 3 months but not exceeding 3 years;

(o) “medium-term customer” means a person who has been granted medium-term open access;

(p) “month” means a calendar month as per the British calendar;

(q) “nodal agency” means the Central Transmission Utility referred to in regulation 4 hereof ;

(r) “regional entity” means a person whose metering and energy accounting are done at the regional level;

(s) “short-term open access” has the meaning ascribed thereto in the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008;

(t) “State Commission” means the State Electricity Regulatory Commission constituted under section 82 of the Act and includes the Joint Commission constituted under section 83 thereof;

(u) “State network” means the intra-State transmission system owned by the State Transmission Utility, transmission licensee or the network of any other person who has been granted licence by the State Commission to establish or operate distribution lines within the State;

(v) ‘Stranded transmission capacity’ means the transmission capacity in the inter-State transmission system which is likely to remain unutilized due to relinquishment of access rights by a long-term customer in accordance with regulation 16.

(2) Words and expressions used in these regulations and not defined herein but defined in the Act or the 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 Grid Code or other regulations specified by the Commission, as the case may be.

## **CHAPTER 2 GENERAL PROVISIONS**

### **3. Scope**

These regulations, after they come into force, shall apply to the grant of connectivity, long-term access and medium-term open access, in respect of inter-State transmission system:

Provided that a generating station, including captive generating plant or a bulk consumer, seeking connectivity to the inter-State transmission

system cannot apply for long-term access or medium-term open access without applying for connectivity:

Provided further that a person may apply for connectivity and long-term access or medium-term open access simultaneously.

4. **Nodal Agency**

The nodal agency for grant of connectivity, long-term access and medium-term open access to the inter-State transmission system shall be the Central Transmission Utility.

5. **Filing of Application**

Applications for grant of connectivity or long-term access or medium-term open access shall be made to the nodal agency:

Provided that an application for connectivity is not required to be made by any transmission licensee, since transmission system planning is carried out in a coordinated manner by the Central Transmission Utility and the Central Electricity Authority;

Provided, however, that an inter-State transmission licensee other than Central Transmission Utility, nevertheless, shall sign a connection agreement with the Central Transmission Utility, as provided for in Clause (5) of regulation 8 of these Regulations.

6. **Application fee**

The application referred to in regulation 5 shall be accompanied by a non-refundable application fee specified hereunder, payable in the name and in

the manner to be laid down by the Central Transmission Utility in the detailed procedure:–

S.No	Quantum of Power to be injected/offtaken into/from ISTS	Application fee (Rs. in lakh)		
		For Connectivity	Long-term access	Medium-term open access
1.	Up to 100 MW	2	2	1
1	More than 100 MW and up to 500 MW	3	3	2
2	More than 500 MW and up to 1000 MW	6	6	3
3	More than 1000 MW	9	9	4

#### **7. Timeframe for processing of application**

The application shall be processed by the nodal agency within the time limits specified hereunder:–

Nature of Application	Time limit for processing beginning the last day of the month in which application was received by the nodal agency
Connectivity	60 days
Long-term access	120 days where augmentation of transmission system is not required 180 days, where augmentation of transmission system is required
Medium-term open access	40 days

### **CHAPTER 3 CONNECTIVITY**

#### **8. Grant of Connectivity**

(1) The application for connectivity shall contain details such as, proposed geographical location of the applicant, quantum of power to be interchanged

that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of a bulk consumer, with the inter-State transmission system and such other details as may be laid down by the Central Transmission Utility in the detailed procedure:

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the applicant or change, by more than 100 MW in the quantum of power to be interchanged with the inter-State transmission system, the applicant shall make a fresh application, which shall be considered in accordance with these regulations.

(2) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in inter-State transmission system to be used, including State Transmission Utility, if the State network is likely to be used, process 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.

(3). While granting connectivity, the nodal agency shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the nodal agency shall specify the point of connection and name of the line at which connectivity is to be granted. The nodal agency shall indicate the broad design features of the dedicated



transmission line and the timeframe for completion of the dedicated transmission line.

(4) The applicant and all Inter-State Transmission Licensees including the Central Transmission Utility shall comply with the provisions of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007.

(5) The applicant or inter-State transmission licensee, as the case may be, shall sign a connection agreement with the Central Transmission Utility or inter-State transmission licensee owning the sub-station or pooling station or switchyard or the transmission line as identified by the nodal agency where connectivity is being granted:

Provided that in case connectivity of a generating station, including captive generating plant or bulk consumer is granted to the inter-State transmission system of an inter-State transmission licensee other than the Central Transmission Utility, a tripartite agreement as provided in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 shall be signed between the applicant, the Central Transmission Utility and such inter-State transmission licensee.

(6) The grant of connectivity shall not entitle an applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access.

(7) A generating station, including captive generating plant which has been granted connectivity to the grid shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access, after obtaining permission of the concerned Regional Load Despatch Centre, which shall keep grid security in view while granting such permission. This infirm power from a generating station or a unit thereof, other than those based on non-conventional energy sources, the tariff of which is determined by the Commission, will be governed by the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009. The power injected into the grid from other generating stations as a result of this testing shall also be charged at UI rates.

(8) An applicant may be required by the Central Transmission Utility to construct a dedicated line to the point of connection to enable connectivity to the grid:

Provided that a thermal generating station of 500 MW and above and a hydro generating station of 250 MW and above, other than a captive generating plant, shall not be required to construct a dedicated line to the point of connection and such stations shall be taken into account for coordinated transmission planning by the Central Transmission Utility and Central Electricity Authority.

## CHAPTER 4

### LONG-TERM AND MEDIUM-TERM OPEN ACCESS

#### **9. Criteria for granting long-term access or medium-term open access**

(1) Before awarding long-term access, the Central Transmission Utility shall have due regard to the augmentation of inter-State transmission system proposed under the plans made by the Central Electricity Authority.

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

Provided that no augmentation shall be carried out to the transmission system for the sole purpose of granting medium-term open access:

Provided further that construction of a dedicated transmission line shall not be construed as augmentation of the transmission system for the purpose of this regulation.

#### **10. Relative priority**

(1) Applications for long-term access or medium-term open access shall be processed on first-come-first-served basis separately for each of the aforesaid types of access:

Provided that applications received during a month shall be construed to have arrived concurrently;

Provided further that while processing applications for medium-term open access received during a month, the application seeking access for a longer term shall have higher priority;

Provided also that in the case of applications for long-term access requiring planning or augmentation of transmission system, such planning or augmentation, as the case may be, shall be considered on 30<sup>th</sup> of June and 31<sup>st</sup> of December in each year in order to develop a coordinated transmission plan, in accordance with the perspective transmission plans developed by the Central Electricity Authority under section 73 of the Act;

Provided also that if an intra-State entity is applying for long-term access or medium-term open access, concurrence of the State Load Despatch Centre shall be obtained in advance and submitted along with the application to the nodal agency. The concurrence of the State Load Despatch Centre shall be in such form as may be provided in the detailed procedure.

(2) Where necessary infrastructure required for energy metering and time-block-wise accounting already exists and required transmission capacity in the State network is available, the State Load Despatch Centre shall convey its concurrence to the applicant within ten working days of receipt of the application.

(3) In case SLDC decides not to give concurrence, the same shall be communicated to the applicant in writing, giving the reason for refusal within the above stipulated period.

#### 11. **Interface Meters**

(1) Interface meters shall be installed –

(a) by the Central Transmission Utility for and at the cost of the regional entities; and

(b) by the State Transmission Utility for and at the cost of the State entities.

(2) Interface meters for the regional entities shall be open for inspection by any person authorized by the Central Transmission Utility and the Regional Load Despatch Centre.

(3) Interface meters for the intra-State entities shall be open for inspection by any person authorized by the State Transmission Utility or the State Load Despatch Centre.

## **CHAPTER 5 LONG-TERM ACCESS**

### **12. Application for long-term access**

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

Provided that in the case where augmentation of transmission system is required for granting open access, if the quantum of power has not been firm up in respect of the person to whom electricity is to be supplied or the source from which electricity is to be procured, the applicant shall indicate the

quantum of power along with name of the region(s) in which this electricity is proposed to be interchanged using the inter-State transmission system;

Provided further that in case augmentation of transmission system is required, the applicant shall have to bear the transmission charges for the same as per these regulations, even if the source of supply or off-take is not identified;

Provided also that the exact source of supply or destination of off-take, as the case may be, shall have to be firmed up and accordingly notified to the nodal agency at least 3 years prior to the intended date of availing long-term access, or such time period estimated by Central Transmission Utility for augmentation of the transmission system, whichever is lesser, to facilitate such augmentation;

Provided also that in cases where there is any material change in location of the applicant or change by more than 100 MW in the quantum of power to be interchanged using the inter-State transmission system or change in the region from which electricity is to be procured or to which supplied, a fresh application shall be made, which shall be considered in accordance with these regulations.

(2) The applicant shall submit any other information sought by the nodal agency including the basis for assessment of power to be interchanged using the inter-State transmission system and power to be transmitted to or from

various entities or regions to enable the nodal agency to plan the inter-State transmission system in a holistic manner.

(3) The application shall be accompanied by a bank guarantee of Rs 10,000/- (ten thousand) per MW of the total power to be transmitted. The bank guarantee shall be in favour of the nodal agency, in the manner laid down under the detailed procedure.

(4) The bank guarantee of Rs. 10,000 /- (ten thousand) per MW shall be kept valid and subsisting till the execution of the long-term access agreement, in the case when augmentation of transmission system is required, and till operationalization of long-term access when augmentation of transmission system is not required.

(5) The bank guarantee may be encashed by the nodal agency, if the application is withdrawn by the applicant or the long-term access rights are relinquished prior to the operationalisation of such rights when augmentation of transmission system is not required.

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

**13. System Studies by the Nodal Agency**

(1) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in inter-State transmission system to be used, including State Transmission Utility, if the State network is likely 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 access is arrived at within the timeframe specified in regulation 7:

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

(2) Based on the system studies, the nodal agency shall specify the inter-State transmission system that would be required to give long-term access. In case augmentation to the existing inter-State transmission system is required, the same will be intimated to the applicant.

(3) The Empowered Committee established in accordance with the 'Tariff based Competitive-bidding Guidelines for Transmission Service' issued by the Central Government, may identify one or more elements needed for augmentation of inter-State transmission system to be developed through tariff based competitive bidding:

Provided that the agency identified to construct one or more elements needed for augmentation of the inter-State transmission system for long-term



access shall be eligible for grant of transmission licence in accordance with the regulations specified by the Commission from time to time and the guidelines for competitive bidding for transmission issued by the Central Government.

**14. Communication of Estimate of Transmission Charges, etc.**

While granting long-term access, the nodal agency shall communicate to the applicant, the date from which long-term access shall be granted and an estimate of the transmission charges likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission charges specified by the Commission.

**15. Execution of Long-term Access Agreement**

The applicant shall sign an agreement for long-term access with the Central Transmission Utility in case long-term access is granted by the Central Transmission Utility, in accordance with the provision as may be made in the detailed procedure. While seeking long-term access to an inter-State transmission licensee, other than the Central Transmission Utility, the applicant shall sign a tripartite long-term access agreement with the Central Transmission Utility and the inter-State transmission licensee. The long-term access agreement shall contain the date of commencement of long-term access, the point of injection of power into the grid and point of drawal from the grid and the details of dedicated transmission lines, if any, required. In case augmentation of transmission system is required, the long-term access agreement shall contain the time line for construction of the facilities of the applicant and the transmission licensee, the bank guarantee required to be

given by the applicant and other details in accordance with the detailed procedure.

**16. Information to RLDC and SLDC**

Immediately after grant of long-term access, the nodal agency shall inform the Regional Load Despatch Centres and the State Load Despatch Centres concerned so that they can consider the same while processing requests for grant of short-term open access, received under Central Electricity Regulatory Commission (Open Access in inter-State transmission) Regulations, 2008 as amended from time to time.

**17. Renewal of Term for Long-term access**

On the expiry of the period of long-term access, the long-term access shall stand extended on a written request provided by the long-term customer in this regard to the Central Transmission Utility mentioning the period for extension that is required:

Provided that such a written request shall be submitted by the long-term customer to the Central Transmission Utility at least six months prior to the date of expiry of the long-term access;

Provided further that in case no written request is received from the long-term customer within the timeline specified above, the said long-term access shall stand withdrawn.

**18. Relinquishment of access rights**

(1) A long-term customer may relinquish the long-term access rights fully or partly before the expiry of the full term of long-term access, by making payment of compensation for stranded capacity as follows:-

(a) **Long-term customer who has availed access rights for at least 12 years**

(i) **Notice of one (1) year** – If such a customer submits an application to the Central Transmission Utility at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights, there shall be no charges.

(ii) **Notice of less than one (1) year** – If such a customer submits an application to the Central Transmission Utility at any time lesser than a period of 1 (one) year prior to the date from which such customer desires to relinquish the access rights, such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of a notice period of one (1) year.

(b) **Long-term customer who has not availed access rights for at least 12 (twelve) years** – such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of 12 (twelve) years of access rights:

Provided that such a customer shall submit an application to the Central Transmission Utility at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights;

Provided further that in case a customer submits an application for relinquishment of long-term access rights at any time at a notice period of less than one year, then such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the period falling short of a notice period of one (1) year, in addition to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of 12 (twelve) years of access rights.

(2) The discount rate that shall be applicable for computing the net present value as referred to in sub-clause (a) and (b) of clause (1) above shall be the discount rate to be used for bid evaluation in the Commission's Notification issued from time to time in accordance with the Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by Distribution Licensees issued by the Ministry of Power.

(3) The compensation paid by the long-term customer for the stranded transmission capacity shall be used for reducing transmission charges payable by other long-term customers and medium-term

customers in the year in which such compensation payment is due in the ratio of transmission charges payable for that year by such long-term customers and medium-term customers.

## **CHAPTER 6 MEDIUM-TERM OPEN ACCESS**

### **19. Application for Medium-term Open Access**

(1) 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 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.

(2) The start date of the medium-term open access shall not be earlier than 5 months and not later than 1 year from the last day of the month in which application has been made.

### **20. System Studies by the Nodal Agency**

On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in inter-State transmission system to be used, including State Transmission Utility, if the State network is likely 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 or refuse medium-term open access is made within the timeframe specified in regulation 7:

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

**21. Grant of Medium-term Open Access**

(1) On being satisfied that the requirements specified under clause (2) of regulation 9 are met, the nodal agency shall grant medium-term open access for the period stated in the application:

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

Provided further that the applicant shall sign an agreement for medium-term open access with the Central Transmission Utility in case medium-term open access is granted by the Central Transmission Utility, in accordance with the provision as may be made in the detailed procedure. While seeking medium-term open access to an inter-State transmission licensee, other than the Central Transmission Utility, the applicant shall sign a tripartite medium-term open access agreement with the Central Transmission Utility and the inter-State transmission licensee. The medium-term open access agreement shall contain 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.

(2) Immediately after grant of medium-term open access, the nodal agency shall inform the Regional Load Despatch Centres and the State Load Despatch Centres concerned so that they can consider the same while processing requests for short- term open access received under Central Electricity Regulatory Commission (Open Access in inter-State transmission) Regulations, 2008 as amended from time to time.

**22. Execution of Dedicated Transmission Line**

Medium-term customer may arrange for execution of the dedicated transmission line at its own risk and cost before the start date of the medium-term open access.

**23. No overriding preference**

On the expiry of period of the medium-term open access, the medium-term customer shall not be entitled to any overriding preference for renewal of the term.

**24. Exit option for medium-term customers**

A medium-term customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the nodal agency:

Provided that the medium-term customer relinquishing its rights shall pay applicable transmission charges for the period of relinquishment or 30 days which ever is lesser.

**CHAPTER 7**  
**CONDITIONS OF LONG-TERM ACCESS AND**  
**MEDIUM-TERM OPEN ACCESS**

**25. Curtailment**

(1) When for the reason 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 Regional Load Despatch Centre.

(2) Subject to provisions of the Grid Code and any other regulation specified by the Commission, the short-term customer shall be curtailed first followed by the medium-term customers, which shall be followed by the long-term customers and amongst the customers of a particular category, curtailment shall be carried out on *pro rata* basis.

**26. Transmission Charges**

The transmission charges for use of the inter-State transmission system shall be recovered from the long-term customers and the medium-term customers in accordance with terms and conditions of tariff specified by the Commission from time to time:

Provided that if the State network is also being used in the access as a part of inter-State transmission system for the conveyance of electricity across the territory of an intervening State as well as conveyance within the State which is incidental to such inter-State transmission of electricity, recovery of charges for such State network and terms and conditions thereof shall be in accordance with the regulation as may be specified by the Commission under



section 36 of the Act for intervening transmission facilities, if such charges and terms and conditions cannot be mutually agreed upon by the licensees;

Provided that any disagreement on transmission charges for such State network as specified above, shall not be the sole reason for denying access and either party may approach the Commission for determination of transmission charges for such State network.

**27. Detailed Procedure**

(1) Subject to the provisions of these regulations, the Central Transmission Utility shall submit the detailed procedure to the Commission for approval within 60 days of notification of these regulations in the Official Gazette:

Provided that prior to submitting the detailed procedure to the Commission for approval, the Central Transmission Utility shall make the same available to the public and invite comments by putting the draft detailed procedure on its website and giving a period of one month to submit comments;

Provided further that while submitting the detailed procedure to the Commission, the Central Transmission Utility shall submit a statement indicating as to which of the comments of stakeholders have not been accepted by it along with reasons thereof.

(2) The detailed procedure submitted by the Central Transmission Utility shall, in particular, include—

(a) The proforma for the connection agreement, referred to in clause (5) of regulation 8 above.

(b) The proforma for the long-term access agreement referred to in regulation 15 above:

Provided that the Transmission Service Agreement issued by the Central Government as part of standard bid documents for competitive bidding for transmission in accordance with section 63 of the Act shall be a part of this Agreement along with necessary changes;

Provided further that in case transmission system augmentation is undertaken through the process of competitive bidding in accordance with section 63 of the Act, the Transmission Service Agreement enclosed as part of bid documents shall be used as a part of the proforma agreement to be entered into between the applicant and the Central Transmission Utility for long-term access.

(c) The time line for phasing of construction/modification of the transmission elements by the Central Transmission Utility/transmission licensee, as the case may be, and the coming up of generation facilities or facilities of bulk consumer, as the case may be, so as to match the completion times of the two;

Provided that the time period for construction of the transmission elements shall be consistent with the timeline for completion of projects

included as Annexure-II to the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009.

(d) Aspects such as payment security mechanism and bank guarantee during the period of construction and operation:

Provided that the bank guarantee during construction phase shall not exceed Rs. 5 lakh per MW of the total power to be transmitted by that applicant through inter-State transmission system.

(e) The proforma for the medium-term open access agreement, referred to in the second proviso to clause (1) of regulation 21 above.

(f) Provisions for collection of the transmission charges for inter-State transmission system from the long-term customers or medium-term customers, as the case may be, by the transmission licensee or the Central Transmission Utility as and when so designated in accordance with the first proviso to clause (1) of regulation 29 hereof and disbursement to the Central Transmission Utility and/or the transmission licensees as the case may be.

**28. Fees and charges for the Regional Load Despatch Centre and the State Load Despatch Centre**

(1) The fees and charges for the Regional Load Despatch Centre including charges for the Unified Load Despatch and Communication Scheme shall be payable by the long-term customer and medium-term customer as may be specified by the Commission.

(2) The fees and charges for the State Load Despatch Centre shall be payable as applicable.

**29. Payment of transmission charges and Fees and Charges for the Regional Load Despatch Centre**

(1) The transmission charges in respect of the long-term customer and medium-term customer shall be payable directly to the transmission licensee:

Provided that the Central Transmission Utility may be designated by the Commission as the agency for the purpose of collecting and disbursing the transmission charges for inter-State transmission system;

Provided further that when the Central Transmission Utility is so designated as the agency as aforesaid, the transmission charges shall be paid to it;

Provided also that the Central Transmission Utility shall enter into agreements with the long-term customers and medium-term customers for collection of transmission charges and with the transmission licensees whose inter-State transmission system is being used, for disbursement of transmission charges as received, pro rata to the transmission charges payable to the transmission licensees and to the Central Transmission Utility;

Provided also that the Central Transmission Utility shall be entitled to reimbursement of reasonable costs incurred by it in collecting the

transmission charges of the other transmission licensees, as approved by the Commission.

(2) The fees and charges for Regional Load Despatch Centres (including the charges for Unified Load Despatch Scheme) and State Load Despatch Centres shall be payable by the long-term customer and medium-term customer directly to the Regional Load Despatch Centre or the State Load Despatch Centre concerned.

**30. Unscheduled Inter-change (UI) Charges**

(1) Scheduling of all transactions pursuant to grant of long-term access and medium-term open access shall be carried out on day-ahead basis in accordance with the Grid Code.

(2) Based on net metering on the periphery of each regional entity, composite accounts for Unscheduled Interchanges shall be issued for each regional entity on a weekly cycle:

Provided that Unscheduled Inter-changes accounting for intra-State entities shall not be carried out at the regional level.

(3) The State utility designated for the purpose of collection or disbursement of the Unscheduled Interchanges charges from or to the intra-State entities shall be responsible for timely payment of the State's composite dues to the regional Unscheduled Interchanges Pool Account Fund.

(4) Any mismatch between the scheduled and the actual drawal at drawal points and scheduled and the actual injection at injection points for the intra-State entities shall be determined by the concerned State Load Despatch Centre and covered in the intra-State Unscheduled Interchanges accounting scheme.

(5) Unless specified otherwise by the State Commission concerned, the Unscheduled Interchanges rate for intra-State entity shall be 105% (for over-drawals or under generation) and 95% (for under-drawals or over generation) of the Unscheduled Interchanges rate at the periphery of regional entity.

31. **Transmission Losses**

The buyers of electricity shall bear apportioned losses in the transmission system as estimated by the Regional Power Committee.

32. **Redressal Mechanism**

All disputes arising out of or under these regulations shall be decided by the Commission on an application made in this behalf by the person aggrieved.

**CHAPTER 8  
INFORMATION SYSTEM**

33. **Information System**

The nodal agency shall post the following documents / information on its website in a separate web-page titled “Long-term access and Medium-term open access information”:

- (a) These regulations;
- (b) Detailed procedure;

(c) List of applications, separately, for long-term access and medium-term open access received by the nodal agency along with necessary details.

(d) Separate lists for long-term access and medium-term open access granted, indicating-

- (i) Name of 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 used (in terms of regions and States);
- (vi) Capacity (MW) for which access has been granted.

(e) List of applications where approval for connectivity or long-term access or medium-term open access, as the case may be, has not been granted along with reasons thereof.

Provided further that it shall be a constant endeavour of the nodal agency to take steps in accordance with the requirements herein to provide as much information 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 9  
MISCELLANEOUS**

**34. Repeal and Savings**

(1) On commencement of these regulations, Regulation No.'s 4(1)(a), 4(ii), 5(i), 6(i), 7, 8(i), 9, 10, 11, 12, 16(i), 18, as far as it applies to long-term customers, and 31(i) of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2004, shall stand repealed.

(2) Notwithstanding anything contained in clause (1), long-term access granted in accordance with the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2004 shall continue to be valid till the expiry of the term of long-term access.

Sd/=  
(Alok Kumar)  
Secretary