

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

NOTIFICATION

No.L-1/44/2010-CERC

Dated the 24st November, 2011

In exercise of powers conferred under 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, to amend the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 (hereinafter referred to as “the Principal Regulations”), namely:

1. Short title and commencement: (1) These regulations shall be called the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses)(First Amendment) Regulations, 2011.

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

2. Amendment to Regulation 2 of Principal Regulations:(1) Sub-clause (c) of clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:

“(c) ‘**Approved Injection**’ means the injection in MW validated by Implementing Agency (IA) for the Designated ISTS Customer for each representative block of months, peak and other than peak scenarios at the ex-bus of the generator or any other injection point of the Designated ISTS Customer into the ISTS, and determined on the basis of generation data submitted by the Designated ISTS Customers incorporating total injection into the grid, considering the Long-term Access and Medium-term Open Access;”

(2) Sub-clause (f) of clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:

“(f) ‘**Approved Withdrawal**’ means the simultaneous withdrawal in MW validated by Implementing Agency for any Designated ISTS Customer in a control area aggregated from all nodes of ISTS to which Designated ISTS Customer is connected for each representative block of months, peak and other than peak scenarios, at the interface point with ISTS, and where the Approved Withdrawal shall be determined based on the demand data submitted by the Designated ISTS Customers considering Long-term Access and Medium-term Open Access;”

- (3) The following provisos shall be added under sub-clause (l) of clause (1) Regulation 2 of the Principal Regulations as under:

"Provided that where the ISTS charges were being billed to the distribution companies or any designated agency in the State for purchasing power before implementation of these regulations, the distribution companies or the designated agency, as the case may be, shall be treated as Designated ISTS Customer in that State for the purpose of preparation of Regional Transmission Account (RTA) by Regional Power Committees and for the purpose of billing and collection by the CTU:

Provided further that after implementation of these regulations, the States may designate any agency as Designated ISTS Customer for the above purpose."

- (4) The definition of 'target region' after sub-clause (t) of Regulation 2 of the Principal Regulations shall be inserted as under:

"(t) 'Target Region' means the region to which a generator proposes to sell power after obtaining Long-term Access from the CTU and for which beneficiaries in the said region have not been identified."

- (5) Sub-clause (y) of clause (1) of Regulation 2 of the Principal Regulations shall be substituted as under:

“(y) ‘**Yearly Transmission Charge (YTC)**’ means the Annual Transmission Charges for the existing and new transmission assets of the transmission licensees and deemed ISTS Licensees including non-ISTS lines certified by Regional Power Committees for carrying inter-State power, determined by the Appropriate Commission under section 62 of the Act or adopted by the Appropriate Commission under section 63 of the Act or as otherwise provided in these Regulations”.

3. Amendment of Regulation 3 of Principal Regulations.-Clause (b) of Regulation 3 of the Principal Regulations shall be substituted as under:

"(b) State Electricity Boards/State Transmission Utilities connected with ISTS or designated agency in the State (on behalf of distribution companies, generators and other bulk customers connected to the transmission system owned by the SEB/STU/ intra-State transmission licensee);"

4. Amendment to Regulation 7 of Principal Regulations.-(1) Sub-clause (l) of clause (1) of Regulation 7 of the Principal Regulations shall be substituted as under:

“(l) Overall charges to be shared among the nodes shall be computed based on the Yearly Transmission Charges apportioned to each of the lines of the ISTS Licensees. The Yearly Transmission Charges, computed for the assets for each voltage level and conductor configuration shall be provided by the respective ISTS transmission licensees. The ISTS Licensees, deemed ISTS Licensees and owners of the non-ISTS Lines certified by the Regional Power Committees shall give the total Yearly Transmission Charges of their transmission assets, whose charges are to be recovered through the PoC mechanism in the application period along with circuit kilometers at each voltage level and for each conductor configuration. The total Yearly Transmission Charges shall be apportioned for each voltage level and conductor configuration based on the ratio of the indicative cost levels furnished by CTU at the beginning of each year or application period and approved by the Commission:

Provided that the YTC shall be revised on a six monthly basis i.e. on 1stApril and 1stOctober in the first full year and subsequently on quarterly basis, i.e. on 1stApril, 1stJuly, 1stOctober and 1stDecember. "

(2) Sub-clause (m) of clause (1) of Regulation 7 of the Principal Regulations shall be deleted.

(3) The following proviso shall be added under sub-clause (o) of clause (1) of Regulation 7 of the Principal Regulations:

"Provided that a single scenario based on average generation and demand data published by the Central Electricity Authority shall be considered for determination of POC charges for the year 2011-12 or for such further period as the Commission may decide based on the availability of node-wise forecast data for different scenarios from the DICs."

5. Amendment to Regulation 11 of Principal Regulations.- (1) The para below the computation formulae in clause (4) of Regulation 11 of the Principal Regulations shall be substituted as under:

“This first part of the bill shall be raised based on the Point of Connection charges, Approved Withdrawal and Approved Injection for each Designated ISTS Customer, provided by the Implementing Agency on the next working day of uploading of the Regional Transmission Accounts by the respective Regional Power Committees on their websites in each month for the previous month and determined prior to the commencement of the application period:

Provided that the list of transmission assets along with the approved transmission charges for which billing has been done shall be enclosed with the first part of the bill:

Provided further that the charges for the quantum of long term access to a target region without identified beneficiaries shall comprise the Injection POC charges and lowest of the Demand POC charges among all the DICs in the target region.”

(2) The para below the computation formulae in clause (5) of Regulation 11 of the Principal Regulations shall be substituted as under:

“The second part of the bill shall be raised on the designated ISTS Customers alongwith the first part of the bill:

Provided that the revenue collected from the approved additional Medium-term Open Access customers in the synchronously connected grid, which has not been considered in the Approved Injection/Approved Withdrawal, shall be reimbursed to the DICs located in the same synchronously connected grid having Long-term Access in the following month, in proportion to the monthly billing of the respective month:

Provided further that the Injection POC charges and Demand POC charges for Medium-term Open Access to the target region for which Long-term Access has been granted to the generator shall be adjusted against Injection POC charges and Demand POC charges for the Long-term Access to the target region without identified beneficiaries and not against Long-term Access granted to any other target region without identified beneficiaries:

Provided also that the injection POC charge for Medium-term open access given to a generator to any region shall be offset against the injection POC charge for LTA granted to the generator to the target region:

Provided also that a generator who has been granted Long-term Access to a target region without identified beneficiaries, shall be required to pay PoC injection charge plus the lowest of the PoC demand charge among all the DICs in the target region for the remaining quantum after offsetting the quantum of Medium-term Open Access subject to the last proviso of clause (4) of Regulation 11:

Provided also that this adjustment shall not be allowed for collective transactions and bilateral transactions carried out by the trading licensees who have a portfolio of generators in a State for which LTA was obtained to a target region.”

- (3) The last para under Clause (7) of Regulation 11 of the Principal Regulations shall be substituted as under:

“This bill shall be raised by the CTU within 3 (three) working days of the issuance of the Regional Transmission Deviation Account by the RPCs:

Provided that the agency of the State responsible for the intimation of deviation on account of Unscheduled Interchange energy shall be the agency responsible for the intimation of deviation on account of the transmission usage to the respective RPCs, for inclusion of the same in their Regional Transmission Deviation Account (RTDA):

Provided further that the revenue collected against the Bill for Deviation from DICs in the synchronously connected grid shall be reimbursed to the DICs in the same synchronously connected grid having Long-term Access, in the following month, in proportion to the monthly billing of the respective month.”

- (4) Clause (8) of Regulation 11 of the Principal Regulations shall be deleted.
- (5) The following provisos shall be added to Clause (9) of Regulation 11 of the Principal Regulations:

“Provided that the Injection POC charges and Demand POC charges for Short-term Open Access to the target region for which Long-term Access has been granted to the generator, shall be adjusted against the Injection POC charges and Demand POC charges for the Long-term Access to the target region without identified beneficiaries and not against Long-term Access to any other target region without identified beneficiaries:

Provided further that the injection POC charge for Short-term open access given to a generator to any region shall be offset against the injection POC charge for LTA granted to the generator to the target region:

Provided also that a generator who has been granted Long-term Access to a target region without identified beneficiaries, shall be required to pay PoC injection charge plus the lowest of the PoC demand charge among all the DICs in the target region for the remaining quantum after offsetting the quantum of Medium-term Open Access and Short-term open access:

Provided also that this adjustment shall not be allowed for collective transactions and bilateral transactions carried out by the trading licensees who have a portfolio of generators in a State for which LTA was obtained to a target region.”

6. Amendment to the Annexure of the principal regulations:

(1) Last sub-para under Para 2.1.2 (g) of the Annexure of the Principal Regulations under the head “Network Data” shall be substituted as under:

“(g) Overall charges to be allocated among nodes shall be computed by adopting the YTC of transmission assets of the ISTS licensees, deemed ISTS licensees and owners of the non-ISTS lines which have been certified by the respective Regional Power Committees (RPC) for carrying inter-State power. The Yearly Transmission Charge, computed for assets at each voltage level and conductor configuration in accordance with the provisions of these regulations shall be calculated for each ISTS transmission licensee based on indicative cost level provided by the Central Transmission Utility for different voltage levels and conductor configuration. The YTC for the RPC certified non-ISTS lines which carry inter-State power shall be approved by the Appropriate Commission.

In case the tariff for the RPC certified non-ISTS lines have not been specified by the Appropriate Commission, the average YTC as computed for the relevant voltage level and conductor configuration shall be used.

The non-ISTS lines certified by the RPCs as on 15.06.2010 shall continue to be treated as RPC certified non-ISTS lines carrying inter-State power. The YTC of such RPC certified non-ISTS lines shall remain the same and be governed by the same principle as it existed as on 15.6.2010.

For certifying non-ISTS lines for carrying inter-State power, which were not approved by the RPCs on the date of notification of the Principal Regulations, this shall be determined through the process of load flow studies. The results of the load flow studies, on an annual average basis, should show these lines carrying more than 50% of the total power carried by it to be inter-State power. This shall be vetted by the NLDC in consultation with the respective RLDC on the proposal made by the respective RPC, through a common methodology to be adopted by the NLDC. The YTC for such RPC certified non-ISTS lines which carry inter-State power, shall be approved by the Appropriate Commission.

The recovery of the YTC of the transmission assets expected to be commissioned in the Application Period shall be incorporated by the Implementing Agency on the basis of the approved tariff including provisionally approved tariff:

Provided that the disbursement to the owners of new RPC certified non-ISTS lines shall be done after the tariff is approved by the Appropriate Commission.”

(2) The following shall be added after the first paragraph in Step 4 of clause (2) under Para 2.7 of Annexure of the Principal Regulations:

“The charges of the HVDC back to back inter-regional links at Chandrapur and Gazuwaka shall be included in the YTC of the NEW grid and the SR grid in the ratio of 1:1 and charges for Talcher–Kolar HVDC bi-pole link shall be shared by DICs of SR only.”

Sd/-
(Rajiv Bansal)
Secretary

Note: The Principal Regulations were published on 16th June 2010 in the Gazette of India Extraordinary Part III-Section 4 at Ser No.162.