

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

‘Vidyut Niyamak Bhawan’, Near I.S.B.T., P.O.-Majra, Dehradun-248171

Draft Notification

August 03, 2016

No.....: In exercise of the powers conferred by section 181, read with sections 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby proposes the following amendments in the UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015, (Principal Regulations), namely:-

1. Short Title, Extent and Commencement

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016.
- (2) These Regulations shall come into force from the date of their notification.

2. In Regulation 3 of the Principal Regulation:

- (1) Sub-Regulation 2 of Regulation 3 shall be deleted.
- (2) Sub-Regulation 18(A) and 18(B) shall be inserted after sub-Regulation 18 of Regulation 3, namely:-

“18(A) “Open access” means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation for drawing or selling power, as the case may, from or to any person other than distribution licensee of the area where such licensee or consumer or a person engaged in generation exists and includes long-term access, medium-term open access and short-term open access in accordance with these Regulations.

18(B) “Schedule” means day ahead capacity in MW for each 15 minute time block in a day approved by SLDC for bilateral/collective open access transactions based on the schedule submitted by the open access customer for each time block of the day. However, in case of embedded open access consumer it shall mean sum total of the power (in MW) scheduled to be drawn from distribution licensee of the area

where such consumer exists and/or from any other source under open access for each time block in a day for meeting its requirement. “

3. In Chapter 5 of the Principal Regulation:

(1) Title of Chapter 5 shall be substituted, namely:-

“ADJUSTMENT OF ENERGY AND OPEN ACCESS CHARGES”

4. In Regulation 19 of the Principal Regulation:

(1) Regulation 19 of the Principal Regulation shall be substituted, namely:-

“19. Adjustment of Energy”

(1) *The priority of adjustment of energy drawal by an open access consumer from different sources shall be as per the following sequence of reducing priority and shall be implemented for each time block:*

(a) Renewable power generation;

(b) CPP;

(c) Banked Energy to be settled in 15 min time block = Banked energy available at the end of previous month in kWh/(96 time blocks Actual no. of days in current month);*

(d) Long Term Bilateral purchase;

(e) Medium Term Open Access;

(f) Short term inter-State open access including Power Exchange Transaction;

(g) Short term intra-State open access;

(h) Distribution Licensee.

(2) *In case of generators selling power to multiple persons/ consumers, the priority for adjustment of energy sale shall be as follows:*

(a) Distribution Licensee;

(b) Captive use;

(c) Long term bilateral sale followed by medium term bilateral sale and further by short term bilateral sale;

(d) Sale through power exchange.

Provided, the generator selling power to Distribution Licensee may make an application to the Distribution Licensee for change in priority of sale which shall be governed as per the existing agreement between the generator and the Distribution Licensee."

5. In sub Regulation 1 of Regulation 20 of the Principal Regulation:

(1) In first proviso the words "approved capacity" shall be substituted by "Scheduled Capacity".

6. In Regulation 26 of the Principal Regulation:

(1) After sub-Regulation 2, the following sub- Regulations shall be inserted, namely:-

3. *"The open access customer shall abide by the Indian Electricity Grid Code, the State Grid Code as applicable from time to time and instructions given by State Transmission Utility and State Load Dispatch Centre.*
4. *The open access customer shall also comply with the requirements of the CEA (Technical Standards for Connectivity to the Grid) Regulations, 2007 as amended from time to time.*
5. *The embedded open access consumer shall schedule for each time block in such a manner that the sum of its total schedule and drawal thereof from all sources including through open access and from Distribution Licensee does not exceed its contracted load with the Distribution Licensee.*

Provided that open access may be allowed over and above the contracted load to a consumer who sources power both by captive generation and Discom to the extent of captive power supply subject to availability of transmission and/or distribution system as the case may be.

Provided further that long term open access may be allowed over and above the contracted load to the extent of sanctioned open access capacity.

6. *The embedded open access consumer shall be levied fixed charge based on the maximum demand recorded in the ABT meter as per tariff applicable from time to time.*

Provided that if the open access is allowed over and above the contracted load in terms of proviso to sub-Regulation (5) above, the fixed charges shall be levied based on the total demand recorded in the ABT meter less open access demand scheduled in terms of proviso of sub-Regulation (5) above.

7. *The open access customer and embedded open access consumer shall provide the injection/drawal Schedule, as applicable, every day to the SLDC and the Distribution Licensee before 10:00 AM of the day proceeding the day of such drawal/injection.*
8. *Annual maintenance outage, other maintenance outage and forced outage shall be subject to the provisions of the State Grid Code as applicable from time to time. Intimation of the forced outage shall be sent to SLDC and to the Distribution Licensees, within 30 minutes of the outage and shall incorporate the estimated outage/rectification time. Restoration of unit under outage shall be conveyed to SLDC at least 30 minutes prior to its synchronization with the State Grid."*

7. In Regulation 27 of the Principal Regulation:

- (1) The first proviso of sub-Regulation (2) shall be deleted.
- (2) Sub-Regulation 2(A) shall be inserted, namely:-

"2(A) Open Access applicants shall in their application to the nodal agency, inter alia, mention the date, which should at least be one month after the date of application, by which the above Main and Check meters are required to be installed at their premises and the nodal agency shall install these meters by that date."

8. In Chapter 7 of the Principal Regulation:

- (1) Title of Chapter 7 shall be substituted, namely:-

"DEVIATION SETTLEMENT"

9. In Regulation 30 of the Principal Regulation:

- (1) In Regulation 30, the heading "Imbalance charge" shall be substituted by "Deviation charge".
- (2) Sub-Regulation 1 stands deleted.

(3) Sub-Regulation 2 shall be read as sub-Regulation 1 and the first two sentences of this sub-Regulation shall be substituted, namely:-

“ 1. The payment settlement for deviation/mismatch between the schedule and the actual drawal/injection in both intra-State and inter-State transactions by customers connected to transmission/ distribution network of the State licensees shall be governed by the pricing mechanism as specified below”

(4) The first sentence of sub-clause (i) of clause (a) shall be substituted, namely:-

(i) “In case of over-drawal with respect to the schedule approved by the SLDC by such open access consumer”

(5) In the second sentence of sub-clause (i) of clause (a) the word “imbalance charges” shall be substituted by “deviation charges”.

(6) The first sentence of sub-clause (ii) of clause (a) shall be substituted, namely:-

*(ii) “In case of under-drawal with respect to the schedule approved by the SLDC by such open access consumer due to non-availability of the distribution system and/or transmission system.
”*

(7) In the second sentence of sub-clause (ii) of clause (a) the word “imbalance charges” shall be substituted by “deviation charges”.

(8) The first sentence of sub-clause (i) of clause (b) shall be substituted, namely:-

(i) “In case of over-drawal with respect to the schedule approved by the SLDC subject to maximum demand recorded for the month is upto the Contracted load of such consumer.”

(9) In the second sentence of sub-clause (i) of clause (b) the words “imbalance charges” shall be substituted by “deviation charges” and “as determined” shall be substituted by “as per the Rate Schedule approved”.

(10) The first sentence of sub-clause (ii) of clause (b) shall be substituted, namely:-

(ii) “In case of over-drawal with respect to the schedule approved by the SLDC subject to maximum demand recorded for the month is more than the contracted load of such consumer.”

(11) In the second sentence of sub-clause (ii) of clause (b) the words “imbalance charges” shall be substituted by “deviation charges”

(12) In the second sentence of sub-clause (ii) of clause (b) the words “as per the Rate Schedule approved” shall be inserted.

(13) After sub-clause (ii) of clause (b), the following proviso shall be inserted, namely:-

“Provided that in case of long term open access consumer which schedule open access power over and above its contracted load in accordance with 2nd provision of Regulation 26 (5) above, the maximum demand recorded in sub-clause (i) & (ii) of clause b above shall be net demand after deducting open access demand in accordance with proviso to Regulation 26 (6) above.”

(14) The first sentence of sub-clause (iii) of clause (b) shall be substituted, namely:-

(iii) “In case of under drawal with respect to the schedule approved by the SLDC by such open access consumer due to non-availability of the distribution system and/or intra-State transmission system.”

(15) The second sentence of sub-clause (iii) of clause (b) shall be substituted, namely:-

“Deviation charges payable by distribution licensee to such consumer shall be at the average power purchase cost of the distribution licensee as projected in the Tariff Order for the relevant year.”

(16) The last sentence of clause (b) “For the purpose as in Regulations 19(2) above” shall be deleted.

(17) The second proviso of sub-clause (iii) of clause (c) shall be substituted, namely:-

“Provided further that the above imbalance charges covered in this sub-regulation (2) is an interim arrangement and shall be applicable till intra-State ABT mechanism is operational in the State where after the Deviation shall be settled based on the Deviation Settlement Account prepared by SLDC in accordance with the Deviation Settlement and related matters regulations as and when notified by the Commission.”

10. In Regulation 31 of the Principal Regulation:

(1) The proviso shall be substituted, namely:-

“Provided further that after ABT mechanism is operational in the State the reactive energy charges shall be settled based on the State Reactive Energy Account prepared by SLDC in accordance with the State Grid Code and the orders of the Commission issued from time to time.”

By Order of the Commission

(Neeraj Sati)
Secretary
Uttarakhand Electricity Regulatory Commission