

# UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

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## Notification

**Dated: 13 January, 2015**

### **UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015**

No. UERC/F(9)RG/UERC/2015/1883: 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, the Uttarakhand Electricity Regulatory Commission hereby proposes to make the following Regulations, namely:-

## CHAPTER 1

### PRELIMINARY

#### **1. Short Title, Extent and Commencement**

- (1) These regulations shall be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015.
- (2) These regulations shall come into force from the date of their publication in the Government Gazette replacing the existing Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2010 with effect from the aforesaid date.

#### **2. Scope**

These regulations shall apply to open access customers using intra-State transmission system and distribution systems of the State, including when such system is used in conjunction with inter-State transmission system.

#### **3. Definitions**

In these regulations, unless the context otherwise requires:

- (1) "Act" means the Electricity Act, 2003 (36 of 2003);

- (2) "Approved Capacity" means capacity in MW approved by NLDC/RLDC/SLDC for bilateral/collective transactions at the point(s) of injection for open access customers.
- (3) "Applicant" means a consumer, trader, distribution licensee or a Generating company who has applied for seeking connectivity or open access as the case may be;
- (4) "CEA Connectivity Regulations" means Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and as amended from time to time;
- (5) "Commission" means the Uttarakhand Electricity Regulatory Commission referred to in Section 82 of the Act;
- (6) The word "consumer" shall carry the same meaning as in the Act, but shall be restricted to such consumers within the State of Uttarakhand to whom these regulations apply;
- (7) "Contracted load" means the load in kVA (Kilo Volt Ampere) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions and is different from the connected load;
- (8) "Day" means a period starting at 00.00 hours and ending at 24.00 hours;
- (9) "Distribution licensee" means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in the State of Uttarakhand;
- (10) "Embedded open access consumer" means consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails the option of drawing part or full of its demand from any other person under open access, in any one or more time slots during a day or more in any month or more during the year, without ceasing to be a consumer of the said distribution licensee and continues to pay monthly demand charges and other charges as per rate schedule applicable to relevant category;

- (11) "Force Majeure Event" for the purpose of these regulations shall mean the events or circumstances or a combination of events and/or circumstances stated below:
- a. Act of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions which are in excess of the statistical measures for the last hundred years; or
  - b. Any act of war, invasion, armed conflict or act of public enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action; or
  - c. Fire, explosion, radioactive contamination and toxic dangerous chemical contamination;
- (12) "IEGC" means Indian Electricity Grid Code Specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act, and as amended from time to time;
- (13) "Imbalance" in a time block for a generating station means its Actual Generation in MW minus its Approved Capacity (in MW) and for a consumer or buyer means its Actual Recorded Energy minus its Scheduled Energy at consumer premises;
- (14) "Long-term Access" means the Open Access in the intra-State transmission system or distribution system for a period exceeding 12 years but not exceeding 25 years;
- (15) "Medium-term Open Access" means the Open Access in the intra-State transmission system or distribution system for a period exceeding three months but not exceeding three years;
- (16) "Month" means a calendar month as per the Gregorian calendar;
- (17) "Nodal Agency" means the Nodal Agency defined in Regulation 12(3) of these regulations;
- (18) "Open access customer (in short customer)" means a consumer, trader, distribution licensee or a generating company who has been granted open access under these regulations;

- (19) "Short-term Open Access" means open access for a period up to one month at a time;
- (20) "State" means State of Uttarakhand;
- (21) "State Grid Code" means the State Grid Code specified by the Commission under clause (h) of sub-section (1) of section 86 of the Act, applicable on the date of commencement of these regulations and as amended from time to time;
- (22) "Stranded Transmission/distribution capacity" means the transmission/distribution capacity which is likely to remain unutilized due to relinquishment of access rights by a long-term open access customer;
- (23) "State Transmission Utility" means the Government company specified by the Government of Uttarakhand under sub-section (1) of section 39 of the Electricity Act, 2003;
- (24) "Transmission licensee" means a licensee authorised to establish and operate transmission lines in the State of Uttarakhand;
- (25) All words and expressions used and not defined in these regulations but defined in the Act or IEGC or the State Grid Code, Distribution code shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, Distribution Code as the case may be;
- (26) The General Clauses Act, 1897(10 of 1897), and as amended from time to time shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Parliament.

## CHAPTER 2

### CONNECTIVITY

#### 4. Connectivity

Open Access customers shall be eligible to obtain connectivity, unless already connected, at the voltage levels specified in UERC (Release of New HT& EHT Connections, Enhancement and Reduction of Loads) Regulations, 2008 and as amended from time to time.

Provided RE generators shall be granted connectivity at voltage levels, unless already connected, as per the provisions of the UERC ( Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations,2013 and as amended from time to time.

#### 5. Application procedure for Connectivity at Intra-State transmission System

- (1) Applicant shall apply to the STU for connectivity in the Form prescribed in the detailed procedure to be laid down by the STU
- (2) The Application shall be accompanied by a non-refundable fee of **Rs. five lakh** through demand draft in favour of Power Transmission Corporation of Uttarakhand (PTCUL) payable at Dehradun.
- (3) 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 consumer, with the intra-State transmission system and such other details as may be laid down by the State Transmission Utility in the aforesaid 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 10 percent in the quantum of power to be interchanged with the intra-State transmission system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

**6. Processing of Application for Connectivity and Grant thereof by STU**

- (1) On receipt of the application, the STU shall process the application and carry out the necessary interconnection study as specified in CEA Connectivity Regulations.
- (2) The State Transmission Utility shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above and after considering all suggestions and comments received from State Load Despatch Centre:
  - (a) accept the application with such modifications or such conditions as may be specified by SLDC;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the State Transmission Utility shall make a formal offer to the Applicant.
- (4) The STU shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the intra-State transmission system.
- (5) The STU shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.
- (6) While granting connectivity, the STU 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 STU shall specify the point of connection and name of the line at which connectivity is to be granted. The STU shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal on the sub-station of the STU and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at STU sub-station, the open access customer shall also bear the cost of bay, breaker

etc. in the STU sub-station and equipments required for transmission of real time data to SLDC.

Provided that for works, other than those to be carried out in STU substation, the open access customer shall have option to carry out these works under the supervision of STU.

- (7) The STU and the Applicant shall comply with the provisions of CEA Connectivity Regulations. 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 in accordance with the provisions of these regulations.
- (8) 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 that generating station being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre, which shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI rates, as determined by the Central Commission, till such time rates of imbalance are determined by the Commission.

**7. Application procedure for Connectivity to distribution system by Open Access customer**

- (1) All eligible open access customers, seeking connectivity to the distribution system, shall apply to the distribution licensee for connectivity in the Form prescribed in the detailed procedure to be laid down by the Distribution Licensee.
- (2) The Application shall be accompanied by a non-refundable fee of **Rs. three lakh** through demand draft in favour of UPCL payable at Dehradun.

- (3) The application for connectivity shall contain details such as, address of the open access customer, quantum of power to be injected/drawal and such other details as may be laid down by the distribution licensee in the 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 10 percent in the quantum of power to be interchanged with the distribution system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

**8. Processing of Application and Grant of connectivity in distribution system to a open access customer, by the distribution licensee**

- (1) On receipt of the application, the distribution licensee shall, in consultation and through coordination with STU, process the application and carry out the necessary inter-connection study as specified in CEA Connectivity Regulations.
- (2) The distribution licensee shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above:
  - (a) accept the application;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the distribution licensee shall make a formal offer to the Applicant.
- (4) The distribution licensee shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the distribution system.
- (5) The distribution licensee shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.
- (6) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be allowed. In case connectivity is to be given by looping-in and looping-out of an existing or



proposed line, the distribution licensee shall specify the point of connection and name of such line.

- (7) The Distribution licensee shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal in the sub-station of the Distribution licensee and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at Distribution licensee's sub-station, the open access customer shall also bear the cost of bay, breakers etc. in the Distribution licensee's sub-station and equipments required for transmission of real time data to SLDC. The Applicant and the distribution licensee shall comply with the provisions of CEA Connectivity Regulations.

Provided that for works other than those to be carried out in the Distribution licensee's sub-station, the open access customer shall have option to carry out these works under the supervision of distribution licensee.

- (8) 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 in accordance with the provisions of these regulations.
- (9) If the Customer is a generating company, including captive generating plant which has been granted connectivity to the distribution system 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 State Load Despatch Centre and the distribution licensee, who shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI

rates, as determined by the Central Commission from time to time, till such time UI rates under intra-State ABT mechanism are determined by the Commission.

**9. Application procedure for Connectivity in distribution system to a Consumer of the distribution licensee seeking open access**

Connectivity in distribution system to a consumer shall be governed in accordance with procedure laid down in UERC (Release of new HT & EHT connections, Enhancement and Reduction of Loads) Regulations, 2008 and the applicable provisions of these Regulations for such customers.

## CHAPTER 3

### GENERAL PROVISIONS FOR OPEN ACCESS

#### 10. Eligibility for Open Access and conditions to be satisfied

- (1) Subject to the provisions of these regulations, the licensees, generating companies, captive generating plants and consumers shall be eligible for open access to the intra-State transmission system of the State transmission licensee on payment of transmission and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (2) Subject to the provisions of these regulations, the licensees, generating stations, captive generating plants and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (3) Subject to the provisions of these regulations, open access shall be permissible to the consumers, located within the area of the distribution licensee of the State having a contracted load of 100 kVA and above and connected to the distribution system of licensee at 11 kV or above, and are connected through an independent feeder emanating from a substation of licensee or industrial feeder.

Provided that when the consumer is connected to a industrial feeder, open access shall be allowed only if all the consumers on such industrial feeder opt for open access and are having simultaneous schedule of drawl under such open access.

Provided that when two or more consumers connected to industrial feeder are availing continuous supply option then they need not have simultaneous schedule of drawal under open access.

Provided that the consumers who are not on independent feeders, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by utility on the feeders serving them.

Provided further that duties of the distribution licensee with respect to such open

access customer shall be of a common carrier providing non-discriminatory open access as per Section 42(3) of the Act.

- (4) A person having been declared insolvent or bankrupt or having outstanding dues against him of more than two months billing of distribution/transmission licensee at the time of application shall not be eligible for open access.

**11. Criteria for granting long-term access or medium-term or short-term open access**

- (1) Before awarding long-term access, the STU/distribution licensee shall have due regard to the augmentation required for their respective intra-State transmission/distribution system.
- (2) Medium-term open access or short-term open access to any applicant shall be granted if the resultant power flow on account of such open access transaction can be accommodated in the existing/expected transmission/distribution system or the transmission/distribution system under execution after duly taking into consideration the existing power flow vis-à-vis capacity of the aforesaid systems.

Provided that no augmentation shall be carried out of the transmission/distribution system for the sole purpose of granting medium-term open access or short-term open access.

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

## CHAPTER 4

### APPLICATION PROCEDURE AND APPROVAL FOR OPEN ACCESS

#### 12. Application procedure for Open Access

(1) All applications for open access shall be made in the prescribed Form and submitted to the Nodal Agency in accordance with these regulations. In case an Applicant is connected to the distribution licensee, the copy of the application shall also be sent to the distribution licensee for information.

Provided that in case an applicant is a consumer of distribution licensee, then alongwith other documents he shall submit a copy of last paid bill alongwith the application.

(2) All Applicants seeking open access shall submit an affidavit of not having entered into power purchase agreement (PPA) or any other bilateral agreement for the capacity (quantum of power) for which open access is sought.

(3) The Nodal Agency, Application fee, Documents to accompany the application and time frame for disposal of application shall be as specified in the following Table:

S. No.	Period	Inter-se location of drawal and injection point	Nodal Agency	Application fee (Rs.)	Documents to accompany the Application	Time frame for disposal of Application (days from the receipt of Application)
1.	Short term Open Access	Drawal and injection point in the distribution system	Distribution Licensee	2000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee.</li> </ul>	<ul style="list-style-type: none"> <li>• 7 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul>
2.		Drawal point in the distribution system and injection point in the intra-State transmission system	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul>	-do-
3.		Drawal point in intra-State transmission system and injection point in distribution system	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution. licensee</li> </ul>	-do-
4.		Drawal and injection point in the intra-State	SLDC	5000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in</li> </ul>	-do-

S. No.	Period	Inter-se location of drawal and injection point	Nodal Agency	Application fee (Rs.)	Documents to accompany the Application	Time frame for disposal of Application (days from the receipt of Application)
		transmission system			case the applicant is a consumer of distribution licensee.	
5.		Drawal and injection point in different States	RLDC of the region where consumer is located	As per CERC Regulation	<ul style="list-style-type: none"> <li>• Consent from concerned SLDCs as applicable.</li> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee.</li> </ul>	As per CERC Regulation
1.	Medium term Open Access	Drawal and injection point in the distribution system	Distribution Licensee	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul>	20 days
2.		Drawal point in the distribution system and injection point in the intra-State transmission system	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul>	40 days
3.		Drawal point in intra-State transmission system and injection point in distribution system	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul>	40 days
4.		Drawal and injection point in the intra-State transmission system	STU	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence</li> </ul>	20 days

S. No.	Period	Inter-se location of drawal and injection point	Nodal Agency	Application fee (Rs.)	Documents to accompany the Application	Time frame for disposal of Application (days from the receipt of Application)
					showing that the connectivity shall be completed before intending date of MTOA	
5.		Drawal and injection point in different States	CTU	As per CERC Regulation	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> <li>• Consent from concerned SLDCs as applicable.</li> </ul>	As per CERC Regulation
1.	Long term Open Access	Drawal and injection point in the distribution system	Distribution Licensee	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA</li> </ul>	20 days
2.		Drawal point in the distribution system and injection point in the intra-State transmission system	STU	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul>	<ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission/distribution system is not required.</li> <li>• 270 days, where augmentation of transmission system is required.</li> <li>• 180 days where augmentation of distribution system is required.</li> </ul>
3.		Drawal point in intra-State transmission system and injection point in distribution system	STU	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before</li> </ul>	-do-

S. No.	Period	Inter-se location of drawal and injection point	Nodal Agency	Application fee (Rs.)	Documents to accompany the Application	Time frame for disposal of Application (days from the receipt of Application)
					intending date of LTA.	
4.		Drawal and injection point in the intra-State transmission system	STU	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA</li> </ul>	-do-
5.		Drawal and injection point in different States	CTU	As per CERC Regulation	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA,</li> <li>• Consent from concerned SLDC, STU as applicable.</li> </ul>	As per CERC Regulation

### 13. Procedure for Long Term Access

#### (1) Involving inter-State transmission system

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State long-term Access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time:

#### (2) Without Involving inter-State transmission system

Subject to the provisions of sub-regulation (1) herein above, intra-State long-term Access involving intra-State transmission/distribution system shall be in accordance with the provisions of clause (a) to (j) herein below.

(a) The application for grant of long-term access shall contain details such as



name of the entity or entities 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 Nodal Agency in the detailed procedure.

Provided that in case augmentation of transmission/distribution system is required, the Applicant shall also have to bear the transmission/wheeling charges for the same as per 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations.

Provided further that in cases where there is any material change in location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged using the intra-State transmission/distribution system, a fresh application shall be made, which shall be considered in accordance with these regulations.

- (b) The Applicant shall submit any other information sought by the Nodal Agency including the basis for assessment of power to be interchanged using the intra-State transmission/distribution system and power to be transmitted to or from various entities or regions to enable the Nodal Agency to plan the intra-State transmission/distribution system in a holistic manner.
- (c) 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.
- (d) 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. Thereafter the bank guarantee shall stand discharged.

Provided that in case augmentation of transmission/distribution system is required the applicant shall submit another bank guarantee to the STU for the construction phase, in accordance with the provisions in the detailed procedure.

- (e) The bank guarantee may be encashed by the Nodal Agency, if the application is withdrawn by the Applicant or the long-term access is relinquished prior to its operationalisation when augmentation of transmission system is not required.
- (f) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee 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 sub-regulation (3) of Regulation 12 above.

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.

- (g) Based on the system studies, the Nodal Agency shall specify the intra- State transmission/distribution system that would be required to give long-term access. In case augmentation of the existing intra-State transmission/distribution system is required, the same will be intimated to the Applicant.

While granting long-term access, the Nodal Agency shall communicate to the Applicant, the date from which such long-term access shall be granted and an estimate of the transmission/wheeling charges including additional transmission/wheeling charges, if any, for works pertaining to augmentation of transmission/distribution system as per 1<sup>st</sup> proviso of sub-regulation (a) above, likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission/wheeling charges specified by the Commission subject to approval by the Commission in accordance with 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations.

- (h) The Applicant shall sign an agreement for long-term access with the STU in case the drawal point and injection point are located in the intra-state transmission system in accordance with the provision as may be provided in

the detailed procedure. However, in case the applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution 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 drawl from the grid and the details of dedicated transmission/distribution lines, if any, required. In case augmentation of transmission/distribution system is required, the long-term access agreement shall contain the time line for construction of the facilities of the Applicant and the transmission/distribution licensee, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.

- (i) Immediately after grant of long-term access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for grant of short-term open access, received under these regulations.
- (j) On the expiry of the period of long-term access, the same shall stand extended on a written request by the consumer, to the Nodal Agency submitted at least six months prior to such expiry, mentioning the period for which extension is required.

Provided that in case no written request is received from the customer within the timeline specified above, the said long-term access shall stand terminated on the date up to which it was initially granted.

**(3) Involving only the distribution system**

In cases of long-term access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

#### **14. Procedure for medium-term open access**

**(1) Involving inter-State transmission system**

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State medium-term open access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time.

**(2) Without Involving inter-State transmission system**

Subject to the provisions of sub-regulation (1) herein above, intra-State medium-term open access involving intra-State transmission/distribution system shall be in accordance with the provisions of sub-regulation (a) to (g) herein below:

- (a) The application for grant of medium-term open access shall contain such details as may be laid down by the Nodal Agency under the detailed procedure and shall, in particular, include the point of injection into the grid, point of drawl from the grid and the quantum of power for which medium-term open access has been applied for.
- (b) 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.
- (c) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee 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 sub-regulation (3) of Regulation 12 herein above:

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.

- (d) On being satisfied that the requirements, with respect to criteria for granting medium-term open access specified under sub-regulation (2) of Regulation 11

are met, the Nodal Agency shall grant medium-term open access for the period stated in the application.

Provided that for reasons to be recorded in writing, the Nodal Agency may grant medium-term open access for a period less than that sought for by the Applicant.

- (e) The Applicant shall sign an agreement for medium term open access with the STU in case the drawal point and injection point are located in the intra-state transmission system, in accordance with the provision as may be provided in the detailed procedure. However, in case the Applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution 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 drawl from the grid, the details of dedicated transmission/distribution lines required, if any, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.
- (f) Immediately after grant of medium-term open access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for short- term open access received under these regulations.
- (g) On expiry of the period of the medium-term open access, the medium-term customer shall not be entitled to any overriding preference for renewal of the term.

**(3) Involving only the distribution system**

In cases of medium-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

## 15. Procedure for short term Open Access

### (1) Involving inter-State transmission system

Notwithstanding anything contained in sub-regulation (2) to (3) herein below, procedure for inter-State short-term Open Access shall be as per Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, and as amended from time to time.

### (2) Without involving inter-State transmission system

Subject to the provisions of sub-regulation (1) herein above, intra-State short-term Open Access shall be in accordance with the provisions of clause (a) to (g) herein below:

#### (a) Open Access in advance

- (i) Application may be submitted to the Nodal Agency seeking short-term open access upto the fourth month, considering the month in which an application is made being the first month.

Provided that separate application shall be made for each month and for each transaction.

- (ii) The application to the Nodal Agency shall be on the prescribed format [FORMAT ST-1] containing such details as capacity needed, generation planned or power purchase contracted, point of injection, point of drawl, duration of availing open access, peak load, average load and such other additional information as may be required by the Nodal Agency. The application shall be accompanied by a non-refundable application fee in cash or by demand draft in favour of the officer so notified by Nodal Agency or any other mode acceptable to the Nodal Agency involved.
- (iii) An application for grant of open access commencing in any month may be submitted in a cover marked "Application for Short-Term Open Access - in advance" up to 15<sup>th</sup> day of the preceding month.

For example, application for grant of open access commencing in the

month of July shall be received up to 15<sup>th</sup> day of June.

- (iv) Nodal Agency shall acknowledge receipt of the application by indicating time and date on “ACKNOWLEDGEMENT” to the Applicant.
- (v) A consumer of distribution licensee intending to avail open access shall also furnish a copy of his application to the distribution licensee.
- (vi) Based on the type of transactions, Nodal Agency shall take a decision on the applications for short-term open access in the manner provided herein below.
- (vii) All applications received under sub-clause (iii) above shall be taken up for consideration together and processed as per allotment priority criteria specified under Regulation 18 of these regulations.
- (viii) Nodal Agency shall check transaction for congestion of any element (line and transformer) of transmission and distribution system involved in transaction.
- (ix) Nodal Agency shall convey grant of open access or otherwise in format [FORMAT-ST2] along with schedule of payments to the customer latest by 19<sup>th</sup> day of such preceding month.
- (x) Nodal Agency shall assign specific reasons if open access is denied under sub clause (ix).

**(b) Bidding Procedure for open access in advance**

- (i) If the capacity sought by the customers for open access in Advance for the following month is more than the available capacity or SLDC perceives congestion of any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure.
- (ii) The decision of SLDC in respect of an expected congestion shall be final and binding.

- (iii) SLDC shall convey information of congestion and decision for invitation of bidding indicating floor price on format [FORMAT-ST3] to the Applicants.
- (iv) SLDC shall also display bidding information on its website.
- (v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in FORMAT-ST3.
- (vi) The Bids shall be accepted on format [FORMAT-ST4] up to the “bid closing time” as indicated in bidding invitation FORMAT-ST3. Modification/amendment to a bid, once submitted shall not be entertained.
- (vii) If any customer does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed.
- (viii) SLDC shall not entertain any request for extension of time/date for submission of bids.
- (ix) The bidders shall quote price (rounded-off to whole number) in denomination in which floor price has been determined.
- (x) The quoted price shall be arranged in descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is exhausted.
- (xi) In case of equal price quoted by two or more customers, the allocation from the residual available capacity at any stage under sub-clause (x) above shall be made in proportion to capacity being sought by such customers.
- (xii) All customers, in favour of whom full capacities have been allotted, shall pay the highest price obtained from bids.
- (xiii) The customers, who are allotted less capacity, shall pay the price as quoted by them.



- (xiv) SLDC shall reject bid which are incomplete, vague in any manner or not found in conformity with bidding procedure.
- (xv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges, wheeling charges, as the case may be, determined by bidding under sub clause (xii) or (xiii) of this clause.

**(c) Day-Ahead Open Access**

- (i) An application for grant of day ahead open access may be received by Nodal Agency within three days prior to the date of scheduling but not later than 1300 Hours of the day immediately preceding the day of scheduling for day-ahead transaction.
- (ii) For example, application for day-ahead transaction on 25<sup>th</sup> day of July shall be received on 22<sup>nd</sup> day or 23<sup>rd</sup> day or up to 1300 hours on 24<sup>th</sup> day of that month.
- (iii) Nodal Agency shall check for congestion and convey grant of approval or otherwise in the same format [FORMAT-ST2] as provided in sub-clause (ix) of clause (a) above. All other provisions of application for short-term open access shall apply.

**(d) Procedure for scheduling transaction in a contingency**

In the event of a contingency, the open access customer may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1300 hrs of the preceding day and apply to the Nodal Agency for open access and scheduling and in that event, the Nodal Agency shall endeavour to accommodate such request as soon as and to the extent practically feasible, in accordance with the detailed procedure.

- (e) The approved capacity by a short-term open access customer is not transferable to others.
- (f) The capacity available as a result of surrender or reduction or cancellation of the approved capacity by the State Load Dispatch Centre, may be reserved for

any other short-term open access customer in accordance with these regulations.

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

**(3) Involving only the distribution system**

In cases of short-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

**16. Consent by STU/ SLDC for Open Access**

**(1) Involving inter-State transmission system**

STU, in the case of application for grant of long-term access and medium term open access and SLDC in the case of grant of short-term open access shall convey its consent or otherwise as per the provisions respectively of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, and as amended from time to time.

**(2) Without involving Inter-State transmission system**

(a) While processing the application seeking consent for intra-State open access, the Nodal Agency shall verify the following, namely:

- (i) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force.
- (ii) Availability of capacity in the transmission and/or distribution network, and
- (iii) Availability of RTU and communication facility to transmit real time data to SLDC.

- (b) Where existence of necessary infrastructure and availability of capacity in the transmission and/or distribution network has been established, the Nodal Agency shall convey its consent to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access.
- (c) In case the Nodal Agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access.
- (d) In case the application has been found to be in order but the Nodal Agency refuses to give consent on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution/transmission network, such refusal shall be communicated to the Applicant by e-mail or fax or by any other usually recognized mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access alongwith reasons for such refusal.
- (e) Where the Nodal Agency has not communicated any deficiency or defect in the application within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access or refusal or consent within the time period specified in Table of Regulation 12 the consent shall be deemed to have been granted.

**(3) Involving only the distribution system**

The procedure specified in sub-regulation (2) above, mutatis mutandis, shall apply to the applicant seeking consent for intra-State open access when the point of injection and the point of drawal are located in the same distribution system.

## **17. Consideration of applications from defaulters**

Notwithstanding anything contained in these regulations, the Nodal Agency shall be at liberty to summarily reject an application for Open Access on the ground of non-compliance of the provisions of these regulations, more specifically the provisions relating to timely payment of the charges leviable hereunder.

## **18. Allotment Priority**

- (1) The priority for allotment of open access in intra-State transmission system shall be decided on the following criteria:
  - (a) A distribution Licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term.
  - (b) The long-term access Applicants shall have the priority next to the distribution licensee.
  - (c) The medium-term open access Applicants shall have the priority next to the long-term open access Applicants.
  - (d) The short-term open access Applicants shall have the priority next to the medium-term open access Applicants.
  - (e) Allotment priority for short-term open access Applicants shall be decided subject to capacity availability.
  - (f) An existing open access customer shall have the priority higher than new open access Applicant under respective category provided the former applies for its renewal thirty days prior to the expiry of existing term of open access.
  - (g) When the requirement projected by an Applicant is more than the available capacity and the said Applicant is not able to limit his requirement to the available capacity, the request of Applicant having next lower priority shall be taken up for consideration.

## CHAPTER 5

### OPEN ACCESS CHARGES

#### 19. Settlement of energy at drawal point in respect of Embedded OA consumers

- (1) The Scheduled Drawal (in MW) for any 15 minute time block shall be worked out on the basis of Approved Capacity (in MW) for that block after adjusting the transmission and distribution losses as determined by the Commission in the Tariff Order for the relevant year.
- (2) The minimum of Actual Recorded Energy (in kVAh) and Scheduled Energy (in kVAh) calculated on the basis of Scheduled Drawal worked out in sub-regulation (1) above shall be considered as the quantum of energy drawn under open access. Such quantum of energy drawn under open access shall be adjusted from the monthly consumption of energy recorded in the meter for each Time of the Day block for the billing purpose.

#### 20. Transmission Charges & Wheeling Charges

##### (1) Transmission Charges

Open Access customer using transmission system shall pay the charges as stated hereunder:

- (a) For use of inter-State transmission system-As specified by the Central Commission from time to time.
- (b) For use of intra-State transmission system-Transmission charges payable by an open access customer to STU for usage of its system shall be determined as under:

$$\text{Transmission Charges} = \text{ATC}/(\text{PLS}_T \times 365) \text{ (Rs./MW/day)}$$

Where,

**ATC** = Annual Transmission Charges determined by the Commission for the State transmission system for the relevant year.

**PLS<sub>T</sub>** = Peak load served by the State transmission system in the previous year.

Provided that transmission charges shall be payable on the basis of Approved Capacity.

Provided for Open Access, for part of the day, the transmission charges shall be levied as under:

- (i) Upto 6 hours in a day :  $\frac{1}{2}$  of the transmission charges as determined in sub-regulation (1) (b) above.
- (ii) Above 6 hours in a day : equal to the transmission charges determined in sub-regulation (1) (b) above.

Provided further that where augmentation of transmission system including construction of dedicated transmission system used for open access has been done for exclusive use of or being used exclusively by an open access customer, the transmission charges for such augmentation including dedicated system shall be worked out by STU for its system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them.

**(2) Wheeling Charges**

Wheeling charges payable to distribution licensee, by an open access customer for usage of its system shall be as determined as under:

$$\text{Wheeling Charges} = (\text{ARR} - \text{PPC} - \text{TC}) / (\text{PLS}_D \times 365) \text{ (Rs./MW/Day)}$$

Where,

**ARR**=Annual Revenue Requirement of the distribution licensee for the relevant year.

**PPC**= Total Power Purchase Cost of distribution licensee for the relevant year.

**TC** = Total transmission charges paid by distribution licensee for State and Inter-State transmission system for the relevant year.

**PLS<sub>D</sub>**=Total Peak load served by the concerned distribution system for the

previous year.

["Provided where Open Access is allowed up to contracted load, embedded open access consumer shall pay wheeling charges as determined by the Commission in the following manner:

$$\text{WC Embedded consumer} = \text{WC} - [\text{FC} * 0.85 * 12 * 1000 / 365] \text{ (in Rs./MW/day)}^1$$

Where,

**WC** Embedded consumer = Net wheeling charges for embedded consumers

**WC**= Wheeling charges as determined by the Commission in accordance with the methodology specified in Regulation 20(2) contained in Chapter 5 of these regulations.

**FC**= Fixed/demand charges in Rs/kVA/month as per rate schedule approved in the Tariff Order for the relevant year. For the purpose of conversion of kVA into kW power factor of 0.85 has been taken.

Note: In case Wheeling Charges for Embedded consumer worked out as above becomes negative, such charge shall be zero.

Provided that wheeling charges shall be payable on the basis of Approved Capacity.

Provided for Open Access, for part of the day, the Wheeling Charges shall be levied as under:

- (i) Upto 6 hours in a day : ½ of the applicable wheeling charges as determined in sub-regulation (2) above.
- (ii) Above 6 hours in a day : Equal to the applicable wheeling charges as determined in sub-regulation (2) above.

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<sup>1</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

[Provided where open access is allowed beyond the contracted load, embedded open access consumer shall pay wheeling charges for the excess load as determined by the Commission in the following manner:

W.C. For excess load allowed= $(ARR-PPC-TC)/(PLSDX365)$ ( Rs./MW/Day).]<sup>2</sup>

Provided further that where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the wheeling charges for such dedicated system shall be worked out by distribution licensee for its respective system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them.

Provided further that wheeling charges shall not be levied on the open access customers connected to the transmission system at 132 kV and above voltage levels.

## **21. SLDC and System Operation Charges**

SLDC and System Operation charges shall be payable by the Open Access customers at the following rates:

### **(1) Transactions involving inter-State transmission system**

#### **(a) Long-term access and Medium-term open access**

- (i) Regional Load Despatch Centre fees and charges including charges for the Unified Load Despatch and Communication Scheme as specified by the Central Commission under section 28(4) of the Act.
- (ii) State Load Despatch Centre charges as specified by the Commission under sub-section (3) of Section 32 of the Act.

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<sup>2</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).



**(b) Short-term open access**

Regional Load Despatch Centre and State load dispatch centre system operation charges as specified by the Central Commission.

**(2) Transactions not involving inter-State transmission system**

**(a) Long-term access and medium-term open access**

Long-term access and medium-term open access customers shall be liable to pay SLDC charges determined by the Commission under sub-section (3) of section 32 of the Act.

**(b) Short-term open access**

System Operation charge per day or for part of the day shall be payable by a short-term open access customer for each transaction to SLDC as determined by the Commission from time to time.

[Explanation: System Operation charge includes fee for scheduling and system operation, energy accounting, fee for affecting revisions in schedule on bonafide grounds and collection and disbursement of charges.]

**22. [Cross subsidy surcharge**

- (1) If open access facility is availed by any consumer, then such consumer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on Per Unit basis shall be payable, each month, by such consumer based on the actual energy drawn during the month through open access. The amount of surcharge shall be paid to the distribution licensee.
- (2) The consumers availing Open Access through dedicated lines even without involving licensee's Transmission and/or Distribution System shall be liable to pay same surcharge as determined under this Regulation.
- (3) The consumers availing Open Access exclusively on interstate transmission system shall also pay the same surcharge as determined under this Regulation.

Provided that no cross subsidy surcharge shall be levied on energy drawn by such consumers, through open access, during the period of power cut imposed by the distribution licensee.

Provided further that such surcharge shall not be levied on a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

Provided also that in case power supply position or the load of such consumers, seeking open access, changes substantially, the Commission may review the Cross Subsidy Surcharge as and when required.

The cross subsidy surcharge for open access consumers shall be determined in accordance with the following formula.

Surcharge formula:  $S = T - C$

Where,

S is the cross subsidy surcharge;

T is the retail tariff payable by the relevant category of such consumers;

C is the average cost of supply of distribution licensee.]<sup>3</sup>

### **23. Additional Surcharge**

- (1) Any consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross-subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of Section 42 of the Act.
- (2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs

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<sup>3</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (Second Amendment) Regulations, 2018 notified vide No. UERC/F(9)-II/RG/UERC/2018/421 (w.e.f. 01.04.2018).

consequent to such a contract. However, the fixed costs related to network assets would be recovered through wheeling charges.

- (3) The distribution licensee shall submit to the Commission, on six monthly basis, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply.

The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge.

Provided that any additional surcharge so determined by the Commission shall be applicable on prospective basis on all open access consumers.

- (4) Additional surcharge determined on Per Unit basis shall be payable, on monthly basis, by the open access consumers based on the actual energy drawn during the month through open access.

Provided that such additional surcharge shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

#### **24. Standby charges for drawal of power by open access customer from distribution licensee**

- (1) In case of outages of generator supplying power under open access to open access customer who is not a consumer of the licensee, standby arrangements shall be provided by the distribution licensee subject to the load shedding as applicable to consumers of the licensee and the licensee shall be entitled to collect tariff under temporary rate of charge for that category of consumer in the prevailing rate schedule.

Provided that in case such customer is a consumer of the distribution licensee, the licensee shall be entitled to collect tariff under rate of charge for that category of consumer in the prevailing rate schedule.

Provided further that if a generator connected to the distribution system injecting power through open access requires startup power, the rate of such power shall be the same as that of infirm power provided in regulation 6(8) above of these Regulations.

Provided also that open access customer would have the option to arrange standby power from any other source.

## **25. Other Charges**

The congestion charges and any other charges, whenever imposed by Central Commission and/or State Commission shall be payable by all the open access customers.

## CHAPTER 6

### SCHEDULING, METERING, REVISION AND LOSSES

#### 26. Scheduling:

- (1) Notwithstanding anything contained in the succeeding sub-regulation of this regulation, scheduling of inter-State open access transactions shall be in accordance with the Regulations specified by the Central Commission.
- (2) Subject to the foregoing clause, intra-State open access transactions in respect of all customers and generating stations irrespective of the capacity shall be scheduled by SLDC in accordance with the provisions of the State Grid Code.
- (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 further that long term open access may be allowed over and above the contracted load to the extent of sanctioned open access capacity.

Provided also that short term and medium term open access may be allowed over and above the contracted load to the extent of sanctioned open access capacity subject to the condition that it does not require any change in the voltage system, metering system etc., at the interconnection point of the existing consumer and that the resultant power flow on account of such open access can be accommodated in the existing/expected transmission/distribution network in accordance with the provisions of Regulation 11(2) above.

- (6) The embedded open access consumer shall be levied fixed charges/demand charges based on the maximum demand recorded in the ABT meter as per tariff applicable from time to time.

Provided that if the sanction of open access is allowed over and above the contracted load in terms of proviso to sub-regulation (5) above, the maximum demand for the purpose of charging of fixed charges/demand charges shall be only in respect of energy supplied by the distribution licensee, i.e. only upto contracted capacity as per the provisions of the Tariff Order.

This maximum demand shall be computed as follows:

$$\frac{\text{Total Maximum Demand Recorded} \times \text{Energy Recorded as supplied by the distribution licensee}}{\text{Total Energy Recorded}}$$

- (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.”<sup>4</sup>

## 27. Metering:

- (1) All open access customers, existing as well as new including generating stations irrespective of their capacity, shall be provided with ABT compatible Special

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<sup>4</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

Energy Meters by the distribution licensee for and at the cost of the open access customers.

- (2) The distribution licensee shall provide Check Meter of the same specifications as Main Meter at its own cost.

[Provided that the distribution licensee shall install these Meters within one month from the date on which complete open access application was submitted by the open access customer to the nodal agency with a copy to the distribution licensee.]<sup>5</sup>

Provided that open access shall be allowed at the existing metering arrangement for a period of upto three months from the date of notification of these Regulations. Thereafter, the above provisions with regard to ABT compliant Main and Check meters shall become mandatory.

- (3) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with the State Grid Code.
- (4) Special Energy Meters shall always be maintained in good condition.
- (5) Special Energy Meters shall be open for inspection by any person authorised by the STU/distribution licensee/State Load Despatch Centre.
- (6) All the open access customers shall abide by the metering standards of CEA.

**28. [Revision of Scheduled Energy and Contract Demand]<sup>6</sup>:**

- (1) Revision of scheduled energy shall be permitted in accordance with the provisions of IEGC or the State Grid Code as the case may be.
- (2) [The revision (reduction/enhancement) of contract demand of an embedded open access consumer availing long/medium/short open access shall be governed by the provisions of the UERC (Release of New HT/EHT Connections, Enhancement

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<sup>5</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>6</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

and Reduction of Loads) Regulations, 2008 and the orders issued under these regulations.

Provided that a consumer availing short term open access shall not be eligible to revise his contract demand with the distribution licensee during the tenure of the short term open access but may apply for revision of contract demand at the time of applying for open access in accordance with the regulations mentioned hereinabove.

Provided further that overall drawal by the embedded open access consumer during the open access period shall not be less than 80% of the overall drawal by such consumer during non open access periods for each day.]<sup>7</sup>

**29. Losses:**

(1) **Transmission losses:** System transmission losses shall be payable in kind by all open access customers.

**(a) Inter-State transmission**

(i) Long-term access and medium-term open access:

The buyers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

(ii) Short-term Open Access

The buyers and sellers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

**(b) Intra-State transmission**

(i) The transmission losses for the intra- State system determined by the Commission in its tariff orders for the relevant year, shall be payable in

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<sup>7</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).



kind by the open access customers.

- (2) **Distribution losses:** System distribution losses, as determined by the Commission in its tariff order for the relevant year, shall be payable in kind by the open access customers.

## CHAPTER 7

### [DEVIATION SETTLEMENT]<sup>8</sup>

#### 30. [Deviation charge ]<sup>9</sup>

(1) Scheduling of all transactions pursuant to grant of long-term access or medium term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC for inter-State transactions and in accordance with State Grid Code for intra-State transactions.

(2) Actual Recorded Energy and Scheduled Energy shall be recorded/accounted for in each 15 minutes time block. In case of difference between these two following shall apply:

(a) When open access consumer is not a consumer of the distribution licensee:

(i) In case of over-drawal by such consumer

The [deviation charges]<sup>10</sup> payable by such consumer to the distribution licensee shall be equivalent to the average billing rate of HT industry consumers approved by the Commission in its Tariff Order for the relevant year.

(ii) In case of under-drawal by the consumer due to non-availability of the distribution system and/or transmission system.

The [deviation charges]<sup>11</sup> payable by the distribution licensee to such consumer shall equal the average power purchase cost of the distribution licensee as projected in the Tariff Order of the relevant year.

(b) When open access consumer is a consumer of the distribution licensee.

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<sup>8</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>9</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>10</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>11</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

- (i) In case of over-drawal subject to maximum demand within the Contracted load.

[Deviation charges]<sup>12</sup> payable by such consumer to the distribution licensee shall equal the applicable tariff rates as determined by the Commission in the Tariff Order of the relevant year.

- (ii) In case of over-drawal subject to maximum demand more than the contracted load.

[Deviation charges]<sup>13</sup> payable by such consumer to the distribution licensee shall be equal to the applicable tariff rates alongwith excess demand charges, as approved by the Commission, for such categories of consumers in its Tariff Order for the relevant year.

[Provided that in case of open access over and above its contracted load in accordance with the proviso to Regulation 26 (5) above, the maximum demand mentioned in clause (i) & (ii) above shall be the maximum demand calculated in accordance with proviso to Regulation 26 (6) above.]<sup>14</sup>

- (iii) In case of under drawal due to non-availability of the distribution system and/or intra-State transmission system.

In case of under-drawal is caused by non-availability of the distribution system and/or intra-State transmission system the such consumer shall be compensated by the distribution licensee at the average power purchase cost of the distribution licensee as projected in the Tariff Order for the relevant year.

[For the purpose of this Regulation Actual Recorded Energy and Schedule Energy shall have the same meaning as in Regulations 19(2) above]

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<sup>12</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>13</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>14</sup> Inst. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

(c) When open access customer is a generator

- (i) In case of under injection by generator due to reasons attributable to the generator.

[Deviation charges]<sup>15</sup> payable by the generator to the distribution licensee shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (ii) In case of under injection by the generator due to non-availability of distribution system and/or transmission system.

Imbalance charges payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (iii) In case of over injection by the generator.

[Deviation charges]<sup>16</sup> payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

Provided that in case of non availability of distribution system and/or transmission system due to force majeure events then distribution licensee shall not be liable to pay any imbalance charges to the open access customers specified in clause a(ii), b(iii) & c(ii) above of this sub-regulation (2).

[Provided further that the above deviation 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

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<sup>15</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>16</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

SLDC in accordance with the Deviation Settlement and related matters Regulations as and when notified by the Commission.]<sup>17</sup>

- (3) SLDC shall be the Nodal Agency to ascertain the reasons for non-availability of transmission/distribution system and for fixing the responsibility thereupon.
- (4) Payment of imbalance charges shall have a high priority and the concerned constituents (including the licensees or the open access customers as the case may be) shall pay the indicated amounts within 10 (ten) days of the issue of the statement, into a State Pool Account operated and maintained by the SLDC. The person who has to receive the money on account of imbalance charges would then be paid out from the State Pool Account, within three (3) working days.
- (5) If payments against the above imbalance charges are delayed by more than two days, i.e. beyond twelve (12) days from the date of issue of statement, the defaulting party shall have to pay simple interest @ 0.04% for each day of delay. The interest so collected shall be paid to the person who had to receive the amount, payment of which got delayed. Persistent payment defaults, if any, shall be reported by the SLDC to the Commission, for initiating remedial action.

### **31. Reactive Energy Charge**

In respect of open access customer (except embedded open access consumers), the payment for the reactive energy charges by such open access customers shall be in accordance with provisions stipulated in the Indian Electricity Grid Code (IEGC) and State Grid Code.

[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.]<sup>18</sup>

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<sup>17</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>18</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

## CHAPTER 8

### COMMERCIAL MATTERS

#### 32. Billing, Collection and Disbursement

Billing in respect of the charges payable under these regulations shall be made as per the following procedure:

(1) **Inter-State transactions:**

**(a) Short-term Open Access**

- (i) Collection and disbursement of transmission charges for use of CTU and STU systems and operating charges payable to RLDCs and SLDCs towards short-term open access shall be done by the nodal RLDC, in accordance with the procedure specified by the Central Commission and thereafter, it shall disburse the respective amounts to the CTU, STU and SLDC.
- (ii) The short-term open access customer connected to distribution system of a distribution licensee shall pay to such distribution licensee, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency.

**(b) Long-term access and medium- term open access**

- (i) Fee and charges payable to CTU and RLDC including charges for the Unified Load Despatch and Communication Scheme shall be in accordance with the procedure specified by the Central Commission.
- (ii) Bills towards the charges payable to STU and SLDC shall be raised by the STU and SLDC directly to the open access customer connected to STU before the 3<sup>rd</sup> working day of the succeeding calendar month. Such open access customer shall pay the bills to STU and SLDC within 5 working days of the receipt of the bills.

Provided that in case such open access customer is connected to distribution system, such bills shall be raised by STU and SLDC to the

distribution licensee before the 3<sup>rd</sup> working day of the succeeding calendar month. Distribution licensee shall raise the bill with the open access customer connected to it within 3 days of receipt of bill from STU and SLDC. Open access customer shall pay the charges within five days of receipt of bill from distribution licensee. Thereafter, the distribution licensee shall disburse the amount payable to STU and SLDC on a monthly basis.

**(2) Intra-State transactions:**

**(a) Short-term Open Access**

- (i) The short-term open access customer shall deposit with SLDC the transmission charges and operating charges within 3 working days of grant of the short-term open access by SLDC.
- (ii) In addition to the above, the short-term open access customer connected to distribution system of a distribution licensee shall also pay to SLDC, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency. Such charges would be disbursed to the distribution licensee on a weekly basis by SLDC.

**(b) Long-term and Medium-Term open access**

- (i) SLDC, transmission licensee and distribution licensee, where applicable, shall communicate to STU the details of the bills due to them by the 3<sup>rd</sup> day of the succeeding calendar month. STU shall separately indicate the above charges and raise the bill with the open access customer, together with the charges receivable by it, if any, before the 5<sup>th</sup> day of the above month. The open access customer shall pay the charges within 7 days from the date of receipt of the bill. STU shall disburse the charges payable to SLDC, transmission licensee and distribution licensee on a monthly basis.

**33. Late payment surcharge**

In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation thereunder, a late payment surcharge at the rate of 1.25% per month shall be levied.

**34. Default in payment**

Non-payment of any charge or sum of money payable by the open access customer under these regulations shall be considered as non-compliance of these regulations. The STU and/or distribution licensee may discontinue open access after giving customer an advance notice of fifteen days without prejudice to its right to recover such charges by suit.

In case of default in payment of charges due to RLDC and/or SLDC, the concerned Load Despatch Centre may refuse to schedule power of the defaulting open access customer and direct the licensee concerned to disconnect such customer from the grid.

**35. Payment Security Mechanism**

In case of long-term access and medium-term open access, the Applicant for open access will open an unconditional, revolving and irrevocable Letter of Credit (L/C) equivalent to the estimated amount of applicable open access charges for a period of two months in favour of the agency responsible for collection of such charges. The L/C shall be opened in a scheduled Bank at Dehradun.



## CHAPTER 9

### INFORMATION SYSTEM

#### 36. Information system

The State Load Dispatch Centre shall post following information on its website in a separate web page titled "Open access information" and also issue a monthly and annual report containing such information.

- (1) A status report on long-term/medium term/short term open access by customers indicating:
  - (a) Name of the customer;
  - (b) Period of open access granted (date of commencement and date of termination);
  - (c) Schedule of power from distribution licensee/UPCL for each day. (*applicable to embedded open access consumers*)
  - (d) Schedule of power through open access period for each day. (*applicable to embedded open access consumers*)
  - (e) Point of injection;
  - (f) Point of drawal;
  - (g) Transmission system/ distribution system used, and
  - (h) Open access capacity used.
- (2) Peak load flows and capacity available including the reserve capacity on all EHV lines and HV lines emanating from EHV sub-stations.
- (3) The information regarding average loss in transmission and distribution system as determined by respective licensees.

## CHAPTER 10

### MISCELLANEOUS

#### 37. Detailed Procedure

STU/Distribution licensee shall lay down their respective detailed procedures including time lines for implementation of various activities as required under these Regulations and submit the same for approval of the Commission within 3 months of the notification of these Regulations.

#### 38. Under-utilisation or Non-utilisation of open access capacity in intra-State transmission and distribution system

(1) **Long-term Access** : 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 Nodal Agency 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 Nodal Agency 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 open access charges (net present value) for the stranded transmission and/or distribution 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 open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights:

Provided that such a customer shall submit an application to the Nodal Agency 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 open access charges (net present value) for the period falling short of a notice period of one (1) year, in addition to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights.

- (c) The discount rate that shall be applicable for computing the net present value as referred to in clause (a) & (b) of sub-regulation (1) above shall be the discount rate to be used for bid evaluation in the Central 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.
- (d) The compensation paid by the long-term customer for the stranded transmission and/or distribution capacity shall be used for reducing transmission and/or wheeling 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 open access charges payable for that year by such long-term customers and medium-term customers.

**(2) Medium-term Open Access customers**

A medium-term open access customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the Nodal Agency:

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

**(3) Short-term open access customer**

- (a) The short-term open access schedules accepted by the Nodal Agency in advance may be cancelled or revised downwards on an application to that effect made to the Nodal Agency by the short-term open access customer.-

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days.

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the Nodal Agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

- (b) The person seeking cancellation or downward revision of short-term open access schedule shall pay the transmission/wheeling charges except open access charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the Nodal Agency, and thereafter in accordance with the revised schedule prepared by the Nodal Agency during the period of such cancellation or downward revision.
- (c) Any person seeking downward revision of short term open access schedule (including revision to zero schedule) shall pay, scheduling and system operation charges specified in clause (b) of sub Regulation (2) of Regulation 21 contained in Chapter 5 of these Regulations corresponding to the number of days for which power has been scheduled and incase of cancellation, operating charges shall be payable in addition for two (2) days or the period of cancellation in days, whichever is less.

**39. Computation of capacity availability for open access**

- (1) The capacity available for the open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given

below:

- (a) Available open access capacity of a transmission system segment: =  $(DC-SD-AC)+NC$  where, DC=Designed capacity of the transmission segment in MW, SD = Sustained demand in MW recorded in the segment, AC = Already allotted capacity, but not availed in MW and NC = New capacity in MW expected to be added.
  - (b) Available open access capacity of a sub-station: =  $(TC-SP-AC)+NC$  where, TC= Transformer capacity of the sub-station in MVA, SP= Sub-station peak in MVA, AC= Already allotted capacity but not availed in MVA and New transformer capacity in MVA expected to be added.
  - (c) The STU shall update these values on monthly basis on the first calendar day of the month and publish it in their website.
- (2) The distribution licensee shall determine the available capacity for allotment for the portion of the distribution system over which open access has been requested for.

#### **40. Curtailment Priority**

When, because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of State Grid Code, the open access to a distribution licensee shall be the last to be curtailed. Among others, short-term open access customers shall be curtailed first, followed by the medium-term open access customers followed by long-term open access customers. In case of inter-state transactions, curtailment of open access customers shall be governed in accordance with CERC Regulations. However, in case of intra-state transactions curtailment shall be done by SLDC in accordance with the guidelines frame by it for curtailment of open access customers.

#### **41. Powers to Remove Difficulties**

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Dispatch Centre, distribution licensee and the open access customer, to take such

action, as may appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

By Order of the Commission

(Neeraj Sati)  
Secretary  
Uttarakhand Electricity Regulatory Commission

**FORMATS for Short-Term**

**FORMAT- ST1**

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**  
(to be submitted by the customer to SLDC)

To: Dy. General Manager (SLDC),

1	Customer Application No.		Date	
2	Period of Transaction			
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >		

<\* In terms of power transfer>

4	Customer Name			
5	Registration Code		Valid up to	

< Registration code shall be as provided by SLDC >

6	Details of Transaction Party's to Grid		
		Injecting Entity	Drawee Entity
	Name of Entity		
	Status of Entity*		
	Utility in which it is Embedded		

< \* In terms of ownership- State Utility/CPP/IPP/ ISGS/Discom/Consumer/specify, if any other >

7	Details of Injecting/Drawee Connectivity with intra-State System		
		Injecting Entity	Drawee Entity
	Name of Sub-station	Transmission	
		Distribution	
	Voltage Level	Transmission	
		Distribution	
	Name of Licensee (Owner of S/S)		
	Intervening intra-State Licensee		
	Intervening inter-State Licensee		

8	Open Access Sought for ( Period from date ____ to date ____ )				
	Date		Hours		Capacity
	From	To	From	To	MW

9	Details of PPA/PSA/MoU					
	Name & Address of Parties		Date of PPA/PSA/MoU	Validity Period		Capacity MW
	Seller	Buyer		Commencement	Expiry	

10	Details of Non-Refundable Application Fee Made				
	Bank Details	Instrument Details			Amount(Rs.)
		Type(Draft/Cash)	Instrument No.	Date	

**FORMATS for Short-Term**

11	I hereby authorize SLDC to process said application, in case open access capacity allotted, for day-ahead scheduling in accordance with the provisions of the relevant regulations.
----	---

12	<b><u>Declaration</u></b>
	All Entities/Utilities to transaction shall abide by provisions of the Electricity Act, 2003(the Act), UERC (Terms and Conditions for Intra State Open Access) Regulations,2015 and any other relevant regulation/order/ code as amended from time to time.

Place  
Date

Signature (with stamp)  
Name & Designation

**Enclosures**

- (1) Non-refundable application fee by Demand draft or cash receipt or any other mode acceptable to the Nodal Agency.
- (2) Self-certified copy of PPA/PSA/MoU entered between the parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal pattern, point(s) of injection and drawal etc.
- (3) If any other.

**Copy to along with relevant enclosures [except (1) & (2) above]:**

- (1) Managing Director of transmission licensee.
- (2) Managing Director of distribution licensee.
- (3) Officer in charge of transmission substation involved in transaction.
- (4) Officer in charge of distribution substation involved in transaction.
- (5) Any other concerned.

<b>For use of SLDC (with Reference to Enrolment of Application)</b>	
SLDC Reference ID No.	
Nodal SLDC Approval No.	<i>&lt; if approved &gt;</i>
Or Reason of Refusal* (If Refused)	

*< \* SLDC may also enclose supporting documents for the reasons of refusal duly signed on each page >*



**FORMATS for Short-Term**

**ACKNOWLEDGEMENT**  
(for office use only)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

**(A) < to be filled by the customer >**

<b>1</b>	<b>Customer Application No.</b>		<b>Date</b>	
<b>2</b>	<b>Period of Transaction</b>			
<b>3</b>	<b>Nature of Customer*</b>	<b>&lt; seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) &gt;</b>		

<\* In terms of power transfer>

<b>4</b>	<b>Customer Name</b>			
<b>5</b>	<b>Registration Code</b>		<b>Valid up to</b>	

< Registration code shall be as provided by SLDC >

**(B) < to be filled by SLDC >**

<b>Date and Time of Receipt of Application</b>	
--	--

**Place  
Date**

**Signature (with stamp)  
Name & Designation**

FORMAT- ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

.....✂.....✂.....

**ACKNOWLEDGEMENT**

(to be issued by SLDC/ to the customer immediately on receipt of application duly filled in)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

**(A) < to be filled by the customer >**

<b>1</b>	<b>Customer Application No.</b>		<b>Date</b>	
<b>2</b>	<b>Period of Transaction</b>			
<b>3</b>	<b>Nature of Customer*</b>	<b>&lt; seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) &gt;</b>		

<\* In terms of power transfer>

<b>4</b>	<b>Customer Name</b>			
<b>5</b>	<b>Registration Code</b>		<b>Valid up to</b>	

< Registration code shall be as provided by SLDC >

**(B) < to be filled by SLDC >**

<b>Date and Time of Receipt of Application</b>	
--	--

**Place  
Date**

**Signature (with stamp)  
Name & Designation**

**N.B.: This counterfoil may be scored out and issued to the customer.**

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)



**FORMATS for Short-Term**

10. The approval is subject to provisions of UERC (Terms and Conditions for Intra-State Open Access) Regulations, 2015 and any other relevant regulation/order/code as amended and applicable from time to time. *< only in case of approval >*

11. No approval is being granted on account of *<only in case of rejection>*

*< SLDC shall convey specific reasons if open access is denied and may also enclose supporting documents to support the same duly signed on each page >*

---

Place  
Date

Signature (with stamp)  
Name & Designation

**Enclosures**

- (1) Schedule of payments *< only in case of approval >*
- (2) If any other

**Copy to along with enclosures**

- (1) Customer
- (2) Managing Director of transmission licensee.
- (3) Managing Director of distribution licensee.
- (4) Officer in charge of transmission substation involved in transaction.
- (5) Officer in charge of distribution substation involved in transaction.
- (6) Any other concerned.

**FORMATS for Short-Term**

**ENCLOSURE to FORMAT- ST2**

**SCHEDULE OF PAYMENTS**

(to be enclosed for each month by SLDC along with FORMAT-ST2)

Nodal SLDC Approval No.	Date
-------------------------	------

1	Customer Application No.	<as provided on FORMAT-ST1>	Date
2	Period of Transaction		
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >	

<\* In terms of power transfer>

4	Customer Name	
5	Registration Code	Valid up to

6	Tentative* Monthly Payment Schedule for Short-Term Open Access Charges ( Period: date ___ to date ___)	Month	
	Payment Chargeable for	Rate (Rs./kWh)	MWh
			Total (Rs.)
	(1) Intra-State Network		
	(a) Transmission Charges		
	Intervening intra-State Licensee(if any)		
	(b) Wheeling Charges		
	Distribution Licensee		
	Intervening intra-State Licensee(if any)		
	(c) Surcharge		
	Distribution Licensee		
	(d) Additional Surcharge		
	Distribution Licensee		
	(e) SLDC Charges		
	SLDC		
	(2) Inter-State Network		
	Transmission Charges		
	Intervening inter-State Licensee(if any)		
	<b>Total Monthly Payment Amount (Rs.)</b>		

Place  
Date

Signature (with stamp)  
Name & Designation

\* Tentative on the basis of MWh mentioned in application which may vary on actual operation.

**FORMATS for Short-Term**

**FORMAT- ST3**

**CONGESTION INFORMATION AND INVITATION OF BIDDING**  
(to be invited by SLDC)

SLDC Bidding Invitation No. \_\_\_\_\_

Date \_\_\_\_\_

1	Customer Application No.	<as on FORMAT-ST1>	Date	
2	Period of Transaction			
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >		

<\* In terms of power transfer>

4	Customer Name			
5	Registration Code		Valid up to	

6. The anticipated congestion (transformer and electric line/link) is as follow:

Network Corridor		Congestion Period				Margin/ Capacity Available MW	Total Capacity Applied by all the Customers MW
Sub-station with Transformation Capacity	Electric Line/Link with Capacity	Date		Hours			
		From	To	From	To		
Intra-State Transmission System							
Intra-State Distribution System							
Inter-State Transmission System							

7. In view of above please submit bid on format [FORMAT-ST4]. The details for bidding are hereunder:

(a) Bid Invitation Date		Time					
(b) Bid Submission Date		Time					
(c) Bid Opening Date		Time					
(d) Bids Invited for							
Intra-State Network Corridor		Congestion Period				Margin/Capacity Available for Bidding MW	Floor Price Rs/kWh
Sub-station	Electric Line/Link	Date		Hours			
		From	To	From	To		
Name of Transmission System							
Name of Distribution System							

8. In case of non submission of bid, application shall be deemed to have been withdrawn and shall not be processed.

Place

Signature (with stamp)

Date

Name & Designation

To: Customers with their reference's < as provided by customers at sl.no. 1 on FORMAT-ST1 >

FORMAT-ST3: CONGESTION INFORMATION AND INVITATION OF BIDS (Page -1 of 1)

**FORMATS for Short-Term**

**FORMAT- ST4**

**BID PROPOSAL**

(to be submitted by the customer to SLDC)

Ref: SLDC Bidding Invitation No. \_\_\_\_\_

Date \_\_\_\_\_

To: Dy. General Manager (SLDC),

1	Customer Application No.	<as provided on FORMAT-ST1>	Date	
2	Period of Transaction			
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >		

<\* In terms of power transfer>

4	Customer Name			
5	Registration Code		Valid up to	

6. In reference to above bidding invitation, I hereby submit my bid as follows:

Bidding Details as provided by SLDC							Bid Price to be Quoted by Bidder
Intra-State Network Corridor		Congestion Period				Margin/Capacity Available for Bidding	
Sub-station	Electric Line/Link	Date		Hours			MW
		From	To	From	To	Paise/kWh*	
Name of Transmission System							
Name of Distribution System							

< \* Bidder shall quote price (rounded-off to whole number) in denotation of floor price >

7. I do hereby agree that determined bid price(s) shall be transmission and/or wheeling charges.

Place

Date

Signature (with stamp)

Name & Designation