

Ref. MSEDCL/Comments/5th Amendment/NOAR/

No 21412

Date: 06 SEP 2018

To,
The Secretary,
Central Electricity Regulatory Commission,
3 rd & 4th Floor, Chandralok Building,
36, Janpath, New Delhi -110 001.

Sub: Submission of comments / suggestions / objections on draft 5th Amendment of CERC (Open Access in inter-State Transmission) Regulations, 2008

Ref: Public notice by CERC for Draft 5th Amendment to OA Regulation dated 08.08.18

Respected Sir,

This is in reference to public notice issued by Hon'ble CERC on draft 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008. MSEDCL is hereby submitting the comments on the proposed draft amendment, which is attached herewith.

MSEDCL requests the Hon'ble Commission to kindly consider MSEDCL's comments / suggestions on draft 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008.

Thanking You.

Yours faithfully


(Satish Chavan)

Director (Commercial)
MSEDCL

Copy s.w.r.to:

Chairman & Managing Director, MSEDCL, Corporate office Mumbai

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 1(j) (new) | New Provision | National Open Access Registry (NOAR)' means the Registry as provided under Regulation 3A | No comments |
| 3A (1) (New) | New Provision | <p>“National Open Access Registry (NOAR) 3A (1). NOAR shall be a centralized electronic platform with the following functions:</p> <ul style="list-style-type: none"> i. Provide single point electronic interface for all the stakeholders, including open access participant, trading licensees, Power Exchanges, NLDC/RLDCs/SLDCs and Regional Power Committees ii. Automate the administration of the short term open access in inter-state transmission system. iii. Provide audit trail of the applications and dash board facility summarizing at any point of time the details of the short term open applications made, approvals/rejections accorded by RLDC/SLDC's, applications pending etc. iv. Act as a repository of information related to short term open access in interstate transmission system v. Interface with the scheduling software applications of the RLDCs/SLDCs for processing short-term open access bilateral transactions vi. Interface with the Power Exchange(s) for verification of standing clearance and processing of term-ahead and day-ahead transactions. vii. Provide a payment gateway for making payments related to short term open access transactions and facilitate financial accounting and tracking of short term open access transactions viii. Facilitate in generating periodic reports for market monitoring and surveillance related activities ix. Any other functions, as assigned by the Commission from time to time after assessment of the functioning of the Registry | |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 3A (2) (New) | New Provision | The short term open access applications shall be processed through NOAR and information related to approvals, rejections, revisions, curtailment, payment schedules, etc. shall be made available through the NOAR to the respective market participants including providing alerts through email/SMS. | No comments |
| 3A (3) (New) | New Provision | NOAR shall be owned and operated by NLDC (POSOCO). Provided that <ul style="list-style-type: none"> i. NLDC shall take all steps necessary to ensure cyber security compliance of NOAR, and report the compliance to the Commission on annual basis; ii. NLDC shall review the operations of NOAR from time to time and suggest changes required if any; iii. Additional expenses incurred on account of implementing and operating the NOAR shall be allowed to be recovered under the provisions of CERC (Fees and Charges of RLDC and other related matters) Regulations, 2009." | In event of failure of NOAR server like fire, downtime of server, hacking etc, there need alternate arrangement. |
| 4.1 | Subject to the provisions of these regulations, the Central Transmission Utility, till the Regional Load Despatch Centre is operated by it and thereafter the Government company or any authority or corporation notified by the Central Government under sub-section (2) of Section 27 of the Act: shall, after obtaining prior approval of the Commission, issue the detailed procedure to operationalise open access and on any residual matter not covered under these regulations. | Subject to the provisions of these regulations, POSOCO shall after conducting the stakeholder consultation , issue the detailed procedure with prior approval of the Commission to operationalise open access through National Open Access Registry and on any residual matter not covered under these regulations. | No comments |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 5A (New) | New Provision | The processing of the short term open access applications for bilateral transactions by the nodal RLDC and for collective transactions through Power Exchange(s) by NLDC shall be carried out through the NOAR | It is propose that in case of Bilateral transactions, no other physical verification shall be required, when required input is furnished by both parties involved. |
| 5B (New) | New Provision | Registration in NOAR 5B. The short term open access applicant shall initially apply for registration in the NOAR with the information/document(s) as specified under the detailed procedure. Provided that i. The application for registration shall be accompanied by Rs. 2000/- to be completed within 7 working days from the date of receipt of application for registration. ii. The registration shall be valid for a period of 3 years and may be renewed thereafter with the payment of renewal charges of Rs. 1000/-." | No comments |
| 6.1 | An short term customer or the power exchange (on behalf of buyers and sellers) intending to avail of short term open access for use of the transmission lines or associated facilities for such lines on the inter-State transmission system, shall make an application to the nodal agency in accordance with these regulations .shall makean application to the nodal agency | An short term customer or the power exchange (on behalf of buyers and sellers) intending to avail of short term open access for use of the transmission lines or associated facilities for such lines on the inter-State transmission system, shall make an application to the nodal agency in accordance with these regulations shall make anapplication to the nodal agency through NOAR | No comment |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 7 | <p>Application fee An application made for each bilateral transaction or the collective transaction shall be accompanied by a non-refundable fee of Rupees five thousand (Rs.5000/-) only: Provided that the fee for bilateral transaction on the day of the application or on the day immediately following the day of the application may be deposited within three working days of submission of the application</p> | <p>Provision deleted</p> | <p>No comments</p> |
| 8(1) & (2) | <p>Concurrence of State Load Despatch Centre for bilateral and collective transactions 8(1) Wherever the proposed bilateral transaction has a State utility or an intra-State entity as a buyer or a seller, concurrence of the State Load Despatch Centre shall be obtained in advance and submitted along with the application to the nodal agency. The concurrence of the State Load Despatch Centre shall be in such form as may be provided in the detailed procedure. 8(2) When a State utility or an intra-State entity proposes to participate in trading through a power exchange, it shall obtain a "no objection" or a prior standing clearance from the State Load Despatch Centre in such form as may be prescribed in the detailed procedure, specifying the MW up to which the entity may submit a buy or sell bid in a power exchange taken together. The "no objection" or a prior standing clearance issued by State Load Despatch Centre shall not be exchange specific. No Objection or Prior Standing Clearance obtained by the State utility or intra-State entity from the State Load Despatch Centre can be used for collective transaction for day ahead on any Power Exchange(s) and/or for bilateral intra-day transaction/contingency transaction in OTC</p> | <p>Standing Clearance by Load Despatch Centre for Short Term Transactions 8. (1) An online application, through the NOAR, shall be made by the short term open access applicant to the concerned SLDC/RLDC for issuance of a 'standing clearance' for availing short term open access in interstate transmission for a pre-specified quantum and time period in accordance with the detailed procedures. Provided that while making application a declaration in the format prescribed in the detailed procedure shall be submitted along with the application declaring that there is no other contract for sale or purchase, as the case may be, of the same power for which standing</p> | <ul style="list-style-type: none"> While sanctioning standing clearance by SLDC/RLDC, past history of corridor utilisation of applicant must be available & same to be one of criteria for allocating/approving standing clearance. This is to avoid over booking of corridor; particularly by traders and thereby depriving others from allocation of corridor both in state network as well as ISTS network. Further in case of traders, generator source must be specified in application and standing clearance must be used for wheeling of power from that particular generator only. If there are more than one trader specifying name of same generator, then total approved standing clearance must be limited to merchant capacity (i.e not tie up in LTA/MTOA) of said generator. The NOAR System should be able to have check for same. For Example, if there are two traders asking for standing clearance for trading of power from |

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| <p>market or on the Power Exchange market</p> <p>Provided that while making application to SLDC for obtaining No Objection or Prior Standing Clearance for collective transactions for day-ahead or for bilateral intra-day transaction/contingency transaction, the applicant shall declare that he agrees to ensure that aggregate quantum in each time block of 15 minutes for all bid(s) in collective transaction transactions (day ahead contracts on Power Exchange(s)) and/or for intra-day/contingency transactions (in OTC market and/or Power Exchange Market) shall not exceed the quantum for which No Objection or Prior Standing Clearance has been granted:</p> <p>Provided also that while granting Standing Clearance time period for the clearance may be defined either in time blocks of hours or on the basis of peak period or off-peak period or round the clock (RTC):</p> <p>3(a) For obtaining concurrence or 'no objection' or prior standing clearance an application shall be made before the State Load Despatch Centre who shall, acknowledge receipt of the application, either by e-mail or fax, or any other usually recognised mode of communication, within twenty four hours from the time of receipt of the application:</p> <p>Provided that where the application has been submitted in person, the acknowledgement shall be provided at the time of submission of the application.</p> <p>Provided further that while making application to the RLDC/SLDC for obtaining concurrence for bilateral transactions (except for intra-day transaction/contingency transactions), an affidavit in the format prescribed in the Detailed Procedure, duly notarized, shall be submitted, along with the application, declaring that:</p> <p>(i) There is a valid contract with the concerned persons for</p> | <p>clearance has been applied for.</p> <p>(2) While processing the application for standing clearance the SLDC/RLDC as the case may be, shall verify the following, namely-</p> <p>(i) Existence of infrastructure necessary for time-block wise energy metering and accounting in accordance with the provisions of the Grid code in force;</p> <p>(ii) Availability of surplus transmission capacity in the intra-State/inter-State network, as the case may be;</p> <p>(iii) Submission of declaration according to the proviso to clause (1) of this regulation.</p> | <p>Generator 'X' having untied exportable capacity of 500MW, then total standing clearance of these two traders must be limited to 500MW from that particular generating source. The corridor booked by Trader shall be non-transferable and if end users change, the trader shall rebook the corridor</p> <ul style="list-style-type: none"> • In case of 1st time applicant, declaration shall also be obtained regarding installation of SEM. This is in view of problem may arise in commercial settlement of transaction due to non-installation of required SEM specially in case of deemed approved OA applications. • It is not specified in this clause on how NOAR will address compliance of provision of State Regulation of respective states related to open access. For example, in Maharashtra, as per State Open access regulation, consumer of DISCOM intending to avail Open access either in Intra or interstate transmission network, needs to obtain consent of DISCOM & this become one of the document for SLDC before sanction of open access of DISCOM's consumer. As per said regulation, DISCOM has to physically verify the installation of SEM for which reports from respective field office of DISCOM are required to be obtained. Further it is |
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| <p>the sale or purchase, as the case may be, of power under the proposed transaction for which concurrence is applied for, and;</p> <p>(ii) There is no other contract for sale or purchase, as the case may be, of the same power as mentioned in (i) above.</p> <p>Provided further that while making application to the SLDC for obtaining no objection or prior standing clearance in case of collective transactions, the affidavit shall also include the declaration that there is no other contract for sale or purchase, as the case may be, of the same power for which no objection or prior standing clearance is applied for.</p> <p>(b) While processing the application for concurrence or 'no objection' or prior standing clearance, as the case may be, the State Load Despatch Centre shall verify the following, namely-</p> <p>(i) existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the Grid Code in force, and</p> <p>(ii) availability of surplus transmission capacity in the State network.</p> <p>“(iii) submission of affidavit regarding existence of valid contract according to the second proviso to sub-clause (a) of clause (3) of this regulation with respect to bilateral transactions and according to the last proviso with respect to collective transactions</p> | | <p>also required to check technical feasibility so see that if Distribution network is having margin/capacity to accommodate open access transaction of said consumer. In addition to this, arrears of consumer applying to open access route is also required to verified. All these verification process needs time period of atleast two weeks. Hence NOAR should abide by provision made by respective Regulatory related to open access. The state specific OA regulation shall not be violated. If this provision is not made in NOAR, then commercial loss to DISCOM on account sanction of standing clearance by SLDC shall be bear by respective SLDC. Otherwise DISCOM shall be involved in this process of standing clearance being granted by SLDC in respect of consumer of DISCOM who intend to avail short term Open access to ISTS network . Further it is necessary to device a mechanism for online co-ordination between SLDC and Discom for issuance of NOC in case of inter state OA transaction.</p> |
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Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 8(3) | <p>Where the existence of necessary infrastructure, availability of surplus transmission capacity in the State network and submission of affidavit as required under provisos to sub-clause (a) of clause (3) of this regulation have been established, the State Load Despatch Centre shall convey its concurrence or no objection or prior standing clearance, as the case may be, to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, within three (3) working days of receipt of the application</p> <p>Provided that when short-term open access has been applied for the first time by any person, the buyer or the seller, the State Load Despatch Centre shall convey to the applicant such concurrence or 'no objection' or prior standing clearance, as the case may be, within seven (7) working days of receipt of the application by e-mail or fax, in addition to any other usually recognised mode of communication</p> | <p>Where the existence of necessary infrastructure, availability of surplus transmission capacity in the intra-state/inter-state transmission network as the case may be, and submission of declaration as required under proviso to clause (1) of this regulation have been established, the concerned SLDC/RLDC shall issue a standing clearance up to a maximum period of 3 months to the open access customer.</p> <p>Provided that</p> <ol style="list-style-type: none"> i. The concerned SLDC/RLDC shall issue the standing clearance within 3 working days of receipt of such application ii. The standing clearance may be issued by the concerned SLDC/RLDC for a maximum period of three months at a time after which a fresh application for issuance of standing clearance shall have to be made by the open access customer. iii. When short-term open access has been applied for the first time by any person, the buyer or the seller, the concerned SLDC/RLDC shall issue to the applicant standing clearance, within seven (7) working days of receipt of the application. | <p>As brought earlier in comments given for clause 8(1) & (2), Since DISCOM consent is must in respect of Open access of DISCOM consumers, period of three or seven working days is insufficient for sanction of standing clearance by respective SLDC.</p> <p>In case applicant is a consumer of DISCOM & applying for Open access for first time, then time period for issue of standing clearance shall be fourteen working days instead of seven working days so as to ensure proper co-ordination with DISCOM.</p> <p>Further in case applicant is a consumer of DISCOM & already availed Open access through NOAR, then time period for issue of standing clearance shall be seven working days instead of three working days so as to ensure proper co-ordination with DISCOM</p> <p>While issue of Standing clearance, priority shall be given to beneficiaries having Long term access to ISTS network.</p> |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 8(4) | <p><i>In case the State Load Despatch Centre finds that the application for concurrence or 'no objection' or prior standing clearance, as the case may be, is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or fax, in addition to any other usually recognised mode of communication, within two (2) working days of receipt of the application:</i></p> <p><i>Provided that in cases where the State Load Despatch Centre has communicated any deficiency or defect in the application, the date of receipt of application shall be the date on which the application has been received duly completed, after removing the deficiency or rectifying the defects, as the case may be."</i></p> | <p><i>In case the concerned SLDC/RLDC finds that the application for standing clearance is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant through NOAR within two (2) working days of receipt of application:</i></p> <p><i>Provided that in cases where the concerned SLDC/RLDC has communicated any deficiency or defect in the application, the date of receipt of application shall be the date on which the application has been received duly completed after removing the deficiency or rectifying the defects, as the case may be.</i></p> | <p><i>As brought earlier in comments given for clause 8(1) & (2), Since DISCOM consent is must in respect of Open access of DISCOM's consumers, period of two working days is insufficient for communicating deficiency in the application & same Needs to increase as elaborated earlier comments given for clause 8(3).</i></p> |
| 8(5) | <p><i>In case the application has been found to be in order but the State Load Despatch Centre refuses to give concurrence or 'no objection' or prior standing clearance as the case may be, on the grounds of non-existence of necessary infrastructure or unavailability of surplus transmission capacity in the State network, or non-submission of an affidavit in accordance with relevant provision to sub-clause(a) of clause (3) of this regulation, such refusal shall be communicated to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, within the period of three (3) working days or seven (7) working days, as the case may be, from the date of receipt of the application, specified under clause (3), along with reasons for such refusal:</i></p> <p><i>Provided that where the State Load Despatch Centre has not communicated any deficiency or defect in the application within two (2) days from the date of receipt of application or</i></p> | <p><i>In case the application has been found to be in order but the concerned SLDC/RLDC refuses to give the standing clearance on the grounds of nonexistence of necessary infrastructure or unavailability of surplus transmission capacity in intra-state/inter-state network as the case may be, or non-submission of the declaration in accordance with proviso to clause(1) of this regulation then such refusal shall be communicated to the applicant through NOAR within the period of three (3) working days or seven (7) working days as the case may be, from the date of receipt of the application along with reasons for such refusal.</i></p> <p><i>Provided that where the concerned SLDC/RLDC has not communicated any deficiency or defect in the application within two (2) days from the receipt of the application or refusal or standing clearance, as the case may be, within</i></p> | <p><i>NOAR shall issue a reminder message to the concerned SLDC/RLDC to respond to the application for refusal or issuance of standing clearance within the next working day so as to avoid further delay in approval and processing fee of SLDC/RLDC shall be curtailed as a penalty</i></p> |

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| | <p>refusal or concurrence or 'no objection' or prior standing clearance, as the case may be, within the specified period of three (3) working days or seven (7) working days, as applicable, from the date of receipt of the application, concurrence or 'no objection' or prior standing clearance, as the case may be, shall be deemed to have been granted:</p> | <p>the specified period of three (3) working days or seven (7) working days, as applicable, from the date of receipt of the application, the NOAR shall issue a reminder message to the concerned SLDC/RLDC to respond to the application for refusal or issuance of standing clearance, as the case may be, within the next two working days. Provided further that if the concerned SLDC/RLDC fails to respond to the reminder message sent through NOAR, then the standing clearance shall be deemed to have been granted</p> | |
| 8(6) | <p>Provided further that the same clearance may be utilized for the day ahead bilateral transaction also, subject to limit of quantum and time as specified in the standing clearance: Provided further that where concurrence or 'no objection' or prior standing clearance, as the case may be, is deemed to have been granted by the State Load Despatch Centre, the applicant while making application under clause (1) of regulation 9 shall submit to the nodal agency an affidavit (in the format provided in the detailed procedure), duly notarised, declaring that –</p> <p>(a) the State Load Despatch Centre has failed to convey any deficiency or defect in the application or its refusal or concurrence or 'no objection' or prior standing clearance, as the case may be, within the specified time,</p> <p>(b) necessary infrastructure for time-block-wise energy metering and accounting in accordance with the provisions of the Grid Code in force, is in place; and enclosing with the affidavit –</p> <p>(i) a copy of the complete application after removal of deficiency or rectification of defects, if any communicated, made to the State Load Despatch</p> | <p>The open access customer to whom the standing clearance has been issued or deemed to have been issued, may schedule transactions under any of the categories of short term bilateral or collective transactions in OTC market and/or Power Exchange(s) market provided that the total trade under all types of short-term inter-state transactions does not exceed the quantum of standing clearance issued by the concerned SLDC/RLDC</p> | <p>While submitting application, OA customer shall initially submit an affidavit as per clause (1) of this regulation stating that necessary infrastructure for time-block-wise energy metering and accounting is in place, so that no issues arise for commercial settlement of OA transaction of applicant whose OA application has been deemed sanctioned on account of procedural delay from SLDC/RLDC. Further it is propose that in case of Bilateral transactions, no other physical verification shall be required, when required input is furnished by both parties involved.</p> |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause use | Existing | Proposed | Comments/Suggestions |
|-------------------|--|---|--|
| 8(7) | <i>Provided also that where violations of the limit of quantum and time are reported by SLDC against any entity, the Commission may, after giving an opportunity of hearing, debar the said entity from transacting in power market for seven days."</i> | <i>Violation of the quantum of the standing clearance may lead to withdrawal of the standing clearance by the concerned SLDC/RLDC under intimation to the NOAR. Provided that persistent default (more than 3 such events) shall lead to debarring of the open access customer from NOAR for a minimum period of one month. Provided further that NOAR shall also display a list of such defaulters on the website.</i> | <i>Being, NOAR is software based, there must be provision to alert OA customer that it is violating its standing Clearance limit and NOAR should not allowed to apply for any Open access transaction above sanctioned standing clearance.</i> |
| 8(8) | No provision earlier | <i>The concerned SLDC/RLDC may revise the quantum (MW) or period of the standing clearance issued in respect of any open access customer in case of transmission constraint or in the interest of secure grid operation or if the allocated transmission corridor is observed to be under-utilized giving reasons for the same</i> | <i>NOAR should able to track utilisation of standing clearance on daily basis & give alert to respective SLDC/RLDC. Before curtailment of approved quantum of standing clearance due to under utilisation of allocated transmission corridor, reason for under utilisation & expected utilisation in near future shall be sought from concerned open access customer before taking any decision by RLDC/SLDC. The action in this regard shall be via NOAR by giving intimation through SMS/emails. The report of underutilisation shall be available on NOAR on daily basis. If there is persistence underutilisation of standing clearance (for say 2 or 3days) & OA customer fails to provide sufficient cause, then only action beinitiated by SLDC/RLDC. Further if OA customer fails to provide any justified reason for underutilisation on more than 3 occasions in its validity period of standing instruction, then while processing application for next period, SLDC/RLDC shall curtails quantum of standing clearance of said period. The NLDC should check past history of under utilisation through NOAR and it is propose that heavy penalty shall be imposed for under utilization of corridor. NLDC shall monitor the past history of under utilization and take strict action against defaulters</i> |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
|---|--|---|--|
| 9(1) | <i>Application for advance scheduling for a bilateral transaction may be submitted to the nodal agency up to the fourth month''</i> | <i>application for advance scheduling for a bilateral transaction may be submitted to the nodal agency through NOAR up to the fourth month''</i> | No comments |
| Sub-Clause (c) of Clause (2), (3) & (4) of Regulation 9 | <i>nodal agency shall convey its acceptance or otherwise to the applicant</i> | <i>nodal agency shall convey its acceptance or otherwise to the applicant through NOAR''.</i> | No comments |
| 9(5) | <i>Wherever the nodal agency rejects an application, it shall convey its reasons to the applicant in writing</i> | <i>Wherever the nodal agency rejects an application, it shall convey its reasons to the applicant through NOAR</i> | No comments |
| 10 | <i>Where in the opinion of the nodal agency, grant of all applications at a particular stage of advance scheduling is likely to cause congestion in one or more of the transmission corridors to be used, it shall conduct electronic bidding for grant of open access for the available surplus transmission capacity among the applicants at that stage, in accordance with the detailed procedure</i> | <i>Where in the opinion of the nodal agency, grant of all applications at a particular stage of advance scheduling is likely to cause congestion in one or more of the transmission corridors to be used, it shall conduct electronic bidding through NOAR for grant of open access for the available surplus transmission capacity among the applicants at that stage, in accordance with the detailed procedure</i> | <i>The Open access is granted on margin available in ISTS network (as mentioned in sub clauses a,b& c of clause 2 of Regulation 3) and LTA customer are paying for POC charges for all related ISTS line, its is necessary that while approving any kind of STOA application (advanced, FCFS, day ahead or contingency) of LTA customer, first priority to be given for approval of STOA application of LTA customer (since it is already paying for that corridor through POC mechanism) and margin left shall then be utilised for rest of applicant. Further SMS/Email notification shall be sent through NOAR to respective OA customer for electronic bidding</i> |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
|---------------|---|--|-----------------------------|
| 12 | Procedure for scheduling day ahead transactions | Procedure for scheduling day ahead bilateral transactions | No comments |
| 13 | Procedure for scheduling of transactions in a contingency | Procedure for scheduling contingency bilateral transactions | No comments |
| 13 | In the event of a contingency, the buying utility may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1500 hrs of the preceding day and apply to the nodal agency for short-term 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. | In the event of a contingency, the buying utility may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1500 hrs of the preceding day and apply to the nodal agency for short-term open access and scheduling through NOAR 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. | No comments |
| 13A | New provision | “Procedure for scheduling collective transactions 13A. The Power Exchange shall make an application to the nodal agency through the NOAR for scheduling of the collective transactions discovered on its platform. The nodal agency shall approve or advise the Power Exchange to revise the application for scheduling of collective transactions based on the transmission corridor availability in accordance with the detailed procedures.” | No comments |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| Clause | Existing | Proposed | Comments/Suggestions |
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| 14 | <i>The short term open access schedules accepted by the nodal agency in advance and on first-come-first-served basis may be cancelled or revised downwards on anApplication to that effectmade to the nodal agency by the short term customer</i> | <i>The short term open access schedules accepted by the nodal agency in advance and on first-come-first-served basis may be cancelled or revised downwards on an application to that effectmade to the nodal agency by the short term customer through NOAR</i> | <i>The Hon'ble Commission want the frequency to be get closer to 50Hz & accordingly many new concept are implemented (like RRAS, AGC etc) and are in pipeline (like Draft Real time market concept, Draft 4th DSM , draft five minute scheduling etc.) . These are really welcome steps taken/being taken by Honble commission. In this concept, in order to have flexibility in generation availability, provision for downward revision in STOA transaction need to be modified. As per present regulation, downward revision for generator in event of tripping of units is governed by regulation 6.5 of CERC (IEGC-2010). However if buyer want to have downward revision, as per provision in present regulation(clause 1 of Regulation 14), downward revision in case of STOA are accepted in case of FCFS & advanced STOA application only and downward revision is effected only after expiry of minimum period of 2 days only. The revision in case STOA transaction shall also need to be revised as per provision stipulated in sub clause 18 of clause 5 of Regulation 6 of IEGC-2010. Presently, at intra state level in Maharashtra, STOA transactions are also under MOD concept, provided STOA more than 50MW.</i> |
| 15(2) | <i>The intimation about such revision or cancellation shall as soon as possible, beconveyed to the affected short-term customers</i> | <i>The intimation about such revision or cancellation shall as soon as possible, be conveyed to the affected short-term customers through NOAR'</i> | <i>No comments</i> |

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| Clause | Existing | Proposed | Comments/Suggestions |
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| 18A | New provision | <i>18A. All charges payable under these regulations shall be paid online through the payment gateway made available in the NOAR."</i> | No comments |
| 25A | New provision | <i>"Provided that if the default in payment exceeds 90 days from the due date of payment of the charges as mentioned above, the NLDC or RLDC, as the case may be, may deny short term open access to the defaulting entity without approaching the Commission for specific directions in this regard."</i> | No comments |
| 27 | <i>'Information System- National Load Despatch Centre and Regional Load Despatch Centre"</i> | Information System-NOAR | No comments |
| 27 | <i>National Load Despatch Centre and each Regional Load Despatch Centre shall post the following information on their website in a separate web page titled 'Open access information</i> | <i>NOAR shall give information regarding openaccess in interstate transmission including but not limited to the following</i> | No comments |
| 27A(a) | <i>List of bilateral transactions for which concurrence has been granted and list of entities to whom concurrence or no objection or prior standing clearance, as the case may be, has been granted till the end of the month in which such concurrence or no objection or prior standing clearance has been granted, indicating:"</i> | <i>List of entities to whom standing clearance, has been granted till the end of the month indicating:</i> | No comments |

Draft comments on 5th Amendment of CERC(Open Access in inter-State Transmission) Regulations, 2008

| <i>Clause</i> | <i>Existing</i> | <i>Proposed</i> | <i>Comments/Suggestions</i> |
|--|---|--|-----------------------------|
| sub-clause (ii) of clause (a) of Regulations 27A | <i>Period of concurrence or no objection or prior standing clearance, as the case may be(Start date and end date)</i> | <i>Period of standing clearance (Start date and end date)</i> | <i>No comment</i> |
| 27A(d) | List of applications where concurrence or no objection or prior standing clearance, as the case may be , was not granted, alongwith reason for refusal, to be displayed till one month, after the scheduling period given in the application | List of applications where standing clearance was not granted, alongwith reason for refusal, to be displayed till one month, after the scheduling period given in the application | <i>No comment</i> |