

PROCEDURE FOR DISTRIBUTION OPEN ACCESS

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1. PREAMBLE:

- 1.1 Maharashtra Electricity Regulatory Commission (MERC) has notified the MERC (Distribution Open Access) Regulations, 2016 on 30th March, 2016.
- 1.2 Maharashtra Electricity Regulatory Commission has notified the MERC (Distribution Open Access)(First Amendment) Regulations, 2019 on 8th June, 2019. Accordingly the Open Access Procedure is prepared for use of all concerned. The Procedure includes relevant information about application form, the processing fees / charges payable, eligibility to seek open access for open access applicant.
- 1.3 MSEDCL reserves right to review / revise / modify / amend the terms and conditions of this Procedure as and when considered necessary.

2. TYPES OF OPEN ACCESS:

- 2.1 **Long term Open access:** Long term open access (LTOA) means the right to use the Distribution system for a period exceeding 7 years.
- 2.2 **Medium-term Open access:** Medium term open access (MTOA) means the right to use the Distribution system for a period exceeding 3 months but not exceeding 5 years.
- 2.3 **Short-term Open Access:** Short term open access (STOA) means the Open access of Distribution system for a period not exceeding one (1) month.
- 2.4 **Day-ahead Open Access:**

Day-ahead Open Access of MSEDCL's system shall be permitted, only if surplus capacity is available in MSEDCL's system.

The Medium-term, short-term and day ahead Open Access users shall be eligible and re-eligible to obtain Open Access after expiry of their terms. However, the open access consumer will not be entitled to any overriding preference for renewal of the term.

3. ELIGIBILITY TO SEEK OPEN ACCESS:

- 3.1 The open access may be sought for obtaining supply of electricity from a Generating Company or Captive Power Plant or from a Distribution Licensee other than MSEDCL or from Power Exchange or trader and any combination thereof.

- 3.2 The consumer shall have contract demand of 1 MW and above.
- 3.3 Open Access Consumers may avail Open Access from Multiple Generating Companies.
- 3.4 Partial Open Access Shall be permitted to avail Open Access for the capacity not exceeding its existing contract Demand with Distribution Licensee.
- 3.5 Full Open Access Shall be permitted to avail Open Access for the capacity not exceeding its sanctioned Load.
- 3.6 Open Access Consumers seeking to source power using Open Access from RE based generators the above specified capacity limit up to contract demand or sanctioned load shall not be applicable, subject to conditions of resultant power flow specified under regulations 8.10 of DOA Regulations 2016.
- 3.7 Installation of Special Energy Meter (SEM) as per the relevant Regulatory Provisions and Specifications issued by the Competent Authority as may be applicable and amended from time to time, at generation end as well as at consumer end shall be the prerequisite to seek open access.
- 3.8 The Maximum Demand (MD) of consumer in each financial year subsequent to his being granted Open Access shall be equal to or greater than seventy (70) percent of the threshold level at which he has become eligible for Open Access. If the consumer fails in achieving MD equal to or greater than seventy (70) percent in two consecutive months, a penalty equal to the two times wheeling charges will be levied for the financial year or part thereof for which he had failed to achieve such MD. Also, in such case, MSEDCL will initiate the process of re-assessment and reduction of contract demand and the Open Access permission will be liable to be cancelled.
- 3.9 Distribution Franchisee shall not be eligible for seeking Open Access. However, individual eligible consumers of MSEDCL in the Distribution Franchisee Area may apply for Open Access subject to compliance of all Regulatory Provisions and requirements of metering and other infrastructure.
- 3.10 Consumers intending to have Roof-Top Solar Photo Voltaic system can simultaneously applied Open Access subject to condition that in such cases the credit for Solar Generation shall be adjusted on gross metering basis. The applicable rate for sale under such gross metering arrangement shall be equivalent to the rate stipulated under the yearly generic tariff order for RE.

- 3.11 The grant of open access to an eligible open access customer will be subject to
- Settlement of all dues of the MSEDCL prior to applying for Open Access.
 - In case of dispute between MSEDCL and an eligible Open Access Customer relating to any charge for electricity or some other charge for electricity claimed by MSEDCL from such consumer, then such consumer shall be allowed Open Access, pending disposal of such dispute, only upon deposit of the disputed amount with MSEDCL, in accordance with Section 56 of the Electricity Act, 2003.
 - Compliance & confirmation of all other terms & conditions and obligations on the Open Access consumer by the way of Open Access Regulations or any other provisions/ order of MERC.
- 3.12 Open Access permission will not be granted to the consumers availing single point supply and sub-distributing it further to multiple consumers. e.g. Commercial Malls, IT parks, commercial complexes, software technology parks, multiparty agreements etc.
- 3.13 The mix load consumers i.e. having two different categories of load in the same premises recorded with a common meter and where the bills are issued with the help of sub-meter will be eligible for open access only after sanction & release of separate electricity connection to individual consumer and fulfillment of eligibility criterion by the individual consumer.
- 3.14 If the conventional/RE Generator, from whom the consumer is intended to source power supply through open access, has already entered in to a Long Term PPA/EPA with MSEDCL or any other Licensee, then the consumer will not be eligible to get the permission for Open Access in such case.
- 3.15 If the consumer has cancelled the existing MTOA permission and applied for STOA for the same generation location then the consumer has to provide the cancellation letter issued by MSEDCL for existing open access MTOA permission while applying for Short term Open Access permission.

4. REVISION IN CONTRACT DEMAND.

- 4.1 The Consumer seeking LTOA or MTOA may revise his Contract Demand as per the provisions the Electricity Supply Code & MERC (Standard of performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014 as amended from time to time:
- 4.2 A consumer availing STOA shall not be eligible to revise his Contract Demand during the tenure of the STOA, but may do so at the time of applying for Open Access.
- 4.3 Conventional consumer availing STOA, MTOA, LTOA who do not opt for reduction in contract demand up to open access capacity the demand charges at approved demand charge rate shall be applicable for recorded demand up to Notional contract demand and incremental demand charges at the rate of 1.25 times the approved demand charge rate shall be applicable for demand beyond notional contract demand.

Illustration:

- (a) CD with Discom: 10 MVA
- (b) OA capacity applied: 2 MVA
- (c) Notional CD: 8 MVA (a-b) (10-2)
- (d) Highest Recorded MD: 9.5 MVA

For recorded MD of 9.5 MVA, demand charges shall be applicable as under: -

- Normal Demand Charges for Demand upto Notional CD of 8 MVA (Billed Demand as per existing methodology)
- 1.25 x Normal Demand Charges for Demand beyond Notional CD of 8 MVA.
= 1.25 X Applicable Demand Charges X (9.5-8) MVA.

- 4.4 No such condition of Notional CD and levy of incremental Demand Charges thereof, shall be applicable in case of RE based OA transactions.
- 4.5 As per the Supply code provisions the consumer should execute fresh agreement with MSEDCL for such revised load before the second billing cycle at respective Circle.
- 4.6 Revision in Contract Demand shall be applicable to existing Open Access Agreements or contracts.

5. TIMEFRAME FOR SUBMISSION OF ONLINE OPEN ACCESS APPLICATIONS.

- 5.1 The application for open access shall be submitted online within the timeframe as given below. The following time frame shall be applicable only to existing grid connected eligible consumers. In case of augmentation of the distribution system is required, then the time frame as estimated by MSEDCL shall be applicable :

Long Term	The application shall be submitted prior to six months from intended date LTOA.
Medium Term	The application shall be made between three months to twelve months prior to the intended date of availing medium-term Open Access.
Short Term	The application may be made four months prior to month of Short term open access but not later than the tenth day of preceding month.
Day Ahead	Day ahead open access application shall be submitted only one day prior to the date of scheduling till 1200 Hrs.
Contingency Day Ahead.	The Contingency day ahead application shall be submitted only one day prior to the date of scheduling till 1400 Hrs.

6. APPLICATION / PROCEDURE FOR OPEN ACCESS:

- 6.1 An application of open access in the prescribed format shall be submitted online on MAHADISCOM Portal i.e. www.mahadiscom.in. The

enclosures as specified below shall be uploaded along with the online application.

- 6.2 The computer generated acknowledgement receipt will be issued online. However, the applicant shall submit additional documents/information as may be required and asked for by MSEDCL. The online applications complete in all respect only shall be considered by MSEDCL.
- 6.3 The open access consumer shall pay the processing fee (non-refundable) through online payment gateway provided in the open access application portal. (Refer Open access charges.)
- 6.4 The fee for contingency day ahead open access applications shall be five times the otherwise application fee.
- 6.5 In case of open access consumers availing supply from multiple generators, the consumer shall mention the details of all generators and OA quantum sought in Annexure III along with documents. In case of multiple wind generators, details of each metering point (injection & drawl), Commissioning certificate of generation plant and NOC/ Permission of previous option availed for consumer and generator shall be submitted along with the documents.
- 6.6 Separate application shall be made for each transaction in case injection or drawal points are different.
- 6.7 As per DOA Regulations 2016 MSEDCL will be **Nodal Agency** for intra-state open access consumers located in its license area and connected on distribution system subject to consent of all the agencies involved. In such case, the consumer shall also deposit the prescribed processing fees of the other agencies involved as may be applicable with MSEDCL.

7. ENCLOSURES:

The following documents are required to be uploaded online along with the Open Access Application:

- I. Self-Certified copy of Power sale/purchase agreement entered between the parties (buyer & seller) stating contracted power, period of drawl, points of injection & drawl, fixed and variable charge or composite charge for power supply etc.
- II. In case of open access through Trader, copy of valid Trading License, the copy of Power Purchase Agreement (PPA) between Open Access Consumer and Trader and PPA between Trader and generator with the detailed information as per point 1 above.
- III. Latest HT Connection Monthly Energy bill (last 3 months) of open access consumer.
- IV. SEM & CT/PT report issued by SE Testing & SE (O & M) Circle Office.

- V. No Dues Certificate issued by the concerned O & M Circle Office where the eligible Open Access Consumer/ generator is located.
- VI. Consent letter of consumer / applicant for reduction in Contract Demand in case of partial OA consumers.
- VII. Techno Commercial Report issued by the concerned O & M, Circle Office where the eligible Open Access Consumer / generator is located.
- VIII. In case of Open Access is intended through multiple generators, the same shall be mentioned in Annexure III with details of all such generators/suppliers and OA quantum sought from each generator.
- IX. Documents related to Renewable Purchase Obligations compliance.
- X. Open Access Permission/Consent from the concerned Distribution Licensee, in case Open Access Consumer is located in other Licensee area.
- XI. In case of Captive Generating Plant,
 - Memorandum of Association and Articles of Association
 - Chartered Accountant's certificate for 100% ownership or equity shareholding with voting rights as per Electricity Rules, 2005.
 - Undertaking on non-judicial stamp paper stating that, more than 51% of the generated power shall be self-consumed on annual basis, as mandated in Electricity Rules, 2005
 - Solvency certificate.
- XII. In case of purchase of power from power exchange:
 - Registration/ Membership details,
 - Member – Client Agreement.
 - Memorandum of understanding (PPA) between consumer & trader.
- XIII. Copy of prevailing and previous Open Access permission, if any.
- XIV. Commissioning certificate of generation plant and NOC/ Permission of previous option availed for consumer and generator

8. Network congestion:

The decision of MSEDCL in respect of any perceived congestion shall be final and binding.

9. Technical Feasibility:

Subject to the other provisions of Distribution Open Access Regulation 2016 and DOA (First Amendment) Regulations 2019 before giving consent for STOA, MSEDCL shall verify the availability of:

- i) Infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code, and
- ii) Capacity in the Distribution System.

10. PROCESSING TIME:

10.1 The applications complete in all respect as mentioned above, shall be processed as per following time-frame.

Type of Open Access	Inter-state	Intra-state
Day Ahead	All the applications received till 1200 Hrs. on day ahead basis shall be processed simultaneously and consent will be issued on same day.	
Contingency Day Ahead	Such application shall be submitted latest by 1400 Hrs and consent will be issued on same day.	
Short Term	All the applications received till 10 th of the preceding month shall be considered for processing simultaneously.	All the applications received till 10 th of the preceding month shall be considered for processing simultaneously.
	* Provided that, the period specified in Regulations 9,10,11 shall be applicable from the date of submission of an Application which is complete in all respect.	
Medium Term	Within 60 days if system augmentation is not required. If the augmentation of distribution/ transmission system is required, then the consent will be issued within 180 days subject to the condition that, the MTOA shall commence within six months of issuance of such consent.	
	*Provided that, the period specified in Regulations 9,10,11 shall be applicable from the date of submission of an Application which is complete in all respect.	
Long Term	Within 120 days if system augmentation is not required. If the augmentation of distribution/ transmission system is required, then the consent will be issued within 180 days subject to the condition that, the OA shall commence within six months of issuance of such consent.	
	*Provided that, the period specified in Regulations 9,10,11 shall be applicable from the date of submission of an Application which is complete in all respect.	

- 10.2 If the consumer is located in the licensee area of MSEDCL, the consent/approval shall be issued in the name of consumer only irrespective of who has applied for open access (i.e. consumer, trader, generator or supplier).
- 10.3 MSEDCL shall act as nodal agency for the intra-state partial open access consumers located in its licensee area and shall co-ordinate with other distribution licensees, SLDC, STU for obtaining their consent for transaction. However in case of interstate transactions, the MSEDCL will issue consent in regard to use of MAHADISCOM's distribution system only. The applicant shall carry out the further formalities such as coordination with SLDC / STU / RLDC / Power exchanges etc. as applicable for arranging inter-state open access.
- 10.4 In case of inter-state transactions, the consumer shall submit the necessary permissions received from SLDC / STU / RLDC / Power exchanges before effective date of commencement open access for billing purpose.

(Note: As per DOA Regulations 2016 MSEDCL will act as nodal agency for intra-state open access transactions only after all the agencies involved are ready for same. Till such time MSEDCL will only issue consent for use of its distribution system and the applicant shall carry out the further formalities.)

11. CONNECTION AND USE OF DISTRIBUTION SYSTEM AGREEMENT.

- 11.1 The consumer, if found eligible for grant of Medium term / Long Term Open Access, shall execute Tri-Partite Agreement for Connection & Use of Distribution System. The tripartite agreement shall be executed among:

- i. Open Access Consumer
- ii. MSEDCL
- iii. Generator/ Licensee.

A notice will be given by MSEDCL for signing of the 'Connection and Use of Distribution System Agreement ---

- (a) Confirming completion of all works and fulfillment of all requirements under the Act and the Regulations for grant of Open Access.
- (b) Intimating the date and time of the final meter reading of the consumer's premises, if applicable; and
- (c) Intimating the date and time of termination of the agreement of supply, if applicable, and commencement of the Connection and Use of Distribution System Agreement:

The Open Access Customer shall initiate the process of signing of Connection and Use of Distribution system within 30 days of grant of

Open Access, failing which Open Access permission will be liable for termination.

11.2 No agreement is necessary to be executed in case of short term / day ahead open access.

12. COMMENCEMENT OF OPEN ACCESS:

12.1 The open access will be deemed to have been commenced from the open access period mentioned in the open access permission / consent issued by MSEDCL irrespective of the date of application.

12.2 Irrespective of which date the consumer schedules power (in case of firm source) / provide GCN (in case of non-firm source), open access shall commence from the effective date as per 12.1 above.

12.3 In case of inter-state transactions if the consumer / supplier is unable to schedule the power for whatsoever reason, then it shall be the responsibility of consumer to approach MSEDCL with a written request to cancel the permission / consent issued by MSEDCL, in order to avoid commercial implications if any. The permission will be cancelled subject to applicability of charges. In case of drawl by the Open Access consumer from the grid due to any reason whatsoever, the charges will be levied as per the relevant provisions of Open Access Regulations i.e. clause No.19.2.

The SE (OA), MSEDCL shall be the nodal officer to implement the open access permission issued by the Chief Engineer (Commercial).

13. ENERGY ACCOUNTING, SCHEDULING & OPERATIONAL COORDINATION, COMMERCIAL SETTLEMENT:

13.1 Open Access Energy Accounting will be carried out on 15 min time slot basis in accordance with MERC DOA (First Amendment) Regulations 2019.

13.2 The priority for adjustment of energy drawl by an open access consumer from different sources shall be as per the following sequence of reducing priority and shall be implemented for each time block, upon adjustment of applicable losses.

(a) Renewable Energy Generators

(b) Captive Generating Plant

(c) Banked Energy

(d) Long term Bilateral purchase

(e) Medium term open access

(f) Short term inter-State open access including power exchange transactions

(g) Short term intra – State Open access

(h) Distribution Licensee

Provided that in case of energy credit from more than one source from the similar category shall be adjusted on pro-rata basis of the contracted generation capacity from such source.

13.3 Availability of PF Incentive/ PF Penalty :

Entitlement to PF incentives or levy of PF penalty, as the case may be, as specified under Tariff Schedule of the Tariff Order issued from time to time shall be applicable only for the net energy supplied by Distribution Licensee to the Open Access consumer and captive user after adjusting the banked energy and actual open access consumption during the month.

13.4 i) a) Transmission Charges in case of repeated STOA in Financial Year:- (Conventional & RE)

Sr No	STOA Transaction No	STOA Transmission Charges (Rs/KWH)
1	First month	Applicable transmission Charges
2	Second Month	1.25 X Applicable transmission Charges
3	Third Month	1.5 X Applicable transmission Charges
4	Fourth Month & onwards	2 X Applicable transmission Charges

b) The normal applicable charges shall not be applicable if the consumer applies for MTOA and avails STOA till commencement of MTOA.

For consumer availing STOA

- Provision in OA master: - Applied for MTOA (Y/N)
- If “yes” then levy applicable STOA Transmission charges till approval of MTOA.
- If “No” then levy Transmission charges as per above table:1

ii) Transmission Charges for RE availing MTOA/LTOA: -

Transmission Charges = 2 X Applicable Transmission Charges on per unit basis (Rs/kwh)

13.5 Wheeling Charges shall not be applicable in case a Consumer or Generating Station is connected to the Transmission System directly

or using dedicated lines owned by the Consumer or Generating Station only if such dedicated lines are used for point to point transmission or wheeling of power from Generating station to load centre without any interconnection with distribution system.

13.6 Energy Accounting & Billing:-

- As per the DOAR First Amendment 2019, the 15 min generation data is to be set off against 15 min consumption of OA consumer as per above sequence.
- The open access consumer shall be allowed credit of energy at drawl point after deduction of applicable losses (Wheeling Losses & Transmission losses) from the energy injected in the Grid.
- The generation credit units, after deduction of applicable loss to the energy injected in the MSEDCL grid, shall be adjusted / set off with the consumption in the corresponding 15 minutes time block.
- In case of Over drawal :- Over-drawal by a Partial Open Access Consumer shall be settled at the higher of the following:
 - (i) the System Marginal Price ('SMP') plus other incidental charges [Net Unscheduled Interchange ('UI') charges, additional UI charges] or any other Charges for Deviation as per Deviation settlement mechanism as identified under the mechanism operating in Maharashtra from time to time or
 - (ii) The Energy charge or Variable Charge of Temporary Tariff category, whichever is applicable, as determined by the Commission in respect of the Distribution Licensee:

Provided that the Consumer shall also be liable to payment of penalty for exceeding Contract Demand as provided in the Commission's Orders determining the retail tariff applicable to such Consumer.
- In case of Under drawal by an open access consumer:
 - i) Power sourcing Conventional Generator: - Open Access consumer shall not be paid any charges by the Distribution Licensee . The over injected units will be lapsed.

ii) Power sourcing from RE Generator:- The surplus RE power after 15 min adjustment with consumption will be considered for Banking. Banking adjustment will be given as below:

- a) Current month surplus generation in 15 min blocks adjusted against current month remaining 15 min consumption, considering the above priorities for adjustment.
- b) Banking of energy shall be permitted only on monthly basis. Provided that the credit for banked energy shall not be permitted to be carried forward to subsequent months and the credit for energy banked during the month shall be adjusted during the same month as per the energy injected in the respective Time of Day ('TOD') slots determined by the Commission in its Orders determining the Tariffs of the Distribution Licensees ;
- c) Provided further that the energy banked during peak TOD slots (15 min) may also be drawn during off-peak TOD slots (15 min), but the energy banked during off-peak TOD slots (15 min) may not be drawn during peak TOD slots (min).

Slot	Hrs	Slots	Peak/Off peak	Adjustment Provision	Adjustment Slots
A	22.00 to 6.00	1-24 & 89 - 96	Night Off Peak	A (corresponding 15 min)	1-24 & 89 - 96
B	6.00 to 9.00 12.00 to 18.00	25-36 & 49-72	Off Peak	A & B (corresponding 15 min)	i) 25-36 & 49-72 ii) 1-24 & 89 - 96
C	9.00 to 12.00	37-48	Morning Peak	A, B & C (corresponding 15 min)	i) 37-48 ii) 1-24 & 89 - 96 iii) 25-36 & 49-72
D	18.00 to 22.00	73-88	Evening Peak	A, B & D (corresponding 15 min)	i) 73-88 ii) 1-24 & 89 - 96 iii) 25-36 & 49-72

13.7 The Peak/ off peak slots as per Time of Day and sequence of adjustment of banked units.

- 13.8 The unutilized banked energy at the end of the month, limited to 10% of the actual total generation by such Renewable Energy generator in such month is to be purchased at a rate equivalent to that stipulated under yearly Generic RE Tariff Order applicable for respective technology.
- 13.9 Consumer shall submit to MAHADISCOM, the contact details, Phone/ Mobile number, Fax number email address etc. of the Coordinator appointed by him for scheduling & operational coordination and shall keep MAHADISCOM updated in case of any changes in the same.
- 13.10 Contact details of MAHADISCOM for Scheduling purposes:
Open Access Cell, Contact no – 022 – 26474211 (2403)
E-MAIL: oaschedulemsedcl@gmail.com /cecommho@gmail.com

14. Scheduling of Power :

- 14.1 The scheduling of Inter-State Open Access transmission shall be in accordance with the provisions of the Indian Electricity Grid Code.
- 14.2 Inter-state Open Access transmissions shall be scheduled by MSLDC in accordance with the provisions of the state Grid Code.
- 14.3 From the Effective Date of the open access (as per para 10 above), Consumer shall provide the schedule of power on day ahead basis before 10 am of the preceding day.
- 14.4 In case generator of the Consumer is a State Pool Participant: The Credit of energy based on the implemented 15 min. schedules finalized by MSLDC will be provided to the consumer in the monthly billing.
- 14.5 In case generator is not a State Pool Participant: The Generator shall submit its 15 minute time block wise schedule to MSEDCL. The credit of energy will be based on actual scheduling provided by the Generator.
- 14.6 In case of Non-Firm power from Renewable Energy Generating Plants shall be exempted from scheduling till such time as the Commission decides.

15. UNDER/NON UTILISATION OF SHORT TERM/DAY AHEAD OPEN ACCESS

- 15.1 Even if the consumer, generating company or licensee as the case may be is unable to utilize for more than four hours the full or part of its allotted

capacity then it shall be liable to pay the transmission & wheeling charges applicable to original reserved capacity.

- 15.2 MSEDCL may reduce or cancel the capacity allocated, to the extent it is underutilized after giving notice to the affected parties;
- (a) When such capacity is underutilized for more than 3 days or
 - (b) When the Consumer, Generating Company or licensee as the case may be, fails to inform MSEDCL of its inability to utilize the allocated capacity.

16. SECURITY DEPOSITS AND LETTER OF CREDIT

- 16.1 Consumer shall deposit with MSEDCL Security equivalent to one Month's Wheeling Charges, Cross-Subsidy Surcharge and Additional Surcharge based on estimated open access usage.
- 16.2. In case of existing Consumers opting for open access, MSEDCL shall estimate the additional Security, if any, required in view of above charges vis-à-vis the Security Deposit already held with MSEDCL towards its consumption charges and any additional demand shall be raised or credit provided, as the case may be, on a yearly basis, in accordance with the Regulation 14.9 of the Regulations.
- 16.3 In case of a new Consumer opting for open access along with connectivity for the first time, MSEDCL shall estimate security deposit based on anticipated use of the Distribution System of MSEDCL and estimated charges for balance consumption, if any, from MSEDCL (in case of partial open access) and raise the demand accordingly.
- 16.4 Security Deposit can be made in the form of cash, Irrevocable Letter of Credit (L/C) or unconditional Bank Guarantee (BG). L/C or BG shall be given as per format provided in **Annexure – IV / V**. Cash deposit shall be entitled to earn interest at Bank Rate and interest will be credited to Consumer account as per prevailing practice.
- 16.5 In case of Long-Term and Medium-Term Open Access:**
- Consumer shall open an Irrevocable Letter of Credit (L/C) in favour of MSEDCL for the estimated amount of Transmission and SLDC charges for period of two months. L/C shall be provided in the format given in **Annexure – V**. This amount shall be communicated by MSEDCL to the Consumer after issuance of Consent and the Consumer shall provide the L/C within a period of one (1) month from the Effective Date of Open Access.

17. SUBMISSION OF BANK GUARANTEE TO CONCERN CIRCLE OFFICE:

[Long/Medium]-Term Open Access Party would provide security in the form of irrevocable Bank Guarantee (BG), in favor of MSEDCL, equivalent to two months estimated average monthly billing, three months prior to the scheduled date of Open Access. Initially the security mechanism shall be valid for a minimum period of three years and shall be renewed from time to time till the expiry of the Open Access. [For Medium Term Open Access BG shall be valid till the expiry of the Open Access].

18. APPLICABLE CHARGES:

18.1 The bill will be raised on the Open Access Generator / Open Access consumer whosoever is located in the MSEDCL's area of supply.

The bill will include the following charges:

- i) Wheeling Charges / Transmission Charges, as may be applicable;
- ii) Cross Subsidy Surcharge, as may be applicable;
- iii) Additional Surcharge on the Charges of Wheeling;
- iv) Standby Charges;
- v) Voltage Surcharge, as may be applicable;
- vi) Operating Charges
- vii) Charges in case of drawl from the grid.
- viii) Any other charge or other sum recoverable.

All the above charges will be applicable as per relevant MERC orders issued from time to time.

In case of partial open access, the energy used from MSEDCL will be billed as per relevant MERC tariff order issued from time to time.

In case of all partial open access consumers/non state pool participants the transmission charges shall be collected by the MAHADISCOM.

18.2 The Open Access consumer shall bear the approved wheeling losses of the Distribution System as may be determined by the commission from time to time.

18.3 The existing charges and losses pertaining to Open Access will be applicable as determined by the Commission from time to time.

19. Default of Payment:

In the event of default in payment of any charge or sum of money payable under DOA Regulations, 2016 MSEDCL shall discontinue Open Access with prospective/retrospective effect.

20. Payment Security Mechanism:

The Applicant for Long-Term or Medium-Term Open Access shall open an Irrevocable revolving Letter of Credit in favor of MSEDCL to the extent of the estimated amount of the various charges payable for a period of two months.

21. Installation of Remote Terminal Units:

All Full Open Consumers and Generating Stations connected to the Transmission System shall install, at their cost, Remote Terminal Units (RTU)-DC, in accordance with specifications provided by the STU.

Provided that the installed RTU-DCs shall be available for inspection by the Distribution Licensee or the MSLDC at any time.

22. General:

Words and expressions used herein and not defined in this procedure but defined in the Distribution Open Access Regulations, 2016 or in the Act or Indian Electricity Grid Code or the Electricity Supply Code or the Rules and other Regulations made under the Act, as the case may be, shall have the meaning assigned to them therein.

23. Force Majeure:

Notwithstanding anything to the contrary in the DOA Regulations, 2016 MSEDCL shall not be liable for any loss or obligations due to the occurrence of Force Majeure events as stipulated in Regulation 33.1.

24. Trading Licensees:

The Electricity traders applying for Open Access shall be governed by relevant Open Access Regulations.