

Abbreviations as given on the next page have been used on our own, as also the following have been incorporated in the original Regulation:

- A. 7th August 2009: Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009
- B. 3rd September, 2010: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Amendment) Regulations, 2010;
- C. Dated the 21st March, 2012: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters)(Second Amendment) Regulations, 2012;
- D. Dated 26th of March 2013; CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Third Amendment) Regulations, 2013.
- E. 12th of August 2014: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Fourth Amendment) Regulations, 2014;
- F. 15th of May, 2015: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Fifth Amendment) Regulations, 2015
- G. 17th February 2017: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Sixth Amendment) Regulations, 2017
- H. 9th January, 2019: CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) (Seventh Amendment) Regulations, 2019;
- I. 14th February: CERC: CORRIGENDUM

To Track the amendment of Reg 16;
Corrigendum (not relatable):

(a) At page 13, lines 24, after the words “or any other entity on behalf of generating company”, the words “viz Renewable Power Park Developer and Renewable Energy Implementing Agency” shall be inserted.

(b) At page 13, line 27, the word “any” shall be substituted with the word “such”.

List of Abbreviations

(Used in this version for convenience of the Readers)

Abbreviations	Used for
BG	bank guarantee
CEA	Central Electricity Authority
CEA Connectivity Regulations	Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007
CERC	Central Commission or Central Electricity Regulatory Commission
CERC_Reg	Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009
CERC Open Access Regulations	Central Electricity Regulatory Commission (Open Access in inter-State transmission) Regulations, 2008 as amended from time to time
CERC Tariff Regulations	Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009
Connection_Ag	connection agreement
CTU	Central Transmission Utility (also for Nodal Agency)
D_Lic	Distribution Licensee
Genco	Generating Company
Gol	Government of India or Central Government
ISTS	Interstate Transmission System or Central network
iSTS	Intra-State Transmission System or State network
LILO	looping-in and looping-out
LTA	Long Term Open Access
LTA_Ag	Long Term Open Access Agreement or Contract
LTA_C	Long Term Open Access_Customer
MTOA	Medium Term Open Access
MTOA_Ag	Medium Term Open Access Agreement or Contract
MTOA_C	Medium Term Open Access_Customer
NLDC	National Load Despatch Centre
GoS	State Government
SLDC	State Load Despatch Centre
STU	State Transmission Utility
T_Lic; IST_Lic	Transmission Licensee and Interstate Transmission Licensee
Tr_Lic	Trading Licensee
TSA	Transmission Service Agreement
xRLDC	x Regional Load Despatch Centre

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

NOTIFICATION

No.–L-1/(3)/2009-CERC

Dated the 7th August 2009

In exercise of powers conferred by section 178 of the Electricity Act, 2003 and all other powers enabling it in this behalf and after previous publication, the CERC, hereby makes the following regulations, namely –

CHAPTER 1 PRELIMINARY

1. Short Title and Commencement

- (1) These regulations may be called the CERC (Grant of Connectivity, LTA and MTOA in IST and related matters) Regulations, 2009.
- (2) These regulations shall come into force on such date as the Commission may notify:
Provided that the date for the coming into force of these regulations shall be after the 'detailed procedure' of the CTU has been approved by the Commission.

2. Definitions

- (1) In these regulations, unless the context otherwise requires:
 - (a) "Act" means the Electricity Act, 2003 (36 of 2003);
 - (b) "Applicant" means
 - (i) The following in respect grant of connectivity:
 - (a) A generating station other than Renewable Energy Generating station, with installed capacity of 250 MW and above, including a captive generating plant of exportable capacity of 250 MW and above or;
 - (aa) A Renewable Energy generating station with installed capacity of 50 MW and above, or;
 - (b) A Hydro Generating station of installed capacity between 50 MW and 250 MW.
 - (c) One of the Hydro Generating stations or standalone storage project individually having less than 50 MW installed capacity, but collectively having an aggregate installed capacity of 50 MW and above, and acting on behalf of all these generating stations or Standalone Storage Project, and seeking connection from CTU at a single connection point at the pooling sub-station forming part of ISTS termed as the lead generator, or;
 - (cc) Renewable Energy generating station individually having less than 50 MW installed capacity, but collectively having an aggregate installed capacity of 50

MW and above, and one of them acting on behalf of all these generating stations, and seeking connection from CTU at a single connection point at the pooling sub-station forming part of ISTS, termed as the lead generator, or]

- (d) A bulk consumer.
- (e) Any renewable energy generating station of 5 MW capacity and above developed by a gen_co within or outside the premises of its existing generating station of the description referred to in sub-clauses (b)(i)(a) to (cc) of this clause and seeking connectivity to the existing connection point with ISTS through the electrical system of the generating station subject to availability of Connectivity capacity in existing station as assessed by CTU.
- (ee) Any renewable energy generating station of 5 MW capacity and above developed by a Renewable power park developer within or outside the premises of its existing Power Park of the description referred to in sub-clauses (b)(i)(g) of this clause and seeking connectivity to the existing connection point with ISTS through the electrical system of the Renewable Power Park subject to availability of Connectivity capacity in existing Power Park as assessed by CTU;
- (f) Any company or entity authorised by the Central Government or State Government as Solar Power Park Developer;
- (g) Any company or entity designated by the Central Government or State Government as Renewable Energy Implementing Agency on behalf of the Renewable Energy Generating Station(s) of the description under Clause 2(1)(b)(i)(aa) and 2(1)(b)(i)(cc) or;
- (h) Project based on standalone storage source(s) of installed capacity 50 MW or above.
- (ii) a generating station including a CGP, a consumer, an Electricity Trader or a distribution licensee ¹[or applicant covered under Clauses 2(1)(b)(i)(a) to (e) and 2(1)(b)(i)(h)], in respect of LTA or MTOA, as the case may be;
- (iii) Applicants covered under Clause 2(1)(b)(i)(f) and Clause 2(1)(b)(i)(g), in respect of long term access.
- (c) “Bulk consumer” means in respect of connectivity, any consumer who intends to avail supply of a minimum load of 100 MW from the ISTS;
- (d) “Commission” means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;
- (e) “Connectivity” for a generating station, including a CGP, a bulk consumer or an IST licensee means the state of getting connected to the ISTS;

¹ Inserted vide 7th Amendment;

- (f) “consumer” means any consumer eligible to avail open access as specified by the State Commission under sub-section (2) of section 42 of the Act;
- (g) “day” means the day starting at 00.00 hours and ending at 24.00 hours;
- (h) “detailed procedure” means the procedure issued by the CTU as referred to in regulation 6 hereof;
- (i) “Grid Code” means the Grid Code specified by the Commission under Clause (h) of sub-section (1) of section 79 of the Act;
- (j) “intra-State entity” means a person whose metering and energy accounting are done by the SLDC or by any other authorized State utility;
- (k) ‘interface meters’ means interface meters installed in accordance with the CEA (Installation and Operation of Meters) Regulations, 2006, specified by the CEA and amended from time to time;
- (k-a) “Renewable Energy Implementing Agency” means a company or entity designated by the Central Government or the State Government to act as Intermediary Procurer to select and buy power from Renewable energy generating station(s) and sell the same to one or more distribution licensees or any other person in accordance with the Guidelines issued from time to time by the Ministry of Power, Government of India or the Ministry of New and Renewable Energy, Government of India or the State Government.
- (l) “long-term access” means the right to use the ISTS for a period exceeding 7 years;
- (m) “long-term customer” means a person who has been granted LTA and includes a person who has been allocated central sector generation that is electricity supply from a generating station owned or controlled by the Central Government;
- (n) “medium-term open access” (MTOA) means the right to use the ISTS for a period equal to or exceeding 3 months but not exceeding 5 years;
- (o) “medium-term customer” means a person who has been granted MTOA;
- (p) “month” means a calendar month as per the British calendar;
- (q) “nodal agency” means the CTU referred to in regulation 4 hereof ;
- (r) “regional entity” means a person whose metering and energy accounting are done at the regional level;
- (r-a) “Renewable Energy Generating Station” shall mean a generating station based on any renewable source of energy, and shall include Renewable Hybrid Generating Station;
- (r-b) “Renewable Hybrid Generating Station” shall mean a generating station based on hybrid of any renewable source(s) with or without storage;
- (r-c) “Renewable Hybrid Power Park” shall mean the Power Park based on hybrid of any renewable source(s) with or without storage;

- (r-d) "Renewable Power Park Developers" shall mean a Solar Power Park Developer or Wind Power Park Developer or Renewable Hybrid Power Park Developer;
- (s) "short-term open access" (STOA) has the meaning ascribed thereto in the CERC (Open Access in IST) Regulations, 2008;
- (t) "State Commission" means the State Electricity Regulatory Commission constituted under section 82 of the Act and includes the Joint Commission constituted under section 83 thereof;
- (u) "State network" means the intra-State transmission system owned by the STU, transmission licensee or the network of any other person who has been granted licence by the SERC to establish or operate distribution lines within the State;
- (u-a) "Storage" means energy storage system utilizing methods and technologies like, Solid State Batteries, Flow Batteries, Pumped Storage hydro-power, Compressed Air, or any other technology, to store various forms of energy and deliver the stored energy in the form of electricity;
- (v) 'Stranded transmission capacity' means the transmission capacity in the ISTS which is likely to remain unutilized due to relinquishment of access rights by a LTTC in accordance with regulation 16.
- (2) Words and expressions used in these regulations and not defined herein but defined in the Act or the Grid Code or any other regulations specified by the Commission shall, unless the context otherwise requires, have the meanings assigned to them under the Act or the Grid Code or other regulations specified by the Commission, as the case may be.

CHAPTER 2 GENERAL PROVISIONS

3. Scope

These regulations, after they come into force, shall apply to the grant of connectivity, LTA and MTOA in respect of ISTS:

Provided that a generating station, including CGP or a bulk consumer, seeking connectivity to the ISTS cannot apply for LTA or MTOA without applying for connectivity:

Provided further that a person may apply for connectivity and LTA or MTOA simultaneously.

4. Nodal Agency

The nodal agency for grant of connectivity, LTA and MTOA to the ISTS shall be the CTU.

5. Filing of Application

Applications for grant of connectivity or LTA or MTOA shall be made to the CTU:

Provided that an application for connectivity is not required to be made by any T_Lic;

Provided however, that an IST_Lic other than CTU, nevertheless, shall sign a Connection_Ag with the CTU, as provided for in Clause (5) of regulation 8 of CERC_Reg.

(5A) Processing of Applications

- (a) All Applications shall be made online in accordance with detailed Procedure.
- (b) The applications complete in all respects, received online shall have a time and date stamp. Further, such applications received by 24:00 hrs. of the last day of the month shall be deemed to have been received during the month and shall be processed after the end of the month.
- (c) Upon submission of the online application, auto-generated acknowledgement for receipt of application shall be issued by the nodal agency.
- (d) After scrutiny, nodal agency shall intimate the deficiencies in the application, if any, to the applicant within one week of receipt of application. The applicant shall rectify the deficiency within one week thereafter, failing which the application shall be closed and 20% of the application fees shall be forfeited and balance shall be refunded and the Bank Guarantee, if any, shall be returned within 15 days of closure of the application. If the rectified application is received from the applicant after 24:00 hrs of the last day of the month in which application is made, application shall be deemed to have been made in subsequent month and shall be processed accordingly.]

6. Application fee

The application referred to in regulation 5 shall be accompanied by a non refundable application fee specified hereunder, payable in the name and in the manner to be laid down by the CTU in the detailed procedure:–

S.No	Quantum of Power to be injected/ off taken into/ from ISTS	Application fee (Rs. in lakh)		
		For Connectivity	Long-term access	Medium-term open access
1	Upto 100 MW	2	2	1
1	More than 100 MW and up to 500 MW	3	3	2
2	More than 500 MW and up to 1000 MW	6	6	3
3	More than 1000 MW	9	9	4

7. Timeframe for processing of application

The application shall be processed by the CTU within the time limits specified hereunder:–

Nature of Application	Time limit for processing beginning the last day of the month in which application was received by the nodal agency
Connectivity	60 days
Long-term access	120 days where augmentation of transmission system is not required 180 days, where augmentation of transmission system is required
Medium-term open access	40 days

CHAPTER 3 CONNECTIVITY

8. Grant of Connectivity

- (1) 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 CGP and quantum of power to be drawn in the case of a bulk consumer, with the ISTS and such other details as may be laid down by the CTU in the detailed procedure:

Provided that where after filing of an application, there has been a material change in the location or in the quantum of power to be interchanged with the inter-state transmission system, by more than 100 MW or 40% of the installed capacity, whichever is less, in the case of applicant defined under sub-clauses (b)(i)(a), (b)(i)(aa), (b)(i)(b), (b)(i)(d), (b)(i)(e), (b)(i)(f), (b)(i)(g) and (b)(i)(h) and 100MW or 40% of the aggregate installed capacity, whichever is less, in the case of applicant defined under sub-clauses (b)(i)(c) and (b)(i)(cc), of Clause (1) of Regulation 2, such an applicant shall make a fresh application, which shall be considered in accordance with these regulations:

Provided further that such change in quantum of power to be interchanged with inter-State transmission system shall be allowed only if the applicant remains eligible under clause 2(1)(b);

Provided that an applicant connected with the grid or granted connectivity for a specific project can, with prior approval of CTU, utilize the same Connectivity for additional generation capacity (for same or hybrid of renewable sources), subject to the condition that net injection at any point of time does not exceed the quantum of total Connectivity granted for the original project. For such additional generation capacity, the said generating station shall undertake all operational and commercial responsibilities for the additional capacity for compliance of the provisions of the Indian Electricity Grid Code and all other regulations of the Commission, such as grid security, scheduling and dispatch, collection and payment/adjustment of Transmission charges, charges for deviation, congestion and other charges etc., and submit an undertaking in the prescribed format in this regard to the CTU, with copy to the respective RLDC in whose control area it is located. The applicant shall make an application to CTU for Connectivity for additional capacity and pay application fee as specified in Regulation 6 of these Regulations;

Provided further that the application by the applicant defined under Regulation 2(1) (b)(i) (c) shall be considered by CTU only if all the generators, whose aggregate capacity is connected at the single connection point, formalize a written agreement among themselves that the lead generator shall act on behalf of all the generators to undertake all operational and commercial responsibilities for all the collective generators connected at that point in following the provisions of the Indian Electricity Grid Code and all other Regulations of the Commission, such as grid security, scheduling and dispatch, collection and payment/ adjustment of Transmission charges, UI charges, congestion and other charges, etc., and submit a copy of the agreement to the CTU, with the application of connectivity, along with a copy to the respective RLDC in whose control area it is located.

Provided further that the application by the applicant defined under Regulation 2(1) (b) (i) (e) and Regulation 2(1)(b)(i)(cc) shall be considered by CTU only if the existing generating station agrees to act as the "Principal Generator" on behalf of the renewable energy generating station(s) seeking connectivity through the electrical system of the generating station and formalizes a written agreement/arrangement among them to undertake all operational and commercial responsibilities for the renewable energy generating station(s) in following the provisions of the IEGC and all other regulations of the Commission, such as grid security, scheduling and dispatch, collection and payment/adjustment of Transmission charges, UI charges, congestion and other charges etc., and submit a copy of the agreement to the CTU, alongwith the application for connectivity, with copy to the respective RLDC in whose control area it is located.

Provided also that the Renewable Power Park Developer is authorised by the Central or State Government to undertake infrastructural activities including arrangement for connectivity on behalf of the Renewable power generators;

Provided further that the CTU shall suitably incorporate the requirement of formal agreement amongst such generators in the detailed procedure and Connection Agreement signed with such lead generator.

(1A) Projects based on storage source (s) shall apply for connectivity for the quantum of maximum injection or maximum drawal whichever is higher and shall sign separate agreement for both injection and drawal of power;

(2) On receipt of the application, the CTU shall, in consultation and through coordination with other agencies involved in ISTS to be used, including STU, if the iSTS is likely to be used, process the application and carry out the necessary interconnection study as specified in the CEA Connectivity Regulations.

(2A) Applications for grant of Connectivity made by applicants covered under sub-clauses (aa), (cc), (f), (g) and (h) of Clause (1)(b)(i) of Regulation shall be processed in the following two stages:

- (a) Stage-I Connectivity
- (b) Stage-II Connectivity

(2B) Grant of Stage-I and Stage-II Connectivity shall be as per the Detailed Procedure issued from time to time:

Provided that the Detailed Procedure for grant of Connectivity to Projects based on renewable Sources to inter-State transmission system issued vide order dated 15.5.2018 in File No. L-1/(3)/2009-CERC shall be deemed to have been issued under these Regulations.

(2C) In case of an applicant covered under sub-clause (b)(i)(g) of clause (1) of Regulation 2, the connectivity and LTA granted to such an applicant may be transferred or assigned, in part or full, in favour of the Renewable Energy Generating Stations selected by the said applicants after award of the project. On transfer or assignment of connectivity and

LTA, such Renewable Energy Generating Stations shall enter into Connectivity and LTA Agreement with CTU and accept all responsibilities and liabilities for connectivity as required under these Regulations and Detailed Procedure:

Provided that up to such transfer or assignment, such Applicant shall be liable for all regulatory, operational and commercial obligations of a connectivity and LTA grantee:

Provided further that upon transfer or assignment, the transferee Renewable Energy Generating Stations shall be liable for all regulatory and commercial obligations of a connectivity and LTA grantee for the quantum of connectivity and LTA so transferred or assigned.]

- (3) While granting connectivity, the CTU 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 LILO of an existing or proposed line, the CTU shall specify the point of connection and name of the line at which connectivity is to be granted. The CTU shall indicate the broad design features of the dedicated transmission line and the timeframe for completion of the dedicated transmission line.

- (3A) Notwithstanding any provision to the contrary in any other Regulations or the Procedure, applicants covered under sub-clauses(aa), (cc), (f), (g) and (h) of clause (1)(b)(i) of Regulation 2 shall be grant Stage-I Connectivity by CTU by indicating one location and such other information as required under Clause (3) of this Regulation:

Provided that if the capacity in the said location is fully allocated to Stage-II grantees, the balance Stage-I grantees shall be allocated Stage-II Connectivity to an alternate location.]

- (4) The applicant and all IST_Lic(s) including the CTU shall comply with the provisions of CEA Connectivity Regulations.
- (5) The applicant or IST_Lic, as the case may be, shall sign a Connection_Ag with the CTU or IST_Lic owning the sub-station or pooling station or switchyard or the transmission line as identified by the CTU where connectivity is being granted:

Provided that in case connectivity of a generating station, including CGP or bulk consumer is granted to the ISTS of an IST_Lic other than the CTU, a tripartite agreement as provided in the CEA Connectivity Regulations, shall be signed between the applicant, the CTU and such IST_Lic.

- (6) The grant of connectivity shall not entitle an applicant to interchange any power with the grid unless it obtains LTA, MTOA or STOA.
- (7) Notwithstanding anything contained in clause (6) of this regulation and any provision with regard to sale of infirm power in the PPA, a unit of a generating station, including a CGP which has been granted connectivity to the grid ISTS in accordance with these regulations shall be allowed to inter-change infirm power with the grid during testing including full load testing before its COD for a period not exceeding six months from the

date of first synchronization after obtaining prior permission of the concerned RLDC for the periods mentioned as under:

- (a) Drawal of Start-up power shall not exceed 15 months prior to the expected date of first synchronization and 6 months after the date of first synchronization.
- (b) Injection of infirm power shall not exceed six months from the date of first synchronization.

Provided that drawal of Start-up power shall be subject to payment of transmission charges and the generator shall have to open a Revolving and Irrevocable Letter of Credit issued by a Scheduled Bank equivalent to 2 months transmission charges prior to drawal of Start-up power.

Provided further that the Start-up power shall not be used by the generating station for the construction activities;

Provided further that RLDC shall stop the drawl of the Start-up Power in the following events:

- (a) In case, it is established that the Start-up power has been used by the Generating Station for construction activity.
- (b) In case of default by the Generating Station in payment of monthly transmission charges to the transmission licensee for the drawal of Start-up power, on the request of the transmission licensee.

Provided that the Commission may in exceptional circumstances, allow extension of the period for inter-change of power beyond the period as prescribed in this clause, on an application made by the generating station at least two months in advance of completion of the prescribed period:

Provided further that the concerned Regional Load Despatch Centre while granting such permission shall keep the grid security in view:

Provided also that the onus of proving that the interchange of infirm power from the unit(s) of the generating station is for the purpose of commissioning activities, testing and commissioning, shall lie with the generating company and the respective RLDC shall seek such information on each occasion of interchange of power before COD. For this, the generating station shall provide RLDC sufficient details of the specific commissioning activity, testing and full load testing, its duration and intended period of interchange, etc:

Provided also that the infirm power so interchanged by the unit(s) of the generating plant shall be treated as deviation and the generator shall be paid/charged for such injection/ drawal of infirm power in accordance with the provisions of the CERC (DSM and related matters) Regulations, 2014, as amended from time to time or subsequent re-enactment thereof.

- (8) The dedicated transmission line from generating station of the applicant generating Company or any other entity on behalf of generating company to the pooling station of the transmission licensee (including deemed transmission licensee) shall be developed, owned and operated by the applicant generating Company or any other entity on behalf of generating company. The specifications for dedicated transmission lines may be indicated by CTU while granting Connectivity or Long term Access or Medium term Open Access:

Provided that CTU shall plan the system such that maximum length of dedicated transmission line does not exceed 100 km from switchyard of the applicant till the nearest pooling substation of transmission licensee:

Provided further that dedicated transmission line may exceed 100 km, if such an Applicant, so chooses:

Provided also that in case any connectivity grantee is not utilizing the bay allocated to it at ISTS substation, CTU may cancel its Connectivity as per provisions of these regulations and detailed procedure and allocate the bay to other Applicant. In such an event, the original grantee shall either dismantle its bay or enter into an Agreement with a new grantee as indicated by CTU for utilization of the bay within a period of 2 months of cancellation of Connectivity.

8A. Transfer of Connectivity and LTA

A person shall not transfer, assign or pledge its connectivity or LTA either in full or parts and the associated rights and obligations to any other person:

Provided that the above provision shall not be applicable to applicants defined under Regulation 2(1)(b)(i)(g):

Provided further that 100% subsidiary companies shall be allowed to transfer their connectivity and LTA to the parent company and vice versa one year after achieving commercial operation of Renewable Energy generating station(s):

Provided further that transfer of Connectivity and LTA from the parent company to more than one 100% subsidiary shall be permitted one year after the commercial operation of the generating station of the last subsidiary and subject to minimum capacity as per Regulation 2(1)(b):

Provided also that till such Connectivity and LTA are transferred, the concerned subsidiary company(ies) shall be allowed to utilize the Connectivity and LTA granted to the parent company and vice versa.”

CHAPTER 4 LONG-TERM AND MEDIUM-TERM OPEN ACCESS

9. Criteria for granting LTA or MTOA

- (1) Before granting LTA, the CTU shall have due regard to the augmentation of ISTS proposed under the plans made by the CEA.

- (2) MTOA shall be granted if the resultant power flow can be accommodated in the existing ISTS or the transmission system under execution ²[expected to be commissioned within next 6 calendar months as per the status reported to CEA]:

Provided that no augmentation shall be carried out to the ISTS for the sole purpose of granting MTOA:

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

10. Relative priority

- (1) Applications for LTA or MTOA shall be processed on first-come-first-served basis separately for each of the aforesaid types of access:

Provided that applications received during a month shall be construed to have arrived concurrently;

Provided further that while processing applications for MTOA received during a month, the application seeking access for a longer term shall have higher priority;

Provided also that in the case of applications for LTA requiring planning or augmentation of ISTS, such planning or augmentation, as the case may be, shall be considered on 30th of June and 31st of December in each year in order to develop a coordinated transmission plan, in accordance with the perspective transmission plans developed by the CEA under section 73 of the Act;

Provided also that if an intra-State entity is applying for LTA or MTOA, concurrence of the SLDC shall be obtained in advance and submitted along with the application to the CTU. The concurrence of the SLDC shall be in such form as may be provided in the detailed procedure.

- (2) Where necessary infrastructure required for energy metering and time-block wise accounting already exists and required transmission capacity in the iSTS is available, the SLDC shall convey its concurrence to the applicant within ten working days of receipt of the application.
- (3) In case SLDC decides not to give concurrence, the same shall be communicated to the applicant in writing, giving the reason for refusal within the above stipulated period.

11. Interface Meters

- (1) Interface meters shall be installed –
- (a) by the CTU for and at the cost of the regional entities; and
 - (b) by the STU for and at the cost of the State entities.
- (2) Interface meters for the regional entities shall be open for inspection by any person authorized by the CTU and the RLDC.

² Inserted vide 6th Amendment;

- (3) Interface meters for the intra-State entities shall be open for inspection by any person authorized by the STU or the SLDC.

CHAPTER 5 LONG-TERM ACCESS

12. Application for LTA

- (1) The application for grant of LTA shall contain details such as name of the entity or entities to whom electricity is proposed to be supplied or 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 CTU in the detailed procedure:

Provided that in the case where augmentation of ISTS is required for granting open access, if the quantum of power has not been firmed up in respect of the person to whom electricity is to be supplied or the source from which electricity is to be procured, the applicant shall indicate the quantum of power along with name of the region(s) in which this electricity is proposed to be interchanged using the ISTS;

Provided further that in case augmentation of transmission system is required, the applicant shall have to bear the transmission charges for the same as per these regulations, even if the source of supply or off-take is not identified;

Provided also that except in cases involving Renewable Energy generating Station(s), the construction of such augmentation of the transmission system may be taken up by the CTU or the transmission licensee in phases corresponding to the capacity which is likely to be commissioned in a given time frame after ensuring that the generating company has released the advance for the main plant packages i.e. Turbine island and steam generator island or the EPC contract in case of thermal generating station and major civil work packages or the EPC contract in case of hydro generating stations for the corresponding capacity of the phase or the phases to be commissioned, subject to a minimum of 10% of the sum of such contract values:

Provided that a gen_co after firming up the beneficiaries through signing of long term PPA(s) shall be required to notify the same to the nodal agency along with the copy of the PPA.

Provided also that in cases where there is any material change in location of the applicant or change by more than 100 MW or 40%, as the case may be, as per first proviso to Regulation 8(1) in the quantum of power to be interchanged using the ISTS or change in the region from which electricity is to be procured or to which supplied, a fresh application shall be made, which shall be considered in accordance with these regulations.

- (1A) Notwithstanding anything to the contrary in the Procedure, Stage-II Connectivity shall not be a pre-requisite for applying for LTA.
- (2) The applicant shall submit any other information sought by the CTU including the basis for assessment of power to be interchanged using the ISTS and power to be transmitted

to or from various entities or regions to enable the CTU to plan the ISTS in a holistic manner.

- (3) The application shall be accompanied by a BG of Rs 10,000/- (ten thousand) per MW of the total power to be transmitted. The BG shall be in favour of the CTU, in the manner laid down under the detailed procedure.
- (4) The BG of Rs. 10,000 /- (ten thousand) per MW shall be kept valid and subsisting till the execution of the LTA_Ag, in the case when augmentation of ISTS is required, and till operationalization of LTA when augmentation of ISTS is not required.
- (5) The BG may be encashed by the CTU, if the application is withdrawn by the applicant or the LTA rights are relinquished prior to the operationalisation of such rights when augmentation of ISTS is not required.
- (6) The aforesaid BG will stand discharged with the submission of BG required to be given by the applicant to the CTU during construction phase when augmentation of ISTS is required, in accordance with the provisions in the detailed procedure.

13. System Studies by the Nodal Agency

- (1) On receipt of the application, the CTU shall, in consultation and through coordination with other agencies involved in ISTS to be used, including STU, if the iSTS is likely to be used, process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant LTA is arrived at within the timeframe specified in regulation 7:
- (2) Based on the system studies, the CTU shall specify the ISTS that would be required to give LTA. In case augmentation to the existing ISTS is required, the same will be intimated to the applicant.

14. Communication of Estimate of Transmission Charges, etc.

While granting LTA, the CTU shall communicate to the applicant, the date from which LTA shall be granted and an estimate of the transmission charges likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission charges specified by CERC.

15. Execution of Long-term Access Agreement

- (1) The applicant shall sign an agreement for long-term access with the Central Transmission Utility in case long-term access is granted by the Central Transmission Utility, in accordance with the provision as may be made in the detailed procedure.
- (2) While seeking long-term access to an inter-State Transmission licensee, other than the Central Transmission Utility, the applicant shall sign a tripartite long-term access agreement with the Central Transmission Utility and the inter-State Transmission licensee.

- (3) 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 drawal from the grid and the details of dedicated transmission lines, if any, required.
- (4) In case augmentation of transmission system is required, the long-term access agreement shall contain the time line for construction of the facilities of the applicant and the transmission licensee, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure.”]

15A. Intimation regarding termination of Power Purchase Agreement:

- (1) Where the entire or part of the PPA of the LTTC is terminated in accordance with the provisions of the said agreement or through determination by a court or tribunal or commission of competent jurisdiction, it shall be incumbent on the LTTC to give intimation about such termination of PPA to the nodal agency immediately but not later than two weeks from the date of such termination;

Provided that in the event of mutual termination of PPA or non utilization of LTA by the LTTC for a period exceeding one year from the scheduled date of commencement of LTA, the CTU or the tr_lic, as the case may be, may ask such LTTC to surrender the LTA after being satisfied that because of such LTA, any other generation project, which has applied for LTA, is likely to get stranded:

Provided further that CTU or the tr_lic, as the case may be, may approach the Commission for appropriate directions in this regard:

Provided also that on termination of the PPA or surrender of LTA in terms of the preceding two provisos, the LTTC shall be liable to pay the transmission charges as required under Regulation 18 of these regulations.

- (2) The CTU on receipt of intimation in accordance with clause (1) of this regulation may consider the applications of other applicants, if any, for grant of MTOA for the whole or part of the same transmission corridor, as the case may be.]

15B. Firming up of Drawl or Injection by LTA Customers:

- (1) The LTTC who has been granted LTA to a target region shall, after entering into PPA for supply of power to the same target region for a period of not less than one year, notify the Nodal Agency about the PPA along with copy of PPA for scheduling of power under LTA:

Provided that scheduling of power shall be contingent upon the availability of last mile transmission links in the target region:

Provided further that on receipt of the copy of the PPA, CTU shall advise concerned RLDC for scheduling of power at the earliest, but not later than a period of one month:

Provided also that if the capacity required for scheduling of power under LTA has already been allocated to any other person under MTOA or STOA, then MTOA or

STOA shall be curtailed in accordance with Regulation 25 of these Regulations corresponding to the quantum and the period of the PPA:

Provided also that where capacities under existing MTOA are curtailed for considering scheduling of power under the PPA of the Long term Access Customer, such MTOA customer shall be permitted to relinquish its MTOA without any relinquishment charges.

- (2) An LTTC who is availing MTOA on account of non-operationalization of LTA granted to it, shall not be required to pay relinquishment charges towards relinquishment of MTOA if the LTA is operationalized during the subsistence of MTOA.”

16. Information to RLDC and SLDC

Immediately after grant of LTA, the CTU shall inform the RLDCs and the SLDCs concerned so that they can consider the same while processing requests for grant of STOA, received under CERC Open Access Regulations.

- 16A. On receiving the intimation regarding termination of PPA, or surrender of LTA in accordance with the provisions of Regulation 15A of these regulations and after considering the applications for LTA and MTOA, if any, as mentioned therein, the nodal agency shall inform the RLDC and SLDC concerned to consider the remaining capacity for processing the request for STOA in accordance with the CERC Open Access Regulations, till LTA or MTOA is granted to some other applicant.

16B. Underutilisation of Long term Access and Medium term Open Access:

In case it is observed by RLDCs that the LTA or MTOA customer's request for scheduling is consistently (for more than 5 days) lower than the quantum of LTA or MTOA granted by the Nodal Agency (i.e.; CTU), RLDC may issue a notice to such LTA or MTOA customer asking the reasons for such under-utilization. The LTA or MTOA customer shall furnish the reasons for such under-utilization and will provide such details like the reduced requirement, likely period, etc. by the following day. The un-utilized transfer capability will then be released for scheduling of Medium term and Short-term open access transaction depending upon the period of such underutilization with a condition that such transaction shall be curtailed in the event original LTA or MTOA customer seeks to utilize its capacity:

Provided that where the capacity tied up under LTA is released under MTOA, the concerned generator shall not be liable to pay the LTA charges for such reallocated capacity.

17. Renewal of Term for Long-term access

On the expiry of the period of LTA, the LTA shall stand extended on a written request provided by the LTTC in this regard to the CTU mentioning the period for extension that is required:

Provided that such a written request shall be submitted by the LTTC to the CTU at least six months prior to the date of expiry of the LTA;

Provided further that in case no written request is received from the LTTC within the timeline specified above, the said LTA shall stand withdrawn.

18. Relinquishment of access rights

(1) A LTTC may relinquish the LTA rights fully or partly before the expiry of the full term of LTA, by making payment of compensation for stranded capacity as follows:-

(a) LTTC 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 CTU 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 CTU 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 transmission charges (net present value) for the stranded transmission capacity for the period falling short of a notice period of one (1) year.

(b) LTTC who has not availed access rights for at least 12 (twelve) years – such customer shall pay an amount equal to 66% of the estimated transmission charges (net present value) for the stranded transmission capacity for the period falling short of 12 (twelve) years of access rights:

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

(2) The discount rate that shall be applicable for computing the net present value as referred to in sub-clause (a) and (b) of clause (1) above shall be the discount rate to be used for bid evaluation in the 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.

(3) The compensation paid by the LTTC for the stranded transmission capacity shall be used for reducing transmission charges payable by other LTTCs and MTTCs in the year in which such compensation payment is due in the ratio of transmission charges payable for that year by such LTTCs and MTTCs.

CHAPTER 6 MEDIUM-TERM OPEN ACCESS

19. Application for Medium-term Open Access

- (1) The application for grant of MTOA shall contain such details as may be laid down under the detailed procedure and shall, in particular, include the PoI into the grid, PoD from the grid and the quantum of power for which MTOA has been applied for.
- (2) The start date of the MTOA shall not be earlier than 5 months and not later than ³2 4 years from the last day of the month in which application has been made.

20. System Studies by the Nodal Agency

On receipt of the application, the CTU shall, in consultation and through coordination with other agencies involved in ISTS to be used, including STU, if the iSTS is likely to be used, 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 MTOA is made within the timeframe specified in regulation 7:

Provided that in case the CTU faces any difficulty in the process of consultation or coordination, it may approach CERC for appropriate directions.

21. Grant of Medium-term Open Access

- (1) On being satisfied that the requirements specified under clause (2) of regulation 9 are met, the CTU shall grant MTOA for the period stated in the application:

Provided that for reasons to be stated in writing, the CTU may grant MTOA for a period less than that sought for by the applicant;

- (1A) The applicant shall sign an agreement for medium-term open access with the Central Transmission Utility in case medium-term open access is granted by the Central Transmission Utility, in accordance with the provision as may be made in the detailed procedure.
- (1B) While seeking medium-term open access to an inter-State Transmission licensee, other than the Central Transmission Utility, the applicant shall sign a tripartite medium-term open access agreement with the Central Transmission Utility and the inter-State Transmission Licensee.
- (1C) 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 drawal from the grid, the details of dedicated transmission lines required, if any, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure.”]

³ 1 year changed to 2 years vide 6th Amendment;

- (2) Immediately after grant of MTOA, the CTU shall inform the RLDCs and the SLDCs concerned so that they can consider the same while processing requests for STOA received under CERC Open Access Regulations.

22. Execution of Dedicated Transmission Line

MTTC may arrange for execution of the dedicated transmission line at its own risk and cost before the start date of the MTOA.

23. No overriding preference

On the expiry of period of the MTOA, the MTTC shall not be entitled to any overriding preference for renewal of the term.

- 24. Exit option for MTTCs:** A MTTC may relinquish rights, fully or partly, by giving at least 30 days prior notice to the CTU:

Provided that the MTTC relinquishing its rights shall pay applicable transmission charges for the period of relinquishment or 30 days whichever is lesser.

CHAPTER 7 CONDITIONS OF LTA AND MTOA

25. Curtailment

- (1) When for the reason of transmission constraints or in the interest of grid security, it becomes necessary to curtail power flow on a transmission corridor, the transactions already scheduled may be curtailed by the RLDC.
- (2) Subject to provisions of the Grid Code and any other regulation specified by the Commission, the STTC shall be curtailed first followed by the MTTC, which shall be followed by the LTTCs and amongst the customers of a particular category, curtailment shall be carried out on pro rata basis.

26. Transmission Charges

The transmission charges for use of the ISTS shall be recovered from the LTTCs and the MTTCs in accordance with terms and conditions of tariff specified by the Commission from time to time:

Provided that if the iSTS is also being used in the access as a part of ISTS for the conveyance of electricity across the territory of an intervening State as well as conveyance within the State which is incidental to such inter-State transmission of electricity, recovery of charges for such iSTS and terms and conditions thereof shall be in accordance with the regulation as may be specified by the Commission u/s 36 of the Act for intervening transmission facilities, if such charges and terms and conditions cannot be mutually agreed upon by the licensees;

Provided that any disagreement on transmission charges for such iSTS as specified above, shall not be the sole reason for denying access and either party may approach the CERC for determination of transmission charges for such iSTS.

27. Detailed Procedure

- (1) Subject to the provisions of these regulations, the CTU shall submit the detailed procedure to the CERC for approval within 60 days of notification of these regulations in the Official Gazette:

Provided that prior to submitting the detailed procedure to the Commission for approval, the CTU shall make the same available to the public and invite comments by putting the draft detailed procedure on its website and giving a period of one month to submit comments;

Provided further that while submitting the detailed procedure to the CERC, the CTU shall submit a statement indicating as to which of the comments of stakeholders have not been accepted by it along with reasons thereof.

- (2) The detailed procedure submitted by the CTU shall, in particular, include—

(a) The proforma for the Connection_Ag referred to in clause (5) of regulation 8 above

(b) The proforma for the LTA_Ag referred to in regulation 15 above:

Provided that the TSA issued by the GoI as part of standard bid documents for competitive bidding for transmission in accordance with section 63 of the Act shall be a part of this Agreement along with necessary changes;

Provided further that in case transmission system augmentation is undertaken through the process of competitive bidding in accordance with section 63 of the Act, the TSA enclosed as part of bid documents shall be used as a part of the proforma agreement to be entered into between the applicant and the CTU for LTA.

- (d) Aspects such as payment security mechanism and BG during the period of construction and operation:

Provided that the BG during construction phase shall not exceed Rs. 5 lakh per MW of the total power to be transmitted by that applicant through ISTS.

- (e) The proforma for the MTOA_Ag, referred to in the second proviso to clause (1) of regulation 21 above.
- (f) Provisions for collection of the transmission charges for ISTS from the LTTCs or MTTCs, as the case may be, by the T_Lic or the CTU as and when so designated in accordance with the first proviso to clause (1) of regulation 29 hereof and disbursement to the CTU and/ or the T_Lic(s) as the case may be.

28. Fees and charges for the RLDC and the SLDC

- (1) The fees and charges for the RLDC including charges for the Unified Load Despatch and Communication Scheme shall be payable by the LTTC and MTTC as may be specified by the Commission.
- (2) The fees and charges for the SLDC shall be payable as applicable.

⁴29. [Deleted]

⁴ Regulation 29 deleted vide 7th Amendment;

30. Unscheduled Inter-change (UI) Charges

- (1) Scheduling of all transactions pursuant to grant of LTA and MTOA shall be carried out on day-ahead basis in accordance with the Grid Code.
- (2) Based on net metering on the periphery of each regional entity, composite accounts for Unscheduled Interchanges shall be issued for each regional entity on a weekly cycle:
Provided that Unscheduled Inter-changes accounting for intra-State entities shall not be carried out at the regional level.
- (3) The State utility designated for the purpose of collection or disbursement of the UI charges from or to the intraState entities shall be responsible for timely payment of the State's composite dues to the regional UI Pool Account Fund.
- (4) Any mismatch between the scheduled and the actual drawal at PoDs and scheduled and the actual injection at Pols for the intraState entities shall be determined by the concerned SLDC and covered in the intra-State UI accounting scheme.
- (5) Unless specified otherwise by the SERC concerned, the UI rate for intra-State entity shall be 105% (for overdrawals or under generation) and 95% (for under-drawals or over generation) of the UI rate at the periphery of regional entity.

31. Transmission Losses

The buyers of electricity shall bear apportioned losses in the transmission system as estimated by the RPC.

32. Redressal Mechanism

All disputes arising out of or under these regulations shall be decided by the Commission on an application made in this behalf by the person aggrieved.

CHAPTER 8 INFORMATION SYSTEM

33. Information System

The CTU shall post the following documents / information on its website in a separate web-page titled "LTA and MTOA information":

- (a) These regulations;
- (b) Detailed procedure;
- (c) List of applications, separately, for long-term access and medium-term open access received by the nodal agency along with necessary details.
- (d) Separate lists for long-term access and medium-term open access granted, indicating-
 - (i) Name of customers;
 - (ii) Period of the access granted (start date and end date);
 - (iii) Point or points of injection;
 - (iv) Point or points of drawal;
 - (v) Transmission systems used (in terms of regions and States);
 - (vi) Capacity (MW) for which access has been granted.

- (e) List of applications where approval for connectivity or long-term access or medium-term open access, as the case may be, has not been granted along with reasons thereof.

Provided further that it shall be a constant endeavour of the CTU to take steps in accordance with the requirements herein to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that information is disseminated widely and in such form and manner which is easily accessible to the public.

33A. Power to Relax:

The Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an affected person to remove the hardship arising out of the operation of Regulation, applicable to a class of persons.

33B. Power to Remove Difficulty:

If any difficulty arises in giving effect to the provisions of these regulations, the Commission may, on its own motion or on an application made before it by the nodal agency, by order, make such provision not inconsistent with the provisions of the Act or provisions of other regulations specified by the Commission, as may appear to be necessary for removing the difficulty in giving effect to the objectives of these regulations

CHAPTER 9 MISCELLANEOUS

34. Repeal and Savings

- (1) On commencement of these regulations, Regulation No.'s 4(1)(a), 4(ii), 5(i), 6(i), 7, 8(i), 9, 10, 11, 12, 16(i), 18, as far as it applies to LTTCs, and 31(i) of the CERC Open Access Regulations shall stand repealed.
- (2) Notwithstanding anything contained in clause (1), LTA granted in accordance with the CERC Open Access Regulations, 2004 shall continue to be valid till the expiry of the term of LTA.

Sd/=
(Alok Kumar)
Secretary