|  |  |
| --- | --- |
|  |   **पंजीकृत कार्यालय :शक्ति सदन, कोटला रोड़, न्यू दिल्ली-110002**(Regd. Office Shakti Sadan, Kotla Road, New Delhi-110002) **कार्यालय उपमहाप्रबंधक (एस.ओ.)** **Office of Dy. General Manager (SO)****एस एल डी सी बिल्डिंग, मिंटो रोड़, न्यू दिल्ली-110002** SLDC Building, Minto Road, New Delhi-110002Ph: 23221149 FAX No.23221012 |
| **No. F./DTL/207 )/2011-12/DGM(SO)/** |  **Dated : 28.06.2011** |

**To**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sr. No. | Name & Desig. of the Committee Member | Utility  | Address  | Tele. No. |
| **1** | **Sh. Raj Bhartiya**Executive DirectorChairperson | DTL | Shakti Deep Building, DTL, Jhandewalan Ext, New Delhi-110055 | 9540040609 |
| **2** | **Mrs. Anjali Chandra**Executive Director (Engg.) | DERC | Viniyamak Bhawan, Delhi Electricity Regulatory Commission, Malviya Nagar, New Delhi-110017 | 9312212314 |
| **3** | **Sh. Nirmaljeet Singh**G. M. (Commercial) | DTL | IP Estate, New Delhi-110002 | 9540040628 |
| **4** | **Sh. Roop Kumar**G.M. (SLDC) | DTL/SLDC | SLDC Building, Minto Road, New Delhi-110002 | 9540040629 |
| **5** | **Sh. S.M. Verma**G.M. | PPCL | Pragati Power Station, Ring Road, New Delhi-110002 | 9717694846 |
| **6** | **Sh. Surrender Babbar**Dy.G.M.(Finance)-I | DTL | Shakti Sadan, Kotla Road, New Delhi-110002 | 9540040621 |
| **7** | **Sh. S.K. Sharma**Dy.G.M. (Metering & Prot) | DTL | Park Street 220kV Grid S/StnNear Ram Manohar Lohia Hospital,New Delhi-110001 | 9540040640 |
| **8** | **Sh. Ashis Kumar Dutta**Addl.G.M. (PMG) | NDPL | Grid Sub-Station Building Hudson Lane, Near Kingsway Camp, Delhi-09 | 9871798566 |
| **9** | **Sh. Ajay Kumar**Addl. Vice President (PP&PMG) | BRPL | Building. No.20, Nehru Place, New Delhi-110049 | 9350683910 |
| **10** | **Sh. Sunil Kakkar**Asstt. Vice President (PMG) | BYPL | BYPL, Shakti Kiran Building, Karkardooma, Delhi-110092 | 9312147042 |
| **11** | **Sh.V.Venugopal**Dy.G.M. (SO)- **Convener** | SLDC | SLDC Building, Minto Road, New Delhi-110002 | 9871093902 |

**Subject : Meeting Notice the 1st meeting of the Committee constituted to formalize guidelines for implementation of Intrastate Open Access in Delhi.**

Dear Sir, / महोदय

The 1st meeting of the Committee constituted to formalize guidelines for implementation of Intrastate Open Access in Delhi is scheduled to be held on 4th July 2011 at 11.00hrs. in the **Conference Hall, SLDC Building, 33kV Minto Road Grid S/Stn. New Delhi-110002.**

Contd……………2

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To understand the Intrastate Open Access operation, Engineers of SLDC were deputed three states namely Gujrat, Punjab and Haryana where Intrastate Open Access are bulk in numbers. Based on the experience gained from those states, a draft procedure for the operation of Intrastate Open Access in Delhi for fulfillment of provision 10(4) of the Regulations with regard to Open Access in Delhi notified by DERC on 03.01.2006. The draft procedure is enclosed as Annexure-1.

The study tour report on Intrastate Open Access in Gujrat, Haryana and Punjab is also enclosed as Annexure-2.

**Members of the Committee are requested to kindly peruse the above documents and provide valuable suggestions for improvement / modification of the procedure so that a fool proof procedure for implementation of the Intrastate Open Access can be in place.** The suggestions in this regard are expected by 30th June 2011 through email to venugopal.v1960@yahoo.co.in so that the same can be discussed and finalized in the above said meeting.

In addition to above vide letter no. F./DTL/207/11-12/DGM(SO)/374 dated 21.06.2011, the details of consumers having connected load of 1MW and above in Delhi was sought in the following format :-

**Details of the consumers of having connected load of 1MW and above in Delhi.**

**Name of the Distribution Licensee** -

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Sr. No.** | **Name of the Consumer with address** | **Sanctioned load in MW** | **Maximum Demand indicated sofar in MW**  | **Connected voltage level whether 220kV, 66kV, 33kV, 11kV of 0.440kV**  | **Whether separate feeder is provided or not, if provided, the name of the feeder**  | **Whether alternate source is provided, the name of the feeder** | **Name of the feeding 220kV Sub-Station**  |
|  |  |  |  |  |  |  |  |

We expect the details by 30.06.2011.

Kindly expedite.

All members are requested to attend the meeting.

Thanking you,

 भवदीय / Yours faithfully

(**वी.वेणुगोपाल)/(V. Venugopal )**

 **(उपमहाप्रबंधक (एस.ओ.) /** Dy. G. M. (SO)

 **Convener**

To : Members of the committee.

Copy for favour of kind information to :-

1 CMD, DTL

2 CEO, BRPL, BSES Bhawan, Nehru Place, New Delhi-110019

2 CEO, BYPL, Shakti Kiran Bldg., Karkardooma, New Delhi-110092

3 MD, NDPL, 33kV Grid S/Stn, Hudson Lane, Kingsway Camp, Delhi-110009

4 MD, IPGCL/PPCL, Himadri, Rajghat Power House, New Delhi-02

5 Director (Operations), DTL

6 Director (Finance), DTL

7 G.M. (O&M), DTL

8 Joint Secretary (Power), Govt. of NCT of Delhi

Annexure-1

DRAFT PROCEDURE FOR IMPLEMENTATION OF OPEN ACCESS IN DELHI

1 The Open Access is defined in the Electricity Act 2003 as under :-

2(47)“open access” means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with the regulations specified by the Appropriate Commission;

2 The Act further defines the responsibilities of Transmission Licensees and Distribution Licensees. Section 39(2)(d) stipulates the responsibilities of State Transmission Utilities with regard to Open Access as under :-

 Section 39(2) Functions of State Transmission Utility ……………………..

(d) to provide non-discriminatory open access to its transmission system for use by-

(i) any licensee or generating company on payment of the transmission charges ; or

(ii) any consumer as and when such open access is provided by the State Commission under sub-section (2) of section 42, on payment of the transmission charges and a surcharge thereon, as may be specified by the State Commission:

Provided that such surcharge shall be utilised for the purpose of meeting the requirement of current level cross-subsidy:

Provided further that such surcharge and cross subsidies shall be progressively reduced in the manner as may be specified by the State Commission:

Provided also that the manner of payment and utilisation of the surcharge shall be specified by the State Commission:

Provided also that such surcharge shall not be leviable in case open access is provided to a person who has established a captive generating plant for carrying the electricity to the destination of his own use.

**Section 40. (Duties of transmission licensees):**

It shall be the duty of a transmission licensee …………………………….

(c) to provide non-discriminatory open access to its transmission system for use by-

(i) any licensee or generating company on payment of the transmission charges; or

(ii) any consumer as and when such open access is provided by the State Commission under sub-section (2) of section 42, on payment of the transmission charges and a surcharge thereon, as may be specified by the State Commission:

Provided that such surcharge shall be utilised for the purpose of meeting the requirement of current level cross-subsidy:

Provided further that such surcharge and cross subsidies shall be progressively reduced in the manner as may be specified by the Appropriate Commission:

Provided also that the manner of payment and utilisation of the surcharge shall be specified by the Appropriate Commission:

Provided also that such surcharge shall not be leviable in case open access is provided to a person who has established a captive generating plant for carrying the electricity to the destination of his own use.

 3 The duties and responsibilities of Distribution Licensees in Open Access are mentioned in Section 42 of the Electricity Act 2003. The clauses are extracted as under :-

**Section 42. (Duties of distribution licensee and open access): ---**

(1) It shall be the duty of a distribution licensee to develop and maintain an efficient, co-ordinated and economical distribution system in his area of supply and to supply electricity in accordance with the provisions contained in this Act.

(2) The State Commission shall introduce open access in such phases and subject to such conditions, (including the cross subsidies, and other operational constraints) as may be specified within one year of the appointed date by it and in specifying the extent of open access in successive phases and in determining the charges for wheeling, it shall have due regard to all relevant factors including such cross subsidies, and other operational constraints:

Provided that [such open access shall be allowed on payment of a surcharge] in addition to the charges for wheeling as may be determined by the State Commission:

Provided further that such surcharge shall be utilised to meet the requirements of current level of cross subsidy within the area of supply of the distribution licensee :

Provided also that such surcharge and cross subsidies shall be progressively reduced in the manner as may be specified by the State Commission:

Provided also that such surcharge shall not be leviable in case open access is provided to a person who has established a captive generating plant for carrying the electricity to the destination of his own use:

Provided also that the State Commission shall, not later than five years from the date of commencement of the Electricity (Amendment) Act, 2003, by regulations, provide such open access to all consumers who require a supply of electricity where the maximum power to be made available at any time exceeds one megawatt

(3) Where any person, whose premises are situated within the area of supply of a distribution licensee, (not being a local authority engaged in the business of distribution of electricity before the appointed date) requires a supply of electricity from a generating company or any licensee other than such distribution licensee, such person may, by notice, require the distribution licensee for wheeling such electricity in accordance with regulations made by the State Commission and the duties of the distribution licensee with respect to such supply shall be of a common carrier providing non-discriminatory open access .

(4) Where the State Commission permits a consumer or class of consumers to receive supply of electricity from a person other than the distribution licensee of his area of supply, such consumer shall be liable to pay an additional surcharge on the charges of wheeling, as may be specified by the State Commission, to meet the fixed cost of such distribution licensee arising out of his obligation to supply.

(5) Every distribution licensee shall, within six months from the appointed date or date of grant of license, whichever is earlier, establish a forum for redressal of grievances of the consumers in accordance with the guidelines as may be specified by the State Commission.

(6) Any consumer, who is aggrieved by non-redressal of his grievances under sub-section (5), may make a representation for the redressal of his grievance to an authority to be known as Ombudsman to be appointed or designated by the State Commission.

(7) The Ombudsman shall settle the grievance of the consumer within such time and in such manner as may be specified by the State Commission.

(8) The provisions of sub-sections (5),(6) and (7) shall be without prejudice to right which the consumer may have apart from the rights conferred upon him by those sub-sections.

4 Based on the above statutory provisions, the State Electricity Regulatory Commission of Delhi notified the regulations for Terms and Conditions for Open Access on 03.01.2006. The Clause-5 of the provisions of the Regulations indicates the phases of introduction of Open Access in Delhi as under :-

|  |  |  |
| --- | --- | --- |
| S. N. | Particulars | Date of Introduction |
| a | Delivery of Electricity for use by the Consumers with the connected load of five MW and above | 1st July 2007 |
| b | Deliver of electricity for use by the Consumers with the connected load of three MW or above | 1st January 2008 |
| C | Delivery of electricity for use by the Consumers with the connected load of one MW and above | 1st July 2008 |

5 Delhi State Regulatory Commission (DERC) vide order dated 29.08.2008 has come out with charges for Open Access in Delhi.

6 As per the Clause 2(f) of the Regulations, the Open Access Customer is defined as `A Consumer permitted by the Commission to receive supply of Electricity from a person, other than Distribution Licensees of its area of supply and the expressions includes a Generating Company and a Licensee, who has availed of or intends to avail of Open Access’

7 The Regulation 2(e) specifies the definition of ‘Nodal Agency’ as `Nodal Agency means for the purpose of arranging Long Term Open Access in Transmission, the State Transmission Utility and for the purpose of arranging Short Term Open Access, the State Load Despatch Center. For the Open Access in Distribution, both for Short Term and Long Term, the Nodal Agency shall be State Load Despatch Center’.

8 Clause 10 (4) of the Regulations stipulates ‘The Nodal Agency shall decide on the capacity available or the existence of the operation constraints, consistent with the principles and guidelines as deiced by the State Transmission Utility. The State Transmission Utility shall decide such principles within 30 days of publication of these regulations.

9 Based on the above background, the following guidelines for operationalizing the Open Access in Delhi are drawn out as under :-

**A SHORT TERM OPEN ACCESS**

**9.1 Procedure for Open Access for Generating Stations in Delhi**

Normally, the Generating Stations’ full capacity is allocated to the beneficiaries who have entered into Power Purchase Agreement. In case, any part is left as Merchant Power, the same can either be traded outside State on Short Open Access basis or Long Term Open Access Basis as per the relevant provisions of CERC Regulations / State Electricity Regulatory Commission.

In case Merchant Power is booked to any beneficiary in the State, the same would be treated as allocation to the beneficiary. If any Independent Power Produces (IPP) Plant / Captive Power Plant (CPP) wants to sell the power would be routed through Intrastate Open Access if they are connected below 220kV level. All conditions and charges as contained in the Open Access Regulations / Charges of the appropriate Electricity Regulatory Commission shall prevail in such case.

**9.1.2 Procedure for Open Access for Customers of Distribution Companies within Delhi.**

A customer who opts power from sources other than the Distribution Licensee’s area can do with the intimation and unconditional consent of concerned Distribution Licensee and STU. The modalities of the transactions would be finalized as under :-

9.1.2.1 If the quantum applied is 1MW, it will be treated as at Seller’s periphery. If it is through Power Exchange at state periphery. For example, Open Access for 1MW is applied, the availability would be 1MW minus regional losses on weekly basis (since in IEX the boundary is fixed as Regional Entry) at State periphery.

9.1.2.2 The quantum at Consumer’s periphery would be treated as (1MW – Regional Losses – STU Losses (1.5% at present) – Distribution Losses as contained in the DERC order dated 29.08.2008. It is through Power Exchanges, quantum at Consumer’s periphery would be 1MW – STU Losses (1.5% at present) –Distribution Losses as contained in the order of DERC dated 29.08.2008.

9.1.2.3 UI is applicable to the consumer which would be computed based on the CERC fixed tariff applicable on 15 minutes time block of actual consumption. As per Clause 20(5) of Open Access Regulations notified by CERC on 25.01.2008 for under drawal by the Open Access customer shall be 95% of the normal UI rate whereas that for over drawal, it is 105% of the over drawal charges under UI Regulations. For clarity, the respective clause is reproduced hereunder :-

20(5) *Unless specified otherwise by the concerned State Transmission Commission, UI rate for intra-State entity shall be 105% (for over-drawals or under generation) and 95% (for under-drawals or over generation) of UI rate at the periphery of regional entity.*

Further, as per the UI Regulations of CERC applicable from 03.05.2010 notified on 28.04.2010 stipulates at Clause-3…………………………………………… ………….……………………………. *Provided also that the charges for the Unscheduled Interchange for the under drawals by the buyer or the beneficiaries in a time block in excess of 10% of the schedule or 250MW whichever is less, shall not exceed the Cap Rate as specified in the Schedule A of these regulations as per the methodology specified in clause (4) of this regulation*

*Provided also that the charges for the Unscheduled Interchange for the injection by the seller in excess of 120% of the schedule subject to a limit of ex-bus generation corresponding to 105% of the Installed Capacity of the station in a time block or 101% of the installed Capacity over a day shall not exceed the Cap Rate as specified in the Schedule A of these regulations as per the methodology specified in clause (5) of this regulation.*

*Provided also that the Charges for the Unscheduled Interchange for the injection by the seller in excess of ex-bus generation corresponding to 105% of the installed Capacity of the station in a time block or 101% of the Installed Capacity over a day shall not exceed the charges for the Unscheduled Interchange corresponding to grid frequency interval of `below 50.02hz and not below 50.0Hz’.*

*Buyers : Buyer means a person, other than the beneficiary, buying electricity, through a transaction scheduled in accordance with the regulations applicable for short term open access, medium term open access and long term access.*

*Seller : Seller means a person, other than generating station, supplying electricity, through a transaction scheduled in accordance with the regulations applicable for short term open access, medium term open access and long term access.*

9.1.2.4 The applicable charges and payment mechanism would be as under :

|  |  |
| --- | --- |
| Elements of charges | Remarks |
| a) Energy charges to the seller of electricity as per the contract entered into by him; | Consumer/Trader shall directly settle with the seller as based on approved quantum of open access. |
| b) Wheeling charges to the DISCOM in whose area he is located, at the rate fixed in the Tariff Order; | As fixed by DERC vide its order dated 29.08.2008 amended from time to time to be recovered by Distribution Licensees |
| c) Cross subsidy surcharge  | As per Annexure 2 of DERC order dated 29.08.2008. |
| d) Transmission charges to DTL at the rate fixed in the Tariff Order | For the year 2010-11 the transmission tariff payable to DTL for open access transaction is Rs 41.85/MWh as per MYT regulations to be collected by collected by the applicant and paid with application |
| e) Scheduling and system operating charges to SLDC at the rate fixed by the Commission from time-to-time; | Rs. 2000 per day to be collected from applicant directly and paid to SLDC |
| f) UI charges to SLDC at the prevalent rate; | To be collected by SLDC from applicant and to be paid to the UI pool as per UI accounts issued by SLDC. |
| g) Reactive energy charges to the DISCOM of his area at the rate fixed by the Commission from time-to-time; | As per DERC order from time to time. At present the rate is as per IEGC provision  |
| h) Miscellaneous charges in respect of metering and other requirements as necessary under inter-State ABT mechanism | The charges will be borne by the OA Customer. Sharing of the charge would be decided by the licensees involved.  |
| i) Any other charges not mentioned above, but covered by this order; The Clause 21 of the order of DERC dated 29.08.2008 states “The charges decided by this Order would be applicable from the date of issue of the Order and shall remain in force till 31.03.2009 or till it is revised, whichever is later.” The charges payable to PGCIL and other state for using intra state or inter state regional lines payable as per prevailing rules / regulations.  | The customer shall pay directly or settle through the trader and Distribution Licensees |
| j. Additional surcharge  | As per the order dated 29.08.2008 clause 14 (3) stipulates payment of additional surcharge. The relevant extracts are as under :*Payment of additional surcharge has been envisaged in the Electricity Act, 2003 as well as the Tariff Policy only if it is conclusively demonstrated that the assets of a licensee, in terms of existing Power Purchase commitment, has been and continues to be stranded, or there is an un-avoidable obligation and incidence to bear fixed cost consequent to such a contract. In the light of the provisions of the Act and the Tariff Policy, the Commission envisages that the additional surcharge shall be decided by the Commission on a case-to-case basis, by an application filed by the distribution licensees.*The Commission has to decide the component of the surcharge on the application filed by the Distribution Licensee in case to case basis. |

9.1.3 **General Conditions**

9.1.3.1 The Customer should be provided ABT compliant meters for obtaining the Open Access.

9.1.3.2 The intending customer should approach concerned Nodal Agency after fulfilling the with following requirement with documentary proof

9.1.3.3Provision of ABT compliant meter with test report authenticated by STU, concerned Distribution Licensee and the Customer.

9.1.3.3.1 Application fee in fovour of concerned Nodal Agency as mentioned in Clause-10(2) of the DERC Regulations dated 03.01.2006.

9.1.3.3.2 Complete connection details along with Single Line Diagram from Point of Injection to Point of Drawal.

9.1.3.3.3 Sanctioned load of consumer with documentary proof of last paid bill of the connected Distribution Licensee.

9.1.3.3.4 Unconditional consent from Distribution Company / STU (in case of Generator)

9.1.3.3.5 The copy of the Power Purchase Agreement for availing of power indicating point of injection and point of drawal.

9.1.3.3.6 Undertaking by the Customer indicating clearing of payment dues for Open Access transaction.

9.1.3.3.7 The customer should download the energy meter data and transfer the same to SLDC / Distribution Licensee’s control entire for preparation of Energy Accounts.

* + 1. **Commercial Conditions**

9.1.4.1 Terms of payment

9.1.4.1.1 All payments associated with Open Access shall be made by the Applicant to the concerned Nodal Agency / Agency designated for collection.

9.1.4.1.2 The payment shall be made for each application separately. Applicant shall make following payments to the Nodal Agency within three working days from the date of grant of Open Access

9.1.4.1.3 Wheeling Charges to Discoms in whose area he is located, at the rate fixed in the DERC order dated 29.08.2008 for the next month from the date of grant of Open Access. If it is less than one month, the entire amount has to be paid.

9.1.4.1.4 Cross Subsidy Surcharge- If any charges are fixed to be collected by the concerned Discoms.

9.1.4.1.5 Transmission Charges – Payable to STU as per the MYT Regulations for one month and if less than one month entire amount.

9.1.4.1.6 Scheduling & System Operation Charges - @ Rs. 2000/- per day to be paid to SLDC for one. If less than one month, entire amount to be paid.

9.1.4.1.7 Additional Surcharge – to be decided by DERC on case to case basis on th basis of application filed to be settled directly by concerned Distribution Licensee and the OA Customer

**9.1.5 UI and Reactive Energy Settlement.**

9.1.5.1 As far as Generators are concerned, SLDC shall prepare the UI Accounts on the basis of the data provided by the concerned Generator. No adjustment of mismatch with reference to regional UI Accounts and State UI Accounts is applicable in this case.

9.1.5.2 If the Open Access Generator / Customer is embedded in the Distribution network, the related UI Account would be prepared by the SLDC and transferred to the concerned Distribution Licensee for settlement. This is done in view of the fact that the variation of actual drawal / injection by the Open Access customer in the particular area affects the over all drawal / injection of the Distribution Licensee in whose area the customer is situated. As mentioned in the case of Generators, the no mismatch adjustment of UI Amounts is applicable.

9.1.5.3 As per the reactive energy charges are concerned, it is not applicable in the case of Generators. For other customers, SLDC shall intimate the reactive charges as per the IEGC Provisions for settlement directly.

**9.1.6 Open Access Transaction of Energy being generated from renewable energy sources**

9.1.6.1 Scheduling & Energy Accounting of the power to be generated from the Solar Power 9Stations or from any other resources is to be done as per ABT guide lines and frame work of Non-conventional power plants issued by CERC/MNRE. The Clause 86(1) (e) of Electricity Act 2003 also mandates

“

*(e) promote co-generation and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;”*

9.1.6.2 DERC has advised the Distribution Licensees to have atleast 1% RPO (Renewal Power

Obligation) in line with the above statutory provision of the Act. As such, the promotion of the availability of such sources should be done. Keeping in view, following procedure are adopted :-

* + - * 1. In case, non conventional energy sources installed by a distribution utility in other distribution utility’s area, the energy made available in 15 minutes time block would be adjusted as energy availability from the sources to the distribution licensees. The same quantum of energy would be added to the energy from the distribution licensee in whose area, the plants have installed to arrive the drawal of the utility from the Grid. These adjustments would be done on post facto basis.
				2. In case the non conventional sources are installed by the distribution utility in its own area, no adjustment would be done. However, SLDC shall indicate the availability of power from such sources in its monthly accounts once the UI accounts for the entire month are issued
				3. ABT Meters at generation points will be installed by the Distribution utility, installing the Renewable energy sources. The meters shall be jointly tested and sealed by DTL and the utility.
				4. The concerned utility shall download the data from these meters weekly as being done for all other boundary meters and downloaded data will be provided to SLDC.
				5. Provision of CERC Regulations in case of Renewable sources would be dealt.
				6. No transmission losses or transmission charges will be applicable and actual ex-bus generation will be considered as schedule and actual energy after it enters into Delhi periphery

**10 Withdrawal of the Open Access approval**

If the Open Access Customer intends to withdraw, he has to forgo the open access charges on the original Reserved Capacity till the time such capacity is allocated to some other customer (refer remarks 11(1) ) of the Regulation. The Nodal Agency needs to be approached by the customer. The intimation would be given to the concerned Distribution Licensee also by the Applicant.

**11 Payment Security Mechanism**

The `Payment Security Mechanism’ specified hereunder is intended to ensue recovery of applicable payments in case of a payment default and not as a mechanism for regular payment. The Letter of Credit or Bank Guarantee provides security against payment defaults in respect of `Monthly Payment’ to be normally made through bank draft / electronic transfer / cheque.

11.1 When duration of access granted exceeds three months, the user shall either open a irrevocable revolving Letter of Credit (LC), or provide the Bank Guarantee (in the embedded format) SLDC for an amount equivalent to three months average bill including all charges payable by him for grant of open access.

* 1. LC or Bank Guarantee shall be opened in a Bank mutually agreed between user and SLDC

11.3 LC or Bank Guarantee shall be opened within seven (7) days of commencement of open access transaction.

11.4 LC or Bank Guarantee shall be valid for entire duration of the transaction

11.5 LC or Bank Guarantee shall be negotiated by the Nodal Agency on the basis of the `Schedule of Payment’ enclosed with the approval as and when the user fails to remit monthly payment in full by its due date.

11.6 In case LC or Bank Guarantee is not timely negotiated, the responsibility lies with the user and the same shall be treated as `payment default’

11.7 Terms of LC (if it is agreed in place of Bank Guarantee) would be as per the mutually agreed format.

**12 Payment Default**

12.1 In case of payment default, the user shall be liable to pay the outstanding payment in full along with surcharge @ 0.1% per day from the due date of payment to the actual date of payment. The surcharge so received shall be retained by SLDC.

12.2 Also, any new application of such users shall be entertained by SLDC only after receipt of outstanding payment along with surcharge.

12.3 In case a payment made by the applicant through cheque has been dishonoured, the applicant shall immediately pay the amount due by demand draft or electronic transfer and no further cheque payment will be accepted from that user for next three (3) months.

**13 Submission of Applications and Decision on the Open Access Applications**

The application for Open Access would be submitted to the Nodal Agency as per the Procedure mentioned in Clause 10 of the Regulations. The requisite formats are annexed to the Procedure.

**14 Long Term Open Access**

Clause 2(e) of the Regulation dated 03.01.2006 clarifies Nodal Agency for granting Long Term Open Access in Transmission is STU. However, Long Term Open Access is for Distribution Licensees is SLDC. Once application for Long Term Open Access with requisite fee is received by STU or SLDC as the case may be, the same shall be referred to the `Planning Steering Committee. The Committee shall consider the application and in case no system strengthening is required to grant the access, the same shall be granted with thirty days of receipt of the application as mentioned in Clause 10(3) of the Regulations with the condition that all application charges shall be paid by the Open Access Customer.

In case System Strengthening is required to grant the open access as per the system studies the Nodal Agency shall intimate the results of the studies for System Strengthening and cost estimates and completion schedule with in sixty days of the receipt of the application. In case, the System Strengthening is required, the customer has to pay the entire cost in advance to the concerned licensee who has to strengthen the system with the condition to complete the system strengthening work in schedule time.

**15 Condition for allowing the Open Access.**

Before processing the application by the Nodal Agency, the total transfer capacity and available transfer capacity of the Power within Delhi needs to considered. The details are as under :-

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Sr. No. | Name of the Inter connection point | Transmission Element | Capacity in MVA / MW | Transfer Capacity in MW | Available Transfer Capacity in MW | Remarks |
| 1 | Mandola 400kV | 400/220kV 315MVA Tx-I | 315MVA | 280 | 250 | Available capacity is restricted to meet the (N-1) criteria |
| 400/220kV 315MVA Tx-II | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-III | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-IV | 315MVA | 280 | 250 |
| **Total** | **1260** | **1120** | **1000** |
| 2 | Bawana 400kV | 400/220kV 315MVA Tx-I | 315MVA | 280 | 250 | Available capacity is restricted to meet the (N-1) criteria |
| 400/220kV 315MVA Tx-II | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-III | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-IV | 315MVA | 280 | 250 |
| **Total** | **1260** | **1120** | **1000** |
| 3 | Bamnauli 400kV | 400/220kV 315MVA Tx-I | 315MVA | 280 | 250 | Available capacity is restricted to meet the (N-1) criteria |
| 400/220kV 315MVA Tx-II | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-III | 315MVA | 280 | 250 |
| 400/220kV 315MVA Tx-IV | 315MVA | 280 | 250 |
| **Total** | **1260** | **1120** | **1000** |
| 4 | Maharani Bagh 400kV | 400/220kV 315MVA Tx-I | 315MVA | 280 | 150 | Available capacity is computed on the basis on the 220kV Line availability namely Lodhi Road Double ckt, Masjid Moth double ckt, Sarita Vihar single Ckt. And Pragati single ckt. |
| 400/220kV 315MVA Tx-II | 315MVA | 280 | 150 |
| 400/220kV 500MVA Tx-I | 500MVA | 400 | 150 |
| 400/220kV 500MVA Tx-II | 500MVA | 400 | 150 |
| **Total** | **1630** | **1360** | **600** |
| 5 | Mundka 400kV | 400/220kV 315MVA Tx-I | 315MVA | 280 | 0 | No 220kV outlet at present. |
| 400/220kV 315MVA Tx-II | 315MVA | 280 | 0 |
| **Total** | **630MVA** | **560** | **0** |
| 6 | BTPS 220kV  | 220kV Ballabhgarh Ckt-I | 132MW | 132 | 100 | The line capacity is restricted to (N-1) criteria for computing available transfer capacity.  |
| 220kV Ballabhgarh Ckt-II | 132MW | 132 | 100 |
| 220kV Alwar Ckt. | 132MW | -132 | -100 |
| 220kV Noida Ckt. | 132MW | 132 | 100 |
| **Total** | **528MW** | **264** | **200** |
| 7 | Narela 220kV | 220kV Panipat Ckt-I | 100MW | 100 | 75 | The available transfer capacity is restricted due to aged transmission lines. |
| 220kV Panipat Ckt-II | 100MW | 100 | 75 |
| 220kV Panipat Ckt-III | 100MW | 100 | 75 |
| **Total** | **300MW** | **300** | **225** |
| 8 | Rohtak Road 220kV (BBMB) | 66kV Gurgaon Ckt-I | 20MW | -20 | -10 |  |
| 66kV Gurgaon Ckt-II | 20MW | -20 | -10 |
| 33kV Gurgaon Ckt. | 20MW | -20 | -10 |
| 33kV Bahadurgarh Ckt. | 20MW | -20 | -10 |
| Total | 80MW | -80 | -40 |
| 9 | Patparganj 220kV | 220kV Sahibabad Ckt. | 132MW | **132** | **0** | Due to inadequate power available at Moradnagar / Sahibabad, no power is available |
| 10 | Gazipur 220kV | 220kV Noida Sec-62 Ckt. | 132 | **132** | **0** | Due to inadequate power available at Noida, no power is available |
| **Total Capacity** |  | **6028** | **3985** |  |

|  |
| --- |
| Generation Capacity injected at 220kV or below level |
| Sr. No | Station | Capacity in MW | Capacity in MW | Ex-bus Capacity |
| 1 | BTPS | 705 |  | 630 |
| 2 | RPH | 135 | 120 |
| 3 | GT | 270 | 200 |
| 4 | Pragati | 330 | 300 |
| 5 | Rithala | 75 | 50 |
| 6 | Total Capacity  | 1515 | 1300 |
| 7 | Total Demand handling capacity | 7328 | 5285 |
|  |  |  |  |  |  |  |

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Formats for Short-Term |
| **FORMAT - ST1** |
| **APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS** |
|  |  | *( to be sent by customer to* ***Nodal Agency****)* |  |  |
| **To: Nodal Agency** |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 1 | Customer Application No: | *<self generated by Customer>* | Date: |   |
| 2 | Period of Transaction: | ***< 1 month and less than 1month / day-ahead / same day >***  |
| 3 | Name of Customer\* | *< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user >* |
| *<\* In terms of power transfer>* |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 4 | Customer Name |   |
| 5 | Registration Code |   | Valid up to |   |
| *< Registration code shall be as provided by Nodal Agency >* |  |  |  |  |
|   |   |   |   |   |   |   |   |   |
| 6 | Details of Transaction Party's to Grid |
| Name of Entity | Injecting Entity | Drawee Entity |
| Status of Entity\* |   |   |
| Utility in which it Embedded |   |   |
| *<\* In terms of Ownership-State Utility/CPP/IPP/Discom/Consumers/Specify, if any other>* |   |   |
|   |   |   |   |   |   |   |   |   |
| 7 | Details of Transaction Party's to Grid |
|   |   |   |   | Injecting Entity | Drawee Entity |
| Name of Sub-Station | Transmission |   |   |
| Distribution |   |   |
| Status of Entity\* | Transmission |   |   |
| Distribution |   |   |
| Name of Licensee (Owner of S/S) |   |   |
| Intervening intra-State Licensee |   |
| Intervening inter-State Licensee |   |
| *< Distribution licensee if required, may treat interface periphery as its connectivity points >* |   |
|  |  |  |  |  |  |  |  |  |
| 8 | Open Access Sought for (Period from date\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_) |
| Date | Hours | Capacity  |
| From  | To | From | To | MW\* |
|   |   |   |   |   |   |
|   |   |   |   |
| *< MW\* at point of injection>* |   |   |   |   |   |   |
| 9 | Details of PPA/PSA/MoU |
| Name & Address of parties | Date ofPPA/PSA/MoU | Validity Period | CapacityMW\* |
| Seller | Buyer | Commencement | Expiry |
|  |  |  |  |   |  |
|   |   |   |   |   |   |   |
| 10 | Details of Non-Refundable Application Fee Made |
| Bank Details | Instrument Details | Amount(Rs.) |
| Type(Draft/Cash) | Instrument No. | Date |
|   |   |   |   |   |
|  | FORMATE ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page- 1 of 3) |
|  |   |   |   |   |   |   |   |   |
|  |   |   |   |   |   |   |   |   |
|  |   |   |   |   |   |   |   |   |
|  |  |  |  | 17 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| **11** | **I here by authorized Nodal Agency to process said application, in case open access capacity allotted, for day ahead scheduling in accordance with the provision of intra-State ABT** |
|  |  |  |  |  |  |  |  |  |
| **12** | **Declaration** |
| **All Entities/Utilities to transaction shall abide by provisions of the Electricity Act 2003(the Act), SERC (Terms and Conditions for Intra State Open Access) Regulations and any other relevant regulation/order/ code as amended from time to time.** |
|   |   |   |   |   |   |   |   |   |
|  |  |  |  |  |  |  |  |
| Place | : |  |  |  | Signature (With Stamp) |  |  |
| Date | : |  |  |  | Name & Designation |  |  |

Enclosures

1) Non-refundable application fee by Demand draft or cash receipt (if payment by cash).

(2) Self–certified copy of PPA/PSA/MoU entered between the parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal pattern, point(s) of injection and drawal etc.

(3) Self-certified copies of concurrence of STU and/or transmission licensee and/or distribution licensee. (If period of transaction is of three months and more)

(4) If any other.

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

(1) General Manager (Commercial) of transmission licensee involved in transaction.

(2) Concerned officer of distribution licensee involved in transaction

(3) Officer in charge of transmission substation involved in transaction.

(4) Any other concerned

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|   |   |   |   |   |   |   |   |   |
| **For use of SLDC (with Reference to Enrolment of Application)** |
| **SLDC Reference ID No.** |   |
| **Nodal SLDC Approval No.** | *< if approved >* |
| **Or Reason of Refusal\*(If Refused)** |   |
| *<\* Nodal Agency may also enclosed supporting documents for the reasons of refusal duly signed on each page >* |
|  |  |  |  |  |  |  |  |  |
| FORMATE ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page- 2 of 3) |
|   |   |   |   |   |   |   |   |   |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|   |   |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |
| Formats for Short-Term |
| **ACKNOWLEDGEMENT** |
|  |  |  | *(for office use only)* |  |  |  |
|  |  |  |  |  |  |  |  |  |
| **APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS** |
| (A) *< to be filled by the customer >* |  |  |  |  |  |
| 1 | Customer Application No: | *<self generated by Customer>* | Date: |   |
| 2 | Period of Transaction: | ***< 1 month and less than 1month / day-ahead / same day >***  |
| 3 | Name of Customer\* | *< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user >* |
| *<\* In terms of power transfer>* |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 4 | Customer Name |   |
| 5 | Registration Code |   | Valid up to |   |
| *< Registration code shall be as provided by Nodal Agency >* |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| (B) *< to be filled by* ***Nodal Agency*** *>* |  |  |  |  |  |
| **Date and time of Receipt of Application** |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| Place | : |  |  |  | Signature (With Stamp) |  |  |
| Date | : |  |  |  | Name & Designation |  |  |
|  |  |  |  |  |  |  |  |  |
| FORMATE ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page- 3 of 3) |
|  |  |  |  |  |  |  |  |  |
| ------------------X-----------------------X---------------------X----------------------------X----------------------X--------------------- |
|  |  |  |  |  |  |  |  |  |
| **ACKNOWLEDGEMENT** |
| *(to be issued by* ***Nodal Agency*** *to the customer within 24 hours on receipt of application duly filled in)* |
|  |  |  |  |  |  |  |  |  |
| **APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS** |
| (A) *< to be filled by the customer >* |  |  |  |  |  |
| 1 | Customer Application No: | *<self generated by Customer>* | Date: |   |
| 2 | Period of Transaction: | ***< 1 month and less than 1month / day-ahead / same day >***  |
| 3 | Name of Customer\* | *< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user >* |
| *<\* In terms of power transfer>* |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 4 | Customer Name |   |
| 5 | Registration Code |   | Valid up to |   |
| *< Registration code shall be as provided by Nodal Agency >* |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| (B) *< to be filled by* ***Nodal Agency*** *>* |  |  |  |  |  |
| **Date and time of Receipt of Application** |   |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| Place | : |  |  |  | Signature (With Stamp) |  |  |
| Date | : |  |  |  | Name & Designation |  |  |
|  |  |  |  |  |  |  |  |  |
| **N.B:** | **This counterfoil may be scored out and issued to the customer.** |  |  |  |
|  |  |  |  |  |  |  |  |  |
| FORMATE ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page- 3 of 3) |

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| --- |
| FORMATS for Short-TermENCLOSURE to FORMAT- ST2 |
| **SCHEDULE OF PAYMENTS** |
| (to be enclosed for each month by SLDC along with FOMAT–ST2) |
|  |  |  |  |  |  |
|   | Nodal SLDC Approval No. | / (R-0) | Date |   |
| < ‘R-O’ states original approval with revision no. - zero> |
|  |  |  |  |  |  |
| 1  | Customer Application No. | *<as provided by customer on FORMAT-ST1>* | Date |   |
| 2  | Period of Transaction | ***< 1 month and less than 1 month / day-ahead / same day >*** |
| 3  | Nature of Customer\* | *< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >* |
| <\* In terms of power transfer> |
| 4  | Customer Name |   |
| 5  | Registration Code |   | Valid upto |   |
|  |  |  |  |  |  |
| 6  | Tentative\* Monthly Payment Schedule for Short-Term Open Access Charges ( Period: *date* to *date* ) | Month |   |
|   | Payment Chargeable for | Rate (Rs./kWh) | MWh | Total (Rs.) |
| (1) Intra-State Network |   |   |   |
| (a) Transmission Charges |   |   |   |
| concerned Transmission Licensee |   |   |   |
| Intervening intra-State Licensee(if any) |   |   |   |
| (b) Wheeling Charges |   |   |   |
| concerned Distribution Licensee |   |   |   |
| Intervening intra-State Licensee(if any) |   |   |   |
| (c) Surcharge |   |   |   |
| concerned Distribution Licensee |   |   |   |
| (d) Additional Surcharge |   |   |   |
| concerned Distribution Licensee |   |   |   |
| (e) SLDC Charges |   |   |   |
| SLDC |   |   |   |
| (2) Inter-State Network |   |   |   |
| Transmission Charges |   |   |   |
| Intervening inter-State Licensee(if any) |   |   |   |
| Total Monthly Payment Amount (Rs.) |   |
|  |  |  |  |  |  |
| Place  |  |  |  | Signature (with stamp) |
| Date |  |  |  |  Name & Designation |
|  |  |  |  |  |  |
| \* Tentative on the basis of MWh mentioned in application which may due to cancellation or downward revision subject to approval of Nodal Agency. |
|  |  |  |  |  |  |
| FORMAT-ST2: APPROVAL FOR SHORT-TERM OPEN ACCESS (Page -3 of 3) |

|  |
| --- |
| *FORMATS for Short-Term*  |
| FORMAT- ST3  |
| CONGESTION INFORMATION AND INVITATION OF BIDDING |
| *(to be invited by SLDC)* |
| SLDC Bidding Invitation No. \_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
|  |  |  |  |  |  |  |  |
| 1 | Customer Application No. | <as provided by customer on FORMAT-ST1> | Date |   |
| 2 | Period of Transaction | ***< 1 month and less than 1 month / day-ahead / same day >*** |
| 3 | Nature of Customer | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |
| <\* In terms of power transfer> |
| 4 | Customer Name |   |
| 5 | Registration Code |   | Valid upto |   |
|  |  |  |  |  |  |  |  |
| 6. The anticipated congestion (transformer and electric line/link) is as follow:  |
| Network Corridor  | Congestion Period | Margin/ Capacity Available | Total Capacity Applied by all the Customers |
| Sub-station with Transformation Capacity  | Electric Line/Link with Capacity  | Date | Hours |
| From | To | From | To | MW | MW |
| Intra-State Transmission System |   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
| Intra-State Distribution System |   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
| Inter-State Transmission System |   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
|  |  |  |  |  |  |  |  |
| 7. In view of above please submit bid on format [FORMAT-ST4]. The details for bidding are hereunder |
| (a) Bid Invitation Date |   | Time |   |
| (b) Bid Submission Date |   | Time |   |
| (c) Bid Opening Date |   | Time |   |
| (d) Bids Invited for |
| Network Corridor  | Congestion Period | Margin/Capacity Availablefor Bidding | Floor Price |
| Sub-station  | Electric Line/Link with Capacity  | Date | Hours |
| From | To | From | To | MW | Rs./kWh |
| Name of Transmission System |   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
| Name of Distribution System |   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
|  |  |  |  |  |  |  |  |
| 8. In case of non submission of bid, application shall be deemed to have been withdrawn and shall not be processed. |
|  |  |  |  |  |  |  |  |
| Place  |  |  |  |  |  | Signature (with stamp) |
| Date  |  |  |  |  |  | Name & Designation |
| To: Customers with their reference’s < as provided by customers at sl.no. 1 on FORMAT-ST1 > |  |  |  |
|  |  |  |  |  |  |  |  |
| FORMAT-ST3: CONGESTION INFORMATION AND INVITATION OF SNAP BIDS (Page -1 of 1) |
| FORMATS for Short-Term |
| FORMAT- ST4 |
| **BID PROPOSAL** |
| (to be submitted by the customer to NODAL AGENCY) |
| Ref: NODAL AGENCY Bidding Invitation No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  |  |  |  |  |  |  |
| To: **NODAL AGENCY,** |
|  |  |  |  |  |  |  |  |  |
| 1  | Customer Application No. | *<as provided by customer on FORMAT-ST1>* | Date |   |
| 2  | Period of Transaction | ***< 1 month and less than 1 month / day-ahead / same day >*** |
| 3  | Nature of Customer\* | *< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >* |
| <\* In terms of power transfer> |
| 4  | Customer Name |   |
| 5  | Registration Code |   | Valid upto |   |
|  |  |  |  |  |  |  |  |  |
| 6. In reference to above bidding invitation, I hereby submit my bid as follows: |
| Bidding Details as provided by NODAL AGENCY | Bid Priceto be Quoted by Bidder |
| Intra-State Network Corridor | Congestion Period | Margin /CapacityAvailablefor Bidding | FloorPrice |
| Sub-station | Electric Line /Link | Date | Hours |
| From | To | From | To | MW | Paise./kWh | Paise/kWh\* |
| Name of Transmission System |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |
| Name of Distribution System |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |
| < \* Bidder shall quote price (rounded-off to whole number) in denotation of floor price > |
|  |  |  |  |  |  |  |  |  |
| 7. I do hereby agree that determined bid price(s) shall be transmission and/or wheeling charges. |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| Place  |  |  |  |  |  |  | Signature (with stamp) |
| Date |  |  |  |  |  |  |  Name & Designation |
|  |  |  |  |  |  |  |  |  |
| FORMAT-ST4: BID PROPOSAL (Page -1 of 1) |

**FORMAT FOR THE UNCONDITIONAL AND IRRECOVABLE BANK GURANTEE FOR BILATERAL TRANSACTION / COLLECTIVE TRANSACTION**

*(To be stamped on Rs.100/- non judicial stamp paper)*

Whereas M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*Name of the Intra State Company),* a Company registered under the Companies Act, 1956 and having Registered Office at \_\_\_\_\_\_\_\_*(Address)*, hereinafter called the `Intra State Company’ submitted open access application for intending bilateral transaction / collective transaction, inter alia for sale / trade of power of \_\_\_MW on short term basis to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*Name of Trader / Buyer)* through Inter State / Intra State Open Access as per applicable relevant regulation issued by appropriate Regulatory Commission and procedure devised by the State Transmission Utility, Delhi Transco Ltd for Short Term Open Access in intra State network in the State of Delhi (*Name of State)* in the condition which inter alia are subject matter of the application of short term transaction herein referred, agrees to furnish this Bank Guarantee for an amount of Rs. \_\_\_\_\_\_\_*(in figures)* Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(i*n words)* equivalent to seven days billing for scheduled energy either receivable or payable determined based on quantum of sale / trade intend to scheduled through this open access transaction at rate of 105% of maximum unscheduled interchange rate applicable and equivalent to seven days of a week.

We, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*Name of the Bank)* Bank, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*Branch, City)* Branch hereinafter called `The Bank’ in consideration of the premises, do hereby agrees unequivocally, irrevocably and unconditionally to pay the State Load Dispatch Center or concerned Distribution Licensees from the customer as the case may be or (the Distribution consumer), the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Forthwith on demand in writing from procurer or any officer authorized by it in this behalf at any time upto \_\_\_\_\_\_\_\_\_\_\_\_\_ *(date up to Open Access transaction + two additional months),* any amount upto and not exceeding Rupees \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(in words)* only as may be claimed by State Load Dispatch Center, Delhi by way of failure of the Open Access Customer to pay any charges within stipulated time limit towards obligation laid down under Short Term Open Access approval granted.

It is hereby agreed and acknowledge that the decision of the State Load Dispatch Center or (the Distribution company), the Generating company as the case may be, as to whether any money is payable by the Open Access Customer or whether the Open Access Customer has made any such default of defaults as aforesaid and the amount or amounts to which the State Load Dispatch Center is entitled to by reason thereof will be binding on the Bank and the Bank shall not be entitled to ask the State Load Dispatch Center to establish its claim or claims under this Guarantee or to claim any such amount from the company in the first instance but shall pay the same to the State Load Dispatch Centre of Delhi forthwith on demand without any demur, reservation, recourse, contest or protest and / or without any reference to the intrastate company. Any such demand made by the State Load Dispatch Center on the Bank shall be conclusive and binding notwithstanding any difference between the State Load Dispatch Center and the Intrastate company or bank and Intrastate Company or pay dispute pending before any Court, Tribunal, Arbitrator or any other authority.

The Bank further undertake not to revoke this Guarantee during its currency except with the previous consent of the State Load Dispatch Center of Delhi in writing and this Guarantee shall continue to be enforceable till the aforesaid date of its expiry or the last date of the extended period agreed upon as the case may be unless during the currency of the Guarantee all the dues of the State Load Dispatch Center under or by virtue of Open Access approval granted by SLDC of the letter of approval and subsequent accounting statement issued to intrastate company have been duly paid and its claims satisfied or discharge or the State Load Dispatch Center of Delhi certifies that the terms and conditions of said letter of open access approval and subsequent accounting statement issued by State Load Dispatch Center have been fully carried out by the intrastate company and accordingly discharged the Guarantee.

Subject to the maximum limit of the Bank’s liability as aforesaid, this Guarantee shall cover all claim or claims of the State Load Dispatch Center against the Intrastate company from time to time arising out or under condition stipulated under the said letter of Short Term Open Access approval and Charges payable in exercise of said approval of Short Tem Open Access and in respect of which the State Load Dispatch Center Delhi demand or notice in writing be served on the Bank before the date of expire of this Guarantee mentioned above or of further extended period agreed upon, as the case may be.

The Guarantee shall not be affected by any change in the constitution of the said Intrastate Company in any manner by reason or merger, amalgamation, restructuring or any extension or forbearance to the Intrastate Company or any other change in the constitution of the Guarantor and the Bank will ensure for and be available to and guarantee enforceable by the State Load Dispatch Center of Delhi.

The Guarantee shall be a primary obligation of the Guarantor Bank and accordingly procurer shall not be obliged before enforcing this bank guarantee to take any action in any court or arbitral proceedings against the Intrastate Company, to make any claim against or any demand on the Intrastate Company or to give notice to the Intrastate Company to enforce any security held by the procurer or to exercise, levy or enforce any distress, diligence or other process against the Intrastate Company. The bank guarantee shall be interpreted in accordance with the laws of India and settlement of any dispute arisen between the parties shall be subjected to the legal jurisdiction of Delhi.

And whereas in case violation of the terms of the Bank Guarantee, penalty will be levied on the claimed amount as per the bank’s penalty rates. It will not be opened to the Intrastate Company to challenge the said clause on any ground whatsoever including formation of opinion but default as to the amount guarantee or part thereof remaining payable under the contract and such opinion of State Load Dispatch Center of Delhi shall be final and binding thereof for the purpose of invocations of this Bank Guarantee.

Notwithstanding anything contained herein:-

1 Our liability under this Bank Guarantee shall not exceed Rs.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*(In Figures)* (Rupees \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) (*in words)*

*2* This Bank Guarantee shall be valid till \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*date to be inserted as per approval of Open Access transaction allowed by SLDC with an additional claim period of 60days thereafter).*

3 We are liable to pay the guaranteed amount or any part thereof under this Bank Guarantee only if procurer serve upon us a written claim or demand on or before \_\_\_\_\_\_\_\_\_\_\_

The Bank has power to issue this Bank Guarantee under the statute and the undersigned has full power to sign this Guarantee on behalf o Bank.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Power of Attorney No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of bank)

Witness (two authorized officers of the Bank with name, designation and employee number)

1 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Annexure-2**

**STUDY TOUR REPORT ON INTRA-STATE OPEN**

 **ACCESS IN GUJRAT,HARYANA &PUNJAB**

 **GUJRAT, SLDC**

 **(FROM 02/06/11 TO 04/06/11)**

 **HARYANA**

 **OPEN ACCESS WING (COMML. DEPT)**

 **( ON 09/06/11)**

 **PUNJAB, SLDC**

 **(ON 10/06/11)**

**BY**

 **DEEPAK SHARMA**

 **ASSTT. MANAGER (T), SLDC,DELHI**

**Ashok kumar Rathore Darshan Singh**

**Manager(SO) Manager(SO)**

**Purpose of Study Tour**

The purpose of the study tour was :

To share experiences on Intra state Open Access processes with regard to a different type of customers for example IPP , CPP seller & industrial, commercial enterprises & bulk customer buyer of 1 MW & above power through Intra-state Open Access (as per CERC) & to implement the same in the stat of Delhi.

To learn the procedure to grant the Intra state Open Access for the above said purpose.

To share experiences/challenges and review the problems during the above said purpose.

The role of SLDC, STU, Distribution licensees (ALDC), regulators & Open access customer in implementation of the above said purpose.

To learn from the existing Intra state Open access in Gujrat & to enhance the opportunity to implement the same in Delhi.

Observation

**State generation/Load/Distribution Licensees**

 ALL FIGURES ARE IN MW

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| STATE OWN GEN | 3000 | 3230 | 3615 |
| IPP | 2200(appox) |  | 50(appox) |
| CPP | 1300(appox) | 25 (appox) | 30(appox) |
| WIND/RE SOURCE | 1147(appox) | - | 6(appox) |
| C.S. ALLOCATION | 2755 | 3000(appox) | 3121 |
| LOAD | 10000(appox) | 5600(appox) | 7400(appox) |

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| No of Intra state OA customer | appox 50 | appox 30 | appox 270 |
| Transaction in MWs through Intra state open access buyer customer  | 133 MWs | 30 MWs | 1208 MWs |
| Transaction in MWs through Intra state open access Seller customer | 1990 MWs | 220 MWs | 4 MWs |
| Voltage Level of Intra State OA | 66 kV & above | 66 kV & above | 11 kV & above |
| Duration of Hrs applied/approved  | On Hourly basis | On Hourly basis | On Hourly basis |

**Details of Charges/Losses & other important terms regarding Intra State Open Access of Gujrat, Haryana & Punjab SLDC.**

**1)Tr .Charges :-**

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| STU Charges | 680 Rs/MW/day | 280Rs/MWH | 254Rs/MWH |
| Wheeling charges for Distribution Licensees | 13.48 paisa/unit | Clubbed with STU | Clubbed with STU |

**2) Tr. Losses:-**

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| STU  | 4.6% | 2.1% | 5% |
| Wheeling losses for Distribution Licensees | 10.01% upto 66 kV | 6% upto 66 kV | 5.7% upto 66 kV & 9.5% below 66 kV |

**3)Reactive Energy Charges :-**

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| Reactive Energy Charges  | 10 paisa/kvarh\* | Nil |  10 paisa/kvarh\*\* |

\*(In respect of open access customers of load less than 4 MW, reactive energy charges shall be calculated on Power Factor basis as specified by the Commission)

\*\* (In respect of open access costumer who are selling

**4)Cross Subsidy Charges :-**

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| Cross subsidy Charges for Distribution Licensees | 51 paisa/kwh\* | 58 paisa/kwh |  Wave off |

\* (Provided also that such cross subsidy surcharge shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use)

**5)Additional Surcharge :-** To meet out the fixed cost of Distribution Licensees arising out of his obligation. At present no one state regulator have driven out any additional Surcharge

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

**6)Standby charges :-** In cases of outages of generator supplying to open access customer under open access, standby arrangements should be provided by the distribution licensee for a maximum period of 42 days in a year, subject to the load shedding as is applicable to the embedded consumer of the licensee and the licensee shall be entitled to collect tariff under Temporary rate of charge for that category of consumer in the prevailing rate schedule. At present no one state regulator have driven **out any Standby charge**

**7)Imbalance Charges :-** In case of deviation by Open Access Customer who is also a consumer of distribution licensee, the difference between the applicable scheduled open access load and actual drawl shall be accounted Block wise and shall be settled in accordance with the following manner :

 The energy consumption of such customer shall be recorded in 15 minutes time block.

 In case of actual energy drawl is more than the scheduled energy drawl but within the contracted demand, customer shall be liable to pay for such over drawl at the applicable tariff rates as determined by the Commission time to time.

 In case of actual energy drawl is more than the scheduled energy drawl and also more than the contracted demand, payment for the capacity above the contract demand shall have to be made at the penal rate as specified by the Commission for such categories of customers in the tariff schedule.

 Provided that in case of under drawl as a result of non-availability of the distribution system or unscheduled load shedding, the open access customers shall be compensated by the distribution licensee at the rate of compensation notified by the Commission under standard of performance regulations for relevant category of consumers.

**8)SLDC Operation Charges :-** 2000 Rs/day

**9)Application Charges :-**

|  |  |  |  |
| --- | --- | --- | --- |
| DETAILS | GUJRAT | HARYANA | PUNJAB |
| Application charges  | 5000 Rs/application\* | 5000 Rs/application  | 10000 Rs/application |

\*Rs 2000/ from the applicant when both within the same Distribution Licensees for Gujrat

**Scheduling & metering**

1)intra-State open access transactions in respect of consumers of load 4 MW and above and all generating stations irrespective of the capacity scheduled by SLDC Gujrat in accordance with the orders of the Commission in this regard.

2)There is no scheduling required in respect of open access customer having load of less than 4 MW by SDLC Gujrat.

Provided that the generating station trader/other distribution licensee from which such consumer has contracted power shall be subjected to scheduling requirements in accordance with the orders of the Commission in this regard.

3)In case of open access customer having load of 4 MW and above and all generating stations irrespective of capacity, ABT compliant Special Energy Meters shall be installed by the State Transmission Utility or the distribution licensee as the case may be, for and at the cost of the customer in Gurat.

 (4) Special Energy Meters shall be open for inspection by any person authorized by the State Transmission Utility or the State Load Despatch Centre.

(5) As regards open access customers having load less than 4 MW, the meter shall be installed by the distribution licensee concerned.

## Payment default

i. In case of payment default, the user shall be liable to pay the outstanding payment in full along with surcharge @0.1% per day from the due date of payment to the actual date of payment. The surcharge so received shall be retained by SLDC.

ii. Also, any new application of such users shall be entertained by SLDC only after receipt of outstanding payment along with surcharge.

iii. In case a payment made by the applicant through cheque has been dishonored, the applicant shall immediately pay the amount due by demand draft or electronic transfer and no further cheque payment will be accepted from that user for next three (3) months.

## Disbursal of payment

i. SLDC will reconcile the short-term open-access charges collected during the previous month and disburse the same to STU/distribution licensee within 10 (ten) working days of the current month.

ii. In case of refund due to curtailment or surrender of capacity by any open-access user becomes due during the previous month, the same shall also be disbursed to the concerned short-term open-access user within 10 (ten) working day period of the current month by SLDC.

iii. SLDC does not have any responsibility towards non-payment as well as dishonoring of cheques submitted by the applicants. SLDC will only disburse the amount actually being remitted.

**Payment of security mechanism**

To ensure recovery of applicable payments in case of a payment default and not as a mechanism for regular payment. The Letter of Credit provides security against payment defaults in respect of “Monthly Payment” to be normally made through bank draft/electronic transfer/cheque as here under.

i. When duration of access granted exceeds three months, the user shall either open a irrevocable revolving Letter of Credit (LC), or maintain cash security deposit with SLDC for an amount equivalent to three months average bill including all charges payable by him for grant of open access.

ii. LC shall be opened in a Bank mutually agreed between user and SLDC.

iii. LC shall be opened within seven (7) days of commencement of open-access transaction.

iv. LC shall be valid for entire duration of the transaction.

v. LC shall be negotiated by SLDC on the basis of the “Schedule of Payment” enclosed with the approval as and when the user fails to remit monthly payment in full by its due date.

vi. In case LC is not timely negotiated, the responsibility lies with the user and the same shall be treated as “payment default”

**General provisions during processing of Intra-State Open Access Customer adopted by different state SLDCs**

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

 2)In respect of a consumer connected to a distribution system seeking Open access, such consumer shall be required to submit the unconditional consent of the distribution licensee concerned. The distribution licensee shall convey its consent to the applicant by e-mail or fax or by any other usually recognized mode of communication, within three (3) working days of receipt of the application. While processing the application from a generating station seeking consent for open access, the distribution licensee shall verify the following, namely-

(i) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force,

(ii) Availability of capacity in the distribution network, and.

(iii) Availability of RTU and communication facility to transmit real- time data to SLDC.

3)Any amendment/modification to an existing application except those specifically mentioned in the procedure, shall be treated as a fresh application

4)All costs/expenses/charges associated with Bank draft/Letter of Credit shall be borne by the applicant/user

5)Report to regulator on monthly basis regarding pending application of Intra State OA with reason their of.

**6) Intra state STOA customer connected presently at 66 Kv or above are granted OA by SLDC, Gujrat . it starts to grant OA up to 11 KV as & when amended procedure for Intra-State OA customer up to 11KV is being finalized**.

7) Only for Seller(generator) of Intra State OA, UI is calculated by SLDC, Gujrat, for Buyer of Intra-State OA ,its schedule/drawl clubbed with concerned Discom.

8) No UI capping for seller(generator) of Intra State OA to encourage the generation with in the state(Gujrat) .

9) No UI charges for Over Draw by buyer of Intra State OA customer of Punjab. The OD quantum Charges above the schedule is recovered by concerned ALDC.

10) The Under draw is capped @403 ps/unit irrespective of frequency above 49.7 HZ to avoid gamming by Intra state OA customer of Punjab, whereas in Haryana no UI charges are paid for UD by Intra State OA customer of Haryana.

11) On the same dedicated feeder either sale or Purchase in a day Intra state OA granted.

12) Only customer have dedicated feeder are allowed to get Intra state OA except OA customer who is agree to bear the power regulatory measure (PRM) in case of non dedicated feeder in Punjab.

13) Only 90% of the contracted demand is being allowed to avail the Intra State OA in Punjab.

14) Intra state ABT is not fully implemented in Haryana & Punjab except Gujrat.

15) Gujrat have Four discom ( erstwhile GEB ) and Five distribution licensee ( AECo, SECO,TEL-SEZ Dehaj,MPSEZ UPL, Mundra and KPTL)& all are covered under Intra state ABT as such its very much similar to Delhi modal.

Conclusion

The study tour provided an excellent opportunity to observe the Intra State Open Access Procedure in Gujrat, Punjab & Haryana as well as with different focus areas allowed for very broad discussion with the host . Not only was it related to the subject but from the perspective of learning about challenges faced in implementing of this procedure. The study tour had an opportunity to learn about areas of the Intra State OA in different states to which they would otherwise have not been exposed.

Perhaps the most difficult part of the tour was to gain an understanding of the scale of

the difficulties of STOA of Intra State customer. It was easy to read numbers on a page and envisage the size, but to talk to people working in the SLDCs the numbers of people it takes to run the systems, the number of customers for each system and to see the assets—only then did the real situation become understandable.

There were some very interesting observations made and probably the most notable is that the efficiency with which SLDCs was running Intra-State OA in comparison to other States.

As condition in Delhi very similar to Gujrat, so SLDC, Gujrat can be taken as a role model to implement the Intra State OA by Delhi.

As such, the report here by submitted for further necessary action by competent authority