



दिल्ली ट्रांस्को लिमिटेड DELHI TRANSCO LIMITED

पंजीकृत कार्यालय : शक्ति सदन, कोटला रोड, न्यू दिल्ली-110002

(Regd. Office Shakti Sadan, Kotla Road, New Delhi-110002)

Office of Manager (Energy Accounting)

एस एन डी सी बिल्डिंग, मंटो रोड, न्यू दिल्ली-110002

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No. F./DTL/207/16-17/Mgr(EA)/SLDC/374

Dated : 28.10.2016

Subject : Minutes of the Meeting held in SLDC on 18.10.2016 at 03:00 p.m. for resolution of the issues related to Intrastate Short Term Open Access(ISOA).

Sir,

The minutes of the meeting held in SLDC conference Room at 3.00 PM for resolution of the issues related to Intra State Open Access(in line with Regulation no 16 of Intra-State Regulations dated 03.01.2006) are enclosed for ready reference and further necessary action please.

Encl:- As above

Yours Faithfully,

(S.P. Routray)

Manager (Energy accounting), SLDC

List of Addressees

To

1. Sh. Sanjay Shrivastav, AVP, BRPL
2. Sh. Naveen Chandra, Nodal Officer(Open Access), BRPL
3. Sh. P.K.Verma, Head of Corporate affair, Lodhi property
4. Sh. Ajay Gupta, Vice president, DLF Ltd.
5. Sh. S. Gupta,,Director Finace, Wave Hospitality
6. Sh. Govind Kumar, GMR Energy
7. Sh. R.N. Juyal, Manager, CHL, Surya Hotel
8. Sh. Ishmeet Singh, Dy. Chief Engg., Bird Hospitality

Copy for favour of Kind information to:-

1. Secretary, DERC
2. Director (Oprn), DTL
3. GM(T) (SLDC)
4. ED(Engg), DERC
5. Addl. Secretary (Power) GNCTD
6. CEO, BRPL
7. DGM(SO),SLDC

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Subject : Minutes of the Meeting held in SLDC on 18.10.2016 at 03:00 p.m. for resolution of the issues related to Intrastate Short Term Open Access.

GM, SLDC welcomed all the participants.

- 1 Some Open Access Consumers of BRPL represented their grievances to SLDC through numerous correspondences.
- 2 Main issue raised by the consumers is that BRPL charges the Wheeling Charges based on the quantum of the Open Access applied whereas as per the order of DERC dated 18.05.2015, these should be based on the quantum cleared by Nodal Agency. Based on the issue, SLDC requested BRPL on 23.08.2016 to rectify the Wheeling Charges based on quantum cleared by Nodal Agency.
- 3 Simultaneously, Open access consumers and BRPL represented their grievances to DERC with reference to Wheeling Charges. DERC vide letter dated 29.08.2016 advised SLDC to look into the matter and take necessary actions as per provisions of Open Access Regulations / Orders on Open Access, under intimation to the Commission.
- 4 Accordingly, the meeting was necessitated to resolve open access related issues. As issues were not getting settled between the open access consumers and the DISCOM, it was felt necessary to invoke **Regulation no 16** of Intra-State Regulations dated 03.01.2006. For clarity the said Regulation is reiterated here under.

16. Dispute Regulation:

- (1) The complaints regarding all grievances and disputes relating to open access shall be made to the State Transmission utility or state Load Dispatch Center, as the case may be, which may investigate and endeavor to resolve the grievance amicably.*
 - (2) If State Transmission utility or State Load Dispatch Center is unable to redress the grievances or complaint or dispute, the matter may be referred to the Commission, by the State Transmission utility or state Load Dispatch Center as the case may be, for adjudication.*
- 5 The list of the participants is enclosed as Annexure.

6 The gist of the discussions and decisions are as under:-

Issues

- i) **Discrepancies in wheeling charges in open access bills, it has been brought to the notice of SLDC that, BRPL is charging wheeling charges on the quantum approved in format 5-A in place of quantum approved by concerned nodal agency in Format -II (For bilateral transactions) / PX-I (for Power Exchange transactions) which is in deviation of DERC order dated 18.05.2015.**

Open Access Customer's View:

Representative of M/S DLF Ltd, Sh Ajay Gupta submitted that DERC vide its order dated 18.05.2015 on the matter of "Determination of Transmission and Wheeling Charges, Cross Subsidy Surcharge under Short Term Open Access" under sub clause V of clause 4 stipulates the following:

"The transmission charges, wheeling charges, additional surcharge and cross subsidy surcharge shall be levied on Open Access quantum cleared by the Nodal Agency."

On the contrary BRPL levies the charges on the total applied quantum for open access transactions (Format 5-b).

They further mentioned that the principal regulation of 2005 only speaks about bilateral transactions where the Open access scheduled energy is fixed. As such, it is not applicable for power through Power Exchanges as Power Exchanges were not in existence at the time of issuance of said Regulations. After the concept of Energy Exchange, which the Govt. of India is promoting for economical use of electricity, the Hon'ble Commission vide its order dated 24.12.2013, has provided for Wheeling charges on the Scheduled Energy cleared by concerned Nodal Agency.

As per DERC order dated 24.12.2013 clause 15 (for clarity the said order is reproduced as under) the order needs to be read in conjunction with the Principal Regulations and not in contravention.

"This order shall be read in conjunction with the Delhi Electricity Regulatory Commission (terms and conditions for Open Access) Regulations, 2005 or as amended and as per the procedures drawn by STU for operationlization of Open Access in Delhi"

The same concept is already in force in various states like Maharashtra, Haryana, Punjab and other Discoms of Delhi. It is also noteworthy to mention that, BRPL has never appealed against the order. BRPL has already accepted the Additional Surcharge, BG Calculation etc. which is heavily loaded in its favour and selectively not implementing the order in toto. He requested that BRPL should charge as per DERC orders and if BRPL wants any clarification then they should approach DERC.

Representative of M/S Lodhi Property Pvt. Ltd., Sh P K Verma submitted that

Due to wrong charging in the open access bills to them, financial burden has increased on the company. BRPL has raised five open access bills to M/S Lodhi on wrong wheeling charges. He requested that until clear-cut directions are specified by DERC in this regard, BRPL should charge as per DERC order.

DISCOM's view

BRPL stated that Wheeling Charges are levied on the basis of DERC Open Access Regulations 2005. They quoted the relevant regulation in this regard as under:

11. Non-Utilisation of open access capacity:

- 1. In the event of inability of the short term open access customer to utilize, continuously for more than four hours, on any day, full or substantial part of the capacity allocated to him, such a short term open access customer shall inform the respective state load dispatch centre of his inability to utilise the capacity allocated to him. However, such short term open access customer shall bear full transmission and/ or wheeling charges based on the original reserved capacity till the time such capacity is allotted to some other customer.*

Complainant's contention that such charges have to be in accordance with the order dated 24.12.2013 & 18.05.2015 is incorrect. BRPL insisted that in case of any difference between DERC order and DERC regulation, the regulations of DERC will supersede and will prevail. BRPL mentioned that some of the open access consumers (M/s Vodafone Mobile Services Ltd, M/s Lodhi Property Company Ltd. & M/s Pacific Development Corporation) selectively opt for procuring the power and violated the term & conditions of Open Access clause no 2.2 of DERC order dated 24.12.2013 on Open Access which is reiterated below:

“1.2.....

The Consumer should ensure that the application for Open Access for whole day and minimum period of one day.”

Due to these persistent violations as some of the consumers selectively purchase power from power exchanges in contradiction to the above orders of DERC, they justified their levy of charges on total Open Access capacity and simultaneously requested SLDC, to cancel the open access approvals.

SLDC view

Both the consumers have brought out discrepancy in the billing of wheeling charges which is not in line with the DERC regulations/Orders i.e. BRPL is levying the wheeling charges on full quantum of open access applied instead of the open access quantum cleared by the Nodal Agency.

The relevant portions of the orders are reproduced as under:

Clause 11 A DERC order dated 24.12.2013

Transmission and wheeling charges shall be leviable as determined by DERC. The charges will be levied on the quantum in MWH cleared by the concerned SLDC for bilateral transactions and National Load Dispatch Centre (NLDC) in case of collective transactions. Provided that when the capacity has been reserved consequent to bidding, the Open Access charges will be taken as determined through bidding.

Clause 4, V DERC order dated 18.05.2015

The transmission charges, Wheeling charges, Additional Surcharge & Cross Subsidy Surcharge shall be levied on open access quantum cleared by the nodal agency

In the meeting SLDC tried to settle the matter amicably (in line with its earlier stand in letter dated 23.08.2016) and requested BRPL to levy wheeling charges on open access quantum cleared by nodal agency and rectify the bills accordingly, to which BRPL did not agreed upon.

Since Parties could not reach the consensus it was decided to refer the matter to the Commission to resolve the matter as per clause 16(2) of DERC regulations 2005.

ii) Delay in issuance of consent in format 5(a) for the various applications pending at BRPL

SLDC has received various references from consumers who have applied for STOA NOC that BRPL is not issuing the consent in Format 5(a) within the DERC timelines The matter was discussed in detail & the position emerged out as under :-

S.N.	Issue	View of BRPL	Gist of Discussion
1	M/s CHL Ltd Hotel ,The Surya stated that they have applied for STOA NOC on 03.08.2016 but did not receive consent from BRPL. This has resulted in a skewed situation that they are not able to have a choice as contemplated in Electricity Act 2003 hence denying there right given by the constitution. They requested to issue NOC without any further delay & honor the prescribed DERC regulations/Orders & Electricity Act 2003.	BRPL stated that they are processing the applications & delay is due to processing of such applications through various inter-departments	SLDC emphasised that STOA NOC should be issued as per DERC timelines i.e. 12 working days after the receipt of Application from SLDC. It was also clarified that SLDC forwarded the application through email on same day of receipt followed by post. As per DERC order the application can also be forwarded through electronic media. SLDC advised BRPL to process current pending applications within end of this month i.e. up to 31.10.2016. Regarding future applications, SLDC advised BRPL to strictly follow the DERC timelines & in case of any issue involved with any application. BRPL should report the same to applicants & SLDC within 12 working days.
2	M/s Wave Hospitality Pvt Ltd stated that they have applied on 01.09.2016 for STOA NOC but same has not been received till date even after lapse of 30 working days.	-do-	-do-
3	M/s Amazon Textile Pvt. Ltd also conveyed the point of delay in NOC/consent to them by BRPL. The application was received in SLDC on 23.09.16.	-do-	-do-

S.N.	Issue	View of BRPL	Gist of Discussion
4	<p>M/s Bird Hospitality Pvt Ltd. stated that BRPL is delaying the consent for STOA NOC by raising the net metering issue. He submitted that they have applied for NOC to BRPL to connect the ON-GRID Power Plant of 60 KWp against their Sanctioned load of 1.1MW and base load of 0.3 MW(300 KW) which has remote possibility of exporting any units of electricity to BRPL. They said that BRPL officials also called them up for a meeting to sort out the issue. After the meeting, they were made to understand that, BRPL is not interested in giving the NOC of Short Term Open Access. The curious reason cited was that they are being supplied electricity with a net meter for solar plant capacity of 60 KW for which no energy has been exported to BRPL so far, as their base load itself is 300 KW. M/s Bird submitted that they now wants to remove the net meter & replace such with an ABT meter as per metering requirements of open access. Their application for OA is for 1.06 MW submitted on 10.08.16.</p>	<p>Since the consumer has come in the ambit of Net Metering, the Open Access Transaction & net Metering Transaction may complicate the accounting settlement. The matter needs further deliberation at commission level so that common approach can be adopted for all such type of Consumers.</p>	<p>SLDC was of the view that such solar plant capacity is very less in compare to consumer's base load & requested BRPL to accept the application in view of M/s Birds clarification and issue the open access consent be issued without further delay.</p>
5	<p>M/s GMR Energy Trading Ltd the applicant on behalf of DIAL stated that BRPL is delaying the consent for STOA NOC by raising the issue of Main and Check meter shall have facility to communicate their reading/date to the state load dispatch Centre (SLDC) on real time basis, Confirm the availability of RTC control room & clarification from STU that during year, is there any transmission constraint. They were informed that after receipt of clarification application will be processed. They apply Open Access for 5 MW on 08.08.16.</p>	<p>The Open access Application would be processed after getting clarification from Consumer with regard to real time data facilities as well as from SLDC with regard to transmission constraints</p>	<p>GMR representative clarified that Real time communication facility has been mandated if open access by a consumer is sought for 10 MW and above hence same is not required in this case as DIAL has sought open access for only 5 MW. Further DIAL is ready to provide details of RTC control room. SLDC has also agreed with the views of the consumer that real time communication facility is required for an open access consumers if open access is sought for 10 MW or above whereas in this case, it is only 5MW. With regard to Transmission constraints it was clarified that Since the consumer has requested open access for quantum of 5 MW which is within its contracted demand, there is no question of any transmission constraint in transmission / distribution corridor. Hence SLDC advised BRPL to issue the open access consent without further delay.</p>

SLDC advised BRPL to adhere to DERC regulations / orders with regard to processing of the applications of Open Access consumers and approval.

iii) Issue of selective slot power purchase by some of the Open Access customers.

During the meeting, BRPL showed the behavior of power purchase by some of the Open Access Consumers namely M/s Lodhi Property, M/s Vodafone & M/s DLF through Power Exchange where in the out of 96 fifteen minutes time slots in a day, the power purchase through Power Exchange was only in some slots. It also viewed that such practices of Open Access Consumers should be treated as 'Gaming' as per terms and conditions of the Open Access Regulations of the Commission. They referred the relevant regulations in this regard as under :-

Clause 2.2 of DERC order dated 24.12.2013

1.2 The consumer should ensure that the application for open access for whole day and minimum period of one day.

This consumer neither intimated about the drawal of power from BRPL nor restricted their drawal from BRPL during the slot when power was not purchased through Open Access. These types of attitudes results burden on other consumers of BRPL which is not envisaged in the concept of Open Access as per Electricity Act.

They further informed that due to the Open access the other Consumers should not suffer either due to violation of Grid Discipline or in Commercial terms. It also feared that if such behavior of Group of Consumers draw power from BRPL would lead to violation of Grid Code resulting over drawal and load shedding affecting other consumers. The relevant provisions of Grid Code were also quoted as under

5.4.2 Demand Disconnection

- (a) SLDC/ SEB/distribution licensee and bulk consumer shall initiate action to restrict the drawal of its control area ,from the grid, within the net drawal schedule whenever the system frequency falls to 49.7 Hz
- (b) The SLDC/ SEB/distribution licensee and bulk consumer shall ensure that requisite load shedding is carried out in its control area so that there is no overdrawl when frequency is 49.5 Hz. or below.
- (c) Each User/STU/SLDC shall formulate contingency procedures and make arrangements that will enable demand disconnection to take place, as instructed by the RLDC/SLDC, under normal and/or contingent conditions. These contingency procedures and 40 arrangements shall regularly be / updated by User/STU and monitored by RLDC/SLDC. RLDC/SLDC may direct any User/STU to modify the above procedures/arrangement, if required, in the interest of grid security and the concerned User/STU shall abide by these directions.
- (d) The SLDC through respective State Electricity Boards/Distribution Licensees shall also formulate and implement state-of-the-art demand management schemes for automatic demand management like rotational load shedding, demand response (which may include lower tariff for interruptible loads) etc. before 01.01.2011, to reduce overdrawl in order to comply para 5.4.2 (a) and (b) . A Report detailing the scheme and periodic reports on progress of implementation of the schemes shall be sent to the Central Commission by the concerned SLDC.

- e) In order to maintain the frequency within the stipulated band and maintaining the network security, the interruptible loads shall be arranged in four groups of loads, for scheduled power cuts/load shedding, loads for unscheduled load shedding, loads to be shed through under frequency relays/ df/dt relays and loads to be shed under any System Protection Scheme identified at the RPC level. These loads shall be grouped in such a manner , that there is no overlapping between different Groups of loads. In case of certain contingencies and/or threat to system security, the RLDC may direct any SLDC/ SEB/distribution licensee or bulk consumer connected to the ISTS to decrease drawal of its control area by a certain quantum. Such directions shall immediately be acted upon . SLDC shall send compliance report immediately after compliance of these directions to RLDC.
- f) To comply with the direction of RLDC, SLDC may direct any SEB/ distribution licensee/bulk consumer connected to the STU to curtail drawal from grid. SLDC shall monitor the action taken by the concerned entity and ensure the reduction of drawal from the grid as directed by RLDC.
- g) RLDCs shall devise standard, instantaneous, message formats in order to give directions in case of contingencies and /or threat to the system security to reduce overdrawl by the bulk consumer , SLDC/ State at different overdrawal conditions depending upon the severity of the overdrawal. The concerned SLDC shall ensure immediate compliance with these directions of RLDC and send a compliance report to the concerned RLDC.
- h) All Users, SLDC/ SEB/distribution licensee or bulk consumer shall comply with direction of RLDC/SLDC and carry out requisite load shedding or backing down of generation in case of congestion in transmission system to ensure safety and reliability of the system. The procedure for application of measures to relieve congestion in real time as well as provisions of withdrawl of congestion shall be in accordance with Central Electricity Regulatory Commission (Measures to relieve congestion in real time operation) Regulations, 2009. 41
- i) The measures taken by the User's, SLDC SEB/distribution licensee or bulk consumer shall not be withdrawn as long as the frequency remains at a level lower than the limits specified in para 5.2 or congestion continues, unless specifically permitted by the RLDC/SLDC.

BRPL requested SLDC to immediately cancel the Open Access approval and communication in this regard also be submitted to consumers.

Consumers View:

Lodhi Property replied about the failed slot bids in few slots bids in Power Exchanges due to congestion in the Network which was beyond their control. They agreed to pay the charges as per OA Guidelines for the drawal of power from BRPL over and above Open Access quantum.

SLDC View:

SLDC noted that in some instances the consumers purchase power in few slots for the day which appear to be the spirit of clause 2.2 of the Annexure-A in the order of DERC dated 24.12.2013 on Open Access which is reproduced as here under.

1.2 The consumer should ensure that the application for open access for whole day and minimum period of one day.

SLDC requested the consumers to refrain from such action of purchase from selective slots. It was also advised that all consumers are required to adhere the Grid discipline. As per provisions of Indian Electricity Grid Code, all stakeholders are required to draw power as per schedule. Since the consumer continues to draw power from the network to meet its demand irrespective of power purchase, the drawal would be treated as unauthorized drawal from the network. It was also warned that if all such OA consumers do such activities, the stability of the Grid may suffer and may result the disruption of power supply of other consumers also. It was also pointed out that as per the DSM Regulations of CERC issued on 06.05.2015 effective from 30.05.2016, if the consumer's schedule is less than 400MW or equal to 400MW, the additional charges is not applicable below 48MW deviation. As such, even if these consumers indulge in any variation of actual drawal from scheduled drawal, they are not liable to pay any additional penalty. However, as per IEGC they are not allowed to draw power more than the schedule as elaborated above

SLDC was of the view that proper amendment in the Open Access orders is required to curb the behavior of drawal of power without any schedule by the Open Access consumers. DERC may consider suitable penal rates for deviation from schedule to enforce Grid discipline.

SLDC expressed thanks to all the participants and expect the smooth implementation of Intra State Open Access in Delhi.

Annexure

List of the participants who attended the meeting held in SLDC on 13.10.2016 at 03:00 p.m. for resolution of the issues related to Intra State Short Term Open Access.

Sr. No.	Name	Designation & Organization	Contact No.
1.	Sh. V.Venugopal	G.M.(SLDC)	9871093902
2.	Sh. S. K. Sinha	Dy. G.M. (System Operation), SLDC	9999533637
3.	Sh. S.P.Routray	Manager (Energy Accounting), SLDC	9999533939
4.	Sh. Deepak Sharma	Asstt. Manager (SLDC)	9999535008
5.	Sh. Pawan Revankar	Asstt. Manager (T), SLDC	9999532716
6.	Sh. Sanjay Shrivastav	AVP, BRPL	01139999036
7.	Sh. Kanishak	Manager, BRPL	7476119871
8.	Sh. Naveen Chandra	Manager (PMG), BRPL	8010904621
9.	Sh. P.K.Verma	Head of Corporate Affair, Lodhi Property	9891963675
10.	Sh. Rohit Kumar Sharma	Dy. Chief Engineer, Lodhi Property	9654958390
11.	Sh. M.K. Sharma	Services, Amazon	9654628600
12.	Sh. Rajeev Kumar	AR, Amazon	9654710450
13.	Sh. Sunil Khurana	CE, CHL, Surya Hotel,	9811059731
14.	Sh. R.N. Juyal	Manager, CHL, Surya Hotel	7838117447
15.	Sh. Praveen Singh	AR, DLF	9999314421
16.	Sh. Ajay Gupta	VP, DLF	9871134531
17.	Sh. S.Gupta	DoF, Wave Hospitality	9717226161
18.	Sh. Govind Kumar	Associates, GMR	8527190250
19.	Sh. Ishmeet Singh	Dy. Chief Engineer, Bird Hospitality	9716201324