

**THE CENTRAL ELECTRICITY REGULATORY COMMISSION
(SHORT-TERM OPEN ACCESS IN INTER-STATE
TRANSMISSION) REGULATIONS, 2008**

SYNOPSIS

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THE CENTRAL ELECTRICITY REGULATORY COMMISSION (SHORT-TERM OPEN ACCESS IN INTER-STATE TRANSMISSION) REGULATIONS, 2008¹

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

1. Short title, commencement and Application.—(1) These regulations may be called the Central Electricity Regulatory Commission ²[(Short-term Open Access] in inter-State Transmission) Regulations, 2008.

(2) These regulations shall apply to the applications made for grant of ²[short-term open access] for energy transfer schedules commencing on or after 1-4-2008 for use of the transmission lines or associated facilities with such lines on the inter-State transmission system.

2. Definitions.—(1) In these regulations, unless the context otherwise requires,—

- (a) "Act" means the Electricity Act, 2003 (36 of 2003);
- ³[(b) "bilateral transaction" means a transaction for exchange of energy (MWh) between a specified buyer and a specified seller, directly or through a trading licensee or discovered at power exchange through anonymous bidding, from a specified point of injection to a specified point of drawl for a fixed or varying quantum of power (MW) for any time period during a month;]
- (c) "collective transaction" means a set of transactions discovered in power exchange through anonymous, simultaneous competitive bidding by buyers and sellers;
- (d) "Commission" means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
- (e) "day" means a day starting at 00.00 hours and ending at 24.00 hours;
- ⁴[(f) "detailed procedure" means the procedure issued under regulation 4;]
- (g) "Grid Code" means the Grid Code specified by the Commission under Clause (h) of sub-section (1) of Section 79 of the Act;

1. *Vide* Notification No. L-7/105(121)/2007-CERC, dated 25th January, 2008, published in the Gazette of India, Extra., Pt. III, Sec. 4, dated 25th January, 2008.
2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access" (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009).
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for sub-clause (b) (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Sub-clause (b), before substitution, stood as under:
 "(b) "bilateral transaction" means a transaction for exchange of energy (MWh) between a specified buyer and a specified seller, directly or through a trading licensee, from a specified point of injection to a specified point of drawal for a fixed or varying quantum of power (MW) for any time period during a month;"
4. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for sub-clause (f) (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Sub-clause (f), before substitution, stood as under:
 "(f) "detailed procedure" means the procedure issued by the Central Transmission Utility under these regulations".

- ¹[(ga) "Intra-Day Transaction/Contingency Transaction" means the transaction (not being a collective transaction) which occurs on day (T) after the closure of day ahead market window for delivery of power on the same day (T) except for the duration of the specified period of delivery of the real-time market, or for the next day (T+1) and which are scheduled by Regional Load Despatch Centre or National Load Despatch Centre.]
- ²[(h) "Intra-State entity" means a person whose metering is done by the State Transmission Utility or the Distribution Licensee, as the case may be and the accounting is done by State Load Despatch Centre or any other authorized State Agency.]
- ³[(i) "long-term customer" means a person granted long-term access for use of the inter-State transmission system.]
- ⁴[(i-a) "medium-term customer" means a person granted medium-term ⁵[short-term open access] for use of the inter-State transmission system.]
- (j) "month" means a calendar month as per the British calendar;
- ⁶[(j-a) National Load Despatch Centre Operating Charge (NLDC operating charges) or Regional Load Despatch Centre Operating Charges (RLDC operating charges) shall include the fees for scheduling, system operation, collection and disbursement of charges in respect of short-term open access transactions for inter-State transmission of electricity:
- Provided that the operating charges collected by the nodal agency shall be in addition to the fees and charges specified by the Commission under sub-section (4) of Section 28 of the Act;]
- ⁷[(j-b) 'National Open Access Registry (NOAR)' means the Registry as provided under Regulation 3A;]
- (k) "nodal agency" means the nodal agency defined in Regulation 5 of these regulations;

⁸[***]

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 12th December, 2019, for sub-clause (ga) [(w.e.f. 1-6-2020, vide Notification No. L-7/105(121)/2007-CERC, dated 20th March, 2020 for "1st April, 2020")]. Earlier sub-clause (ga) was inserted by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 (w.e.f. 11-9-2013). Clause (ga) before substitution, stood as under:
 "(ga) "Intra-day transaction/contingency transaction" means the transaction which occurs on day (T) after the closure of day ahead transaction window and the delivery of power is on the same day (T) or next day (T+1) and which are scheduled by Regional Load Despatch Centre or National Load Despatch Centre."
2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for Sub-clause (h) (w.e.f. 11-9-2013). Sub-clause (h), before substitution, stood as under:
 "(h) "intra-State entity" means a person whose metering and energy accounting is done by the State Load Despatch Centre or by any other authorized State utility."
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for sub-clause (i) (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Sub-clause (i), before substitution, stood as under:
 "(i) long-term customer" means a person having a long-term lien over an inter-State transmission system by virtue of paying it transmission charges proportionate to the lien."
4. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2016).
5. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
6. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 12th May, 2015 (w.e.f. 15-5-2015).
7. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.
8. Sub-clause (l) omitted by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Sub-clause (l), before omission, stood as under:
 "(l) "open access customer" means a person who has availed or intends to avail of open access under these regulations and includes a short-term transmission customer as defined in any other regulations, specified by the Commission or a generating company (including captive generating plant) or a licensee or a consumer permitted by the State Commission to receive supply of electricity from a person other than distribution licensee of his area of supply, or a State Government entity authorized to sell or purchase electricity;"

- (m) "power exchange" means the power exchange established with the prior approval of the Commission;
- ¹[(m-a) 'Real-time transactions' means the collective transactions which occur on the day (T) or (T-1) after the right to revision of schedule ends for a specified duration of delivery during the day (T) and which are scheduled by Regional Load Despatch Centre or National Load Despatch Centre.]
- (n) "regional entity" means a person whose metering and energy accounting is done at the regional level;
- ²[(n-a) "short-term open access" means ³[short-term open access] for a period up to one (1) month at one time.]
- ²[(n-b) "short-term customer" means a person who has availed or intends to avail short-term open access.]
- (o) "State Commission" means the State Electricity Regulatory Commission constituted under section 82 of the Act and includes the Joint Commission constituted under section 83 thereof;
- ⁴[(o-a) State Load Despatch Centre Operating Charges (SLDC operating charges) shall include the fees for scheduling, system operation, collection and disbursement of charges in respect of short-term open access transactions for inter-State transmission of electricity;

Provided that the operating charges collected by the State Load Despatch Centre for short-term open access transactions shall be in addition to fees and charges, specified by the respective State Commission under sub-section (3) of Section 32 of the Act;

Provided further that the SLDC operating charges as may be decided by the Commission in accordance with this regulation shall be applicable to the inter-State short-term customers, only if the operating charges have not been notified by the respective State Commission.]

- (p) "State network" means network owned by the State Transmission Utility, distribution licensee or any other person granted licence by the State Commission to construct, operate and maintain the transmission system;
- (q) "State utility" means ⁵[***] a State Electricity Board, or Electricity Board, or Electricity Department of the State, or a State Government organization authorized to sell or purchase electricity on behalf of the State;
- (r) "time block" means 15 minutes time period specified in the Grid Code for the purposes of scheduling and despatch; and
- (s) "working day" means a day on which banks are open for business;

(2) Words and expressions used in these regulations and not defined herein but defined in the Act or ⁶[any other regulations made by the Commission] shall have the meaning assigned to them under the Act or ⁶[any other regulations made by the Commissions], as the case may be.

1. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 12th December, 2019 [(w.e.f. 1-6-2020, *vide* Notification No. L-7/105(121)/2007-CERC, dated 20th March, 2020 for "1st April, 2020")].

2. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009).

3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".

4. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 12th May, 2015 (w.e.f. 15-5-2015).

5. The words "a State Transmission Utility, or" omitted by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 (w.e.f. 11-9-2013).

6. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for "the Grid Code" (w.e.f. 11-9-2013).

¹[3. **Scope.**—(1) The long-term customer and the medium-term customer shall have priority over the short-term customer for use of the inter-State transmission system.

(2) The short-term customer shall be eligible for short-term open access over the surplus capacity available on the inter-State transmission system after use by the long-term customer and the medium-term customer, by virtue of—

- (a) inherent design margins;
- (b) margins available due to variation in power flows; and
- (c) margins available due to in-built spare transmission capacity created to cater to future load growth or generation addition.]

²[3A. **National Open Access Registry (NOAR).**—(1) NOAR shall be a common electronic platform for short term open access and shall discharge the following functions, namely:

- i. To automate the administration of the short term open access in inter-state transmission system.
- ii. To provide single window electronic platform to the stakeholders, including short term customers, trading licensees, Power Exchanges, NLDC, RLDCs, SLDCs and Regional Power Committees in connection with short term open access in interstate transmission system.
- iii. To provide audit trail of the applications and dash board facility summarizing at any point of time the details of the applications made for short term open access to RLDCs or SLDCs, applications approved or rejected by RLDCs or SLDCs, and applications pending with RLDCs or SLDCs.
- iv. To act as a repository of information related to short term open access in interstate transmission including standing clearance issued by RLDCs or SLDCs, availability of transmission corridor, and short term open access granted to the open access customers etc. and make such information available to the stakeholders online.
- v. To interface with the short term open access application software of the RLDCs and SLDCs for processing short-term inter-state open access transactions.
- vi. To interface with the Power Exchange(s) for validation of standing clearance and processing of term-ahead and day-ahead transactions.

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for regulation 3 (It shall apply to the application for grant of short-term open access, received by nodal agency on or before 15-6-2009). Regulation 3, before substitution, stood as under:

“3. *Scope.*—Subject to any other regulations specified by the Commission, the long-term customer shall have first priority for using the inter-State transmission system for the designated use. These regulations shall apply for utilization of surplus capacity available thereafter on the inter-State transmission system by virtue of-

- (a) inherent design margins;
- (b) margins available due to variation in power flows; and
- (c) Margins available due to in-built spare transmission capacity created to cater to future load growth or generation addition:”.

2. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.

- vii. To provide a payment gateway for making payments related to short term open access transactions and facilitate financial accounting and tracking of short term open access transactions.
- viii. To facilitate generation of periodic reports for market monitoring and surveillance related activities.
- ix. Any other functions, as assigned by the Commission from time to time.

(2) The short term open access applications shall be processed through NOAR and information related to approvals or rejections of applications, revisions or curtailment of schedules, payment schedules, etc. shall be made available through the NOAR to the respective market participants including providing alerts through email or SMS or such other electronic mode of communication.

(3) NLDC shall be the nodal agency for implementation and operation of NOAR and shall have the following responsibilities:

- i. To take all steps necessary to ensure cyber security compliance of NOAR in accordance with Cyber Security Policy of Government of India;
- ii. To put in place an appropriate disaster recovery mechanism for ensuring business continuity; and
- iii. To review the operations of NOAR from time to time and suggest changes required if any.

(4) Additional expenses incurred on account of implementing and operating the NOAR shall be allowed to be recovered under the provisions of CERC (Fees and Charges of RLDC and other related matters) Regulations, 2009.]

¹[4. Subject to the provisions of these regulations, NLDC shall issue the detailed procedure to operationalise open access through NOAR and on any residual matter not covered under these regulations:

Provided that NLDC shall carry out stakeholders' consultation and obtain the approval of the Commission before issue of the detailed procedure.]

5. Nodal Agency.—The nodal agency for bilateral transactions shall be the Regional Load Despatch Centre of the region where point of drawl of electricity is situated and in case of the collective transactions, the nodal agency shall be the National Load Despatch Centre.

²[5A. The processing of the short term open access applications for bilateral transactions by the nodal RLDC and for collective transactions through Power Exchange(s) by NLDC shall be carried out through the NOAR.]

1. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for regulation 4. Earlier regulation 4 was substituted by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or before 15-6-2009). Regulation 4, before substitution, stood as under:

"4. *Detailed Procedure.*—Subject to the provisions of these regulations, the Central Transmission Utility, till the Regional Load Despatch Centre is operated by it and thereafter the Government company or any authority or corporation notified by the Central Government under sub-section (2) of section 27 of the Act; shall, after obtaining prior approval of the Commission, issue the detailed procedure to operationalise short-term open access and on any residual matter and covered under these regulations."

2. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.

¹[5B. Registration in NOAR.—(1) The short term open access applicant shall initially apply for registration in the NOAR in accordance with the detailed procedure.

(2) The application shall be accompanied by a registration fees of Rs. 5000/- .

(3) The applicant shall be registered within 7 working days from the date of receipt of application for registration.

(4) The registration shall be valid for a period of 3 years and may be renewed thereafter with the payment of renewal charges of Rs. 2000/-.]

6. Submission of ²[Short-term Open Access] Application.—(1) An ³[short-term customer] or the power exchange (on behalf of buyers and sellers) intending to avail of ²[short-term open access] for use of the transmission lines or associated facilities for such lines on the inter-State transmission system, ⁴[shall make an application to the nodal agency through NOAR] in accordance with these regulations.

(2) The application for a bilateral transaction shall contain the details, such as names and location of supplier and buyer, contracted power (MW) to be scheduled and interface at which it is referred to, point of injection, point of drawl, starting time block and date, ending time block and date, and such other information that may be required in the detailed procedure.

(3) The application for a collective transaction shall contain the requisite details in accordance with the detailed procedure.

7. Application Fee.—An application made for each bilateral transaction or the collective transaction shall be accompanied by a non-refundable fee of Rupees five thousand (Rs. 5000) only:

⁵[***]

⁶[8. Standing Clearance by Load Despatch Centre for Short Term Transactions.—(1) An online application, through the NOAR, shall be made by the short term open access applicant to the concerned RLDC or SLDC, for issuance of a 'standing clearance' for availing short term open access in inter-state transmission system for a pre-specified quantum and time period in accordance with the detailed procedures along with the following declaration:

1. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.
2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access customer".
4. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "shall make an application to the nodal agency".
5. Proviso omitted by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019. Proviso, before omission, stood as under:
"Provided that the fee for bilateral transaction on the day of the application or on the day immediately following the day of the application may be deposited within three working days of submission of the application."
6. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for regulation 8. Earlier regulation 8 was amended by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 and corrected by corrigenda No. L-7/105(121)/2007-CERC, dated 10th June, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or before 15-6-2009); by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 (w.e.f. 11-9-2013); by Notification No. L-7/105(121)/2007-CERC, dated 12th May, 2015

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- i. A declaration in the format prescribed in the detailed procedure shall be submitted along with the application declaring that there is no other contract for sale or purchase, as the case may be, of the same power for which standing clearance has been applied for.
- ii. A declaration that necessary infrastructure for the time block wise metering and accounting in accordance with the provisions of Grid code in force, is in place.

(2) While processing the application for standing clearance the concerned RLDC or SLDC as the case may be, 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 Grid code in force;
- (ii) Availability of surplus transmission capacity in the intra-State/inter-State network, as the case may be; and
- (iii) Submission of declaration according to the clause (1) of this regulation.

(3) Where the existence of necessary infrastructure, availability of surplus transmission capacity in the inter-state transmission or intra-state transmission network as the case may be, and submission of declaration as required under clause (1) of this regulation have been established, the concerned RLDC or SLDC as the case may be, shall issue a standing clearance to the short term open access customer:

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(w.e.f. 15-5-2015). Regulation 8, before substitution by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, stood as under:

"8. Concurrence of State Load Despatch Centre for bilateral and collective transactions.—(1) Wherever the proposed bilateral transaction has a State utility or an intra-State entity as a buyer or a seller, concurrence of the State Load Despatch Centre shall be obtained in advance and submitted along with the application to the nodal agency. The concurrence of the State Load Despatch Centre shall be in such form as may be provided in the detailed procedure.

(2) When a State utility or an intra-State entity proposes to participate in trading through power exchange(s), it shall obtain "No Objection" or "Prior Standing Clearance" from the concerned State Load Despatch Centre in such form as may be prescribed in the Detailed Procedure, specifying the aggregate MW up to which the State utility or intra-State entity may submit buy or sell bid(s) in the power exchange(s) taken together. The "No Objection" or "Prior Standing Clearance" issued by the State Load Despatch Centre shall not be exchange specific.

(2A) No Objection or Prior Standing Clearance obtained by the State utility or intra-State entity from the State Load Despatch Centre can be used for collective transaction for day ahead on any Power Exchange(s) and/or for bilateral intra-day transaction/contingency transaction in OTC market or on the Power Exchange market:

Provided that while making application to SLDS for obtaining No Objection or Prior Standing Clearance for collective transactions for day ahead or for bilateral intra-day transaction/contingency transaction, the applicant shall declare that he agrees to ensure that aggregate quantum in each time block of 15 minutes for all the bid(s) in collective transactions (day ahead contracts on Power Exchange(s)) and/or for intra-day/contingency transactions (in OTC market and/or Power Exchange Market) shall not exceed the quantum for which No Objection or Prior Standing Clearance has been granted:

Provided further that the same clearance may be utilized for the day ahead bilateral transaction also, subject to limit of quantum and time as specified in the standing clearance:

Provided also that while granting Standing Clearance time period for the clearance may be defined either in time blocks of hours or on the basis of peak period or off-peak period or round the clock (RTC):

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Provided that

- i. The concerned RLDC or SLDC as the case may be, shall issue the standing clearance within three (3) working days of receipt of such application.
- ii. The standing clearance may be issued by the concerned RLDC or SLDC as the case may be, valid for a maximum period of three (3) months at a time after which a fresh application for issuance of standing clearance shall have to be made by the short term open access customer.
- iii. When short-term open access has been applied for the first time by any entity, the buyer or the seller, the concerned RLDC or SLDC as the case may be, shall issue to the applicant standing clearance, within seven (7) working days of receipt of the application.

(4) In case the concerned RLDC or SLDC as the case may be, finds that the application for standing clearance is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant through NOAR within two (2) working days of receipt of application:

Provided that in cases where the concerned RLDC or SLDC as the case may be, has communicated any deficiency or defect in the application, the date of receipt of application shall be the date on which the application has been received duly completed after removing the deficiency or rectifying the defects, as the case may be.

(5) In case the application has been found to be in order but the concerned RLDC or SLDC as the case may be, refuses to give the standing clearance on the grounds of non-existence of necessary infrastructure or unavailability of surplus transmission capacity in intra-state/inter-state network as the case may be, or non-submission of the declaration in accordance with clause (1) of this regulation

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Provided also that where violations of the limit of quantum and time are reported by SLDC against any entity, the Commission may, after giving an opportunity of hearing, debar the said entity from transacting in power market for seven days.

(3)(a) For obtaining concurrence or 'on objection' or prior standing clearance an application shall be made before the State Load Despatch Centre who shall, acknowledge receipt of the application, either by e-mail or fax, or any other usually recognised mode of communication, within twenty four hours from the time of receipt of the application:

Provided that where the application has been submitted in person, the acknowledgement shall be provided at the time of submission of the application:

Provided further that while making application to the RLDC/SLDC for obtaining concurrence for bilateral transactions (except for intra-day transaction/contingency transactions), an affidavit in the format prescribed in the Detailed Procedure, duly notarized, shall be submitted, along with the application, declaring that:

- (i) There is a valid contract with the concerned persons for the sale or purchase, as the case may be, of power under the proposed transaction for which concurrence is applied for, and;
- (ii) There is no other contract for sale or purchase, as the case may be, of the same power as mentioned in (i) above.

Provided further that while making application to the SLDC for obtaining no objection or prior standing clearance in case of collective transactions, the affidavit shall also include the declaration that there is no other contract for sale or purchase, as the case may be, of the same power for which no objection or prior standing clearance is applied for.

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then such refusal shall be communicated to the applicant through NOAR within the period of three (3) working days or seven (7) working days as the case may be, from the date of receipt of the application along with reasons for such refusal:

Provided that where the concerned RLDC or SLDC as the case may be, has not communicated any deficiency or defect in the application within two (2) days from the receipt of the application or refusal or standing clearance, as the case may be, within the specified period of three (3) working days or seven (7) working days, as applicable, from the date of receipt of the application, the NOAR shall issue a reminder message to the concerned RLDC or SLDC as the case may be, to respond to the application for refusal or issuance of standing clearance, as the case may be, within the next two (2) working days:

Provided further that if the concerned RLDC or SLDC as the case may be, fails to respond to the reminder message sent through NOAR, then the standing clearance shall be deemed to have been granted.

(6) The open access customer to whom the standing clearance has been issued or deemed to have been issued, shall ensure that aggregate quantum in each time block of 15 minutes for all the bid(s) under any of the categories of short term bilateral and collective transactions in OTC market and/or Power Exchange(s) market shall not exceed the quantum of standing clearance or deemed standing clearance, as the case may be:

Provided that if a short term open access customer exceeds the quantum of the standing clearance in any time block, NLDC shall debar the said customer from participating in short term market for a period of seven (7) days under intimation to concerned RLDC or SLDC:

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(b) While processing the application for concurrence or 'no objection' or prior standing clearance, as the case may be, the State Load Despatch Centre shall verify the following, namely:—

- (i) existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the Grid Code in force, and
- (ii) availability of surplus transmission capacity in the State network.
- (iii) submission of affidavit regarding existence of valid contract according to the second proviso to sub-clause (a) of clause (3) of this regulation with respect to bilateral transactions and according to the last proviso with respect to collective transactions.

(c) Where the existence of necessary infrastructure, availability of surplus transmission capacity in the State network and submission of affidavit as required under provisos to sub-clause (a) of clause (3) of this regulation have been established the State Load Despatch Centre shall convey its concurrence or no objection or prior standing clearance, as the case may be, to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, within three (3) working days of receipt of the application:

Provided that when short-term open access has been applied for the first time by any person, the buyer or the seller, the State Load Despatch Centre shall convey to the applicant such concurrence or 'no objection' or prior standing clearance, as the case may be, within seven (7) working days of receipt of the application by e-mail or fax, in addition to any other usually recognised mode of communication.

(3A) In case the State Load Despatch Centre finds that the application for concurrence or 'no objection' or prior standing clearance, as the case may be, is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or fax, in addition to any other usually recognised mode of communication, within two (2) working days of receipt of the application:

Provided that in cases where the State Load Despatch Centre has communicated any deficiency or defect in the application, the date of receipt of application shall be the date on which the application has been received duly completed, after removing the deficiency or rectifying the defects, as the case may be.

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Provided further that NOAR shall also display a list of such short term open access customers debarred in terms of the above proviso.

(7) The concerned RLDC or SLDC as the case may be, may revise the quantum (MW) or period of the standing clearance issued in respect of any open access customer in case of transmission constraint or in the interest of secure grid operation in accordance with the detailed procedure.]

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(4) In case the application has been found to be in order but the State Load Despatch Centre refuses to give concurrence or 'no objection' or prior standing clearance as the case may be, on the grounds of non-existence of necessary infrastructure or unavailability of surplus transmission capacity in the State network ²[or non-submission of the affidavit in accordance with relevant provisos to sub-clause (a) of clause (3) of this regulation], such refusal shall be communicated to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, within the period of three (3) working days or seven (7) working days, as the case may be, from the date of receipt of the application, specified under clause (3), along with the reason for such refusal:

Provided that where the State Load Despatch Centre has not communicated any deficiency or defect in the application within two (2) days from the date of receipt of application or refusal or concurrence or 'no objection' or prior standing clearance, as the case may be, within the specified period of three (3) working days or seven (7) working days, as applicable, from the date of receipt of the application, concurrence or 'no objection' or prior standing clearance, as the case may be, shall be deemed to have been granted:

Provided further that where concurrence or 'no objection' or prior standing clearance, as the case may be, is deemed to have been granted by the State Load Despatch Centre, the applicant such as the State utility or the intra-State entity or short-term customer as the case may be, shall submit to the nodal agency (concerned Regional Load Despatch Centre) in case of bilateral transactions and the power exchange in case of collective transactions for day ahead or for bilateral intra-day transaction/contingency transaction through power exchange, the following or affidavit in the format as provided in the detailed procedure at least three days in advance:

- (a) Declaring that the State Load Despatch Centre has failed to convey and deficiency or defect in the application or its refusal or concurrence or 'no objection' or 'prior standing clearance', as the case may be, within the specified time;
- (b) Declaring that necessary infrastructure for time-block-wise energy metering and accounting in accordance with the provisions of the Grid Code in force, is in place;
- (c) enclosing the following documents:—
 - (i) a copy of the complete application made to the State Load Despatch Centre for seeking 'concurrence' or 'no objection' or 'prior standing clearance', as the case may be;
 - (ii) Deficiency or defect in the application, if any, communicated by the State Load Despatch Centre and the action taken or remove or rectify the defect or deficiency;
 - (iii) a copy of the acknowledgement, if any, given by the State Load Despatch Centre, or any other evidence in support of delivery of the application to the State Load Despatch Centre;
 - (iv) Necessary affidavit in accordance with provisos to the clause (3a) of Regulation 8 of this Regulations:

Provided also that the Power Exchange shall forward the copy of the affidavit alongwith the documents received from the State utility or the intra-State entity or short-term customers as the case may be, to the nodal agency (National Load Despatch Centre) at least two days before the delivery:

Provided also that the concerned Regional Load Despatch Centre in case of bilateral transaction and concerned power exchange in case of collective transaction for day ahead or for bilateral intra-day transaction/contingency transaction through power exchange shall forward the copy of the affidavit alongwith the documents to the concerned SLDC on the same day it is received.

(5) Unless specified otherwise by the State Commission concerned, the State Load Despatch Centre may charge a fee of Rupee five thousand (Rs. 5000) for processing applications for concurrence or "no objection" or prior standing clearance."

9. Procedure for Advance Scheduling for bilateral transactions.—(1) An ¹[application for advance scheduling for a bilateral transaction may be submitted to the nodal agency through NOAR up to the fourth month], the month in which an application is made being the first month:

Provided that separate application shall be made for each month, and for each transaction.

(2)(a) An application for inter-State scheduling during the fourth month shall be made up to the last day of the first month.

(b) All applications received shall be taken up together for consideration.

(c) The ²[nodal agency shall convey its acceptance or otherwise to the applicant through NOAR] latest by the fifth day of the second month.

(3)(a) An application for inter-State scheduling during the third month shall be made up to five (5) days prior to the close of the first month.

(b) All applications received shall be taken up together for consideration.

(c) The ²[nodal agency shall convey its acceptance or otherwise to the applicant through NOAR] latest by the close of the first month:

Provided that while accepting the application, ³[short-term open access] granted to any person prior thereto shall not be withdrawn.

(4)(a) An application for inter-State scheduling in the second month shall be made with the nodal agency up to ten (10) days prior to the close of the first month.

(b) All applications shall be taken up together for consideration.

(c) The ²[nodal agency shall convey its acceptance or otherwise to the applicant through NOAR] five days prior to the last day of the first month:

Provided that while accepting the application, ³[short-term open access] granted to any person prior thereto shall not be withdrawn.

(5) Wherever the nodal agency rejects an application, ⁴[it shall convey its reasons to the applicant through NOAR].

10. Congestion management.—Where in the opinion of the nodal agency, grant of all applications at a particular stage of advance scheduling is likely to cause congestion in one or more of the transmission corridors to be used, ⁵[it shall conduct electronic bidding through NOAR] for grant of ³[short-term open access] for the available surplus transmission capacity among the applicants at that stage, in accordance with the detailed procedure:

Provided that if any person does not participate in the bidding process he shall be deemed to have withdrawn his application.

1. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "application for advance scheduling for a bilateral transaction may be submitted to the nodal agency up to the fourth month".
2. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "nodal agency shall convey its acceptance or otherwise to the applicant".
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
4. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "it shall convey its reasons to the applicant in writing".
5. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "it shall conduct electronic bidding".

11. Procedure for scheduling of bilateral transactions on first-come-first-served basis.—(1) The applications for grant of ¹[short-term open access] for the second month, received after the date specified in clause (4) of Regulation 9 and the applications for grant of ¹[short-term open access] during the first month shall be considered on first-come-first-served basis, and such transactions shall be scheduled subject to availability of the required transmission capacity:

Provided that such applications shall reach the nodal agency at least four (4) days in advance of the date of the bilateral transaction:

Provided further that separate application shall be made for each transaction.

(2) All these applications shall be processed and decided within three (3) days of their receipt.

12. ²[Procedure for scheduling day ahead bilateral transactions].—All applications for bilateral transactions received within three days prior to the date of scheduling and up to 1500 hrs of the day immediately preceding the date of scheduling shall be clubbed and treated at par, and shall be processed after processing of the applications for collective transactions received till 1500 hrs.

Illustration

An application for scheduling a transaction on 25th day of a month, shall be processed on first-come-first-served basis only if such application is received till 21st day of that month, If the application is received on 22nd day or 23rd day or up to 1500 hrs on 24th day, it shall be treated only after processing of the applications for collective transactions received up to 1500 hrs on 24th day for scheduling on 25th day.

³[**13. ⁴[Procedure for scheduling contingency bilateral transactions].**—In the event of a contingency, the buyer or on its behalf, a trader may locate, and the power exchange may offer its platform to locate, a source of power to meet short-term contingency requirements even after the cut-off time of 1500 hrs of the preceding day and ⁵[apply to the nodal agency for short-term open access and scheduling through NOAR] and in that event, the nodal agency shall endeavour to accommodate the request as soon as may be and to the extent practically feasible, in accordance with the detailed procedure.]

⁶[**13A. Procedure for scheduling collective transactions.**—The Power Exchange shall make an application to the nodal agency through the NOAR for scheduling of the collective transactions discovered on its platform. The nodal agency shall approve or advise the Power Exchange to revise the application for scheduling of collective transactions based on the transmission corridor availability in accordance with the detailed procedures.]

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
2. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for heading "Procedure for scheduling for day-ahead transactions".
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for regulation 13 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Regulation 13, before substitution, stood as under:

"13. Procedure for scheduling of transactions in a contingency.—In the event of a contingency, the buying utility may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1500 hrs of the preceding day and apply to the nodal agency for open access and scheduling and in that event, the nodal agency shall endeavour to accommodate such request as soon as and to the extent practically feasible, in accordance with the detailed procedure."
4. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for heading "Procedure for Scheduling of Transactions in a Contingency".
5. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "apply to the nodal agency for short-term open access and scheduling".
6. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.

¹[13B. Procedure for scheduling of transaction in Real-time market(RTM).—All the entities participating in the real-time market for a specified duration may place their bids and offers on the Power Exchanges for purchase and sale of power. The window for trade in real-time market for day (T) shall open from 22.45hrs to 23.00hrs of (T-1) for the delivery of power for the first two time-blocks of 1st hour of day (T) i.e., 00.00 hrs to 00.30 hrs, and will be repeated every half an hour thereafter. The bidding mechanism for the real-time market shall be double-side closed bid auction for each time block of the delivery period. The Nodal Agency shall indicate to the Power Exchange(s) the available margin on each of the transmission corridors before the gate closure, i.e. before the window for trade closes for specified duration. The power exchanges shall clear the real-time market from 23.00hrs till 23.15hrs based on the available transmission corridor and the buy and sell bids for the real time market (RTM) for the specified duration. Then the cleared bids shall be submitted by the Power Exchanges to the Nodal Agency for scheduling. The Nodal agency in accordance with the detailed procedure shall announce the final schedule by 23.45 hrs of (T-1) and communicate to the RLDCs to prepare the schedule for dispatch.

Illustration

The complete timelines for scheduling of the real-time collective transaction is shown in the table below:

RTM Auction Start Time	RTM Auction End Time	RTM Clearing Interval and publication in the website	Communication of Schedule to NLDC/RLDCs/ SLDCs	Final Schedule Preparation	Preparation time for despatch	Delivery Period
<i>Illustration-A</i>						
22:45 Hrs (of the previous day)	23:00 Hrs (of the previous day)	23:00 Hrs–23:15 Hrs (of the previous day)	23:15 Hrs–23:30 Hrs (of the previous day)	23:30 Hrs–23:45 Hrs (of the previous day)	23:45 Hrs–24:00 Hrs (of the previous day)	00:00:00–00:30:00
23:15 Hrs (of the previous day)	23:30 Hrs (of the previous day)	23:30 Hrs–23:45 Hrs (of the previous day)	23:45 Hrs–00:00 Hrs (of the previous day)	00:00 Hrs–00:15 Hrs	00:15 Hrs–00:30 Hrs	00:30:00–01:00:00
<i>Illustration-B</i>						
07:45 Hrs	08:00 Hrs	08:00 Hrs–08:15 Hrs)	08:15 Hrs–08:30 Hrs	08:30 Hrs–08:45 Hrs	08:45 Hrs–09:00 Hrs	09:00:00–09:30:00
<i>Illustration-C</i>						
20:45 Hrs	21:00 Hrs	21:00 Hrs–21:15 Hrs	21:15 Hrs–21:30 Hrs	21:30 Hrs–21:45 Hrs	21:45 Hrs–22:00 Hrs	22:00:00–22:30:00]

²[14. Revision of Schedule.—(1) The short-term open access schedules accepted by the nodal agency in advance or on first-come-first-served basis may be cancelled or

1. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 12th December, 2019 [(w.e.f. 1-6-2020, vide Notification No. L-7/105(121)/2007-CERC, dated 20th March, 2020 for "1st April, 2020")].
2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for regulation 14 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Regulation 14, before substitution, stood as under:

"14. Revision of Schedule.—(1) The open access schedules accepted by the nodal agency in advance and on first-come-first-served basis may be cancelled or revised downwards by the applicant by giving a minimum five (5) days' notice, excluding the day on which notice is served and the day from which revised schedules are to be implemented.

(2) The applicant shall continue to be liable to pay transmission charges as per the schedule originally approved, if the period of revision or cancellation is up to five (5) days.

(3) If the period of revision or cancellation exceeds five (5) days, transmission charges for the period beyond five (5) days shall be payable in accordance with the revised schedule and for the first five days (5) in accordance with the original schedule.

(4) In case of cancellation, operating charges shall be payable for five (5) days or the period of cancellation in days, which ever is less."

revised downwards on an application to that effect ¹[made to the nodal agency by the short term customer through NOAR]:

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days:

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the nodal agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

²[(1A) Notwithstanding anything contained in clause (1) of this regulation, in case of forced outage of a unit of the generating station, the scheduling of power under Short Term bilateral transactions shall be regulated in accordance with Regulation 6.5 of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 as amended from time to time.]

(2) The person seeking cancellation or downward revision of short-term open access schedule shall pay the transmission charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the nodal agency, and thereafter in accordance with the revised schedule prepared by the nodal agency during the period of such cancellation or downward revision.

³[(3) Any person seeking downward revision of short-term open access schedule (including revision to zero schedule) shall pay the operating charges specified under Regulation 17 of these regulations corresponding to the number of days for which power has been scheduled and in case of cancellation, operating charges shall be payable in addition for two (2) days or the period of cancellation in days whichever is less.]

Note: The provisions of this regulation shall also be applicable to the short-term customers granted short-term open access prior to 15-6-2009.]

15. Curtailment in case of transmission constraints.—⁴[(1) The Regional Load Despatch Centre may curtail power flow on any transmission corridor by cancelling or re-scheduling any transaction, if in its opinion cancellation or curtailment of any such transaction is likely to relieve the transmission constraint on the corridor or to improve grid security:

Provided that subject to provisions of the Grid Code, while cancellation or curtailment of any transaction, among short-term, medium-term and long-term transactions, short-term transactions shall be cancelled or curtailed first, followed by medium-term and thereafter long term-transactions:

Provided further that while cancelling or curtailing any short-term transaction, bilateral transactions shall be cancelled or curtailed first followed by collective transactions:]

⁵[Provided also that while curtailing collective transactions, day ahead transactions shall be curtailed first followed by real time transactions.]

(2) In case of inter-regional bilateral transactions, approved schedule may be revised or cancelled by the Regional Load Despatch Centre, if the Central Government allocates power from a central generating station in one region to a person in the other region and such allocation, in the opinion of the Regional Load Despatch Centre, cannot otherwise be implemented because

1. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "made to the nodal agency by the short-term customer".

2. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 (w.e.f. 11-9-2013).

3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for clause (3) (w.e.f. 11-9-2013) for clause (3), before substitution, stood as under:

"(3) In case of cancellation, operating charges specified under regulation 17 shall be payable for two (2) days or the period of cancellation in days, whichever is less."

4. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for clause (1) (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Clause (1), before substitution, stood as under:

"(1) When for the reason of transmission constraints or to maintain grid security, it becomes necessary to curtail power flow on a transmission corridor, the transactions already scheduled may be curtailed in the manner decided by the Regional Load Despatch Centre, if in its opinion such curtailment is likely to relieve the transmission constraint or is likely to improve grid security."

5. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 12th December, 2019 [(w.e.f. 1-6-2020, vide Notification No. L-7/105(121)/2007-CERC, dated 20th March, 2020 for "1st April, 2020")].

of congestion in inter-regional link. The intimation about such revision or cancellation shall, as soon as possible, ¹[be conveyed to the affected short-term customers through NOAR].

(3) In case of curtailment of the approved schedule by the Regional Load Despatch Centre, transmission charges shall be payable *pro-rata* in accordance with the curtailed schedule:

Provided that operating charges shall not be revised in case of curtailment.

²[16. **Transmission Charges.**—*(1) In case of bilateral and collective transactions, transmission charges for the energy approved at the regional periphery for transmission separately for each point of injection and for each point of drawal, shall be payable in accordance with the provisions of Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010 as amended from time to time.

*(2) The intra-State entities shall pay the transmission charges for use of the State network as fixed by the respective State Commission in addition to the charges specified under clause (1) of this regulation:

Provided that where the State Commission has not determined the transmission charges for use of the state network in ₹/MWh. The charges for use of respective State network shall be payable at the rate of ₹ 80/MWh for the energy approved:

Provided further that non-fixation of the transmission charges by the State Commission for use of the State network shall not be a ground for refusal of open access:

Provided also that the transmission charges payable for use of the State network shall be conveyed by State Load Despatch Centre to the concerned Regional Load Despatch Centre. These charges shall be displayed by the concerned State Load Despatch Centre and Regional Load Despatch on their web sites:

Provided also that the transmission charges shall not be revised with retrospective effect.]

1. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "be conveyed to the affected short-term customers". Earlier these words were amended by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009.

2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for regulation 16 (w.e.f. 11-9-2013). Earlier Regulation 16, was substituted by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009. Regulation 16, before substitution, stood as under:

"16. **Transmission Charges.**—(1) In case of bilateral transactions, the transmission charges at the rate specified hereunder shall be payable by the short-term customer for the energy approved for transmission at the point or points of injection:

Type of Transaction	Transmission charges (Total) (Rs./MWh)
(a) Bilateral, intra-regional	80
(b) Bilateral, between adjacent regions	160
(c) Bilateral, wheeling through one or more intervening regions	240

(2) In case of the collective transactions, transmission charges at the rate of Rs. 100/MWh for energy approved for transmission separately for each point of injection and for each point of drawal, shall be payable.

(3) The intra-State entities shall pay the transmission charges for use of the State network as fixed by the respective State Commission in addition to the charges specified under clauses (1) and (2):

Provided that in case the State Commission has not determined the transmission charges, the charges for use of respective State network shall be payable at the rate of Rs. 80/MWh for the electricity transmitted:

Provided further that non-fixation of the transmission charges by the State Commission for use of the State network shall not be a ground for refusal of open access:

Provided also that the transmission charges payable for use of the State network shall be conveyed to the Regional Load Despatch Centre concerned who shall display these rates on its web site:

Provided also that the transmission charges payable for use of the State network shall not be revised retrospectively."

* Regulations 16(1) and 16(2) are repealed by the regulation 19 of the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010.

17. Operating Charges.—(1) Operating charges at the rate of Rs. 1000 per day or part of the day for each bilateral transaction for each of the Regional Load Despatch Centre involved and at the rate of Rs. 1000 per day or part of the day for each State Load Despatch Centre involved shall be payable by the applicant.

(2) In case of collective transaction, NLDC operating charges shall be payable by each of the successful buyer and seller on the basis of its energy scheduled (MWh) at regional periphery by NLDC for transactions in the respective power exchange.

(3) The NLDC operating charges collected by the power exchanges shall be transferred to NLDC on a daily basis. The rate of NLDC operating charges shall be Rs. 1/MWh for collective transactions. NLDC operating charges payable by each of the successful buyer and seller in case of collective transaction, for a day, shall be capped to a maximum ceiling of Rs. 200 per day.

(4) The Power exchanges will provide NLDC with a daily list of successful participants along with their volumes cleared and the NLDC operating charges levied on these successful participants.

(5) The successful buyers and sellers shall also pay Rs. 1000 per day for the SLDC involved for each point of the collective transaction.

(6) For the purpose of the levy of operating charges for State Load Despatch Centre and levy of the intra-State transmission charges, each point of the injection or drawal in the State network shall be counted separately.]

18. Payment of transmission charges and operating charges.—In case of the bilateral transaction, the applicant shall deposit with the nodal agency transmission charges and operating charges within three (3) working days of

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 22nd June, 2016, for regulation 17 (w.e.f. 5-7-2016). Earlier regulation 17 was amended by Notification No. L-7/105(121)/2007-CERC, dated 12th May, 2015, by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 and by Notification No. L-7/105(121)/2007-CERC, dated 29th May, 2009. Regulation 17, before substitution, stood as under:

"17. *Operating Charges.*—(1) Operating charges at the rate of Rs. 2,000 per day or part of the day for each bilateral transaction for each of the Regional Load Despatch Centre involved and at the rate of Rs. 2,000 per day or part of the day for each State Load Despatch Centre involved shall be payable by the applicant.

(2) In case of the collective transaction, operating charges shall be payable by the power exchange @ Rs. 5000 per day to the National Load Despatch Centre for each State involved and Rs. 2,000 per day for the State Load Despatch Centre involved for each point of transaction.

(3) National Load Despatch Centre shall share the operating charges with the Regional Load Despatch Centres in such manner as may be decided by the Central Transmission Utility.

(4) All buyers within a State shall be clubbed together and all sellers within a State shall be clubbed together by the power exchange (with necessary coordination with the State Load Despatch Centre) and each of the groups shall be counted as a single entity by National Load Despatch Centre for levy of operating charges and for scheduling;

Provided that for levy of operating charges for State Load Despatch Centre and levy of the intra-State transmission charges, each point of injection or drawal in the State network shall be counted separately.

Note 1

The operating charges include fee for scheduling, system operation and collection and disbursement of charges.

Note 2

The operating charges collected by the nodal agency shall be in addition to the fees and charges specified by the Commission under sub-section (4) of Section 28 of the Act."

grant of application and in case of collective transactions, the power exchange shall deposit with the nodal agency these charges by the next working day falling after the day on which its application was processed:

Provided that in case of the collective transactions, the transmission charges for use of State network and operating charges for State Load Despatch Centre shall be settled directly by the power exchange with respective State Load Despatch Centre.

¹[18A. All charges payable under these regulations shall be paid online through the payment gateway made available in the NOAR.]

19. Default in payment of ²[short-term open access] charges.—(1) In case of default in payment of the application fee or the charges specified under these regulations, the nodal agency may, in its discretion, decide not to schedule the transaction, or to cancel the scheduling of already scheduled transaction or not to entertain any application of such persons in future until such time the default is cured.

(2) Notwithstanding the above, the person committing default in payment shall pay simple interest at the rate of 0.04% for each day of default.

20. Unscheduled inter-change (UI) Charges.—³[(1) All transactions for State utilities and for intra-State entities scheduled by the nodal agency under these regulations, after accounting the changes in the schedules after the execution of the real-time market, shall be accounted for and included in the respective day-ahead net interchange schedules of the concerned regional entity issued by the Regional Load Despatch Centre.]

(2) Based on net metering on the periphery of each regional entity, composite UI accounts shall be issued for each regional entity on a weekly cycle and transaction-wise UI accounting, and UI accounting for intra-State entities shall not be carried out at the regional level.

(3) The ⁴[State Agency] designated for the purpose of collection/disbursement of UI charges from/to intra-State entities shall be responsible for timely payment of the State's composite dues to the regional UI pool account.

(4) Any mismatch between the scheduled and the actual drawl at drawl points and scheduled and the actual injection at injection points for the intra-State entities shall be determined by the concerned State Load Despatch Centre and covered in the intra-State UI accounting scheme.

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

⁵[Provided that all payments on account of Unscheduled interchange Charge (Deviation Charges) including Additional Unscheduled Interchange Charges (Deviation Charges) and interest and implications for all other aspects of Unscheduled Interchange (Deviation Charges), shall be regulated in accordance with the provisions of Central Electricity Regulatory Commission (Unscheduled interchange charges and related matters) Regulations, 2009, as amended from time to time or any subsequent re-enactment thereof.]

1. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.

2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for "open access".

3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 12th December, 2019, for clause (1) [(w.e.f. 1-6-2020, vide Notification No. L-7/105(121)/2007-CERC, dated 20th March, 2020, for "1st April, 2020")]. Clause (1) before substitution, stood as under:

"(1) All transactions for State utilities and for intra-State entities scheduled by the nodal agency under these regulations, shall be accounted for and included in the respective day-ahead net interchange schedules of the concerned regional entity issued by the Regional Load Despatch Centre."

4. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for "State Utility" (w.e.f. 11-9-2013).

5. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013 (w.e.f. 11-9-2013).

¹[(6) No charges, other than those specified under these regulations shall be payable by any person granted short-term open access under these regulations.]

21. Reactive Energy Charges.—(1) No separate reactive energy charge accounting for ²[short-term open access] transactions shall be carried out at inter-State level:

Provided that the ³[State Agency] designated for the purpose shall be responsible for timely payment of the State's composite dues to the regional reactive charge account in accordance with the provisions of the Grid Code.

(2) The reactive energy draws and injections by the intra-State entities shall be governed by the regulations applicable within the State concerned.

22. Special Energy Meters.—⁴[(1) Special Energy Meters shall be installed by the Central Transmission Utility for and at the cost of the regional entities and by the State Transmission Utility or the distribution licensee as the case may be, for and at the cost of the intra-State entities.]

(2) Special Energy Meters installed shall be capable of time-differentiated measurements for time block wise active energy and voltage differentiated measurement of reactive energy in accordance with Annexure 2 to Chapter 6 of the Grid Code.

(3) Special Energy Meters shall always be maintained in good condition.

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

⁵[**23. Transmission Losses.**—(1) The buyers and sellers of the electricity shall absorb energy losses in the transmission system as may be determined in

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for clause (6) (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Clause (6), before substitution, stood as under:
“(6) In an interconnection (integrated A.C. grid), since MW deviations from schedule of an entity are met from the entire grid, and the local utility is not solely responsible for absorbing these deviations, restrictions regarding magnitude of deviations (except on account of over-stressing of concerned transmission or distribution system), and charges other than those applicable in accordance with these regulation (such as standby charges, grid support charges, parallel operation charges) shall not be imposed by the State Utilities on the customers of inter-State open access.”
2. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for “open access”.
3. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for “State Utility” (w.e.f. 11-9-2013).
4. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for clause (1) (w.e.f. 11-9-2013). Clause (1), before substitution, stood as under:
“(1) Special Energy Meters shall be installed by the Central Transmission Utility for and at the cost of the regional entities and by the State Transmission Utility for and at the cost of the intra-State entities.”
5. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for regulation 23 (w.e.f. 11-9-2013). Regulation 13, before substitution, stood as under:
“23. Transmission losses.—(1) The buyers and sellers of the electricity shall absorb apportioned energy losses in the transmission system as estimated by the Regional Load Despatch Centre and the State Load Despatch Centre concerned, and applied in accordance with the detailed procedure.
(2) The energy losses shall be accounted for by providing a differential between schedules at the points of supply, inter-utility transfer and drawl of electricity.
(3) The applicable transmission losses for the regional transmission system as well as for State network shall be declared in advance and shall not be revised retrospectively.”

accordance with Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time and applied in accordance with the Detailed Procedure issued under the said regulations.

(2) The energy losses shall be accounted for by providing a differential between schedules at the points of supply and drawl of electricity.

(3) The applicable transmission losses shall be declared in advance and shall not be revised retrospectively.]

24. Compliance of Grid Code.—The buyers and sellers of energy shall comply with the provisions of the Grid Code in force from time to time.

¹**25. Collection and Disbursement of Transmission Charges.**—(1) The Transmission charges and the operating charges payable by the persons allowed short-term open access shall be indicated by nodal agency while approving the Open Access. Transmission charges payable for inter-State Transmission system and Transmission Charges for State network shall be indicated separately. Transmission Charges for the inter-state transmission system and intra-State transmission system and the Operating Charges of both for RLDC and SLDC shall be collected by the nodal agency in case of bilateral transactions. In case of collective transactions, nodal agency would collect the transmission charges for inter-State transmission system and operating charges of RLDC/NLDC. In the case of collective transactions, the

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for regulation 25 (w.e.f. 11-9-2013). Earlier regulation 25 was substituted by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 and corrected by corrigenda No. L-7/105(121)/2007-CERC, dated 10th June, 2009. Regulation 25, before substitution by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, stood as under:

“25. Collection and Disbursement of Transmission Charges and Operating Charges.—(1) The transmission charges and the operating charges payable by the persons allowed short-term open access shall be collected and disbursed by the nodal agency, except for transmission charges for State network and operating charges for State Load Despatch Centre in the case of the collective transaction.

(2) The transmission charges collected by the nodal agency for use of the transmission system other than State network, for a bilateral transaction shall be directly disbursed to the long-term customers after disbursing 25% of such transmission charges to the Central Transmission Utility in the following manner—

- (a) In case of intra-regional bilateral transaction: 75% of the transmission charges to the regional concerned.
- (b) In case of bilateral transaction between adjacent regions: 37.5% of the transmission charges for each region.
- (c) In case of bilateral transaction through one or more intervening regions: 25% of the transmission charges for each of importing and exporting each region and remaining 25% of the transmission charges to be allocated equally among all intervening regions.

(3) The transmission charges collected for use of the transmission system other than State network for a collective transaction for each point of injection and each point of drawl shall be disbursed by the nodal agency in the following manner, namely—

- (a) Central Transmission Utility: 25%
- (b) Long-term customers of the region of point of injection or drawl, as the case may be, is situate: 75%

(4) The transmission charges shall be disbursed to the long-term customers in proportion to the monthly transmission charges payable by them.

(5) The transmission charges for use of State network shall be disbursed to the State Transmission Utility concerned.

(6) In case a State utility is the short-term customer, the operating charges and the transmission charges collected by the nodal agency shall not include the charges for use of the State network and operating charges for the State Load Despatch Centre.”.

transmission charges for State network and Operating charges for the SLDCs shall be directly settled by the Power Exchange(s) with respective SLDC.

(2) The transmission charges collected by the nodal agency for use of the transmission system other than State network, for a bilateral or collective transaction for each point of injection and each point of drawl shall be given to Central Transmission Utility (CTU) for disbursement. The CTU shall disburse these transmission charges to the long-term customers of the synchronously connected grid where the point of injection or point of drawl is situated, as the case may be, in proportion to the monthly transmission charges payable by them after making adjustments against Long-term Access to target region in accordance with the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 as amended from time to time.

(3) The operating charges payable by the persons allowed short-term open access shall be collected and disbursed by the nodal agency, except for operating charges for State Load Despatch Centre in the case of collective transaction.

(4) In case a State utility is the short-term customer, the operating charges and the transmission charges collected by the nodal agency shall not include the charges for use of the State network and the operating charges for the State Load Despatch Centre.

(5) The transmission charges for use of State network shall be disbursed to the State Transmission Utility concerned.

(6) The wheeling and other charges payable to distribution utilities shall be paid by the applicant seeking open access in accordance with the open access Regulation of the concerned State Commission.]

¹[25A. Short Term Access not to be granted.—When so directed by the Commission, the National Load Despatch Centre or the Regional Load Despatch Centre, as the case may be, shall not grant short-term open access for bilateral transaction (including transactions through Power Exchange) to the entities and associates of such entities, who consistently and willfully default in payment of Unsheduled Interchange (Deviation) charges, transmission charges, reactive energy charges, congestion charges, fee and charges for National Load Despatch Centre or Regional Load Despatch Centre including the charges for the Unified Load Despatch and Communication Scheme and Unsheduled interchange (Deviation) charges to SLDC by an intra-State entity for a short term inter-State transaction:]

²[Provided that where the default in payment of the charges as mentioned above exceeds 90 days from the due date of payment, directions of the Commission shall not be required to be obtained in such cases and the NLDC or concerned RLDC , as the case may be, shall deny short term open access to the defaulting entity if request in this regard is received from the affected entity.]

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for regulation 25A (w.e.f. 11-9-2013). Earlier regulation 25A was inserted by Notification F. No. L-7/105(121)/2007-CERC, dated 20th May, 2009. Regulation 25A, before substitution, stood as under:

“25A. Short-term Open Access Not To Be Granted.—When so directed by the Commission, the National Load Despatch Centre or the Regional Load Despatch Centre, as the case may be, shall not grant short-term open access to the entities and associates of such entities, who consistently and willfully default in payment of Unsheduled Interchange charges, transmission charges, reactive energy charges, congestion charges and fee and charges for National Load Despatch Centre or Regional Load Despatch Centre including the charges for the Unified Load Despatch and Communication Scheme.”.

2. Added by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019.

¹[26. **Redressal Mechanism.**—All disputes arising under these regulations shall be decided by the Commission based on an application made by the person aggrieved.]

27. ²[**Information System - NOAR.**—³[NOAR shall give information regarding open access in interstate transmission including but not limited to the following:]

- (a) These regulations;
- (b) The detailed procedure;
- (c) A list of bilateral transactions accepted by the nodal agency, to be displayed till the end of the month in which transactions are scheduled, indicating;
 - (i) Name of customers;
 - (ii) Period of the ⁴[short-term Open Access] granted (start date and end date);
 - (iii) Point or points of injection;
 - (iv) Point or points of drawl;
 - (v) Transmission systems used (in terms of regions and States);
 - (vi) Accepted schedule (MW) with start time and end time;

Note—The status report shall be updated daily.

- (d) Information regarding usage of the inter-regional links;
- (e) The information regarding average regional energy losses for the previous 52 weeks;
- (f) Transmission charges and applicable transmission losses for various State networks as informed by the ⁵[State Transmission utilities] concerned;
- (g) The list of ⁴[Short-term open access] applications for advance scheduling received as the nodal agency which have not been accepted, along with reasons for denial, to be displayed till one month after the scheduling period.

⁶[27A. **Information System - State Load Despatch Centres.**—Each State Load Despatch Centre, shall within 60 days of coming into force of these regulations,

1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for regulation 26 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009). Regulation 26, before substitution, stood as under:
 "26. **Redressal Mechanism.**—Unless the dispute involves the State Load Despatch Centre and the intra-State entities of the concerned State and falls within the jurisdiction of the State Commission, all disputes arising under these regulations shall be decided by the Commission based on an application made by the person aggrieved."
2. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for heading "Information System - National Load Despatch Centre and Regional Load Despatch Centres". Earlier heading was substituted by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for short-term open access, received by nodal agency on or after 15-6-2009).
3. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "National Load Despatch Centre and each Regional Load Despatch Centre shall post the following information on their websites in a separate web-page titled "Short-term Open Access information"".
4. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
5. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 11th September, 2013, for the words "State utilities" (w.e.f. 11-9-2013).
6. Ins. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009 (It shall apply to the application for grant of short-term open access, received by nodal agency on or after 15-6-2009).

develop its website and post the following information on separate web-page titled "information on inter-State ¹[Short-term Open Access]."

- (a) ²[List of entities to whom standing clearance, has been granted till the end of the month indicating:]
 - (i) Name of customer;
 - (ii) ³[Period of standing clearance], (start date and end date);
 - (iii) Point or points of injection and drawl; and
 - (iv) Accepted schedule (MW).

Note—The status report shall be updated daily.

- (b) Average transmission losses for the State network for the immediately preceding 52 weeks;
- (c) Applicable transmission charges and transmission losses for the State network;
- (d) List of applications where ⁴[standing clearance], was not granted, along with reasons for refusal, to be displayed till one month after the scheduling period given in the application; and
- (e) A list of application pending for decision.]

28. Savings and Repeal.—(1) The provisions of the Central Electricity Regulatory Commission (¹[Short-term Open Access] in inter-State Transmission) Regulations, 2004 shall not apply to the ⁵[short-term customers] whose applications are processed under these regulations.

(2) The provisions relating to long-term customers as contained in the Central Electricity Regulatory Commission (¹[Short-term Open Access] in inter-State Transmission) Regulations, 2004 shall continue to apply till Commission notifies separate regulations covering aspects relating to long-term customers.

(3) The provisions relating to short-term open access as contained in the Central Electricity Regulatory Commission (¹[Short-term Open Access] in inter-State Transmission) Regulations, 2004 shall stand repealed on 1.4.2008.

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1. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access".
 2. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "List of bilateral transactions for which concurrence has been granted and list of entities to whom concurrence or "no objection" or prior standing clearance, as the case may be, has been granted till the end of the month in which such concurrence or no objection or prior standing clearance has been granted indicating".
 3. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "Period of concurrence or "no objection" or standing clearance, as the case may be".
 4. Subs. by Notification No. PM/NOAR/2016/CERC, dated 2nd January, 2019, for "concurrence or "no objection" or prior standing clearance, as the case may be".
 5. Subs. by Notification No. L-7/105(121)/2007-CERC, dated 20th May, 2009, for "open access customer".