

# MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION

## DRAFT NOTIFICATION

03.03.2015

In exercise of the power conferred under section 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, the Meghalaya State Electricity Regulatory Commission hereby makes the following regulations to amend the MSERC (Terms and Conditions of Open Access) Regulations, 2012, namely,

### **THE DRAFT MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF OPEN ACCESS) (FIRST AMENDMENT) REGULATIONS, 2015**

#### **1. Short title and commencement**

- (i) These regulations may be called the Meghalaya State Electricity Regulatory Commission (Terms and Conditions of Open Access) (First amendment) Regulations, 2015.
- (ii) They shall come into force on the date of their publication in the Gazette of Meghalaya.

#### **2. Amendment to Regulation 3 (s)**

The present definition of short term open access shall be replaced by the following:

- (i) “(s) - short term open access means open access for a period up to one month at a time but shall not exceed six (6) months in a calendar year”.
- (ii) Application fees specified in Column (5 &6) of Table 1 given just after regulation 12 shall be replaced by the following application fees;
  - (i) **Consumer connected to distribution system**
    - (a) Short term open access – existing fees shall be replaced by - Rs.25000/-
    - (b) Medium term open access – existing fees shall be replaced by –Rs.100000/-
    - (c) Long term open access – existing fees shall be replaced by – Rs.200000/-
  - (ii) **Consumer connected to intra state transmission system**
    - (a) Short term open access – existing fees shall be replaced by - Rs.25000/-
    - (b) Medium term open access – existing fees shall be replaced by –Rs.100000/-
    - (c) Long term open access – existing fees shall be replaced by – Rs.200000/-
  - (iii) **Collective transactions** – fees as may be decided by the Commission from time to time.

**3. Amendment to regulation 16 – Consent by STU, SLDC OR Distribution licensee**

Following regulation shall be added

“(3) The consent for open access in transmission and distribution shall only be given by an expert Committee to be constituted by their respective management. The committee shall recommend for grant of open access only after computation of spare capacity available in the transmission and distribution network and other constraints. Final consent for transmission and distribution open access shall be given by their respective management on the recommendation of the expert committee.”

**4. Amendment to Regulation 30 – Imbalance charges**

Regulation 30 will be replaced by the following;

**30. Imbalance Charge**

(1) Scheduling of all transactions pursuant to grant of long-term access or medium term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC for inter-State transactions and in accordance with State Grid Code/Commission’s order for intra-State transactions.

(2) In case of deviation by open access users, the difference between the schedule and the actual drawal/generation shall be accounted through the Time of Day (TOD) Meters on monthly basis and settled at the rate of imbalance charge as determined by the Commission or where imbalance charge has not been determined by the Commission Deviation Settlement Charges & limit as specified in Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 will be applicable. Unless specified otherwise by the Commission, the imbalance charge for intra-State entity shall be average tariff of similar category of consumer or 105% of UI rate at the peripheral of regional entity (for over-drawals or under generation) whichever is higher. Similarly lowest consumer tariff of distribution licensee or 95% (for under drawal or over generation) of UI rate whichever is lower.

(3) In addition to imbalance charges as stipulated under Sub-Regulation (2) above, for over-drawal as well as under-injection of electricity by open access users for each time block in excess of 12% of the schedule, Additional Charge for Deviation shall be applicable as per the CERC (Deviation Settlement Mechanism and related matters) Regulation, 2014 or as may be determined by the Commission.

(4) Payment of imbalance charges shall have a high priority and the concerned constituents shall pay the indicated amounts within 10 (ten) days of the issue of the statement, into a State imbalance pool account operated by the SLDC.

(5) If payments against the above imbalance charges are delayed by more than two days, i.e., beyond twelve (12) days from the date of issue of statement, the defaulting party shall have to pay simple interest @0.04% for each day of delay. Persistent payment defaults, if any, shall be reported by the SLDC to the Commission, for initiating remedial action.”

**5. Amendment to Regulation 31 – Reactive energy charges**

Regulation 31 (1) & (2) shall be replaced in the following manner;

31 “In respect of open access consumers having a load of 1MW and above, the payment for reactive energy by open access consumers shall be in accordance with provision stipulated in the State Grid Code or as may be decided by the Commission from time to time. If no charges are determined as above the provision of IEGC will apply.”

**6. Regulation 32 – Billing, collection and disbursement**

A new provision is added after sub regulation (2)

“(3) Responsibility for commercial settlement for reactive energy charges i.e. issuance of statement of reactive energy charges, collection and disbursement of the charges and maintenance of the reactive energy account shall lie with State Load Despatch Centre.”

**7. Amendment to Regulation 35 – Payment security mechanism**

Following regulation shall replace regulation 35

“(35) An open access consumers shall make a security deposit equivalent to two months to the appropriate licensee to secure the licensee against default in payment. The amount of security shall be derived by multiplying the contracted capacity for which open access is granted with transmission/wheeling charges in Rs/MW-Day as determined by the Commission and 60 days.

In case of long term open access and medium term open access, the applicant for open access will open an irrevocable letter of credit in favour of the agency responsible for collection of various charges for the estimated amount of various charges for a period of two months.

**JB Poon**  
**Secretary**  
**Meghalaya State Electricity Regulatory Commission**

**03.03.2015**