

## RAJASTHAN ELECTRICITY REGULATORY COMMISSION

### NOTIFICATION

Jaipur, 26<sup>th</sup> May 2004 (Amended up to 30.3.2007 – 4<sup>th</sup> Amend. Reg 68)

**No. RERC/Reg. No. 25** - In exercise of the powers conferred by section 42 read with Section 181 of the Electricity Act, 2003 and after previous publication, the Rajasthan Electricity Regulatory Commission hereby makes the following regulations, namely: -

**1. Short Title and Commencement**

- (i) These regulations shall be called the Rajasthan Electricity Regulatory Commission (**Terms and Conditions for Open Access**) Regulations, 2004;
- (ii) These regulations shall come into force on the date of their publication in official gazette.

**2. Definitions**

<sup>1</sup>[In these regulations, unless the context otherwise requires –

- a) "Act" means the Electricity Act, 2003 (36 of 2003);
- b) "Commission" means the Rajasthan Electricity Regulatory Commission;
- c) "Month means a calendar month commencing from 00.00 hours of the first day of month and ending on 24.00 hours of the last day of month."
- (d) "Open Access Customer" means
  - i. 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
  - ii. a generating company (including captive generating plant) or
  - iii. a licensee, who has availed of or intends to avail of open access".
- (e) "Open access consumer" means a consumer permitted by the Commission to receive completely or partly for its consumption the supply of electricity from a person other than distribution licensee of his area of supply.
- <sup>2</sup>[ (ee) "Open access supplier" means a generation company, or a trader or a licensee or person effecting supply to open access consumer. ]
- f) "State" means the State of Rajasthan;
- g) Words and expressions occurring in these Regulations and not defined herein above shall bear the meaning assigned to them in the Act.]

**3. Extent of Application**

These regulations shall apply to open access for use of intra-state transmission system and / or the distribution systems of licensees in the State, including when such system is used in conjunction with inter-state transmission system.

**4. Eligibility for Open Access and Conditions to be satisfied**

- (1) Subject to the provisions of these regulations, the Licensees, generating companies including persons who have established a captive generating plant and consumers shall be eligible for open access to the intra state transmission system of the State Transmission Utility or any transmission licensee on payment of transmission charges as may be determined by the Commission.

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<sup>1</sup> Earlier expressions replaced vide reg. No. 43 dated 15.12.05

<sup>2</sup> Definition inserted vide reg no. 58 dated 27.12.06

Provided that such open access for the use by a consumer shall be available on payment of a surcharge as may be determined by the Commission in accordance with provisions of regulation 15 in addition to payment of transmission charges.

- (2) Subject to the provisions of these regulations, the Licensees, generating companies including persons who have established a captive generating plant and consumers shall be eligible for open access to Distribution System of a Distribution licensee on payment of the wheeling charges as may be determined by the Commission.

Provided that such open access for the use by a consumer shall be available on payment of a surcharge and additional surcharge as may be determined by the Commission in accordance with provisions of regulations 15 and 16 in addition to payment of wheeling charges.

- (3) A person having been declared insolvent or bankrupt or having outstanding dues against him for more than 2 months billing of transmission or distribution licensee shall not be eligible for open access

**5. Special Provisions for existing distribution licensees**

- (1) The distribution licensees using intra state transmission system and the distribution system in the State on the date of coming into force of these regulations under an existing agreement or arrangement shall be entitled to continue to avail open access to such transmission and distribution system on the same terms and conditions, for the term of the existing agreement or arrangement on payment of transmission charges and wheeling charges as may be determined by the Commission.
- (2) The existing distribution licensees shall, within 60 days of coming into force of these regulations, furnish to the State Transmission Utility and the State Load Dispatch Centre details of their use of the transmission system and / or distribution system and the terms and conditions for such use.

**6. Provisions for existing consumers and generating companies**

- (1) The existing consumer or an existing generating company other than the licensees availing open access under agreements or government policy on the date of coming into force of these regulations shall submit to the State Transmission Utility and State Load Dispatch Centre details of capacity utilized, point of injection, point of drawal, duration of availing open access, peak load, average load or such other information as the State Transmission Utility or State Load Dispatch Centre may require, within 60 days of coming into force of these regulations.
- (2) The existing consumer or an existing generating company under clause (1) may continue to avail open access on terms and conditions laid down under these regulations to the extent they are not covered by any policy directive by the State Government to the Commission.

**7. <sup>1</sup> [Categorisation of intra state Open Access Customers**

- (1) Subject to the provisions of Regulations 5 and 6 the open access customers shall be classified into the following categories:
  - (i) Short-term intrastate open access customers

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<sup>1</sup> Earlier regulation replaced vide reg. No. 43 dated 15.12.05

- An open access customer availing intra state open access for a period of less than five years shall be the short-term intra state open access customer.
- (ii) Long-term intrastate Open Access customers  
An open access customer availing intra state open access for a period of five years or more shall be the long-term intra state open access customer.
  - (2) Intrastate Open access to 'Open Access Consumer' for a period of less than one year may be allowed from such date and on such terms and conditions as the Commission may notify. ]

**8. Allotment Priority**

The priority for allowing open access to persons other than covered by regulations 5 and 6 shall be decided on the following criteria:

- (a) A distribution licensee shall have the highest priority in allotment of open access capacity;
- (b) Other long-term open access customer shall have the priority over the short-term open access customer;
- (c) An existing open access customer shall have the priority over new open access customer under respective category provided he applies for its renewal 30 days prior to the expiry of existing term of open access.
- (d) Subject to clauses (a) to (c) above the decision shall be based on the basis of first come first served;

**9. Criteria for allowing open access**

(1) The capacity available for open access shall be considered after taking into account the following factors:

- (i) In respect of Transmission and Distribution system forming part of evacuation system of a power station, load flows anticipated on line at rated output from the power station with outage of any one of the single or double circuit line emanating from the power station, and
- (ii) Growth in maximum demand @ 5% per annum on transmission system and 10% per annum on Distribution system, and
- (iii) Maximum demand on transmission and distribution system recorded during pervious year, and
- (iv) Capacity allotted for open access consumer for the period Open Access is being considered.

Provided that availability of capacity, consequent to expiry of term of existing open access consumer, shall be considered only if balance period of open access is less than 30 days and no application for renewal is received.

(2) For the purpose of clause 9(1), transmission system capacity for interconnected system between point of injection and point of drawal, shall be based on load flow studies, taking into consideration the planning criterion as per clause 3.5 of IEGC (reproduced in appendix 'G' of Grid Code Part-I) with transmission line and transformation capacity normally considered as under: -

(a) Transmission/distribution line capacity for: -

400 KV line with shunt reactor	410 MW per circuit
400 KV line without shunt reactor	533 MW "
220 KV line	129 MW "
132 KV line	46 MW "
33 KV line	2750 KW "
11 KV line	300 KW "

- (b) Transformation capacity shall be rated capacity of transformer(s) provided that creation of transformation capacity at new substation/additional transformation capacity at existing substation will be considered from the anticipated date of commissioning.

Provided further that: -

- (i) For a double circuit line not emanating from a generating station, outage of a single circuit shall be considered.
- (ii) For single circuit line or single transformer only, between point of injection and point of drawal, outage of line or transformer shall not be considered.
- (iii) For shorter length of line, capacity higher than above may be considered based on voltage regulations and conductor size.
- (3) Intending customer shall be informed of the above system conditions while allotting capacity.

**10. Procedure for Long term intra state Open Access customer**

- (1) A long term intra state open access customer shall file an application to the State Transmission Utility with details such as capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load, average load and any other additional information that may be required by the State Transmission Utility;
- (2) A consumer intending to avail open access shall also submit a copy of his application to the distribution licensee who is supplying electricity to him;
- (3) The State Transmission Utility shall issue guidelines, procedures and prescribe an application form for applying for open access within 30 days of issue of these regulations;
- (4) The application shall be accompanied by a fee of Rs. 50000/- in the name and in the manner laid down in the guidelines by the State Transmission Utility;
- (5) The State Transmission Utility shall, in consultation with State Load Dispatch Centre, Transmission and Distribution licensees and based on system studies by the concerned licensee or otherwise, assess the capacity available and communicate the decision to the applicant within 60 days of the receipt of the application;
- (6) If, in the opinion of the State Transmission Utility, further system strengthening is essential before providing long-term access, the applicant may request the State Transmission Utility to carry out system studies and preliminary investigation for the purpose of cost estimates and completion schedule for system strengthening;
- (7) The State Transmission Utility shall carry out the studies immediately on receipt of request from the applicant under sub regulation (6) and intimate results of the studies within 90 days of receipt of request from the applicant;
- (8) The applicant shall reimburse the actual expenditure limited to Rs. 50,000/- incurred by the State Transmission Utility for system strengthening studies.

**11. Procedure for Short-term intra state open access Customer**

- (1) A short-term intra state open access customer shall submit an application for open access to the State Transmission Utility;
- (2) A consumer shall also furnish a copy of his application to the distribution licensee who is supplying electricity to him;
- (3) The application shall contain the such details as capacity needed, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information that may be laid down by the State Transmission Utility in its guidelines issued under regulation 10;

- (4) The application shall be accompanied by an application fee of Rs.5000/- payable in the name and in the manner laid down in the guidelines by the State Transmission Utility,
- (5) The State Transmission Utility shall take a decision on the application within thirty days of receipt of the application.

## 12. Open Access Agreement

- <sup>1</sup>[(1) An open access consumer will enter into a commercial agreement with the open access supplier. The agreement shall provide, among other things, the eventuality of premature termination of agreement and its consequences on the contracting parties.
- (2) An open access consumer will enter into a commercial agreement with the Rajasthan Vidyut Prasaran Nigam (RVPN) for use of the transmission system.
- (3) (a) An open access consumer shall enter into a commercial agreement with the distribution licensee for use of the distribution system. This agreement may provide for: -
  - (i) High Tension (HT) power supply from distribution licensee;
  - (ii) Stand by supply to meet the outage contingency of generating unit supplying electricity will be admissible only for annual maintenance outage, other planned outage and forced outage for a period not exceeding 42 days per annum in the aggregate.

(b) The contract demand for HT supply agreement and standby supply agreement will be in KW and also in KVA. Further an existing open access consumer may opt for HT power supply at the pre-open access contract demand or a reduced contract demand from any date during the first year of open access. However, subsequent option for reduced contract demand will be exercised only after one year.
- (4) An open access consumer will enter into a supplementary agreement for any change in the aforesaid agreements for open access supply for
  - (i) use of RVPN transmission system or of transmission licensee in the format and/ or
  - (ii) use of distribution system of distribution licensee for HT supply or standby supply
- (5) The standard formats for open access agreements referred at sub regulations (2), (3) & (4) shall be issued by the Commission separately & shall be deemed to be part of these regulations. The agreement executed may have terms and conditions, different from the such standard agreement formats subject to RERC approval.
- (6) HT power supply tariff shall be as applicable to that consumer category, billed on monthly or weekly basis as envisaged in these regulations.
- (7) Tariff for standby supply will be as applicable for temporary supply to the respective consumer category applicable on daily basis.
- (8) For the billing purpose a year is to be counted as of 52 weeks or 365.25 days.
- (9) Copies of the agreements executed will be supplied to the State Load Dispatch Center (SLDC). SLDC will intimate the open access consumer the date from which open access will be available which will not be later than 3 days from the date of furnishing of agreements.
- (10) The execution of agreements under sub regulation (3) or (4), will supercede the prevalent HT power supply agreement with the distribution licensee. For a reduced contract demand of HT supply, distribution licensee may make an application under

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<sup>1</sup> Earlier reg. No. 12 replaced vide Reg. No. 58 dated 27.12.06

regulation 14, towards fixed cost, if any, arising out of his obligation to provide open access.

- (11) Supply voltage for an open access consumer will be determined on the basis of a sum of HT supply contract demand and open access contract demand or HT supply contract demand and stand by supply contract demand, whichever is higher.

Provided, the supply voltage of an open access consumer prior to availing open access may be continued on the request of the open access consumer.]

**13. Non-Utilisation of open access capacity**

- (1) In case an open access customer is unable to utilize, full or substantial part of the capacity allotted to him, he shall inform the State Transmission Utility and State Load Despatch Centre along with reasons for his inability to utilize the capacity and may surrender the capacity allotted to him by serving a notice of 30 days;

- (2) The State Transmission Utility may, in accordance with guidelines framed by it in this regard and approved by the Commission, reduce or cancel the allotted capacity of an open access customer when such a customer frequently under-utilises the capacity allotted to him, and

- (3) An open access customer, whose capacity has been reduced or cancelled under sub clause 13(2), shall, in addition to discharging his contractual obligations, pay full charges for scheduling and systems operation, on full open access capacity for the remaining period of allocation. Where such reduction or cancellation is effected under regulation 13(1) above, such charges shall be for the revised capacity. <sup>1</sup>[Additional surcharge will also be payable as per regulation 16]

**14. Charges for open access**

- (1) The Transmission charges or wheeling charges for use of the Transmission System of the Transmission Licensee or the distribution system of a distribution licensee shall be regulated as under:

- (a) Transmission charges and wheeling charges payable by an open access customer shall be determined by the Commission in terms of the regulations framed by the Commission for determination of tariff.

<sup>2</sup>[" Provided the transmission charges will be determined on the basis of open access capacity contracted or open access capacity utilized, whichever is higher. However, excess open access capacity utilized, up to 5% of open access capacity allocation, occurring for two time blocks of 15 minutes each during a month will be ignored" .]

- (b) Where a dedicated transmission system or a distribution system used for open access has been constructed for exclusive use of an open access customer, the transmission charges or wheeling charges for such dedicated system shall be worked out in terms of the regulations for determination of tariff and shall be borne entirely by such open access customer till such time the surplus capacity is used for other persons or purposes.

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<sup>2</sup> Proviso added as suffix vide Reg no. 58 dated 27.12.06

- (2) In case intra state transmission system or distribution system is used by an open access customer in addition to inter-state transmission system, transmission charges and wheeling charges shall be payable for use of intra-state system in addition to payment of transmission charges for inter-state transmission.

**15. Surcharge**

- (1) In addition to transmission charges and wheeling charges, a consumer availing open access to the transmission system/distribution system shall pay a surcharge worked out in the manner laid down hereunder;
- (2) The cost of supply to the category of consumers for the purpose of tariff to which the open access consumer belongs, the voltage at which he is connected and the realisation from that category of consumers shall be the basis of calculating the extent of cross subsidy provided by such consumer. The methodology of computing cost of supply and realisation in respect of a category of consumers shall be laid down by the Commission by a separate order;
- (3) The amount of surcharge shall be so calculated as to meet the current level of cross subsidy from that category of consumers and shall be paid to the distribution licensee of area of supply where the consumer is located.
- (4) The surcharge shall be reduced and eliminated in the same manner as the Commission may lay down for reduction and elimination of cross subsidies in its regulations relating to terms and conditions of tariff of distribution licensees.
- (5) The consumers availing exclusively interstate transmission system shall pay the same amount of surcharge as determined under these regulations.

**16. Additional Surcharge**

- (1) A consumer availing open access and receiving supply of electricity from a person other than the distribution licensee of his area of supply shall pay to the distribution licensee an additional surcharge, in addition to wheeling charges and surcharge, to meet the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 42 of the Act;
- (2) The distribution licensee whose consumer intends to avail open access shall submit to the Commission within fifteen days of receipt of application under regulation 10 or 11 an account of fixed cost which the licensee is incurring towards his obligation to supply;
- (3) The Commission shall scrutinize the statement of account submitted by the licensee and obtain objections, if any, of the open access consumer and determine the amount of additional surcharge payable by the consumer to the licensee,
- (4) The additional surcharge shall be leviable for such period as the Commission may determine but not normally exceeding one year.

**17. Metering**

- (1) The open access consumer shall provide Main Meters, as may be specified by the Commission for such consumer based on voltage, point and period of supply and tariff category and incorporated in Rajasthan Grid Code (part-III) and metering code of distribution licensees;

- (2) The Generating company or a licensee contracting to effect supply to an open access consumer shall provide Main Meters at interconnecting points as specified in metering code based on the consumers to whom it will effect supply under open access or in case of inter state transmission shall arrange communication of energy accounts of Northern Regional Load Despatch Centre effected through displacement/adjustment in the format as may be specified by State Load Dispatch Centre on real time basis as well as periodically;
- (3) The Distribution licensee may provide Check Meters of the same specification as Main Meters;
- (4) The Main and Check Meters shall be periodically tested and calibrated by State Transmission Utility in the presence of other party involved. Main and Check meters shall be sealed by both parties. Defective meter shall be replaced immediately;
- (5) <sup>1</sup>["Main and Check meters readings shall be taken periodically on appointed day and hour by an authorized officer of the distribution licensee, effecting supply to consumer. The consumer or his representative, may also be present. The Meter reading shall be immediately communicated to the State Load Dispatch Centre, the consumer, the distribution licensee, effecting supply to the open access consumer, the State Transmission Utility and the Generating Company/trader, as the case may be, by the distribution licensee, within 12 hours. The Check meter readings shall be considered if the Main Meters are found to be defective or stopped." ]

Provided that if difference between the readings of main and check meter vis-à-vis main meter reading exceeds twice the percentage error applicable to relevant class, both meters shall be tested and one found defective shall be immediately replaced and reading of other will be considered.

Provided further that Distribution licensee for the purpose of this clause shall be the distribution licensee operating and maintaining distribution system to which consumer's premises are connected;

- (6) An open access consumer or generating company or licensee may request distribution licensee to provide Main Meters. In that case he shall provide security to distribution licensee and shall pay for its rent and Main Meter shall be maintained by Distribution licensee;
- (7) Main and Check Meters shall have facility to communicate its reading to State Load Dispatch Centre on real time basis or otherwise as may be specified in metering code, and
- (8) The term 'Meter' shall include Current transformers, voltage/potential transformers, wiring between them and meter box/panel.

#### **18. Communicating facility**

- (1) An open access customer shall provide for or bear the cost of equipments for communication up to nearest Grid Sub Station or State Load Dispatch Centre as the case may be, for two communication channels for communicating meters readings on real time basis.

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<sup>1</sup> Replaced vide Reg no. 58 dated 27.12.06

(2) An open access customer shall have round the clock facility of communication with SLDC through: -

- (i) Telephone /Mobile with S.T.D.
- (ii) Transmission / receipt of Fax and E-mail.

19. <sup>1</sup>[State Load Despatch Centre (SLDC) fee and charges

SLDC fee and charges including scheduling and operating charges shall be payable as specified in the Rajasthan Electricity Regulatory Commission (Levy of fee and charges by SLDC) Regulations, 2004.]

20. **Unscheduled interchange pricing**

<sup>2</sup>[ (1) Mismatch payment of scheduled and actual drawal will be governed by the RERC (Intra-State ABT) Regulations, 2006.

(2) Where the open access supplier is governed by the inter- state ABT, it will be governed by CERC (Inter-State OA) Regulations, 2004. For intra state ABT, the permissible deviation of actual injection with regard to scheduled injection and actual drawal against scheduled drawal will be as under and will be settled at intra state unscheduled interchange rate, as specified by RERC from time to time:

- (a) Deviation at injection end (-) 100% to + 5%
- (b) Deviation at drawal end (-) 5% to + 5%

Any deviation in excess of 5% at injection end and lower than 5% at drawal-end will be considered as inadvertent supply to the supplier-end distribution licensee and to the consumer-end distribution licensee respectively. Such supply will neither be payable nor bankable unless specifically provided in the RERC regulations. However, a deviation in excess of 5% at drawal end by open access consumer will be governed by balancing the agreement for HT supply and/ or standby supply.

(3) Where an open access supplier is not governed by interstate or intrastate ABT, there will be no permissible deviation.

(4) In case of reduced supply or outage of supplier's generating station, the excess drawal at the drawal end, beyond the permissible limit will be first considered under the HT power supply upto contract demand and beyond that up to the contract demand under the standby supply and thereafter, excess drawal will be considered as per HT power supply agreement. Billing for HT supply will be effected on monthly or weekly basis and that of standby supply at temporary supply tariff on daily basis with fixed charges and minimum billing etc. based on daily maximum demand.

Provided, where the agreement for HT power supply and standby supply does not exist, any drawal exceeding the open access entitlement will be effected at temporary supply tariff on daily basis with the contract demand considered as equal to maximum demand of such excess drawal for that day or maximum demand caused during the preceding 90 days, whichever is higher. Further, any excess drawal of more than two blocks in a month will be considered as Grid indiscipline and the distribution licensee may effect curtailment or suspension or determination of open

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<sup>1</sup> Earlier reg. replaced vide reg. No. 43 dated 15.12.05

<sup>2</sup> Earlier reg. replaced vide reg. No. 58 dated 27.12.06

access until contract demand for HT power supply is enhanced corresponding to the excess demand.]

<sup>1</sup>[(5) The energy accounting for billing of open access consumer with contract demand of 5MVA and above shall be carried out as per above provisions for injection schedule, actual injection, drawal schedule and actual drawal as per meter readings for each time block of 15 minutes.

Provided that energy accounting and billing effected prior to publication of this notification, as per Commission's orders shall be considered as effected under these provisions.

(6) The energy accounting for billing of open access consumers with contract demand below 5 MVA, shall be based on 'interface meters with ToD facility' as per the mechanism indicated at Appendix-I.

Provided that open access consumer with contract demand of 5MVA and above can opt for energy accounting by the mechanism as provided at Appendix-I after giving 15 days notice to licensee. Such energy accounting will be effective after the installation of requisite meter within notice period.

(7) Time zones for 'ToD metering' can be altered by the distribution licensee after notifying the same two weeks in advance. ]

## **21. Reactive Energy Charges**

(1) The payment for the reactive energy charges for the open access customers shall be calculated in accordance with the scheme applicable to generators and consumers for reactive charge input and drawal respectively as may be determined by the Commission from time to time.

<sup>2</sup> [(2) Power factor surcharge /incentive for HT power supply and standby supply will be as per electricity supply tariff as applicable to the respective consumer category. For the purpose, during a time block, kVARh (lagging) drawal will be allocated to open access, HT power supply and standby supply in proportion to the kWh drawal and average power factor for the billing period will be based on vector addition of kWh and kVARh i.e. Average power factor = kWh/ square root of (kWh x kWh + kVARh x kVARh).]

## **22. Energy losses**

(1) The transmission losses to the existing distribution licencees shall be apportioned to them in proportion to actual energy drawal,

(2) The Energy losses on account of use of the transmission and distribution system shall be adjusted in proportion of the energy drawal by the open access consumer on the basis of actual losses during previous year in the system for the voltage level at which he is connected.

## **23. Other Commercial Conditions**

(1) As a payment security towards transmission charges, a deposit equal to 3 months of the average billing on the basis of agreed contract demand or scheduled drawal shall be maintained with the State Transmission Utility.

(2) <sup>3</sup> [As a payment security towards SLDC charges, a deposit equal to 3 months of the SLDC fee and charges including scheduling and operating charges shall be maintained with the State Load Dispatch Centre.]

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<sup>1</sup> Sub-reg. added vide Reg no. 68 dated 30.3.07

<sup>2</sup> Sub-reg. added vide Reg no. 58 dated 27.12.06

<sup>3</sup> Earlier sub reg. replaced vide reg. No. 43 dated 15.12.05

- (3) As a payment security towards wheeling charges, surcharge and additional surcharge, a deposit equal to 3 months of average billing for these charges shall be maintained with the distribution licensee of the area of supply.
- (4) Such security could be in form of cash deposit, letter of credit etc.
- (5) The other commercial conditions for transmission or wheeling charges and scheduling and system operation charges, such as, terms of payment, creditworthiness, indemnification, and force majeure conditions shall be standardized within 60 days from the commencement of the regulations by the State Transmission Utility for open access customers.

**24. Compliance with Grid Discipline**

(1) The open access customer shall abide by the Indian Electricity Grid Code, the State Grid Code and instructions given by State Transmission Utility and State Load Dispatch Centre as applicable from time to time.

<sup>1</sup> [(2) Open access supplier will provide the injection schedule at the generator-end and drawal schedule at the load end to SLDC as provided in the State Grid Code to the, supplier-end distribution licensees and to the consumer-end distribution licensee. The Injection schedule will have the open access consumer and supplier identification. Where open access is effected to more than one open access consumer, supplier will provide a break up of injection schedule as applicable to each open access consumer and will indicate the priority in the injection schedule of each of the open access consumer to be considered. Priority ranking will be done in the descending order.

(3)(a) Where the open access supplier is governed by the interstate or intra state ABT, the entitlement of an open access consumer will be as per injection schedule or revision thereof as applicable to him duly adjusted for inter-state and Intra-state losses.

(b) Where an open access supplier is not governed by inter state or intra state ABT, the entitlement of an open access consumer will be based on the actual injection adjusted for inter state and intra state losses.

(c) Where the supply is effected by an open access supplier to a number of open access consumer and where no priority is indicated or actual injection is more than the scheduled injection, actual injection will be segregated proportionally amongst open access consumer as per injection schedule. In case an open access supplier has indicated priorities, and actual injection is less than scheduled, the actual injection will be segregated as per priority in the following criteria: -

(i) actual injection will be allocated to an open access consumer in the order of priority.

(ii) where actual injection, after meeting the allocation made to open access consumer of higher priority is not available to meet integrated scheduled demand of open access consumer of the lower priority, their allocation will be taken as nil.

(iii) where the actual injection, after meeting the allocation made to the open access consumer of higher priority is available to meet partially the integrated scheduled demand of open access consumer of the next (same) priority, the available injection will be segregated in proportion to the injection schedule as applicable to the respective consumer;

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<sup>1</sup> Added vide Reg no. 58 dated 27.12.06

(iv) The entitlement of each open access consumer as determined will be subject to adjustment of transmission and distribution system losses as per clause (a) & (b) above;

(v) The firm supply to a distribution licensee will be scheduled and segregated as supply to an open access consumer as above.

(4) Annual maintenance outage, other maintenance outage and forced outage will be subject to the provisions of the State Grid Code. Intimation of the outage commencement will be sent to SLDC and to the distribution licensees, within 30 minutes of the outage and will incorporate the estimated outage/rectification time. Restoration of unit under outage will be conveyed at least 30 minutes prior to its synchronization with the State Grid.]

**25. Collection and Disbursement of charges**

(1) The transmission charges and wheeling charges in respect of open access customers shall be payable by the open access customer directly to respective licensees;

(2) <sup>1</sup> [The SLDC fee and charges including scheduling and operating charges in respect of open access customers shall be paid to the State Load Despatch Centre,]

(3) The Unscheduled Interchange charges shall be paid in the manner as directed by the State Load Despatch Centre on weekly basis.

(4) The surcharge and additional surcharge shall be paid by the open access consumer directly to the distribution licensee in whose area of supply he is located.

<sup>2</sup> [(5) Where fee, charges, surcharge and additional surcharge, are specified on monthly basis, for the part of the month, these charges shall be worked out on prorata daily basis.]

<sup>3</sup>[(6) The supplier-end distribution licensee, that is, the distribution licensee in whose area of supply point of injection of open access supply is situated, will convey (or down load) the meter readings taken at an appointed time to the SLDC, RVPN, supplier and consumer end distribution licensee(s).

(7) The consumer end distribution licensee, that is the distribution licensees in whose area of supply an open access consumer is situated will convey (or down load) the meter readings taken at an appointed time to SLDC, consumer, RVPN & supplier.

(8) The consumer end distribution licensees will prepare the provisional weekly energy account based on the injection schedule, drawal schedule (if applicable), and meter readings and contract demands for HT power and standby supply and serve monthly bills based on energy account from the week, to which provisional bill has been served to the week ending on or before 25<sup>th</sup> day of the month. The provisional bill will be served in the first week of the month. A copy of the provisional energy account will also be supplied to SLDC.

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<sup>1</sup> Earlier sub reg replaced vide reg. No. 43 dated 15.12.05

<sup>2</sup> New sub reg inserted vide reg. No. 43 dated 15.12.05

<sup>3</sup> New sub reg inserted vide reg. No. 58 dated 27.12.06

UI will have to be considered by distribution licensee provisionally subject to receipt of final energy account from SLDC. A soft copy of the provisional and final energy account will be supplied to open access consumer or open access supplier on payment of Rs. 25 per CD by the distribution licensee.

- (9) Meters, CTs, PTs etc installed at the injection point and at drawal point of open access supply will comply with the provisions of 'interface' meters as per CEA (installation & operations of meters) Regulations, 2006;

Provided, the existing consumer availing the open access under these Regulations will be subjected to such changes as may be required within 6 months of the notification of these regulations.]

**26. Phasing of Open Access**

- (1) The open Access shall be allowed to the intra state transmission system subject to the satisfaction of the conditions contained in the Act and in these regulations;
- (2) Having regards to operational constraints and other relevant factors, open access shall be allowed to consumers in the following phases:

S. No.	Phases	Category of consumers	Time from which open access allowed
1	Phase I	Consumers with the contract demand of 15 MVA and above	April 1, 2005
2	Phase II	Consumers with the contract demand of 5 MVA and above	April 1, 2006
3	Phase III	Consumers with the contract demand of 1.5 MVA and above	April 1, 2007
4	Phase IV	Consumers with the contract demand of 1.0 MVA and above	April 1, 2008

- (3) Based on the experience of operation of open access in phase I, the Commission may revise the schedule for allowing open access in subsequent phases,
- (4) The Commission may allow open access to consumers with less than 1 MVA contract demand at such time as it may consider feasible having regard to operational constraints and other factors.
- (5) A person covered by a policy of the State Government, existing on the date of commencement of these regulations, relating to captive generation or generation through non conventional energy sources shall be eligible to avail open access irrespective of contract demand.

**27. Curtailment Priority**

When because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of Grid Code, the short-term intra state customers shall be curtailed first followed by the long-term intrastate customers. The open access to a distribution licensee shall be the last to be curtailed. SLDC shall frame guidelines for curtailment of intra state open access customers.

**28. Information system**

The State Load Despatch Centre shall post following information on its website in a separate web page titled "Open access information" and also issue a monthly and annual report containing such information.

- (1) A status report on long-term customers indicating: -
  - (a) Name of customer;
  - (b) Period of the access granted (start date and end date);
  - (c) Point(s) of injection;
  - (d) Point(s) of drawal;
  - (e) Transmission's system / distribution system used;
  - (f) Open access capacity used.
- (2) A status report on the current short-term customers indicating: -
  - (a) Name of customer;
  - (b) Period of the access granted (start date and end date);
  - (c) Point(s) of injection;
  - (d) Point(s) of drawal;
  - (e) Transmission's system / distribution system used;
  - (f) Open access capacity used.
- (3) Peak load flows and capacity available on all EHV lines and HV lines emanating from EHV GSS.
- (4) The information regarding average loss in transmission and distribution system as determined by respective licensee.

**29. Redressal Mechanism**

- (1) All disputes and complaints relating to open access shall be made to the State Load Despatch Centre, which may investigate and endeavour to resolve the grievance within 30 days, and
- (2) Where SLDC is unable to resolve a grievance, State Power Committee constituted under Grid Code shall endeavour to resolve the grievance within 30 days, and
- (3) Where State Power Committee is unable to resolve the grievance in the time period specified above, it shall be referred to the Commission.

**30. Powers to Remove Difficulties**

<sup>1</sup>[If any difficulty arises in giving effect to or implementation of any of the provisions of these Regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Dispatch Centre, licensees and the open access customer, to take such action, as may be deemed appropriate by the Commission in mitigating the difficulties. ]

Secretary  
Rajasthan Electricity Regulatory Commission

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<sup>1</sup> Replaced vide reg. No. 58 dated 27.12.06

\* **[Appendix-I]**

**Energy Accounting Mechanism for Open Access Consumers**

1. Settlement Period:

Weekly meter readings shall be taken for energy injection at injection end and energy drawal at drawal end during specified time zones. Weekly meter readings shall also be taken for maximum demand of injection and drawal at respective ends. Time zone & their duration shall be the same for injection end and drawal end. Based on -

- (i) Weekly injection/drawal of energy during each time zone as per meter readings and
- (ii) Recorded maximum demand, on 15 minutes or 30 minutes basis, as the case may be, for the week

the energy injection/drawal shall be converted into constant injection/drawal of two time blocks during each time Zone as under.

2. Injection end:

2.1 Let,

n= number of time zones in a day

Em= energy injection during the time zone, in kWh

Hm= Duration( in hours) of the time zone

MDi= recorded maximum demand for the week in kW

Ami= Average demand of energy injection during the time zone in kW( Em/Hm)

MAXi= maximum of average demand of energy injection, in kW i.e. Maximum of (Ami1,Ami2,... Amin)

dfi= demand factor during maximum injection time zone (in per unit (p.u.))=(MAXi/MDi).

2.2 Injection during each time zone shall be split into two time blocks, one of peak drawal for 20% duration of each time zone and other of lower drawal for 80% duration of each time zone as under:

Particulars	Time block 1 (TB1) (20% peak time block)	Time block 2 (TB2) (80% lower than peak time block)
(i) Duration, hours	0.2xHm	0.8xHm
(ii) Energy injection,kwh	Em x 0.2/dfi	Em x (dfi-0.2)/dfi
(iii)Demand of injection, kW	Em x 0.2/(dfi)/(Hmx0.2) = Ami/dfi	Em x (dfi-0.2) /(dfi x Hm x 0.8) = 1.25 Ami(df-0.2)/dfi

2.3 In case of supply to number of open access consumers & discom, energy & demand for each time block shall be allocated to each open access consumer & discom as per priority assigned in schedule & where priority is the same, then in proportion to average schedule of drawal of open access consumers, during each time block to determine available injection (for energy and demand) to open access consumers & discom. Scheduling shall be as per Grid Code.

2.4 The available injection, so determined, for open access consumer shall be checked vis-à-vis transmission and/ or distribution capacity reservation. Any injection in excess of transmission and/ or distribution capacity reservation, shall be disallowed and available energy & demand during that time block, shall be reduced by such excess. Reduction in available energy shall be equal to excess demand (in kw) multiplied by duration. Such excess injection shall be inadvertent supply to discom.

\* Appendix I added vide Reg. No 68 dt 30.3.07

3. Entitlement:

The available injection in energy & demand, corrected as above, shall be reduced by transmission and/ or distribution losses to determine entitled energy and demand.

Entitled energy= available energy (1-losses( in pu))

Entitled demand= available demand (1-losses( in pu))

4. Open access drawal:

4.1. Energy drawal as per meter readings at drawal end during each zone shall be split into two time blocks of peak drawal & lower than peak drawal duration, following the procedure at 2.1 & 2.2, as under:

Let,

Dm= Actual energy drawal during the time zone.

MDd= recorded maximum demand of drawal for the week.

Amd= Average demand of actual energy drawal during the time zone  
( Dm/Hm)

MAXd= maximum of average demand of actual energy drawal in kW i.e. maximum of (Amd1, Amd2,.....,Amdn)

dfd= demand factor during maximum drawal time zone (in per unit (p.u.))=(MAXd/MDd)

Particulars	Time block 1 (TB1) (20% peak time block)	Time block 2 (TB2) (80% lower than peak time block)
(i) Duration, hours	0.2xHm	0.8xHm
(ii)Energy drawal, kWh	0.2xDm/dfd	Dm x(dfd-0.2)/dfd
(iii)Demand of drawal, kW	Amd/dfd	1.25xAmdx(dfd-.2)/dfd

4.2. The open access drawal shall be lesser of entitled energy (vide 3) and energy drawal (vide 4.1) during each time block.

4.3. Entitled energy (vide 3) in excess of energy drawal (vide 4.1) in each time block shall be inadvertent supply to discom.

4.4. Actual energy drawal in excess of entitled energy during each time block shall be the supply by discom. Maximum demand of drawal from discom during each time block shall be excess energy drawal divided by the time block duration.

4.5. In case maximum drawal demand from discom exceeds regular H.T. supply contract demand during any time block and there is shut down of the power plant, then excess drawal shall be stand by supply with its demand equal to such excess demand and energy drawal as equal to excess demand multiplied by duration of time block. Only balance shall be considered as regular supply demand and drawal. Stand by supply shall be billed on daily basis based on notice of commencement & restoration of shutdowns verified through load survey data or any other records.

4.6. Maximum demand for drawals during the week, for regular and stand-by supply shall be the maximum of the demand so worked out for each time block. Energy drawal during the week for open access, regular and stand -by supply shall be the sum of the respective energy drawal during each time block.

4.7. For the purpose of weekly billing, monthly rate shall be converted to weekly rate by multiplying it by the ratio of 12 (Number of months in a year)/ 52 (Number of weeks in a year) i.e. 3/ 13.]