

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
AT PANCHKULA
SUO-MOTO**

**Date of Hearing : 27.08.2020
Date of Order : 27.08.2020**

In the Matter of

Haryana Electricity Regulatory Commission (Terms and Conditions of License for Deemed Licensee) Regulations, 2020

Present through Video Conferencing:-

1. Shri Sanjay Singh, GM/Elec., REMCL (Railways)
2. Shri Kshitij Dhingra, M/s. IEX
3. Shri Amit Kamboj, Xen, Commercial, DHBVN
4. Ms. Nitika Choukse, Counsel for DHBVN
5. Shri Vijay Upadhyay, SDO, Haryana Vidyut Prasaran Nigam Ltd. (HVPNL)

QUORUM

**Shri Pravindra Singh Chauhan,
Shri Naresh Sardana,**

**Member
Member**

INTERIM ORDER

1. The Commission, in accordance with the powers conferred on it by section 181 of the Electricity Act 2003 read with Section 14 and 16 of the Act and all other powers enabling it in this behalf considered it appropriate to suo motu frame Regulations containing the Terms & Conditions of Deemed Licensee. Draft discussion paper on HERC (Terms & Conditions of License for Deemed Licensee) Regulations, 2020 was prepared for public consultation and appended with the Order dated 17.06.2020 passed by the Commission in the matter of *“Petition seeking clarification on various applicable charges under Clause 19, 20, 21, 22, 23, 24, 57, 58 and 59 of Haryana Electricity Regulatory Commission (Terms and conditions for grant of connectivity and open access for intra State transmission and distribution system) Regulations, 2012 (No. 25/HERC/2012 dated*

11.01.2012) to be levied on Northern Railways (Deemed Distribution Licensee) for availing medium term open access.” (HERC/PRO-11 of 2017). The draft was also hosted on the website of the Commission inviting comments/objections from stakeholders and interested persons.

2. The Commission issued Public Notice in Indian Express (English) and Dainik Tribune (Hindi) dated 14th July 2020, inviting comments/objections from general public/stakeholders, on or before 20th August, 2020. The date of public hearing i.e. 27.08.2020, through Video Conferencing, was also mentioned in the said notice with link of Video Conferencing to be shared with the stakeholders filing comments/objections.
3. In response, to the ibid public notice the following stakeholders filed their comments/suggestions/objections: -
 - (a) M/s Haryana Vidyut Prasaran Nigam Ltd. (HVPNL), Panchkula.
 - (b) M/s Indian Energy Exchange (IEX).
4. Accordingly, the link of Video Conferencing was shared with HVPNL, IEX, Railways and DISCOMs. The matter was heard by the Commission on 27.08.2020, as scheduled, through virtual court (Microsoft Meets).
5. Shri Sanjay Singh, appearing on behalf of Railways submitted that an appeal has been filed by them in the Appellate Tribunal for Electricity (APTEL) against the Order of the Commission dated 17.06.2020, containing the present Regulations. The outcome of the said appeal may have direct impact on the present Regulations. Further, the draft Regulations contains reference to Railways/JIPTL, which has made the applicability of Regulations specifically to the Railways. Accordingly, Shri Singh requested the Commission to adjourn the proceedings till the disposal of the appeal filed before Hon'ble APTEL.
6. Shri Amit Kamboj, Xen/Commercial/DHBVNL appearing along with Ms. Nitika Choukse, Counsel, submitted that they may be permitted to file written comments within one week.
7. Shri Kshitij Dhingra, appearing on behalf of M/s. Indian Energy Exchange, submitted that written comments have already been filed, which may be considered by the Commission.
8. Shri Vijay Upadhyay, appearing on behalf of HVPNL, submitted that HVPNL has already filed written comments, which may be considered by the

Commission. Additionally, he submitted that the Terms & Conditions of Deemed Licensee may specify that they have to comply with Renewable Purchase Obligation (RPO) also.

9. The Commission after hearing all the parties, granted liberty to DHBVNL to file their written comments within one week. The Railways also, if they so desire, file their written comments/objections/ suggestions within one week. The Commission will consider the oral submissions of the parties as well as the written submissions received in the Commission before giving a final shape to the Regulations under consideration.
10. Accordingly, public consultation is concluded and Order reserved.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 27.08.2020.

Date: 27.08.2020
Place: Panchkula

(Naresh Sardana)
Member

(Pravindra Singh Chauhan)
Member