

- iii. The State Nodal Agency shall ensure that non-refundable processing fee of five thousand rupees for long-term/medium-term open access and one thousand rupees for short-term open access is paid by applicant to the nodal agency and the nodal agency shall intimate the same through electronic mode of communication, immediately on receipt of the application form from Central Agency. The applicant shall pay the processing fees within one working day.
- iv. An application for a short-term GEOA, for power plant(s) or its/their generating unit(s) which are yet to be commissioned, shall be made not before two months prior to the commissioning date of such power plant(s) or its/their generating unit(s), to avoid unnecessary blocking of corridor.
- v. An application for long-term/medium-term GEOA shall be accompanied by a Bank Guarantee (BG) of ten thousand rupees per MW, which shall be kept valid and subsisting till the signing of agreement for wheeling of electricity and such BG shall be encashed by the Nodal Agency, if the application is withdrawn by the applicant prior to the signing of such agreement. On signing of the agreement for wheeling of electricity, the BG shall be returned immediately to the applicant by the State Nodal Agency. The BG shall be submitted within three working days from the date of intimation by the SNA.
- vi. In case there is any material change with regards to the location of the injection point or quantum of power to be interchanged (by more than ten percent) using the intra-State transmission and or distribution system, a fresh application shall be made for the entire capacity to ascertain the system availability and such application shall be accompanied by relevant documents, application fees and in case of long term open access with required bank guarantee for the additional capacity and in case the additional capacity sought for cannot be accommodated in the existing network, the applicant is entitled for open access to the extent of his original allotment.
- vii. Where any application is rejected for any deficiency or defect, the processing fees and Bank Guarantee, if submitted, shall be returned to the applicant and in such cases a fresh application to the Central Nodal portal shall be made by the applicant after curing the deficiency or defect.
- viii. The State Nodal Agency shall communicate to the applicant through a recognized mode of communication, the grant of open access or otherwise.
- ix. Further, during the pendency of application for grant of GEOA, the applicant shall not inject any energy to the licensee's network and the licensee shall not be liable to pay any charges for the energy injected during such period.

- x. Any energy injected into the licensee's network from the date of grant of open access till the date of submission of agreement for wheeling, the applicant shall be entitled for payment of energy charges at Average Pooled Power Purchase cost [APPC] rate or 75% of the Generic tariff determined by the Commission for the relevant year for the relevant RE source, whichever is lower.
- xi. The person seeking open access shall execute the agreement for wheeling of electricity within the time specified above, failing which the open access granted or deemed to have been granted shall stand cancelled.
- xii. The transmission Licensee/s, distribution licensee/s and the SLDC shall ensure proper coordination while arranging for open access.
- xiii. New generating plant(s) or generating Unit(s) seeking long-term open access and entering into agreement for wheeling, shall commission such plant(s) or unit(s) within twelve months from the effective date, failing which the open access granted shall be deemed to have been cancelled, to avoid unnecessary blocking of the corridor.
- xiv. An open access consumer shall enter into commercial agreements with generators, traders and others, as applicable, and such agreements shall include provisions pertaining to payment security mechanism.
- xv. The State Nodal Agency shall host on its website the details of every application received from the Central Nodal Agency and the status of such application on a continuous basis, which shall be made available to the public.
- xvi. Provided further that the State nodal Agency shall prepare formats in line with the procedure followed by Central Nodal Agency, for smooth implementation of the GEOA in the State.

10. Procedure for applying for Day Ahead GEOA Transactions. -

The applicant shall apply to the Central Portal for Day Ahead GEOA Transactions in the standard application format.

For the applications received by the SNA from the central agency, before 13.00 hrs of the day immediately preceding the day of scheduling for day-ahead GEOA transaction, the State Nodal Agency shall check for congestion in the system and convey grant of approval or otherwise to the applicant through e-mail or fax, not later than 15:00 Hours of the day immediately preceding the day

of scheduling for day-ahead transaction, after ensuring that there is no subsisting PPA for the capacity sought under OA.

Non-refundable processing fee of One Thousand rupees for each transaction shall be paid by the applicant, in cash or by way of a demand draft or proof of payment through electronic transfer in favour of the State Nodal Agency.

Provided that the actual operationalisation of open access shall be effected subject to payment by the applicant of the charges as specified in these Regulations and orders passed by the Commission from time to time, before 17:00 hours of the day immediately preceding the day of scheduling for day-ahead transaction.

Where open access is denied, the State Nodal Agency shall furnish reasons thereof to the applicant.

11. Non-Utilisation of open access service by Open Access Consumers

- i. In the event of inability of the short-term open access consumer to utilize for more than four hours, full or substantial part of the capacity allocated to him, such a short-term open access consumer shall inform the respective SLDC of his inability to utilise the capacity, along with reasons therefore and may surrender the use of capacity allocated to him. However, such short-term consumer shall bear full transmission and /or wheeling charges based on the original reserved capacity and the period for which such capacity was reserved.
- ii. A medium-term/long-term consumer shall not relinquish or transfer his rights and obligations specified in the open access agreement without prior approval of the nodal agency. The relinquishment or transfer of such rights and obligations by a long-term consumer shall be subject to payment of compensation, as per the terms of the open access agreement.
- iii. The SLDC may cancel or reduce the capacity allocated to a short-term open access consumer to the extent it is underutilized, when such a short-term open access consumer under-utilizes the allocated capacity more than 2 times in a month with duration of underutilization exceeding 2 hours each time or fails to inform the distribution licensee of his inability to utilise the allocated capacity. Such cancellation shall be resorted to after giving due notice.
- iv. The surplus capacity available as a result of its surrender by the short-term open access consumer under clause (1) above or reduction or cancellation of capacity by the SLDC under clause (3) above, may be allocated to any other short-term open access consumer in the order of pending applications based on the point of injection and drawal.

12. Open Access Charges:

The following charges shall be determined by the Commission considering the methodology specified by FoR, for Green OA:

- a. Transmission Charges
- b. Wheeling Charges
- c. Cross subsidy charges
- d. Additional surcharge
- e. Banking Charges
- f. Standby charges, wherever applicable.

Till such time the methodology is finalized, the above charges shall be as determined by the Commission from time to time.

In addition, the GEOA Consumer shall pay the monthly transaction charges of Rs. 3,000 (Rupees Three Thousand only) for maintaining the transaction details, to the State Nodal Agency and meter reading charges of one thousand Rupees to the concerned licensee(s) who carry out such meter reading.

13. Banking

Banking shall be permitted on a monthly basis on payment of applicable charges as determined by the Commission in separate Orders issued from time to time.

Provided that the credit for banked energy shall not be permitted to be carried forward to subsequent months and the credit of energy banked during the month shall be adjusted during the same month.

The payment for the banked energy remaining unutilised shall be as per the actual banked energy, limited to 30% of the consumption during the month from the licensee. The ESCOMs shall pay 75% of the generic tariff determined by the Commission for such RE source for such relevant period.

Explanation: The Rules have specified a limit of 30% for the banked energy. The Rules also specify that there is no carry forward from month to month. In such a case, the limit of 30% implies that it is for making payment by the licensee for the banked energy to avoid large quantum of energy being banked. Otherwise, the 30% limit would be defunct.