



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION
5th Floor, Singareni Bhavan Lakdi-ka-pul Hyderabad 500 004

Draft Intra-state Open Access Regulation for inviting comments/objections from stakeholders/general public for finalization Telangana State Electricity Regulatory Commission (*Terms and conditions of Open Access*), Regulation, 2023

1. Background:

Telangana State Electricity Regulatory Commission (hereinafter referred to as TSERC or the Commission) was constituted by the Government of Telangana State (GoTS) in terms of the provisions of Schedule XII (C) (3) of the A.P. Reorganisation Act of 2014 read with Section 82 of the Electricity Act, 2003 (Act) vide G.O.Ms.No.3, Energy (Budget) Department, dated 26.07.2014. This Commission had notified TSERC (Adoption) Regulation No.1 of 2014 on 10.12.2014 for adoption of previously subsisting regulations, decisions, directions or orders, licenses and practice directions, as such, all the Regulations framed by the erstwhile APERC shall continue to apply for the State of Telangana including the following Regulations relating to the Open Access:

- i) Terms and Conditions of Open Access, Regulation, 2005 [Regulation No.2 of 2005];
- ii) Interim Balancing and Settlement Code, Regulation, 2006 [Regulation No.2 of 2006];
- iii) Interim Balancing and Settlement Code for Open Access Transactions, First Amendment Regulation, 2013 [Regulation No.1 of 2013];
- iv) Interim Balancing & Settlement Code for Open Access Transactions, Second Amendment Regulation, 2014 [Regulation No.2 of 2014];

Subsequently, this Commission has notified the Third Amendment Regulation, 2017, viz.

- i) Interim Balancing and Settlement Code for Open Access Transactions, Third Amendment Regulation, 2017 [Regulation No.1 of 2017];

Whereas, TSSPDCL in its petition O.P.(SR) No.10 of 2020 has sought amendments to certain clauses of Interim Balancing and Settlement Code, Regulation [Regulation No.2 of 2006] as amended from time to time, relating to the Banking facility for solar, wind and mini hydel renewable energy sources.

Ministry of Power, Government of India on 06.06.2022 has notified the Electricity (Promoting Renewable Energy Through Green Energy open access) Rules, 2022 which stipulates that “to provide Green Energy open access to consumers of green energy, the appropriate Commission may, if necessary, amend the relevant regulations made by it and such regulations shall be consistent with these rules”.

The Commission is in the process of having its own consolidated and comprehensive open access Regulation has prepared the Draft Open Access Regulation on

Telangana State Electricity Regulatory Commission (*Terms and conditions of Open Access*), Regulation, 2023. The Commission intends to have the comments and suggestions of the DISCOMs, TSTRANSCO, TSSLDC, general public and interested consumers on the above Draft Open Access Regulation.

2 Definitions

2.1 In this Regulation unless the context otherwise requires;

- a) '**Act**' means the Electricity Act, 2003 (36 of 2003) and its subsequent amendments thereof;
- b) '**Applicant**' means a person who makes an application to the Nodal Agency for open access and includes any person engaged in generation, a licensee or any consumer eligible for open access under this Regulation;
- c) "**Available capacity**" means the capability in megawatts (MW) or kilowatts (kW) of a transmission or distribution network to transfer power from one point to the other, after deducting the power requirements of already committed users;
- d) '**Banking**' means a facility through which the unutilised portion of energy (underutilisation or excess generation over and above scheduled wheeling) from any of the renewable energy sources, during a billing month is kept in separate account and such energy accrued shall be treated in accordance with the clause 33 of this Regulation;
- e) '**Billing month**' means as prescribed in Electricity Supply Code Regulation (No. 5 of 2004) as amended from time to time;
- f) '**Captive Generating Plant**' or '**Captive Power Plant**' or '**CPP**' means a captive generating plant as defined in the Act read with Rule 3 of Electricity Rules, 2005;
- g) '**Captive User**' shall mean the end user of the electricity generated from its own Captive Generating Plant and the term "Captive Use" shall be construed accordingly;
- h) '**Central Commission or CERC**' means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
- i) '**Central Nodal Agency**' means a Central Nodal Agency as notified by the Central Government to set up and operate a single window green energy open access system for renewable energy;
- j) '**Commission or TSERC**' means the Telangana State Electricity Regulatory Commission referred to in Section 82 of the Act;
- k) '**Contracted capacity**' in the context of open access for supply to consumers means the capacity contracted in megawatts (MW) or kilowatts (kW) for transmission and /or wheeling to a consumer under open access ;
- l) '**Day**' means the day starting at 00:00 hours and ending at 24:00 hours;
- m) '**Distribution Licensee**' or '**DISCOM**' means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;
- n) '**Electricity Rules, 2005**' means the Rules notified by the Central Government vide G.S.R 379 (E) dated 8th June, 2005 as amended from time to time;

- o) **'Entry point'** means a point at which electricity is injected into the electricity transmission network or the electricity distribution network ;
- p) **'Exit point'** means a point at which electricity is drawn from the electricity transmission network or the electricity distribution network ;
- q) **"Green Energy"** means the electrical energy from renewable sources including Hydro and Storage (if the storage uses Renewable Energy) or any other technology as may be notified by Government of India from time to time and also include any mechanism that that uses green energy to replace Fossil fuels including production of Green Hydrogen or Green Ammonia as per provision of clause –G of sub-rule-(2) of rule(4) of Electricity (Promoting Renewable Energy through Green Energy Open Access)Rules,2022 and its amedments;
- r) **"Green Energy Open Access"** means providing open access to the consumers of Green Energy as prescribed in Rule 5 of Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022;
- s) **"Green Energy Open Access Consumer"** means the open access consumer for the amount of Green Energy that is being drawn through open access;
- t) **" Green Energy Open Access (OA) Rules"** means Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022 and its subsequent amendments;
- u) **'Indian Electricity Grid Code or IEGC'** means the Code specified by the Central Commission under clause (h) of sub-section (1) of Section 79 of the Act and as amended from time to time;
- v) **'Intra-state Transmission System or In-STTS'** means the transmission system within the Telangana State.
- w) **'Losses'** means the energy losses in percentage for an EHT system as a single system and for all other voltage levels, the losses in percentage as provided in the applicable Tariff Order of the Commission, or the actual levels of energy losses as provided in this Regulation.
 Explanation –
 - (i) If the wheeling of electricity is through the distribution system of more than one distribution licensee or if the Entry/Exit point is connected to EHT system, the losses would include the transmission loss and the distribution loss up to the voltage level of the distribution licensee in whose area of supply such exit/entry point (whichever is lower) is located.
 - (ii) If the entry and exit points are located within the distribution system (33 kV and below) of the same distribution licensee, the losses would include only the distribution loss of the distribution licensee up to the voltage level at the relevant exit or the entry point(s), whichever is lower.
- x) **'Nodal Agency'** means the entities referred to in clause 5 of this Regulation;
- y) **'Open access agreement'** means an agreement entered into between a licensee and the applicant to avail open access to the licensee's network for transmission and / or wheeling of electricity;
- z) **'Open Access Consumer'** or **'OA Consumer'** means a consumer not having a supply agreement with the distribution licensee in whose area of supply the consumer is located, but availing or intending to avail supply of

energy from a person other than that distribution licensee under the Open Access Regulation and includes a consumer availing wheeling facility for carrying the electricity from his captive generating plant to the destination of his own use without having a supply agreement with the distribution licensee of the area in which the consumer's premises is located.

- aa) '**Open Access Generator**' means a generating company using or intending to use the transmission system and / or the distribution system of the licensees in the State for supply of electricity to a Scheduled Consumer or OA Consumer under the Open Access Regulation.
- bb) '**Renewable Energy**' means the grid quality electricity generated from Renewable Energy sources as may be defined in TSERC Orders or TSERC Regulations governing Renewable Energy;
- cc) '**Scheduled Consumer**' means a consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and also has a supply agreement with a person other than the distribution licensee under the Open Access Regulation and includes a consumer of a distribution licensee who also avails of wheeling facility for carrying the electricity from his captive generating plant to the destination of his own use.
- dd) '**State**' means the State of Telangana.
- ee) '**State Nodal Agency**' or '**SNA**' means State Nodal Agency for grant of long-term, medium-term and short-term green energy open access as specified in clause 5 of this Regulation.
- ff) '**Time Block**' means a block of fifteen (15) minutes each or any other time block as specified by the Commission for which special energy meters record values of specified electrical parameters with the first time block starting 00:00 hours.
- gg) '**User**' or '**Open access user**' means a person using or intending to use the transmission system and / or the distribution system of the licensees in the state for receiving supply of electricity from a person other than the distribution licensee of his area of supply, and the expression includes a generating company and licensee.
- hh) '**Wheeling schedule**' means the schedule for a fifteen (15) minute time block or any such shorter duration as may be notified by the Commission provided by the Scheduled Consumer, an OA Consumer or an OA Generator, to the SLDC, pursuant to clause 24 of this Regulation, read with clause 26.
- ii) '**Special Energy Meters or SEM**' means meters installed in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time;
- jj) '**State Electricity Grid Code or SEGC**' means the Code specified by the Commission under clause (h) of sub-section (1) of Section 86 of the Act and as amended from time to time;
- kk) '**State Transmission Utility or STU**' means the 'Transmission Corporation of Telangana Limited or TSTRANSCO' or the Government Company notified by the Government of Telangana State under sub-section (1) of Section 39 of the Act;

- l) **‘Telangana State Load Despatch Centre or TSSLDC’** means the State Load Despatch Centre established in the Telangana State under sub-section (1) of Section 31 of the Act;
- mm) **‘Transmission Licensee’** means any person licensed under Part IV of the Act for transmission of electricity;
- nn) **‘Working Day’** means such day which is not declared as a gazetted general holiday by the State Government;
- oo) **‘Year’** means a financial year from 1st April of a calendar year to 31st March of the following calendar year;
- 2.2 Words and expressions used herein and not defined in this Regulation but defined in the Act or Indian Electricity Grid Code or the State Electricity Grid Code shall have the meaning assigned to them under the Act or IEGC or State Electricity Grid Code as the case may be.

3. Applicability

- 3.1 This Regulation shall apply to Open Access Users for use of intra-State transmission system (In-STS) and/or distribution system(s) in the Telangana State, including when such system is used in conjunction with inter-State transmission system.
- 3.2 This Regulation shall apply to Open Access Generators, Scheduled Consumers and OA Consumers.

PART-A

GENERAL PROVISIONS OF OPEN ACCESS

4. Categorization of open access users

The open access users of the transmission and/or distribution system(s) shall be classified as follows:

- (a) **Long-Term Open Access User:** Any user of the transmission and/or distribution system(s) entering into an open access agreement with the concerned licensee(s) for a period exceeding seven (7) years but not exceeding twenty five (25) years shall be categorised as a Long-Term Open Access User.
- (b) **Medium-Term Open Access User:** Any user of the transmission and/or distribution system(s) entering into an open access agreement with the concerned licensee(s) for a period exceeding three (3) months but not exceeding five (5) years shall be categorised as a Medium-Term Open Access User.
- (c) **Short-Term Open Access User:** Any user of the transmission and/or distribution system(s) entering into an open access agreement with the concerned licensee(s) for a period not exceeding one (1) month at a time shall be treated as Short-term open access user.
- (d) **Green Energy Open Access Consumer :** Any user of the transmission and/or distribution system(s) entering into an open access agreement with the concerned licensee(s) for availing green energy open access;

5. Nodal Agency

5.1 For all long-term and Medium-term open access transactions, the Nodal Agency for receiving and processing applications shall be the State Transmission Utility (STU). For all long-term and Medium-term green energy open access transactions, the State Nodal Agency shall be the State Transmission Utility (STU).

5.2 For short-term open access transactions, the Nodal Agency for receiving and processing applications shall be the State Load Dispatch Centre (SLDC). The SLDC shall, however, allow short-term open access transactions only after consulting the concerned transmission and/or distribution licensee(s) whose network(s) would be used for such transactions:

Provided that for short-term transactions with duration of less than one week, the SLDC may not consult the concerned licensees for permitting such transactions. The SLDC and Licensees shall devise procedures for coordination among themselves for allowing such short-term transactions.

5.3 TSSLDC shall operate as the SNA for grant of short-term green energy open access.

SNA shall co-ordinate with transmission licensees including STU and the Distribution Licensees to make available all relevant information regarding green energy open access to the public on the portal of Central Nodal Agency.

5.4 All the applications related to green energy open access shall be submitted to the portal set up by the Central Nodal Agency. The applications shall be routed to State Nodal Agency (SNA) by the Central Nodal Agency.

Consumer or Generating Station or Distribution Licensee seeking Transmission and/or Distribution Open Access

Table-1									
Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
1)	Short Term Open Access (STOA)	Connected to the network of a Distribution licensee in Telangana State	Connected to the network of same Distribution licensee in Telangana State	TSSLDC	5,000	<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Proof of payment of application fee, • Consent from concerned distribution licensee, • Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed; 	<ul style="list-style-type: none"> • Upto one day: 12 hours. • Upto one week: Two days. • Upto one month: Seven days. 	<ul style="list-style-type: none"> • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level.

Table-1

Consumer connected to Distribution System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
2)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of another Distribution licensee in Telangana State	TSSLDC	5,000	<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Proof of payment of application fee, • Consent from concerned distribution licensees, • Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed; 	<ul style="list-style-type: none"> • Upto one day: 12 hours. • Upto one week: Two days. • Upto one month: Seven days. 	<ul style="list-style-type: none"> • Intra-state Transmission charges, • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level in respect of both distribution licensees, • Intra-state Transmission losses in kind.
3)		Connected to Intra-state transmission	Connected to the network of a	TSSLDC	5,000	<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, 	<ul style="list-style-type: none"> • Upto one day: 12 hours. 	<ul style="list-style-type: none"> • Wheeling charges, 	<ul style="list-style-type: none"> • Distribution loss in kind at

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
		system in Telangana State	Distribution licensee in Telangana State			<ul style="list-style-type: none"> •copy of latest electricity bill if applicable, •Proof of payment of application fee, •Consent from concerned distribution licensee, •Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed; 	<ul style="list-style-type: none"> •Upto one week: Two days. •Upto one month: Seven days. 	<ul style="list-style-type: none"> •Intra-state Transmission charges, •Cross Subsidy Surcharge if applicable , •Additional surcharge, if any •Stand-by charges, if any, •Imbalance and Reactive Energy Charges, as applicable, •Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> relevant voltage level. •Intra-state transmission losses in kind.
4)		Other than Telangana State	Connected to the network of a Distribution licensee in	RLDC of the region where applicant is located, as	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> •Copy of Supply Agreement if applicable, •Copy of latest electricity bill if applicable, •Proof of payment of application fee, 	•As per CERC Open Access Regulations.	<ul style="list-style-type: none"> •Wheeling charges, •Intra-state and inter-state Transmission charges, •Cross Subsidy 	•Distribution loss in kind at relevant voltage level.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
			Telangana State	per CERC Regulations		<ul style="list-style-type: none"> •Consent from concerned SLDC and distribution licensee, •Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed; 		Surcharge if applicable , •Additional surcharge, if any •Stand-by charges, if any, •Imbalance and Reactive Energy Charges, as applicable, •Scheduling and system Operating Charges as applicable.	<ul style="list-style-type: none"> •Intra-state and Inter-state transmission losses in kind.
5)	Medium Term Open Access (MTOA)	Connected to the network of a Distribution licensee in Telangana State	Connected to the network of same Distribution licensee in Telangana State	STU	50,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be 	• Thirty days from closure of window.	•Wheeling Charge, •Cross Subsidy Surcharge if applicable, •Additional surcharge, if any •Stand-by charges, if any •Imbalance and Reactive Energy Charges, as applicable.	<ul style="list-style-type: none"> •Distribution loss in kind at relevant voltage level.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed			
6)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of another Distribution licensee in Telangana State	STU	50,000	• Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for	• Thirty days from closure of window.	• Intra-state Transmission charges, • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any	• Distribution loss in kind at relevant voltage level in respect of both distribution licensees,

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed		• Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable.	Intra-state Transmission losses in kind.
7)		Connected to Intra-state transmission system in	Connected to the network of a Distribution licensee in	STU	50,000	• Proof of payment of Application fee, • PPA or Sale-purchase agreement of power,	• Thirty days from closure of window..	• Wheeling charges, • Intra-state Transmission charges, • Cross Subsidy	• Distribution loss in kind at relevant voltage level.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
		Telangana State	Telangana State			<ul style="list-style-type: none"> • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed. 		Surcharge if applicable , <ul style="list-style-type: none"> • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. • 	<ul style="list-style-type: none"> • Intra-state transmission losses in kind. •
8)		Other than Telangana State	Connected to the network of a	CTU	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Proof of payment of Application fee, 	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Wheeling charges, 	<ul style="list-style-type: none"> • Distribution loss in kind at

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
			Distribution licensee in Telangana State			<ul style="list-style-type: none"> • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned SLDC and distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed. 		<ul style="list-style-type: none"> • Intra-state and inter-state Transmission charges, • Cross Subsidy Surcharge if applicable • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> relevant voltage level. • Intra-state and Inter-state transmission losses in kind.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
9)	Long Term Open Access (LTOA)	Connected to the network of a Distribution licensee in Telangana State	Connected to the network of same Distribution licensee in Telangana State	STU	1,00,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; 	<ul style="list-style-type: none"> • 120 days from closure of window if system augmentation is not required, or within 180 days from closure of window otherwise. 	<ul style="list-style-type: none"> • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. 	Distribution loss in kind at relevant voltage level.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> • Special Energy Meter (SEM) commissioning certificate, if already installed 			
10)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of another Distribution licensee in Telangana State	STU	1,00,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of 	<ul style="list-style-type: none"> • 120 days from closure of window if system augmentation is not required, or within 180 days from closure of window otherwise. 	<ul style="list-style-type: none"> • Intra-state Transmission charges, • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level in respect of both distribution licensees, • Intra-state Transmission losses in kind.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed			
11)		Connected to Intra-state transmission system in Telangana State	Connected to the network of a Distribution licensee in Telangana State	STU	1,00,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, 	120 days from closure of window if system augmentation is not required, or within 180 days from closure of window otherwise.	<ul style="list-style-type: none"> • Wheeling charges, • Intra-state Transmission charges, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level. • Intra-state transmission losses in kind.

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Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed. 			
12)		Other than Telangana State	Connected to the network of a Distribution licensee in Telangana State	CTU	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, 	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Wheeling charges, • Intra-state and inter-state Transmission charges, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level. • Intra-state and Inter-state transmission losses in kind.

Table-1

Consumer connected to Distribution System									
Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application/closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> •Consent from concerned SLDC and distribution licensee, •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed. 			

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
1)	Short Term Open Access (STOA)	Connected to the network of intra-state transmission system in Telangana State	Connected to the network of intra-state transmission system in Telangana State	TSSLDC	5,000	<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, • copy of latest electricity bill if applicable, • Proof of payment of application fee, • Consent from concerned distribution licensee, 	<ul style="list-style-type: none"> • Upto one day: 12 hours. • Upto one week: Two days. • Upto one month: Seven days. 	<ul style="list-style-type: none"> • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system Operating Charges, as applicable • Intra-state Transmission Charges 	<ul style="list-style-type: none"> • Intra-state transmission loss in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> •Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed; 			
2)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of intra-state transmission system in Telangana State	TSSLDC	5,000	<ul style="list-style-type: none"> •Copy of Supply Agreement if applicable, •Copy of latest electricity bill if applicable, •Proof of payment of application fee, •Consent from concerned distribution licensees, •Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; 	<ul style="list-style-type: none"> • Upto one day: 12 hours. •Upto one week: Two days. •Upto one month: Seven days. 	<ul style="list-style-type: none"> •Intra-state Transmission charges, •Wheeling Charge, •Cross Subsidy Surcharge if applicable, •Additional surcharge, if any •Stand-by charges, if any, •Imbalance and Reactive Energy Charges, as applicable, 	<ul style="list-style-type: none"> •Distribution loss in kind at relevant voltage level, • Intra-state Transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed; 		<ul style="list-style-type: none"> • Scheduling and system Operating Charges as applicable. 	
3)		Other than Telangana State	Connected to the network of intra-state transmission system in Telangana State	RLDC of the region where applicant is located, as per Central Commission Regulations	As per CERC Open Access Regulations	<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, • copy of latest electricity bill if applicable, • Proof of payment of application fee, • Consent from concerned SLDC and distribution licensee, • Consent from Seller if Buyer is the Applicant, or consent from Buyer if Seller is the Applicant; • Copy of Memorandum of Association and Chartered Accountant's certificate of 	<ul style="list-style-type: none"> • As per CERC Open Access Regulations. 	<ul style="list-style-type: none"> • Intra-state and inter-state Transmission charges, • Cross Subsidy Surcharge if applicable , • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating 	<ul style="list-style-type: none"> • Intra-state and Inter-state transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed;		Charges as applicable.	
4)	Medium Term Open Access (MTOA)	Connected to the network of intra-state transmission system in Telangana State	Connected to the network of intra-state transmission system in Telangana State	STU	50,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, 	<ul style="list-style-type: none"> • Thirty days from closure of window. 	<ul style="list-style-type: none"> • Intra-state transmission charges, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. Scheduling and operating charges as applicable. 	<ul style="list-style-type: none"> • Intra-state transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed 			
5)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of intra-state transmission system in Telangana State	STU	50,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, 	Thirty days from closure of window.	<ul style="list-style-type: none"> • Intra-state Transmission charges, • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level, • Intra-state Transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> •Consent from concerned distribution licensee, •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed 			
6)		Other than Telangana State	Connected to the network of intra-state transmission system in Telangana State	CTU	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA. • Copy of Supply Agreement if applicable, 	As per CERC Open Access Regulations.	<ul style="list-style-type: none"> • Intra-state and inter-state Transmission charges, • Cross Subsidy Surcharge if applicable • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, 	<ul style="list-style-type: none"> • Intra-state and Inter-state transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> •Copy of latest electricity bill if applicable, •Consent from concerned STU/SLDC and distribution licensee, •Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; •Special Energy Meter (SEM) commissioning certificate, if already installed. 		<ul style="list-style-type: none"> •Scheduling and system Operating Charges as applicable. 	
7)	Long Term Open Access (LTOA)	Connected to the network of intra-state transmission system in Telangana State	Connected to the network of intra-state transmission system in Telangana State	STU	1,00,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA. 	<ul style="list-style-type: none"> • 120 days from closure of window if system augmentation is not required, or within 180 days from closure of 	<ul style="list-style-type: none"> • Intra-state transmission charges, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy 	Intra-state Transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						<ul style="list-style-type: none"> • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed 	window otherwise.	Charges, as applicable. <ul style="list-style-type: none"> • Scheduling and operating charges, as applicable. 	
8)		Connected to the network of a Distribution licensee in Telangana State	Connected to the network of intra-state transmission system in Telangana State	STU	1,00,000	<ul style="list-style-type: none"> • Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be 	120 days from closure of window if system augmentation is not required, or within 180 days from	<ul style="list-style-type: none"> • Intra-state Transmission charges, • Wheeling Charge, • Cross Subsidy Surcharge if applicable, • Additional surcharge, if any 	<ul style="list-style-type: none"> • Distribution loss in kind at relevant voltage level, • Intra-state Transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application (days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						completed before intending date of LTA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed	closure of window otherwise.	• Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable.	
9)		Other than Telangana State	Connected to the network of intra-state transmission system in Telangana State	CTU	As per CERC Open Access Regulations	• Proof of payment of Application fee, • PPA or Sale-purchase agreement of power, • In case of generating station not already connected to grid, documentary evidence for	As per CERC Open Access Regulations.	• Intra-state and inter-state Transmission charges, • Cross Subsidy Surcharge if applicable	• Intra-state and Inter-state transmission losses in kind.

Table-2

Consumer connected to Intra-State Transmission System

Sl. No.	Period	Injection Point	Drawal Point	Nodal Agency	Application Fee (Rs)	Documents to accompany the application	Time Frame for disposal of application(days from receipt of application /closure of window in complete shape)	Applicable charges	Applicable losses
						completion of the connectivity showing that the same shall be completed before intending date of LTA. • Copy of Supply Agreement if applicable, • Copy of latest electricity bill if applicable, • Consent from concerned STU and distribution licensee, • Copy of Memorandum of Association and Chartered Accountant's certificate of shareholding pattern, if power is sought under captive mode; • Special Energy Meter (SEM) commissioning certificate, if already installed.		<ul style="list-style-type: none"> • Additional surcharge, if any • Stand-by charges, if any, • Imbalance and Reactive Energy Charges, as applicable, • Scheduling and system Operating Charges as applicable. 	

6. Criteria for allowing open access to transmission and/or distribution systems:

6.1 The long-term and medium-term open access shall be allowed in accordance with the transmission planning criterion and distribution planning criterion stipulated in the State Electricity Grid Code and/or the Distribution Code and / or CEA Safety Regulations as the case may be.

6.2 The short-term open access shall be allowed, if the request can be accommodated by utilizing:

(a) Inherent design margins;

(b) Margins available due to variations in power flows and unutilised capacity, if any; and

(c) Margins available due to in-built spare capacity in transmission and/or distribution system(s) created to cater to future load growth.

7. Verification of Status of Captive Generating Plants and captive users:

7.1 Verification of status of CGP and captive users with respect to the criteria of consumption and equity share holding, as prescribed under the Electricity Rules, 2005 shall be done annually by the Distribution Licensee (in whose area the CGP or Captive User is located) after the end of financial year based on the information submitted by the CGP and Captive User.

7.2 The Distribution Licensee shall submit status to the Commission in respect of verification of status of CGP and captive users before 30th April each year and initiate appropriate proceedings before the Commission.

7.3 Verification of consumption criteria:

a) Verification of criteria of consumption shall be based on the net electricity generated from the generating unit(s) in a generating station, i.e gross electricity generated less auxiliary consumption, identified for captive use.

b) The electricity generated shall be determined on annual basis at the end of the year.

c) Verification criteria for various types of captive users shall be as follows:

Sl. No	Type of the Captive User	Criteria
I	Single captive user	The self-consumption shall not be less than 51% of the net electricity generated on an annual basis.
li	Partnership firm/Limited Liability Partnership (LLP)	The self-consumption shall not be less than 51%

		of the net electricity generated on an annual basis
lii	Association of Persons (AoP)	The captive users shall consume not less than 51% of the net electricity generated on annual basis for captive use in proportion to their share in the power plant within the variation not exceeding 10%.
Iv	Cooperative Society	Members of Society shall collectively consume not less than 51% of the net electricity generated on annual basis
V	Captive use in respect of Special Purpose Vehicle (SPV)	The captive user(s) shall consume not less than 51% of the net electricity generated on annual basis

d) Manner of assessment of data related to generation from CGP and consumption by captive user:

Sl.No	Location	Method of assessment
I	CGP and its captive user(s) are co-located	Based on net generation from the CGP and consumption by the captive user, assessment shall be based on the reading of the meter installed for recording the generation at the generation side ("generation meter") and the electricity sourced at the consumption side ("consumption meter").
li	CGP and its captive users are located within the State (but not co-located)	Based on actual generation from the CGP as per the data provided by the respective SLDC and the corresponding consumption or the actual consumption whichever is lower, based on the meter reading at the user interface with the grid as provided by the concerned SLDC and the distribution licensee in whose area the user(s) are located.
lii	The CGP and its captive user(s) is/are located in different States	Based on actual generation from the CGP as per the data provided by the respective RLDC and the

		corresponding consumption or the actual consumption whichever is lower, based on the meter reading at the user interface with the grid as provided by the concerned SLDC and the distribution licensee in whose area the user(s) are located.
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7.4 Verification of equity share holding criteria :

a) Verification criteria for various types of CGP shall be as follows:

Sl. No	Type of CGP	Criteria	Support document
I	Single captive user	The user shall hold not less than 26% of the equity share capital having voting rights throughout the year	A certificate from the Company Secretary.
li	Partnership firm/LLP	Ownership in the captive plant shall be with respect to not less than 26% proprietary interest and control over the generating station or power plant on annual basis.	A certificate from the Company Secretary.
lii	AoP	The captive users shall hold in aggregate not less than 26% of the ownership/paid up equity share capital with voting rights throughout the year	A certificate from a registered Chartered Accountant.
Iv	Cooperative Society	Members of society shall collectively satisfy not less than 26% of the ownership on annual basis.	A certificate from District Registrar of Cooperative Society.
V	SPV/ Company	The captive user(s) shall hold in aggregate not less than 26% of the proportionate paid up equity share capital with voting	A certificate from a registered Chartered Accountant.

		rights of the units identified for captive use (i.e. the proportionate of the Equity of the company related to the generating unit or units identified as the CGP) throughout the year	
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7.5 Consequence of failure to meet Captive user status:

7.5.1 The Captive user shall deposit by 30th April of every year, the security deposit in the form of unconditional and irrevocable Bank Guarantee from any Scheduled Bank equivalent to 51% captive consumption, to the concerned distribution licensee as payment security against estimated cross subsidy surcharge and additional surcharge as determined by the Commission.

Provided that there shall be no exemption from Cross Subsidy Surcharge and Additional Surcharge on the electricity consumed by non-Captive consumers.

7.5.2 If the CGP or Captive User fails to meet the criteria of ownership and consumption, specified in Rule 3 of Electricity Rule 2005, as amended from time to time, by the end of the year, such CGP or Captive User shall lose its Captive status for that year leading to imposition of Cross Subsidy Surcharge and Additional Surcharge and such other charges as applicable on open access consumers.

8. Provision for existing users:

8.1 Existing distribution licensees:

The existing distribution licensee (s) shall be deemed to be the long-term open access user (s) of the Intra-State transmission system (s) and / or the distribution system (s) for the term specified in / under the existing agreement (s) or arrangement (s) and shall make payment of transmission charges, wheeling charges and other charges, as applicable, and as may be determined by the Commission from time to time.

The existing distribution licensee (s) shall, half yearly, furnish details of their use of intra-state transmission system (s) and/or distribution system (s) to the STU, SLDC and the Commission.

8.2 Existing users other than the distribution licensees:

The existing user(s) other than the existing distribution licensees may continue to avail themselves of the wheeling facility as per the existing agreements for the

period(s) specified in those agreement(s), to the extent they are not inconsistent with the Act and this Regulation:

Provided that such existing user (s) shall pay the transmission charges, wheeling charges and other charges as may be determined by the Commission from time to time:

Provided also that any additional capacity sought by such existing user(s) in addition to the capacity already contracted, shall be treated as new application for open access to the extent of additional capacity sought.

9 Capacities for allowing Open Access

9.1 Open Access user having Contracted Capacity of above 1 MW are eligible for Open Access;

Provided that only consumers who have contracted demand or sanctioned load of Hundred (100) kW or more, either through single connection or through multiple connections aggregating Hundred (100) kW or more located in same electricity division of a distribution licensee, shall be eligible to take power through Green Energy Open Access and there shall be no limit of supply of power for the captive consumers taking power under Green Energy Open Access

Provided that the Commission shall allow open access to consumers with contracted capacity of 1 MW or less in due course at such time and in such phases as it may consider feasible having due regard to operational constraints and other factors:

9.2 The licensees shall make all reasonable attempts to ensure that operational constraints in the Transmission and / or Distribution systems as the case may be, including metering, communication systems, capacity determination, etc. are removed so that, as far as possible, no eligible consumer is denied open access on the grounds of operational constraints in the system.

10 Criteria for allotment/reservation of capacity:

10.1 A distribution licensee, due to its obligation to supply on request under section 43 of the Act, shall have the highest priority in allotment of capacity, long-term, medium-term as well as short-term.

10.2 As regards the other applicants for allotment of capacity of transmission and/or distribution systems, the persons applying for Long-Term open access shall have priority over the persons applying for Medium-Term open access and then the persons applying for Medium-Term open access shall have priority over the persons applying for Short-Term open access. However, within a category, an applicant requesting transmission and/or distribution access for longer duration shall have priority over the person(s) seeking access for shorter duration.

10.3 Allotment of capacity in case of insufficient spare capacity/ congestion.

10.3.1 For Long-Term applicants: In the event of insufficient spare capacity in distribution system/congestion in the transmission system hindering

accommodation of all long-term open access applications, the Nodal Agency shall inform the applicants of the same and shall advise the concerned Licensee(s) to carry out an assessment of works required to create additional capacity by strengthening of the system to accommodate such applicant(s). After completion of such works, the Nodal Agency shall allot the capacity to such applicant(s). As regards capital expenditure incurred by the licensee(s) for system-strengthening, the licensee(s) can require a capital contribution from the applicant(s) subject to the provisions of clause 21.1 (v) of this Regulation.

10.3.2 For Medium-term applicants: The Nodal Agency shall, in consultation and through coordination with SLDC, Transmission licensee(s) and/or the Distribution licensee(s) concerned, and based on the system studies of the Licensee(s) concerned, if required, assess the capacity available for Medium-term open access application. Medium-term open access shall be granted if the resultant power flow can be accommodated in the existing transmission/distribution system or transmission/distribution system under execution. No augmentation of transmission/distribution system is envisaged for granting MTOA. Construction of dedicated transmission line shall not be construed as augmentation of transmission system for this purpose. If the Nodal agency finds that the MTOA cannot be accorded to the applicant the same is to be communicated to the applicant within 15 days from the date of receiving the application along with reasons in details which shall include detailed justification, load flow study reports in detail and all back up calculations with regard to non-availability of the concerned assets required for the open access

10.3.3 For Short-Term applicants: In case of applicants for short-term open access with transactions required to be accommodated through congested corridors of the network, the Nodal Agency shall invite bids by Fax/e-mail with floor price equal to the un-congested price for the short-term users. The bidders shall quote percentage points above the floor price. The allotment of capacity shall be done in decreasing order of the price quoted. In case of quotes involving equal prices, the allotment of capacity shall be done, if required, pro rata to the capacity sought. The user getting allotment of capacity less than the capacity sought by him shall pay charges as per the price quoted by him. All other applicants getting capacity allotment equal to the capacity sought by them shall pay charges as per the price quoted by the last applicant getting full allotment of the capacity sought.

Explanation 1: For the purpose of clauses 10.3.1, and 10.3.2, “congestion” in the context of allotment of capacity for transmission of electricity shall be construed to have occurred when a transmission system cannot accommodate all transactions that would normally occur among users due to physical or engineering limitation.

Explanation 2 : For the purpose of clause 10.3.2, the term “un-congested price” means the transmission and / or wheeling charges required to be paid by the short-term users as per the rates approved by the Commission and published by the Nodal Agency from time to time.

11. Procedure of application for Long Term open access

11.1 Nodal agency shall made available the application form for Long-term open access to the general public in physical form at its offices and in electronic printable form at its website and the Application to the Nodal Agency for grant of Long-term Open Access shall be made in the format provided.

11.2 An application for long-term open access shall be filed with the STU by the applicant, with a copy to the concerned transmission / distribution licensee(s). The application shall be accompanied by a non-refundable processing fee as prescribed by the Commission in the Tariff Orders, or otherwise, from time to time:

Provided that till such time the processing fee is so prescribed by the Commission, it shall be Rs.1,00,000/-.

Provided that the Green Energy open Access consumers shall file the application for grant of open access and the application will be processed in accordance with clause 14 of this Regulation.

11.3 The Nodal Agency shall acknowledge the receipt of an application made under clause 11.2 above within 24 hours of the receipt of the application.

11.4 If after submission of the open access application, the applicant becomes aware of any material alteration in the information contained in the application, the applicant shall promptly notify the Nodal Agency of the same:

Provided that in case the Nodal Agency is made aware of the material alteration in the information contained in the application already submitted under clause 11.2 above, the Nodal Agency shall treat the application as if the same was received on the date the applicant notifies it of the said alteration.

11.5 All applications received within a calendar month e.g. during 1st April to 30th April, shall be considered to have been filed simultaneously. This window of a calendar month shall keep rolling over i.e. after the expiry of a monthly window, another window of the duration of the next calendar month shall commence.

11.6 Based on system studies conducted in consultation with other agencies involved including other Licensees, if it is determined that Long-Term open access sought can be allowed without further system-strengthening, the Nodal Agency shall, within 60 days of closure of a window, intimate the applicant(s) of the same.

11.7 If, on the basis of the results of system studies, the Nodal Agency is of the opinion that the Long-Term open access sought cannot be allowed without further system- strengthening, the Nodal Agency shall notify the applicant of the same within 60 days of closure of a window. Thereafter, at the request of the applicant, which shall be made within 15 days of such notification by the Nodal Agency, the Nodal Agency shall carry out further studies, if required, to identify the scope of works involved and intimate the same to applicant within 30 days of receipt of such request from the applicant. The Nodal Agency shall also inform the applicant of the probable time frame for execution of the works involved after consultation with the concerned licensee(s).

Provided that in such cases, the applicant shall fully reimburse the Nodal Agency for actual expenditure incurred to carry out such system studies to identify the scope of works involved in system-strengthening. The fee, as prescribed in clause 11.2, paid by the applicant shall be adjusted against the actual expenditure to be reimbursed by the applicant:

Provided further that while identifying the scope of works for such system-strengthening, the Nodal Agency shall follow the standards required under the Grid Code and / or Distribution Code and / or CEA Standards, as the case may be.

- 11.8 The Nodal Agency shall convey its decision to grant or refuse long-term Open Access within 120 days from closure of window if system augmentation is not required or 180 days from closure of window or otherwise :

Provided that, in case open access is not granted, the same shall be intimated within the above time furnishing the reasons in writing and also the probable date from which the open access can be granted.

Provided further that, in case the Nodal Agency fails to intimate the grant of OA or otherwise, within the above specified time, the same shall be deemed to have been granted, which is subject to system availability

12. Procedure of application for Medium-Term open access

- 12.1 Nodal agency shall made available the application form for Medium-term open access to the general public in physical form at its offices and in electronic printable form at its website and the Application to the Nodal Agency for grant of Medium-term Open Access shall be made in the format provided.

- 12.2 An application for medium-term open access shall be filed with the STU by the applicant, with a copy to the concerned transmission / distribution licensee(s). The application shall be accompanied by a non-refundable processing fee as prescribed by the Commission in the Tariff Orders, or otherwise, from time to time:

Provided that till such time the processing fee is so prescribed by the Commission, it shall be Rs.50,000/-.

Provided that the Green Energy open Access consumers shall file the application for grant of open access and the application will be processed in accordance with clause 14 of this Regulation.

- 12.3 The Nodal Agency shall acknowledge the receipt of an application made under clause 12.2 above within 24 hours of the receipt of the application.

- 12.4 If after submission of the open access application, the applicant becomes aware of any material alteration in the information contained in the application, the applicant shall promptly notify the Nodal Agency of the same:

Provided that in case the Nodal Agency is made aware of the material alteration in the information contained in the application already submitted under clause

12.2 above, the Nodal Agency shall treat the application as if the same was received on the date the applicant notifies it of the said alteration.

- 12.5 All applications received within a calendar month e.g. during 1st April to 30th April, shall be considered to have been filed simultaneously. This window of a calendar month shall keep rolling over i.e. after the expiry of a monthly window, another window of the duration of the next calendar month shall commence.
- 12.6 Upon receipt of the Application for Open Access, the Nodal Agency shall, in consultation and through coordination with SLDC, Transmission licensee(s) and/or the Distribution licensee(s) concerned, and based on the system studied of the Licensee(s) concerned, if required, assess the capacity available for Medium-term open access application subject to conditions under clause 10 of this Regulation.
- 12.7 Medium-term open access shall be granted if the resultant power flow can be accommodated in the existing transmission/distribution system or transmission/distribution system under execution. No augmentation of transmission/distribution system is envisaged for granting MTOA. Construction of dedicated transmission line shall not be construed as augmentation of transmission system for this purpose.
- 12.8 In case of Medium-term open access, the Nodal agency shall give consent to the applicant with a copy to the SLDC and STU, **within 30 days** of closure of window.
- Provided that for the reasons to be recorded in writing, the Nodal agency may grant Medium-term open access for a period less than that sought by the Applicant.
- 12.9 If the Nodal agency finds that the MTOA cannot be accorded to the applicant the same is to be communicated to the applicant within 15 days from the date of receiving the application along with reasons in details which shall include detailed justification, load flow study reports in detail and all back up calculations with regard to non-availability of the concerned assets required for the open access.
- 12.10 The Nodal Agency shall convey its decision to grant or refuse Medium-term Open Access within 30 days from closure of window:
- Provided that, in case open access is not granted, the same shall be intimated within the above time furnishing the reasons in writing and also the probable date from which the open access can be granted.
- Provided further that, in case the Nodal Agency fails to intimate the grant of OA or otherwise, within the above specified time, the same shall be deemed to have been granted, which is subject to system availability.

13. Procedure of application for Short-Term open access

- 13.1 The SLDC shall make available the format of application similar to the one referred to the clause 11.1 above, to the general public in physical form at its office and in electronic printable form at its website.

13.2 The application for short-term open access to Transmission and / or Distribution system(s) shall be filed with, the SLDC with copies to concerned licensees. The application shall be accompanied by a non-refundable processing fee as prescribed by the Commission in the Tariff Orders, or otherwise, from time to time:

Provided that till such time the processing fee is so prescribed by the Commission, it shall be Rs.5,000/-.

Provided that the Green Energy open Access consumers shall file the application for grant of open access and the application will be processed in accordance with clause 14 of this Regulation.

13.3 The SLDC shall process the applications for Short-Term open access within the following time limits:

Duration for which open access is required	Maximum processing time
Up to one day	12 hours
Up to one week	Two days
Up to one month	Seven days

13.4 The Nodal Agency shall convey its decision to grant or refuse Short-term Open Access within above specified timelines:

Provided that, in case open access is not granted, the same shall be intimated within the above time furnishing the reasons in writing and also the probable date from which the open access can be granted.

Provided further that, in case the Nodal Agency fails to intimate the grant of OA or otherwise, within the above specified time, the same shall be deemed to have been granted, which is subject to system availability

14. Procedure for grant of Green Energy Open Access:

14.1 The GEOA applicant shall submit an application complete in all respects, in the format as notified by Central Nodal Agency, on the central portal setup by the Central Nodal Agency.

14.2 The application shall be forwarded to the concerned State Nodal Agency by Central Nodal Agency for further verification. The following schedule shall be followed for processing the application:

Sl. No	Particulars	Time-line	Remarks
1	Date of receipt of application by SNA from CNA	Zero date	

2	Acknowledgement of receipt of application	Zero date	The acknowledgement shall be provided immediately by electronic mode
3	Acceptance of application by SNA after confirming that all the relevant documents are furnished by the applicant including processing fee and BG	Within three working days from zero date	In case application is incomplete, the SNA shall inform the same in writing rejecting the application and furnishing the details of the defects. After rectifying the defects, a fresh application shall be made.
4	Forwarding of application to TSTRANSCO/ Discoms	Within five working days from zero date	On acceptance of the application, the same shall be forwarded to TSTRANSCO/Concerned Discoms for ensuring system availability and that there is no subsisting PPA for the capacity for which the OA is sought.
5	Concurrence from TSTRANSCO/ Discoms	Within ten working days from zero date	In case system strengthening is required, the probable date of granting OA shall be intimated to SNA within the same time. In case concurrence is not received within the specified time, SNA shall consider it to be deemed concurrence. Provided that the system studies at the drawl point to ascertain the availability is not required for a consumer of the Licensee availing open access , subject to the applicant furnishing the undertaking that, he would not exceed the Contracted demand specified in his supply agreement with the licensee even after opting for Open access.
6	Grant of Open access or otherwise.	Within twelve working days from zero date	The SNA shall intimate the applicant, grant of open access within the time specified. In case open access is not granted, the same shall be intimated within the above time furnishing the reasons in writing and also the probable date from which the OA can be granted. In case SNA fails to intimate the grant of OA or otherwise, within the

			above specified time, the same shall be deemed to have been granted, which is subject to system availability.
7	Submission of agreement by the applicant for long-term open access	Within twenty working days from zero date	The applicant shall submit copies of signed agreement to the SNA/parties to the agreement in the standard format approved by Commission. In case the applicant fails to submit OA agreement within the specified time , failing which the open access granted or deemed to have been granted shall stand cancelled.
8	Submission of signed copies of agreement by TSTRANSCO/ Concerned Discoms	Within twenty- five working days from zero date	In case TSTRANSCO/Discoms fails to submit the copies to the SNA within the specified time, the OA agreement is deemed to have been approved.
9	Effective date of wheeling	In case SNA receives the copy of the agreement signed by the applicant, the effective date of commencement of operation of wheeling of electricity by the applicant shall be the next date from the date of submission of signed copy of the agreement to the SNA. Provided that the above effective date for commencement of wheeling operation shall also be applicable for banking.	The applicant is allowed to wheel the energy from the effective date.

14.3 The SNA shall ensure that non-refundable processing fee **of five thousand rupees** for long-term open access & medium-term open access and **one thousand rupees** for short-term open access is paid by the applicant and shall intimate the same through electronic mode of communication, immediately after receipt of application form from Central Agency. The applicant shall pay the processing fee within one working day.

14.4 An application for a short-term GEOA & medium-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 it's/their generating unit(s), to avoid unnecessary blocking of corridor.

- 14.5 An application for long-term GEOA & medium-term GEOA shall be accompanied by a Bank Guarantee (BG) **of Five 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 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.
- 14.6 In case there is any material change with regard to the location of the injection point or quantum of power to be interchanged (by more than ten percent) using 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 fee and in case of long-term open access with required bank guarantee for 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.
- 14.7 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.
- 14.8 The SNA shall communicate to the applicant through a recognized mode of communication, the grant of open access or otherwise.
- 14.9 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.
- 14.10 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 is 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.
- 14.11 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.
- 14.12 The transmission licensee(s), distribution licensee(s) and SLDC shall ensure proper co-ordination while arranging for open access.
- 14.13 New generating plant(s) or generating unit(s) seeking long-term open access and entering agreement into 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 corridor.

- 14.14 An open access consumer shall enter into commercial agreements with the generators, traders and others as applicable, and such agreements shall include provisions pertaining to payment security mechanism.
- 14.15 The SNA shall host on its website the details of every application received from Central Nodal Agency and the status of such application on a continuous basis, which shall be made available to the public.
- 14.16 Provided further that the SNA shall prepare formats in line with the procedure followed by Central Nodal Agency, for smooth implementation of GEOA in the State.

15 Procedure for applying for Day ahead GEOA transactions:

- 15.1 The applicant shall apply to the Central Portal for the Day ahead GEOA transactions in the standard format.
- 15.2 For the applications received by the SNA from the Central Nodal Agency before 13.00 hrs of the day immediately preceding the day of scheduling for the Day ahead GEOA transaction, the SNA shall check for congestion in the system and convey grant of approval or otherwise to the applicant through e-mail not later than 15.00 hrs 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 open access.
- 15.3 Non-refundable fee of One thousand rupees for each transaction shall be paid by the applicant, in cash or by way of demand draft or proof of payment through electronic transfer in favour of the SNA.

Provided that the actual operationalisation of open access shall be effected subject to payment by the applicant of the charges as specified in this Regulation and orders passed by Commission from time to time, before 17.00 hrs of the day immediately preceding the day of scheduling for the day ahead transaction.

- 15.4 When open access is denied, the SNA shall furnish reasons thereof to the applicant.

16. Open Access Agreement

- 16.1 Based on the intimation by the Nodal Agency to the open access applicant, the applicant shall execute an open access agreement with the concerned Licensee(s), which shall broadly set out the information as given in **Annexure-2** to this Regulation.
- 16.2. The open access agreement referred to in clause 16.1 shall be bipartite, tripartite or multi-partite involving the applicant, the concerned Distribution Licensee in whose area of supply the applicant's exit point is located and the concerned Transmission Licensee or Licensees. The Open Access Agreement

shall clearly bring out the rights and obligations of all parties with respect to exit points on transmission and distribution systems separately:

Provided that in cases where the open access applicant's point(s) of entry as well as the point(s) of exit are located within the distribution system of the same Distribution Licensee (at voltages 33KV and below), the applicant shall be required to execute an open access agreement only with such Distribution Licensee.

- 16.3 Subject to the capacity being available, the Licensee(s) shall, after the applicant for long-term open access has completed all the pre-requisite formalities, including the execution of open access agreement, make arrangements to provide access to the applicant within the time period specified in the (Licensees' Duty for Supply of Electricity on Request) Regulation, 2004 (No. 3 of 2004):

Provided that in the case of short-term users, the open access shall be allowed as early as possible notwithstanding the time frame specified in the aforementioned Regulation.

- 16.4 Minimum term and renewal of the Open Access Agreement: The minimum term of an open access agreement is such term as the parties may agree and set out in the agreement subject to the provisions of clause 4 above.

A long-term open access agreement between a long-term user and the licensee may be renewed for a further term of two years or more without the requirement of a fresh open access application, on receipt of at least three (3) months' notice from the concerned long-term user to the concerned licensee(s) and the Nodal Agency, before the expiry of the Agreement. In case, no notice is provided by the Long-Term user, the Long-Term user shall forgo his right over the allotted capacity.

A medium-term open access agreement between a medium-term user and the licensee may be renewed for a further term of one year or more without the requirement of a fresh open access application, on receipt of at least three (3) months' notice from the concerned medium-term user to the concerned licensee(s) and the Nodal Agency, before the expiry of the Agreement. In case, no notice is provided by the medium-Term user, the medium-Term user shall forgo his right over the allotted capacity.

In case of short-term users, however, no extension of the original open access agreement shall be allowed, and a user wanting extension shall have to apply afresh to the Nodal Agency for open access.

17. Metering

- 17.1 All Long-Term, Medium-term and Short-Term open access users shall provide special energy meters capable of measuring active energy, reactive energy, average frequency and Demand integration in each 15-minute time block, with a built-in calendar and clock and conforming to BIS/CBIP Technical Report / IEC standards at all entry and exit points. This shall however be subject to the

regulations to be made by the Central Electricity Authority under section 55 of the Act.

18. Procedure for determining the available capacity of transmission and distribution (T&D) networks

- 18.1 The licensees shall carry out load flow studies, system impact studies, etc. taking into account the existing capacity commitments and future projections of capacity requirements for open access users, load growth as projected by distribution licensees, growth of generation, network topology and consumption pattern, network investments, Repairs and Maintenance programs, etc. to determine the capacity available to accommodate open access transactions. While so determining the capacity available for open access transactions, capacity commitments to all existing users of the network and the system reliability margin shall be deducted.
- 18.2 The Licensees shall keep updating the data on available capacity, taking into account the contracts with open access users, the impact of such transactions on the capacity of system elements, the increase/decrease in native load, changes in consumption pattern, network strengthening programs actually carried out and those projected, etc.
- 18.3 In order to decide the availability of sufficient spare capacity in the T&D networks so as to permit an open access transaction applied for, the Nodal Agency may also carry out load flow studies to simulate the impact of power flows associated with such open access transaction on the network and thus determine whether capacity is available to permit such open access transaction (in conformity with technical standards according to Grid Code and / or Distribution Code and / or Indian Electricity Rules, as the case may be) or there is a need to carry out system-strengthening works to ensure availability of sufficient capacity. The Nodal Agency may have to carry out this exercise on a case-to-case basis as and when an open access application is received.
- 18.4 The licensees shall carry out information exchange among themselves and keep one another and the Nodal Agency informed of the transactions on their respective networks.
- 18.5 The Nodal Agencies and Transmission / Distribution Licensees shall post details of available capacity on their respective websites, including the details of open access transactions permitted on different Licensees' networks with their respective entry and exit points, etc. on a daily basis

19. Underutilization

- 19.1 In the event a user expects to underutilize the capacity contracted under open access, the user may surrender a part of the capacity subject, however, to an advance notice as set out in the terms of the open access agreement, along with an explanation for such underutilization.
- 19.2 In the event of underutilization of the capacity contracted by the open access user, which, if made available, could be used to meet requirements of other

applicant(s), the concerned licensee may file an application with the Nodal Agency to reduce or cancel the capacity allocated to the open access user:

Provided that the Licensee shall not so approach the Nodal Agency without first issuing a notice to the concerned user as set out in the open access agreement:

Provided further that the Nodal Agency shall not reduce or cancel the capacity allotted without giving a notice of at least 15 days, in advance, to enable the concerned open access user to file his objections if any in writing.

19.3 In the event of user's surrender of whole or part of contracted capacity as per clause 19.1, or reduction/cancellation of the capacity allotted to the user as per clause 19.2, the user shall pay compensatory charges to the licensees concerned as follows:

(a) An amount equivalent to 50% of current application fee for Long-Term or Medium-term or Short-Term users, as the case may be, if all the capacity surrendered or reduced/cancelled is fully re-allotted to other applicants within the notice period so given by the user or the licensee, as the case may be.

(b) If the capacity surrendered or reduced/cancelled could not be fully re-allotted to other applicants within the notice period, then –

(i) In case of Long-Term and Medium-term users, the user shall, as a one-time exit fee, pay 25% of the transmission charges and / or wheeling charges as the case may be, and the scheduling and system operation charges in force at that point in time, applied on the capacity that could not be re-allotted for the remaining term of the agreement; and

(ii) In case of Short-Term users, the user shall bear the full transmission charges and / or wheeling charges, as the case may be, and the scheduling and system operation charges in force at that point in time, applied on the capacity that could not be re-allotted for the remaining term of the agreement.

20. Flexibility to change entry and exit points

20.1 The Long-Term and Medium-term users including Green Energy Open Access users shall have the flexibility to change entry and/or exit points twice a year subject to the results of system impact studies to be carried out by the concerned Licensees at the behest of such users. All expenses incurred by the Licensees to carry out such studies shall be reimbursed in full by such users.

20.2 A Short-Term user including Green Energy Open Access users cannot change entry and/or exit points as granted in the approval.

21. Open Access charges

21.1 The charges for the use of the transmission and / or distribution system by an open access user shall be regulated as under:

(i) Open Access users connected to the transmission/distribution system shall pay the transmission charges and / or wheeling charges and any other applicable

charges as determined by the Commission from time to time, and notified in the relevant Tariff Order or otherwise, and as per the conditions stipulated therein:

Provided that the wheeling charges so payable shall be subject to a minimum level, as fixed by the Commission in the relevant Tariff Order or otherwise.

(ii) In case of utilization of inter-state transmission system in addition to the intra-state transmission system and/or distribution system by an open access user, the transmission charges and / or wheeling charges shall be payable for the use of intra-state system in addition to the charges for utilization of the inter-state transmission system

(iii) The Open access users of the Transmission and / or Distribution System where such open access is for delivery of electricity to the consumer's premises in the area of supply of a distribution licensee, shall pay to the distribution licensee the (cross-subsidy) surcharge as determined by the Commission from time to time under Section 42 (2) of the Act :

Provided that the cross subsidy surcharge for Green Energy Open Access Consumer purchasing green energy, from a generating plant using renewable energy sources, shall not be increased, during twelve years from the date of operating of the generating plant using renewable energy sources, by more than fifty percent of the surcharge fixed for the year in which open access is granted;

Provided also that in case within the 12 years as mentioned in the first proviso, the Green Energy Open Access Consumer shifts to other Open Access source(s) of green energy other than the generating plant at different tenure in continuous or intermittent phase then also the start date of open access for such facility of limitation of cross-subsidy surcharge within 50% of the first year shall remain unchanged.

Provided also that in case within the above mentioned 12 years, the power is drawn from open access sources other than green energy, such ceiling of 50% increase in cross-subsidy surcharge within next 12 years will not be applicable on such power drawal.

Provided also that cross subsidy surcharge shall not be applicable in case power produced from a Waste-to-Energy plant is supplied to the Open Access Consumer.

Provided also that Cross subsidy surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.

No surcharge shall be levied in case open access is provided to a captive user for carrying the electricity produced in a Captive Generating plant for his own use. Provided that such exemption shall be available only for captive use of electricity in compliance with the requirements of Electricity Rules, 2005.

(iv) The Open Access user shall also be liable to pay additional surcharge on charges of wheeling as may be specified by the Commission from time to time under section 42(4) of the Act, in case open access is sought for receiving supply from a person other than the distribution licensee of such consumer's

area of supply, to meet the fixed cost of the distribution licensee arising out of his obligation to supply;

Provided that additional surcharge shall not be applicable for Green Energy Open Access consumer, if fixed charges are being paid by such a consumer.

Provided also that additional surcharge shall not be applicable in case power produced from a Waste-to-Energy plant is supplied to the Open Access Consumer.

Provided also that additional surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.

Provided also that additional surcharge shall not be applicable in case electricity produced from offshore wind projects, which are commissioned upto December, 2032 and supplied to the Open Access Consumers.

- (v) Where an electrical plant or electrical line is to be constructed by the Licensee in order to extend power supply to an open access user, the Licensee may recover such expenditure as per the (Licensee's Duty for Supply of Electricity on Request) Regulation, 2004(Regulation No.3 of 2004)
- (vi) If network augmentation is required for providing access to an applicant, the Licensee shall carry out such augmentation only if (a) the Licensee can recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the augmentation, and (b) the Licensee has the ability to raise funds to finance such capital expenditure:

Provided that the Licensee may require the open access user to make a capital contribution towards such network augmentation.

- (vii) Scheduling and system operation charges shall be payable by all open access users under scheduling by SLDC. Such charges shall be governed by the relevant Regulations issued by the Commission.
- (viii) The standby charges, wherever applicable, shall be specified by the State Commission and such charges shall not be applicable if the Green Energy Open Access Consumers have given notice, in advance at least twenty four hours before the time of delivery of power, for standby arrangement to the distribution licensee:

Explanation: For the purposes of this Regulation,

(a) The expression —standby chargesll means the charges applicable to open access consumers against the standby arrangement provided by the distribution licensee, in case the open access consumer is unable to procure power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission assets and the like.

(b) It is hereby clarified that in such situations the open access consumer has to take power from an alternate sources like the distribution licensee and the charges for maintaining standby arrangements for such consumers should be reflective of the costs incurred by distribution licensee for providing these support services.

22. Payment terms and conditions

22.1 In case of Long-Term and Medium-term users, the concerned Distribution Licensee may invoice a user in respect of the open access charges as set out in clause 21 of this Regulation and the open access user must pay those charges, in accordance with the procedures set out in the open access agreement between the Licensees and the user:

Provided that the Distribution Licensee shall have appropriate back-to-back arrangements in place with the Transmission Licensee(s) in order to pass on the transmission charges so collected from the user to the concerned Transmission Licensee.

22.2 In case of short-term users, the Distribution Licensee(s) may invoice the user and the user shall pay the charges to the concerned Licensee(s) directly. The SLDC shall assist / advise the Distribution Licensee in the matter of energy accounting and allocation.

22.3 All open access users shall pay the charges payable under the open access agreement from the date of commencement of open access specified in the open access agreement, regardless of whether or not such open access is used on and from that date, except if the failure to use such open access is due to the default of the concerned licensee(s) whose networks are being used.

22.4 In case of underutilization leading to surrender or cancellation of contracted capacity, the user shall pay such charges and in such manner as set out in clause 19 above.

22.5 Meter readings and Billing in respect of open access for supply to consumers:

The Distribution Licensee in whose area the consumer is located shall take the meter readings at the exit point. The billing shall be done by the respective Licensees as per the open access agreement under clause 16 read with the provisions of clauses 21 and 24 of this Regulation.

22.6 For the purpose of clause 22.5 above, a consumer using the Transmission and /or Distribution systems for his total power requirements without any contracted maximum demand (CMD) from the Distribution licensee shall be deemed to be a consumer of the distribution licensee in whose area the consumer is located.

23. Other matters

23.1 **Coordination among licensees and SLDC:** For the success of open access implementation, the licensees and the State Load Dispatch Centre shall carry out information exchange among themselves on a daily basis to determine the level of open access transactions in their respective areas of supply, energy flows, loading of transmission and distribution lines and equipment to determine system stability, available capacity, congestions in the networks, etc.

23.2 **Information requirements:** The licensees and the State Load Dispatch Centre shall maintain the following information on their websites in order to ensure

transparency and carry out information exchange among themselves required to process open access applications:

(i) Transmission and / or wheeling charges, as the case may be, for open access users located within the State; and

(ii) A status report on the current long-term users indicating name of user, period of the access granted (start date and end date), point(s) of injection and point(s) of drawal, capacity contracted and applicable charges. This report shall be updated as and when the status changes; and

(iii) Information regarding usage of the inter-regional links as well as interface between the Central Transmission Utility and State systems and inter-state links indicating time of updating, name of the link, total transmission capacity of the link, scheduled capacity use and current capacity of the link in use. This information shall be updated at least on hourly basis and wherever feasible on 15-minute basis.

23.3 Quality of supply: The licensee(s) shall ensure compliance with Grid Code wherever applicable. The Distribution Licensees shall also comply with the quality of supply standards as prescribed under the Telangana State Electricity Regulatory Commission (Licensees' Standards of Performance) Regulation, 2016 (Regulation No.5 of 2016) in respect of all open access users of its network.

23.4 Energy and Demand Balancing: All open access users, and the users covered under clause 8.2, shall make reasonable endeavour to ensure that their actual demand or actual sent-out capacity, as the case may be, at an inter-connection does not exceed the Contracted Maximum Demand or allocated sent-out capacity for that inter-connection:

Provided that for carrying out balancing and settlement of energy and demand at all entry and exit points relating to open access agreements, the licensee shall strictly adhere to the Clauses in **Part-B** of this Regulation.

23.5 Curtailment due to constraints: The licensee, based on directions from SLDC, may curtail power to any open access user or users, whether long-term, medium-term or short-term, in an event of emergency threatening grid security and stability. As far as practicable, the priority in curtailment shall be as prescribed hereunder:

(a) Short-term open access users of the network shall be curtailed in the first step, followed by

(b) All other consumers including medium-term open access users and long-term open access users, but excluding distribution licensees, in ascending order of contract period, followed by

(c) Distribution licensees.

24. General Terms and Conditions of Supply