

Open Access In Intra-State
Transmission And/Or Distribution
Procedure for Reservation of Transmission
And/Or Distribution Capacity
to
Short-Term Open Access Customers

Finalised as per
MPERC (Terms and Conditions for Intra-State Open
Access in Madhya Pradesh) Regulations, (Revision-I)
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Prepared
by
THE STATE LOAD DESPATCH CENTRE

Procedure for Reservation of Transmission And / or Distribution Capacity To Short-term Open Access (STOA) Customers

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THE STATE LOAD DESPATCH CENTRE

Procedure for Reservation of Transmission and / or Distribution Capacity To Short-Term Open Access Customers

1.0 OUTLINE

- 1.1** This procedure is being issued in compliance of the provisions under Para 8.2 of “MPERC (Terms and Conditions for Intra-State Open Access in Madhya Pradesh) Regulations, (Revision-I) 2021”, published in M.P.Gazet on 17.12.2021 hereinafter referred to as Regulation.
- 1.2** The procedures shall come into force w.e.f. date of approval by Hon’ble MPERC.
- 1.3** The detailed procedures have been prepared as per criteria for allotment and reservation of transmission and / or distribution capacity as per clause 7 of the Regulation.
- 1.4** Any issues that may arise during the implementation of these procedures could necessitate review and modification. Therefore, it is provided that these procedures would be reviewed and modified with the approval of the Hon’ble State Commission, if necessary, after a period of six months.
- 1.5** The Open Access Customer shall have the facilities of Telephone, Fax and E-mail. The details of their communication systems shall be provided to the SLDC. In addition to the above, the Open Access Customer shall have to provide telemetering and data communication facility as defined by State Load Despatch Centre on a case to case basis.
- 1.6** The Open Access Customer shall abide by the Indian Electricity Grid Code, the M.P. Electricity Grid Code, any other applicable codes and regulations and the instructions given from time to time by the STU and SLDC.
- 1.7** The open Access Customer shall endeavor to ensure the compliance of the Regulation and this Procedure before submitting application to the SLDC for STOA.
- 1.8** For the purpose of this document, “month” shall mean a Calendar month as per the British Calendar as provided under Clause (2.1) of Regulation 2.
- 1.9** “First month” shall mean the month in which the application for STOA is submitted

2.0 SUBMISSION OF APPLICATIONS

- 2.1** All applications intended to be covered under provisions of Para 8.5 (i) and 8.5 (iv) of the regulations for advance reservation shall be submitted separately for each transaction to the SLDC as per the enclosed format (to be printed / typed only on A-4 size paper with adequate margins on all the sides and filled in capital letters only) along with the single line diagram of injection / drawal points. The application shall be submitted in a cover marked “Application for Short-Term Open Access”
- a) Category of reservation
 - b) Date of commencement
 - c) Duration of Short Term Open Access”
- 2.2** For the purpose of making the processing fast and easy the application for Short Term Open Access (here in after called as STOA) will be classified in the following categories:
- a) Advance reservation
 - b) First Come First Serve
 - c) Day Ahead
 - d) Same Day / Emergency
- 2.3** For reservation of STOA commencing and terminating in the month of application and the period of STOA is only a day, application has to be submitted at least one clear day in advance i.e. If STOA is required for 3rd of the month then application must be submitted before 17.00 hrs of 1st of the month. The applications will be treated on First Come First Serve basis.
- 2.4** For reservation of STOA commencing and terminating in the month of application and the period of STOA is up to seven days, application has to be submitted at least 2 clear days in advance i.e. if STOA is required from 5th of the month then application must be submitted before 17.00 hrs of 2nd of the month. The applications will be treated on First Come First Serve basis.
- 2.5** For reservation of STOA commencing and terminating in the month of application and the period of STOA is more than seven days, application has to be submitted at least 3 clear days in advance i.e. if STOA is required from 8th of the month, the application must be submitted before 17.00 hrs on 4th of the month. The applications will be treated on First Come First Serve basis.
- 2.6** Application for Day Ahead Transaction must be sent to SLDC and concerned DISCOM Control Rooms by 15.00 hrs i.e. if day ahead transaction has to take place on 3rd of the month the application must be submitted by 15.00hrs of 2nd of the month.
- 2.7** In order to utilize surplus known after the issuance of first dispatch schedule by SLDC at 17.00 hrs. a composite request for open access and

scheduling be submitted directly to SLDC latest by 22.00 hrs for Day Ahead Transaction.

- 2.8** Applications for Same Day Transaction to meet short term emergency requirement shall be sent to the SLDC through concerned DISCOM Control Rooms.
- 2.9** For reservation of STOA commencing in the month of application (first month) and terminating in the following months but not ending beyond the fourth month, two separate applications need to be submitted:
- 2.9.1 The first application will cover the part of the month in which application is made. This application will be treated at par with the applications at 2.3, 2.4 and 2.5 above.
- 2.9.2 The second application will be for the Advance Reservation of STOA commencing from the 1st day of the second month as at 2.10
- 2.10** For Advance Reservation of STOA commencing in the second month and terminating in the following months but not ending beyond the fourth month the applications be submitted before 17.00 hrs of 19th day of the month.
- 2.11** For Advance Reservation of STOA commencing in the second month and terminating in the following months but not ending beyond the fourth month, if the application is not submitted before 17.00 hrs of the 19th day of the month as per 2.10, it may be submitted after 19th as two separate applications
- 2.11.1 The first application will cover the second month, and will be processed on first come first serve basis only after 27th of the month (after processing of applications under 2.10) subject to availability if capacity
- 2.11.2 The second application will cover advance reservation of STOA for the third and fourth months, and will be processed as per 2.10 after the 19th day of the second month.
- 2.12** In case STOA required is for more than 4 months then fresh application needs to be submitted before 19th of next month and so on for the remaining period and the application will be treated at par with applications at 2.7
- 2.13** A copy of the application shall be endorsed by the applicant to the following :
- Chief Engineer (Planning), MPPTCL, Jabalpur.
 - Concerned DISCOM involved in transaction.
 - Sub Load Despatch Centre involved in transaction.

- 2.14** The following shall be enclosed along with the application:
- a) Copies of the agreements / MOUs entered between the buyer / seller /trader.
 - b) Non-refundable application fee of Rs. 5000/- payable to the SLDC.
- 2.15** Any amendment/ modification to any existing application except those specifically mentioned in the procedure shall be treated as a fresh application.
- 2.16** The “month” means a Calendar month as per the British Calendar as provided under Clause (2.1) of Regulation 2.
- 2.17** The “day” means a day starting at 00.00 hrs and ending at 24.00 hrs as provided under clause (2.1) of the Regulations 2. For example in the application of reservation for the time period 23.00 hrs to 05.00 hrs, the reservation of capacity shall be from 23.00 hrs to 24.00 hrs in one slot and 00.00 hrs to 05.00 hrs in another slot and short term charges shall be payable accordingly.
- 2.18** In case of varying capacity reservation sought over the various time slots for any day, the same should be requested by the Open Access Customers accordingly for processing the same by the SLDC.
- 2.19** The request for transfer of reserved Transmission and / or Distribution capacity by a short term customer to any other customer shall not be entertained.
- 2.20** The short-term customers who have not been granted the reservation of Transmission and / or Distribution capacity, their applications shall stand disposed off. The applicants shall be intimated about the same by the SLDC.
- 2.21** All costs / expenses / charges associated with Bank Draft / Letter of Credit shall be borne by the applicant / customer.
- 2.22** An incomplete / vague application and an application not found to be in conformity with these procedures/ Regulations shall be rejected.
- 2.23** All applications / formats / drawing / correspondence used / submitted shall be on A-4 size paper with adequate margins on all sides, printed / typed on one side only. The applications / formats used if filled by hand then all entries shall be in capital letters.
- 2.24** The time block means a time block of 15 minutes as used for scheduling and despatch operation.
- 2.25** The applicant /customer shall keep SLDC indemnified at all times and shall undertake to indemnify, defend and save the SLDC harmless from any and all damages, losses, claims and actions including those relating

to injury to or death of any person or damage to property, demands, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from the transactions.

3.0 ELIGIBILITY FOR OPEN ACCESS AND CONDITIONS TO BE SATISFIED.

3.1 Subject to the provisions of these Regulations, open access customers shall be eligible for open access to the intra-State transmission system of the State Transmission Utility (STU) or any other Transmission Licensee and intra-State distribution system of the State Distribution Licensees of any other Distribution Licensee.

3.2 Such open access shall be available for use by an open access customer on payment of such charges as may be determined by the Commission in accordance with the applicable Regulations framed for the purpose.

3.3 Subject to the provisions of MPERC Open Access Regulations-2021, open access shall be permissible to users seeking open access for a capacity of 1 MW and above;

Provided that when a person, who has established a captive plant, opts for open access for carrying the electricity to the destination of his own use, the limitation of 1 MW shall not be applicable.

Provided further the renewable energy generators and users shall be provided Open Access irrespective of their capacity, subject to no operational constraints in the Licensee's system;

Provided also that open access shall not be allowed for transmission and / or wheeling of electricity to the premises where facility of net metering has been permitted in accordance with the Madhya Pradesh Electricity Regulatory Commission. (Grid connected Net Metering) Regulation-2015, as amended from time to time.

Provided also that the Open Access Customers if fed through mixed feeder shall also be allowed open access subject to the condition that they agree to the system constraints. In such cases, the duty of the Distribution Licensee shall be of a common carrier providing non-discriminatory open access as per Section 42 (3) of the Act.

Provided also that a person having been declared insolvent or bankrupt or having outstanding dues against him for more than two months of the billing of distribution /transmission licensee and /or SLDC charges at the time of application shall not be eligible for open access.

Formats regarding seeking of various information for processing the Short Term Open Access is attached with this procedure. The application format of Short Term Open Access is also attached as Appendix-1

4.0 ALLOTMENT PRIORITY

- 4.1 The priority for allowing open access shall be decided on the following criteria –
- a) Distribution Licensee for short-term;
 - b) Other open access customers short-term;
- 4.2 Subject to the above clauses, the decision for allowing short term open access shall be based on the basis of either first come first serve method or bidding as the case may be.

5.0 CRITERIA FOR ALLOWING OPEN ACCESS

Transmission Open Access

- 5.1 The voltage of inter-connection shall be as per the M.P. Electricity Supply Code, 2021.
- 5.2 The short-term access shall be allowed, if the request can be accommodated, by utilizing –
Inherent design margins
Margins available due to variation in power flows; and
Margins available due to in-built spare transmission capacity created to cater to future load growth.

Distribution Open Access

- 5.3 The voltage of inter-connection shall be as per the M.P. Electricity Grid Code 2021.
- 5.4 The distribution licensee shall extend the facility of open access of its system, in accordance with the time table envisaged in the regulations and the duties of distribution licensee with respect to such supply shall be of a common carrier providing non discriminatory open access.

6.0 PROCESSING / APPROVAL OF APPLICATIONS

- 6.1 Processing and categorization of application for short term open access reservation shall be done as per clause 2.2 to 2.10 above and clause 6 & 7 of Regulations.
- 6.2 The various dates as provided in Clause 8.5(iv) of Regulation shall be considered for advance reservation. In case the date provided in the time schedule is a “Holiday”, the next day shall be considered.
- 6.3 While processing the applications, the SLDC shall seek the consent, regarding congestion, if felt necessary, of Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM involved in the transaction.

- 6.4 The Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall give their application wise consent. In case of constraint in MPPTCL/DISCOM system, Chief Engineer (Planning) MPPTCL Jabalpur/ concerned DISCOM shall indicate about reduction of the MW quantum.
- 6.5 In case of denial of access, the Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall furnish reasons for the same and shall explain before MPERC if required.
- 6.6 The decision of the SLDC in respect of granting short-term open access shall be final and binding to short term open access customer.
- 6.7 The SLDC shall issue transaction-wise approval as per enclosed format.
- 6.8 The Applicant shall pay the advance charges as per the Schedule of Payment issued by the SLDC within 3 working days from the date of grant of access by SLDC.
- 6.9 In case of all type of STOA transaction, non refundable application fee @ Rs. 5000/- per transaction is to be paid even if the request is not accommodated.
- 6.10 Subject to the provisions of MPERC Open Access Regulations-2021, the Nodal Agency, Application fee, documents to accompany the application and time frame for disposal of application are annexed as Annexure-I to this procedure.

7.0 ADVANCE RESERVATION OF TRANSMISSION AND / OR DISTRIBUTION CAPACITY FOR SHORT TERM OPEN ACCESS

- 7.1 All application intended for advance reservation of transmission & distribution capacity for short term open access as per clause 2.7 above received upto 17.00 hrs of 19th day of the month shall be considered together on 20th day of the month for the advance reservation.
- 7.2 The Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall give their application wise consent latest by 15.00 hrs of 22nd day of the month. Non receipt of timely reply shall be treated as the consent. In case of constraint in MPPTCL / DISCOM system, Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall indicate about reduction of the MW quantum.
- 7.3 In case of denial of access, the Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall furnish reasons for the same and shall explain before MPERC if required.
- 7.4 In case of perceived congestion in transmission and / or distribution corridor, SLDC by 23rd day of the month will inform the concerned applicant (s) as per Para (c) of Regulation 8.5(iv). By 25th day of the

month latest by 11.00 hrs, the applicants must inform the SLDC the reduced requirement of transmission and / or distribution capacity during the period of congestion or opt for access only for the duration when no congestion is anticipated. In case of non-receipt of revised information in time, it is presumed that the applicant is no longer interested in revising it and SLDC will process the application accordingly.

- 7.5 In case the SLDC does not anticipate congestion as per consents receipts / or otherwise on any of the transaction and / or distribution corridor (s) involved, the applicant (s) shall be granted short term open access as per Para (b) of clause 8.5(iv) of regulation for the quantum and duration sought by 25th day of the month.
- 7.6 In case the SLDC anticipates congestion as per study done by Chief Engineer (Planning) MPPTCL) Jabalpur / concerned DISCOM involved in the transaction in one or more of the transmission or distribution corridor, it shall invite electronic / paper bids for reservation of transmission and /or distribution capacity on 26th day of the month in accordance as per Para (e) of clause 8.5(iv) and the successful applicants shall be granted short term open access by 27th day of the month.
- 7.7 In case the applicant wants to surrender the reserved capacity before commencement of transaction, it should request for surrender along with payment of short term open access charges for 7 days or for the period of access granted whichever is shorter, to SLDC within 3 working days from the date of grant of access.
- 7.8 The SLDC shall issue transaction wise approval as per enclosed format.
- 7.9 A non-receipt or delayed receipt of the payment shall be considered as a “Payment Default” by the applicant

7.10 SCHEDULING

- 7.10.1 The customer’s coordinator shall coordinate with other Utilities involved and furnish the transaction details to each of the DISCOM involved and SLDC on a daily basis, so as to enable the SLDC to incorporate the transaction in the day-ahead schedules and revisions thereof. In case mismatches are found in the transaction details, it will not be possible for the SLDC to schedule the same and the customer shall be intimated accordingly.
- 7.10.2 DISCOM shall advise the SLDC by 15.00 hrs each day regarding their proposed Open Access transaction wise requisition for the next day. Modification / changes, if any, shall be conveyed latest by 22.00 hrs of the same day.
- 7.10.3 The ramp-up / ramp-down, if required, in the daily schedules (issued by the SLDC) on account of such transactions, shall commence at the time of commencement of the transaction and shall end at the time of termination of the transaction.

7.10.4 The 'Daily Schedules' finalized / issued by the SLDC shall incorporate the Intra-State Open Access transactions in the drawal schedule of the DISCOMs and / or the injection schedules of the concerned generators. The concerned DISCOMs shall incorporate such intra-State transactions to / from the point of injection / drawal in their respective daily schedules issued by the SLDC.

7.11 BIDDING PROCEDURE

7.11.1 In terms of the provisions of Regulations 8.5(iv) on Open Access whenever the capacity sought to be reserved by the Applicants, for a particular day or part thereof, is more than the surplus transfer capacity available, the SLDC shall invite electronic / paper bids from such applicants.

7.11.2 Bidding process and reservation of capacity to the Bidders shall be as per clause 8.6 of MPERC Open Access Regulations -2021.

7.11.3 Bids shall be invited for only such period during which congestion is expected to occur and only for the Intra-State system which is expected to be causing congestion.

7.11.4 Each of the Utilities intending to participate in electronic bidding shall be issued a system generated "User Id" and initial "pass-word" by SLDC to enable them to submit an on-line bid. Upon receipt of the User Id and initial password, it shall be the responsibility of such Utility to maintain its confidentiality / security and to prevent its misuse.

7.11.5 Any customer intending to participate in electronic bidding for short term Open Access may obtain the "User Id" and initial pass-word in advance from the SLDC.

7.11.6 The Applicants shall submit their 'bid' on the E-mail of SLDC in case of electronic bidding or in sealed envelope in case of Paper bidding.

7.11.7 Only the applicants through their registered users shall be entitled to submit a bid.

7.11.8 The bids shall be accepted upto the "bid closing time" indicated in the bidding invitation format.

7.11.9 Bids sent through fax / post shall not be accepted.

7.11.10 No requests for extension of the time / date for submission of the bids shall be entertained by the SLDC.

7.11.11 The SLDC reserve the right to reject an in-complete / vague bid and / or not found to be in conformity with these procedures/ regulations on Open Access.

7.11.12 Modification / amendment to a bid, once submitted, including submission of a second or subsequent bid by any Application shall not be accepted.

- 7.11.13 The bid price should be quoted in terms of percentage (%) of floor rate subject to a minimum as 100% and a ceiling price of 5 times the floorprice as per Regulation 8.6(iv). The floor rate for the bidding shall be equal to ST_rate applicable for the day even though the congested period may be only for few hours.
- 7.11.14 In case any of the Applicants choose not to submit a bid, his application for open access shall be treated as cancelled and will not be processed.
- 7.11.15 The exact procedure to submit bids electronically will be send to open access customer along with user Id.
- 7.11.16 Reservation of transmission and distribution capacities shall be made in decreasing order of the price quoted.
- 7.11.17 In case of equal price quoted by two or more bidders, the reservation of transmission and / or distribution capacity shall be made pro rata to the transmission and / or distribution capacity sought to be reserved.
- 7.11.18 The short-term customer getting reservation for capacity less than the capacity sought by him shall pay the charges quoted by him and the short- term customers getting transmission and / or distribution capacity reservation equal to the capacity sought to be reserved, shall pay the charges quoted by the last customer getting capacity reservation equal to the reservation of capacity sought by him.
- 7.11.19 The decision of the SLDC, in respect of granting STOA shall be final and binding to short term open access customer.

8.0 RESERVATION OF TRANSMISSION AND / OR DISTRIBUTION CAPACITY FOR SHORT-TERM OPEN ACCESS FOR “FIRST-COME-FIRST-SERVE” APPLICANTS

- 8.1 Applications intended for reservation of transmission and distribution capacity for short term open access as per clause 2.3, 2.4, 2.5 and part 1 of 2.6 above shall be considered on “FIRST-COME-FIRST-SERVE” basis.
- 8.2 Applications received by the SLDC between 10.00 hrs of a day and 10.00 hrs of the following day shall be treated as to have been received together for processing and shall have same priority. In case of congestion, the reservation shall be granted on pro rata basis.
- 8.3 While processing the applications, the SLDC shall seek the consent regarding congestion if felt necessary of Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM involved in the transaction in a prescribed format. Time taken by Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM to give their consent would be as under:

Transaction upto one day	-	8 hours]
Transaction upto one week	-	1 day] Including
Transaction exceeding one week	-	2 days] Holidays

- 8.4 Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall give their application wise consent to SLDC. A non-receipt of timely consent shall be treated as the consent. In case of constraint in MPPTCL system / DISCOM, Chief Engineer (Planning) MPPTCL, Jabalpur / concerned DISCOM to indicate about reduction of the MW quantum/ refusal.
- 8.5 In case of denial of access, the Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOM shall furnish reasons for the same and shall explain before MPERC if required.
- 8.6 In case the applicant wants to surrender the reserved capacity before commencement of transaction then it should request for surrender along with payment of short-term open access charges for seven days or the period of access granted whichever is shorter, to SLDC within 3 working days from the date of grant of access.
- 8.7 In case the applicant wants to surrender the reserved capacity after commencement of transaction for some period in between the granted access period, then it should request for surrender along with payment of short-term open access charges for seven days or the remaining period of access granted whichever is shorter, to SLDC within 3 working days from the date of grant of access. For starting the transaction again, it should apply as fresh customer and its application shall be processed in accordance with the relevant provisions of the regulations on Open Access.

8.8 SCHEDULING

- 8.8.1 The Customer's coordinator shall coordinate with other Utilities involved and furnish the transaction details to each of the DISCOM involved, on a daily basis, so as to enable the SLDC to incorporate the transaction in the day-ahead schedules and revisions thereof. In case mismatches are found in the transaction details, it would not be possible for the SLDC to schedule the same and the customer shall be intimated accordingly.
- 8.8.2 DISCOM shall advise the SLDC by 15.00 hrs each day regarding their proposed Open Access transaction wise requisition for the next day. Modification / changes, if any, shall be conveyed latest by 22.00 hrs of the same day.
- 8.8.3 The ramp-up / ramp-down, if required, in the daily schedules (issued by the SLDC) on account of such transactions, shall commence at the time of commencement of the transaction and shall end at the time of termination of the transaction.
- 8.8.4 The 'Daily Schedules' finalized / issued by the SLDC shall incorporate the Intra-State Open Access transactions in the drawal schedule of DISCOMs and / or the injection schedules of the concerned generators. The concerned DISCOMs shall incorporate such Intra-State transactions to / from the point of injection / drawal in their respective Daily Schedules issued by the SLDC.

9.0 DAY AHEAD / SAME DAY TRANSACTION

- 9.1 Applications intended for short term open access as per clause 2.9, 2.1& 2.11 above shall be considered for Day Ahead / Same Day Transaction.
- 9.2 The transaction shall be allowed by SLDC only for day or part there of in blocks as per provision contained in clause 9.2(i) to 9.3(ii) of Regulations.
- 9.3 The request for above transaction along with consent of buyer / seller can be sent by Fax/ e-mail.
- 9.4 A customer seeking short term open access shall ensure that the buyer and seller are in agreement with the proposed transactions and gave an undertaking to this effect to SLDC. Any disagreement between them may lead to cancellation of proposed open access.
- 9.5 While processing the applications, the SLDC shall seek the consent regarding congestion if felt necessary looking to the system conditions at that time, from Chief Engineer (Planning) concerned DISCOMs involved in the transaction. A non-receipt of timely reply shall be treated as the consent. In case of denial of access, the Chief Engineer (Planning) MPPTCL Jabalpur / concerned DISCOMs involved in the transaction shall furnish reasons for the same and shall explain before MPERC if required.
- 9.6 The decision of the SLDC, in granting the short term open access shall be final and binding to short term open access customer.
- 9.7 The SLDC shall take steps to incorporate the transactions under this category in the day ahead schedule to be issued by the concerned DISCOMs if the request can be accommodated without congestion. In case of congestion the SLDC shall intimate the applicant accordingly.
- 9.8 The transaction included in the schedule shall be considered as approved and if surrendered before commencement or during the period of transaction, all applicable charges shall be payable by the customer.
- 9.9 Pro rata capacity approval shall be given in case application are for more than available capacity.

9.10 SCHEDULING

- 9.10.1 The open access customer shall submit a composite request for open access and scheduling to the SLDC through concerned DISCOMs for transaction under the day ahead / same day category. However, applications may be submitted directly to SLDC for transaction under this category.
- 9.10.2 All such transactions shall be made by the applicant after tying up all commercial terms and conditions with the concerned agencies.
- 9.10.3 Scheduling for transaction under above category i.e. the same day transaction shall be affected from the fourth time block of receipt of request.

10.0 NON-UTILIZATION OF RESERVED TRANSMISSION AND /OR DISTRIBUTION CAPACITY BY SHORT-TERM OPEN ACCESS CUSTOMERS

- 10.1 In accordance with the provisions contained in Para 11.3 of Regulations, a short term open access customer, unable to utilize for or substantial part of the reserved transmission and / or distribution capacity shall intimate the same to the SLDC mentioning the approval number vide which the approval had been accorded. The SLDC shall issue a revised approval to the customer to this effect. The surrender of reserved transmission and /or distribution capacity shall be effective from the next day of the request received.
- 10.2 In accordance with the provisions contained in Para 11.3(b) of Regulations, the SLDC may on its own reduce or cancel the reserved transmission and /or distribution capacity of a short term open access customer when such a short term open access customer frequently under-utilizes the reserve transmission and / or distribution capacity. Decision of SLDC on frequent under-utilization depending upon grid conditions shall be binding on all. Before reducing or canceling the reserved transmission and / or distribution capacity, SLDC will give due notice of one day to such short- term open access customers and on expiry of the notice period the reserved transmission and /or distribution capacity will be reduced / cancelled.
- 10.3 In accordance with the provisions contained in Para 11.3(c) of Regulations, the short term open access customer who has surrendered the reserved transmission and / or distribution capacity under clause 10.1 above or whose reserved transmission and / or distribution capacity has been reduced or cancelled under clause 9.2 above, shall bear the transmission and / or distribution charges, operating charges and any other charges based on original reservation of transmission and / or distribution capacity for seven days (Short Term charges for seven days from the date of surrender / cancellation / reduction shall be considered) or the period of reservation surrendered or reduced or cancelled as the case may be, whichever period is shorter.
- 10.4 The transmission and / or distribution capacity becoming available as a result of surrender by short term customer under clause 10.1 above or as a result of reduction or cancellation of the reserved transmission and / or distribution capacity by SLDC under clause 10.2 above shall be reserved for any other short term customer in accordance with relevant provisions of Regulations on open access.

11.0 CURTAILMENT OF SHORT TERM TRANSACTION

- 11.1 When because of constraints or otherwise, it becomes necessary to curtail the capacity allocated to the Open Access Customers, the following order of curtailment shall be adhered to:

- i. Short-term Open Access customers (excluding Distribution Licensees).
 - ii. Medium-term open access customers (excluding Distribution Licensees).
 - iii. Long-term open access customers (excluding Distribution Licensees).
 - iv. Short term, Medium-term and Long-term Open Access granted to Distribution Licensee.
- 11.2 Within a category, power curtailment shall be carried out on a pro-rata basis.
- 11.3 None of the charges payable by Short-Term Open Access customers and / or any other utilities involved in the transaction shall be adjusted by them against any other payments / charges.
- 11.4 In case of a force majeure condition as determined and notified by the SLDC, DISCOM shall curtail / suspend a scheduled transaction. The decision of the SLDC as to the existence of a force majeure condition shall be final and binding.

12.0 ENERGY ACCOUNTING

- 12.1 Shall be governed as per MPERC Balancing and Settlement code- 2015 applicable to intra-state transactions.
- 12.2 The collection and disbursement of imbalance charges and reactive energy charges shall be governed in accordance with the procedure and methodology to be specified by the commission from time to time.
- 12.3 A separate bill for imbalance charges shall be issued to open access customers at the rate approved in Balancing and Settlement Code-2015 approved by the Hon'ble Commission. The accounts of energy will also be settled monthly.
- 12.4 For the calculation of over drawals / under drawals or over injection/under injection and the reactive energy drawal the concerned Substations of the licensees shall download the data / information from the special energy meters installed for the purpose on the feeders of the respective customers on every Monday morning and send it through e-mail with copy on floppy disk by post / courier so as to reach SLDC positively by Thursday. SLDC on receipt of the data will prepare the energy account of over drawal / injection, under drawal / injection and Reactive Energy Drawals by 7th of every month.

13.0 ENERGY LOSSES

- 13.1 The open access customers shall bear energy losses of transmission system and distribution system as computed by SLDC/ approved by the Commission in accordance with the regulation framed by the Commission under Sec.61 of Electricity Act 2003. The energy losses in the transmission

and distribution systems shall be deducted from injection to compute drawal schedule. The energy losses shall be compensated by additional injection at the injection point.

- 13.2 The information regarding average energy losses for previous 12 months shall be posted on the website of the SLDC and transmission & distribution licensee.

14.0 THE PRIORITY FOR ADJUSTMENT OF ENERGY CREDIT

The priority for adjustment of energy drawal by an Open Access Customer from different sources shall be as per the following sequence of reducing priority and shall be implemented for each time block upon adjustment of applicable losses:

- (a) Renewable Energy Generators;
- (b) Captive Generating Plant;
- (c) Banked Energy;
- (d) Long-term Bilateral purchase;
- (e) Medium term Open Access;
- (f) Short-term inter-State Open Access including Power Exchange transactions;
- (g) Short-term intra-State Open Access; and
- (h) Distribution Licensee;

Provided that energy credit from more than one source from the similar category shall be adjusted on pro-rata basis of the contracted generation capacity from such source.

15.0 METERING

- 15.1 Open access customers shall provide ABT compatible special energy meters as main meters, as specified by the Commission in metering code category. The term 'Meter' shall include current transformers, voltage potential transformers, wiring between them and meter box / panel. The concerned licensee shall have to certify the meters, metering equipments and the installation of the meter.

- 15.2 The special energy meters installed shall be capable of time differentiated measurements (15 minutes) of active energy and voltage differentiated measurement of reactive energy as specified by Licensee.

- 15.3 Main meters shall always be maintained in good condition and shall be open for inspection by any person authorized by the Nodal Agency.

- 15.4 The concerned licensee may provide check meters of the same specifications as main meters.

- 15.5 The main and check meters shall be periodically tested and calibrated by the concerned licensee in the presence of other party involved. Main and check meters shall be sealed by both parties. Defective meter shall be replaced immediately.
- 15.6 Reading of main and check meters shall be taken periodically at appointed day and time by authorized officer of the concerned Licensee, the Generator and the Customer or his representative, as the case may be. Meter reading shall be communicated to SLDC, the open access customer and the generating company or trader, as the case may be, by the licensee, within 24 hours of meter reading.
- 15.7 Readings of the check meters shall be considered when main meters are found to be defective or stopped. Both the main meter and check meter shall be tested for accuracy if difference between the readings of main and check meters vis-à-vis main meter reading exceed twice the percentage errors permissible for relevant accuracy class. The check meter reading shall be considered for billing and if the meter is found defective and the defective meter shall be replaced immediately.
- 15.8 If an open access customer requires the licensee to provide main meters he shall provide security deposit to the licensee and shall pay for its rent. The meter shall be maintained by the licensee.
- 15.9 Generating Stations having multiple generating Units wherein one or more Units are contracted under captive route or third-party route, such Generating Company, shall install at their cost, Special Energy Meters, separately for each generating Unit. However, the existing generating stations also install, Special Energy Meters at their cost separately for each generating Unit within six months from the notification of these Regulations, in accordance with requirements stipulated by the Nodal Agency and / or SLDC.

Provided that the installed Special Energy Meters shall be available for inspection by the Distribution Licensee or the SLDC at any time;

Provided further that if then generator opts for installation of Special Energy Meter by the Distribution Licensee at its own cost, the Distribution Licensee shall install the same. In the intervening period till installation of Special Energy Meter, Distribution Licensee shall not deny Open Access to such consumer/ generator.

Provided also that such Generating Stations connected to Transmission or Distribution System, as the case may be, shall bear the cost of communication arrangements, for its integration into Control Centre as per the technical specification stipulated by the Distribution Licensee and /or SLDC.

16.0 COMMERCIAL CONDITIONS

According to the provisions under Para 13 of the Regulations, the following commercial conditions shall apply.

16.1 The applicant shall make the following payment in advance for each approval separately to the entity concerned within three working days from the day of grant of access.

16.2 **Transmission Charges** – Payable to Transmission Company

The transmission charges payable by a Short-term customer for the use of intra State transmission system as approved by State Commission shall be calculated in accordance with the following formula:

$$\text{STOA charges (Rs./kWh)} = \frac{\text{Annual Transmission Service Charges}}{\text{Energy handled through Intra State Transmission Network}};$$

For the financial year 2021-22, the Annual Transmission Service Charges as approved by the State Commission as per clause no. 61 of Transmission Tariff for MYT control period from FY 2019-20 to FY 2023-24 is Rs.4141.56 Crores.

The total energy handled for the FY 2021-22 is 94093.70 Million Units as per clause no. 61 of Transmission Tariff for MYT control period from FY 2019-20 to FY 2023-24.

Thus, STOA MP Transmission Charges comes out to be 0.44 Rs./ kwh which shall be applicable to recover from STOA customers till March 2022.

Similar procedure shall be followed for recovery of Transmission Charges from STOA Customers from FY -2022-23 and so on.

Provided that where a dedicated transmission system used for open access has been constructed for exclusive use of an open access customer, the transmission charges for such dedicated system shall be worked out by the Transmission Licensee for their respective systems and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other persons or purposes.

Provided further that Transmission Charges shall not be applicable in case dedicated lines (as defined under Section 2(16) of the Act) constructed by generator are being utilized for supply to the open access customer.

16.3 **Wheeling Charges** – Payable to concerned DISCOM

The wheeling Charges for use of the distribution system of a Licensee shall be regulated as under, namely:

- (a) The wheeling charges payable by a short-term customer for the use of distribution system shall be calculated on daily basis and shall be equal to the Wheeling Charges payable by the long-term open access customer and medium term customer.

Provided that where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the Wheeling Charges for such dedicated system shall be worked out by Distribution Licensee for their respective systems and got approved by the Commission and shall be born entirely by such open access customer till such time the surplus capacity is allotted and used for by other persons or purposes;

Provided further that Wheeling Charges shall not be applicable in case dedicated lines (as defined under Section 2(16) of the Act) constructed by generator are being utilized for supply to the open access customer.

- 16.4 **Operating Charges - Payable to SLDC**
An Open Access customer shall be liable to pay to the SLDC, the scheduling and system operation charges in accordance with Madhya Pradesh Electricity Regulatory Commission (Levy and Collection of fee and charges of State Load dispatch Centre) Regulation, 2006 as amended and SLDC Tariff Order for Levy and Collection of Fee and Charges issued by MPERC from time to time.
- 16.5 **Fee for getting connected with the Grid- Payable to SLDC**
An Open Access customer shall be liable to pay to the SLDC, the fee for getting connected with the MP Grid in accordance with Madhya Pradesh Electricity Regulatory Commission (Levy and collection of fee and charges of State Load Dispatch Centre) Regulation, 2006, amended from time to time.
- 16.6 **Imbalance Charges – Payable to Concerned entity.**
The mismatch between the scheduled and the actual drawal at drawalpoint (s) and scheduled and the actual injection at injection point (s) shall be governed by Balancing and Settlement Code applicable to the intra- state transactions. A separate bill for imbalance charges shall be issued to open access customers.
- 16.7 **Reactive Energy Charges – Payable to Transmission Company:**
- (a) The payment and receipt of the reactive energy charges by the direct customers on account of open access shall be calculated in accordance with the scheme applicable to transactions involving intra-state transmission approved by the Commission from time to time.
 - (b) The reactive energy drawals and injections by the embedded customers shall be governed by the scheme applicable within the State.
- 16.8 **Cross –subsidy Surcharge – Payable to Concerned entity.**
The Commission shall specify the cross subsidy surcharge for individual categories of consumers separately in Retail Supply Tariff Orders for the respective years.

- 16.9 **Additional Surcharge** – Payable to Concerned entity.
- The Commission shall determine the additional surcharge on a yearly basis in Retail Supply Tariff Orders for the respective years.
- 16.10 **Interconnection Expenses** – Payable to concerned licensee.
- The open access customers seeking interconnection to their generators and loads with the grid shall be required to meet one time i.e. at the time of inter connection, such expenses as actually incurred by the licensee.
- 16.11 **Any other Charges** – Payable to Concerned entity.
- In cash or kind as may be specified by the Commission shall be payable by the open access customer.
- 16.12 In case of transaction for a period more than a month, the customer shall make subsequent payment towards the transaction charges, wheeling charges, operating charges and any other charges as indicated in the “Schedule of monthly payments” enclosed with the approval (issued by the SLDC), latest by 11.00 hrs of the working day, to the concerned entities, before beginning of the next month.
- 16.13 All payments of SLDC charges shall be remitted by Bank Draft / cheques drawn in favour of “RAO MPPTCL COLLECTION ACCOUNT SLDC” payable at par at JABALPUR or by electronic transfer.
- SLDC Account details for electronic transfer:
- | | |
|------------------------|--|
| (i) Name of the Bank | -UNION BANK OF INDIA |
| (ii) Branch | -SHAKTI BHAVAN ROAD, JABALPUR |
| (iii) Title of the A/c | -“RAO,MPPTCL,COLLECTION ACCOUNT SLDC”. |
| (iv) Bank account No. | -571701010050209 |
| (v) IFC Code | -UBIN05571700 |
- 16.14 MP Transmission Account details for payment of STOA STU charges (MP transmission charges).
- | | |
|------------------------|---------------------------------------|
| (i) Name of the Bank | -UNION BANK OF INDIA |
| (ii) Branch | -MADAN MAHAL, JABALPUR |
| (iii) Title of the A/c | -M.P. POWER TRANSMISSION COMPANY LTD. |
| (iv) Bank account No. | -552901110050000 |
| (v) IFC Code | -UBIN0555291 |
- 16.15 No outstation cheques will be accepted.
- 16.16 A non-receipt or a delayed receipt of the payment shall be considered as a “Payment Default” by the applicant.

17.0 PAYMENT SECURITY MECHANISM

17.1 In terms of the provisions under Regulation 16.3 to 16.9 the “Payment Security Mechanism specified hereunder is intended to ensure recovery of the applicable payments in case of a payment default and not as a mechanism for regular payments. The Letter of Credit provides security against payment defaults in respect of the “monthly payment” to be normally made through bank draft / electronic transfer / cheque.

(i) When the duration of access granted exceeds one month the customer shall open a monthly irrevocable revolving Letter of Credit (LC), corresponding to the short-term open access charges for 31 days or the duration beyond one month, whichever is shorter, in favour of the concerned entity at the agreed location.

(ii) The LC shall be opened in a Bank mutually agreed between the customer and the TRANSCO / concerned DISCOM / SLDC.

(iii) The LC shall be opened within seven (7) days of commencement of the open access transaction.

(iv) The LC shall be valid for the entire duration of the transaction.

(v) The LC shall be negotiated by the TRANSCO / concerned DISCOM / SLDC on the basis of the “Schedule of the Payment” enclosed with the approval as and when the customer fails to remit the monthly payment in full by its due date.

(vi) In case the LC is not timely negotiated, the responsibility lies with the customer and the same shall be treated as “Payment Default”.

(vii) Terms of LC shall be as per the format enclosed.

17.2 All open access users must make reasonable endeavours to ensure that their actual demand or actual sent-out capacity, as the case may be, at an inter-connection does not exceed the contract maximum demand or actual sent-out capacity for that inter-connection. The STOA customer shall provide over load trip relay at setting 120% at drawl point.

Provided that for carrying out balancing and settlement of energy and demand at all entry and exit points relating to access agreements, the licensee shall strictly adhere to the Balancing and Settlement Code approved by the Commission and thereafter, as amended from time to time by the Commission.

17.3 In case if open access customer uses Inter-State Transmission System and service of Regional Load Despatch Centre and State Load Despatch Centre of other state, the transmission charges of CTU and STU of other State and service charges of Regional Load Despatch Centre and State Load Despatch Centre of other state shall be payable by the open access customer in addition to the charges fixed by MPERC.

- 17.4 In case an applicant relinquishes / abandons an approval issued, the transmission charges, wheeling charges, operating charges and any other charges of seven days or the remaining period of the access granted whichever is shorter shall be payable by the customer.

18.0 FLEXIBILITY TO CHANGE POINTS OF INJECTION AND DRAWAL

- (a) The SLDC may allow a short term customer to change the point or points of injection in case of any contingency arising from outage of generation or the associated transmission system, provided it is feasible.
- (b) The reservation of transmission capacity on additional or new transmission corridor, if any, consequent to change in point of injection allowed by the SLDC shall be processed in accordance with these Regulations.
- (c) When the application for change of point or points of injection is granted by the SLDC, the transmission charges and service charge already paid shall be adjusted against the transmission charges and service charge becoming payable in accordance with the reserved transmission capacity as revised.

19.0 PAYMENT DEFAULT

- 19.1 In case of payment of any bill for charges payable under these Regulation is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other Regulation thereunder, a late payment surcharge at the rate of 1.25% per month shall be levied.
- 19.2 Also any new application of such customers shall be entertained by the SLDC only after the receipt of outstanding payment along with surcharge.
- 19.3 In case a payment made by the applicant through cheques has been dishonored, the applicant shall immediately pay the amount due by demand draft or electronic transfer and no further cheques payment will be accepted from that customer for next three (3) months.

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