

Together, Let us light up our lives



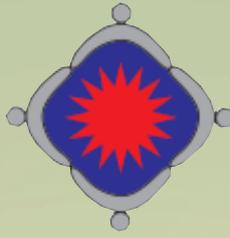
ORISSA ELECTRICITY REGULATORY COMMISSIONS

REGULATIONS - 2004

as ammended upto May 2011

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ORISSA ELECTRICITY REGULATORY COMMISSION

BHUBANESWAR-751 012

NOTIFICATION

The 21st May 2004

No. OERC/Engg-92/2003-In the exercise of powers conferred on it by Section 181 (2) (t), (v), (w) and (x) read with Part-VI of The Electricity Act, 2003 (Act 36 of 2003), Orissa Electricity Reform Act, 1995 (Act 2 of 1995)) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby make the following Regulations to govern distribution and supply of electricity and procedures thereof such as the system of billing, modality of payment of bills, the powers, functions and obligations of the distribution licensees and/or suppliers and the rights and obligations of consumers.

CHAPTER - I

SHORT TITLE, COMMENCEMENT

1.

- 1) These Regulations may be called the “**Orissa Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2004**”.
- 2) These shall come into force on the date of their publication in the Official Gazette.
- 3) They extend to whole of the State of Orissa.
- 4) These shall apply to all persons engaged in the business of distribution of electricity as a distribution licensee and the consumers of electricity in the State of Orissa.
- 5) The Orissa General Clause Act, 1937 shall apply to the interpretation of these Regulations.

CHAPTER - II

DEFINITIONS

2.

- 1) In these Regulations, unless the context otherwise requires :
 - a) “**Act**” means the Electricity Act, 2003 (Act 36 of 2003) and “**State Act**” means *The Orissa Electricity Reform Act, 1995 (Orissa Act 2 of 1995)*;
 - b) “**agreement**” with its grammatical variations and cognate expressions means an agreement entered into by the licensee and the consumer in accordance Regulation-15 in the format at **Form no. 1 / 3** of these Regulation;
 - b)1) “**accredited test laboratory**” means a test laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL);
 - c) “**ampere**” means a unit of electric current and is the unvarying electric current which when passed through a solution of nitrate of silver in water, in accordance with the specification set out in Annexure-I of the Indian Electricity Rules, 1956 or Rules/Regulations made under Section 53 of the Act, deposits silver at the rate of 0.001118 of a gramme per second; the aforesaid unit is equivalent to the current which, in passing through the suspended coil of wire forming part of the instrument marked “Government of India Ampere Standard Verified” when the suspended coil is in its sighted position, exerts a force which is exactly balanced by the force exerted by gravity in Calcutta on the counter balancing iridioplatinum weight of the said instrument;
 - d) “**apparatus**” means electrical apparatus and includes all machines, fittings, accessories and appliances in which conductors are used;
 - e) “**average power factor**” means the power factor resulting from variations of the quantum and duration of the consumer’s load during a specific period and its value corrected to the nearest percentum figure to be calculated as a ratio of the registration during the same period of kilowatt hour and kilovolt-ampere hour;
 - f) “**break-down**” means an occurrence relating to equipment of supply system or other electrical line which prevents its normal functioning;
 - f) 1) “**check meter**” in case of HT & EHT supply includes a meter, which shall be connected to the same core of the Current Transformer (CT) and Voltage Transformer (VT) to which main meter is connected. In case of LT supply Check Meter includes a meter which is connected in series with the Main Meter in a place other than consumer premises;

- g) “**Code**” means the Orissa Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2004;
- h) “**Commission**” means Orissa Electricity Regulatory Commission;
- i) “**conductor**” means any wire, cable, bar, tube, rail or plate used for conducting energy and so arranged as to be electrically connected to a system;
- j) “**connected load**” means aggregate of manufacturer’s rating of all apparatus including portable apparatus connected in the consumer’s premises and apparatus in respect of which declaration has been made by the consumer under Regulation No.65 for taking supply or any other method of assessing connected load as may be approved by the Commission. This shall be expressed in KW or KVA. If the ratings are in KVA, the same may be converted to KW by multiplying the KVA with a power factor of 0.9. If the same or any apparatus is rated by the manufacturer in HP, the HP rating shall be converted into KW by multiplying it by 0.746;
- j) 1) “**correct meter**” means a meter, which shall at least have, features, Accuracy Class and specifications as per the Standards on Installation and Operation of Meters given in Schedule of CEA (Installation and Operation of Meters) Regulation, 2006;
- k) “**consumer installation**” means any composite electrical unit including electric wires, fittings, motors, transformers and apparatus portable and stationary, indoor, outdoor and underground erected and wired by or on behalf of the consumer in one and at the same premises;
- l) “**contract demand**” means maximum KW or KVA or HP as the case may be, agreed to be supplied by the licensee and reflected in the agreement executed between the parties. Where the agreement stipulates supply in KVA, the quantum in terms of KW may be determined by multiplying the KVA with 0.9;
- m) “**date of commencement of supply**” means the day immediately following the date of expiry of a period of one month from the date of intimation to an intending consumer of the availability of power at the point of supply or the date of actual availing of supply by such consumer, whichever is earlier.
- n) “**demand charge**” refers to a charge on the consumer based on the capacity reserved for him by the licensee, whether the consumer utilises such reserved capacity in full or not;
- o) “**designated authority of the licensee**” means an authority who has been notified as such by the licensee in the manner approved by the Commission to exercise powers under specific provisions of this Code;
- p) “**earthed**” or “**connected with earth**” means connected with the general mass of earth as per I. E. Rules, 1956 as to ensure at all times an immediate discharge of energy without danger;

- q) **“energy”** means electrical energy-
- i) Generated, transmitted or supplied for any purpose, or
 - ii) Used for any purpose except the transmission of a message.
- r) **“energy charge”** refers to a charge on the consumer for his actual consumption of electricity;
- s) **“engineer”** means engineer, by whatever name he may be designated, who is employed by the licensee and who is in charge of the local area having direct jurisdiction over the area of supply or any part thereof in which the premises to be served are located and who is notified as such for the purposes of these Regulations by the licensee in the manner laid down by the Commission and includes any other engineer duly authorised by him to exercise any power, jurisdiction or authority under these Regulations;
- t) **“extra high tension consumer”** means a consumer who obtains supply from the licensee at Extra High Voltage;
- u) **“high tension consumer”** means a consumer who obtains supply from the licensee at High Voltage;
- v) **“the Indian Electricity Rules, 1956”** means electricity rules made under the Electricity Rules, 1956 referred under Section 185 (2)(c) as amended or replaced or substituted from time to time under Section 53 of the Act;
- w) **“initial period of agreement”** means the period of two years starting from the date of commencement of supply in respect of Domestic and General Purpose category of consumers and five years in respect of other category of consumers. The initial period of agreement shall continue till the end of the month, on which the end date of the two years period expires;
- x) **“licensed electrical contractor”** means a contractor licensed under Rule 45 of Indian Electricity Rules, 1956 or under Rules/Regulations made under Section 53 of the Act;
- y) **“load factor”** in case of contract demand of 100 KW and above is the ratio of the total number of units consumed during a given period to the total number of units that would have been consumed had the maximum demand been maintained throughout the same period and is usually expressed as a percentage, that is,

Load Factor in Percentage = (Actual units consumed during a given period / Maximum demand in KW X Number of Hrs during the period) X 100,

‘load factor’ in case of loads up to and excluding connected load of 100 KW is the ratio of the total number of units consumed during a given period to the total number of units that would have been consumed had the contract demand been maintained throughout the same period and is usually expressed as a percentage, that is,

Load Factor in Percentage = (Actual units consumed during a given period / Contract demand in KW X Number of Hrs during the period) X 100,

- z) **“low tension consumer”** means a consumer who obtains supply from the licensee at Low or Medium Voltage;
- aa) **“maximum demand”** expressed in KW or KVA in relation to any period shall mean four times the largest number of kilowatt hours or kilovolt-ampere hours delivered at the point of supply of the consumer and recorded during any consecutive fifteen minutes in that period. Where agreement stipulates supply in KVA, the quantum in terms of Kilowatts may be determined by multiplying the KVA with 0.9 ‘Maximum demand’ for a category of consumer shall be calculated as per the procedure provided in the Tariff Order, approved by the Commission;
- bb) **“meter”** means an equipment used for measuring electrical quantities like energy in kWh or KVAh, maximum demand in kW or KVA, reactive energy in KVAR hours etc. including accessories like Current Transformers (CT) and Potential Transformers (PT) where used in conjunction with such meter and any enclosure used for housing or fixing such meter or its accessories and any devices testing purposes;
- cc) **“minimum monthly charges”** refers to such charges payable by the consumers to cover fixed charges incurred by the licensee for affording supply such as fixed expenses and operation and maintenance expenses or any such charge as made in the tariff order of the Commission;
- dd) **“occupier”** means the owner or person in occupation of the premises where energy is used or proposed to be used;
- ee) **“ohm”** means a unit of electric resistance and is the resistance offered to an unvarying electric current by a column of mercury at the temperature of melting ice 14.4521 grams in mass of an uniform cross sectional area and of a length of 106.3 centimeters; the aforesaid unit is represented by the resistance between the terminals of the instrument marked “Government of India Ohm Standard Verified” to the passage of an electric current when the coil of wire, forming part of the aforesaid instrument and connected to the aforesaid terminals is in all parts at a temperature of 30°C;
- ff) **“phased contract demand”** means contract demand agreed to be availed in a phased manner;
- gg) **“power factor”** means the ratio of kilowatt to kilovolt-ampere and is the cosine of the electrical angle between the voltage and current complexors in an AC electrical circuit;
- gg) 1) **“prepaid meter”** means a meter which facilitates use of electricity only after advance payment;
- hh) **“standard agreement form”** means the form of agreement laid under Regulation 15;
- ii) **“transmission system”** means the system consisting of extra high voltage electric lines, having design voltage of 66 KV and higher owned or operated by a transmission licensee authorised to transmit electricity for the purposes of the transportation of electricity from one power station to a sub-station or to another power station or between sub-stations or to

or from any external interconnection including 33/11 KV bays/equipment up to the interconnection with the distribution system, any plant and apparatus and meters owned or used in connection with the transmission of electricity, but shall not include any part of a distribution system;

- jj) “**volt**” means a unit of electro-motive force and is the electric pressure which, when steadily applied to a conductor, the resistance of which is one ohm, will produce a current of the one ampere and the unit may be indicated by the abbreviation V and one thousand such units may be indicated by the abbreviation KV;
 - kk) “**voltage**” means the difference of electric potential measured in volts between any two conductors or between any part of either conductor and the earth as measured by a suitable voltmeter and is said to be;
 - i) “**low voltage**” where the voltage does not exceed 250 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - ii) “**medium voltage**” where the voltage exceeds 250 volts and does not exceed 650 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - iii) “**high voltage**” where the voltage exceeds 650 volts and does not exceed 33,000 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - iv) “**extra high voltage**” where the voltage exceeds 33,000 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules / Regulations specified under the Act;
 - ll) “**year**” means year commencing on first of April.
- 2) The words or expressions occurring in these Regulations but not defined herein above shall bear the same meaning as in the Act.

CHAPTER - III

POWER SUPPLY

Application for Supply

3. Application for initial supply or subsequent additional supply of power shall be made in the format in duplicate as provided in **Form Nos. 1 & 2** as the case may be. Copies of the format of the application may be obtained from the local offices of the licensee free of cost. Photocopies of a blank Form or Form downloaded from the web-site of the licensee may also be used as an application form.

4. 1) The application after filling in shall be signed by the owner or the lawful occupier with the consent of the owner of the premises for which supply is required and shall be submitted at the local office of the engineer along with a non-refundable fee not exceeding the amount as fixed below together with a sketch map of the premises and documentary evidence of his ownership or occupation of the premises in question. Any assistance or information required for filling up the application may be obtained by the applicant from the local office of the engineer.

For loads at single phase	...	Rs.25/-
For Loads at three phase	...	Rs.100/-
For loads at HT	...	Rs.500/-
For loads at EHT	...	Rs.5000/-

2) The licensee shall acknowledge the application/letter(s) of the applicant/consumer forthwith.

5. Notwithstanding anything contained in Regulation 4, the licensee may grant connection to the premises of any applicant, and the licensee's engineer may dispense with documentary evidence of lawful occupation of the premises at his discretion. In cases where such documentary evidence of lawful occupation of the premises is dispensed with, any documentary evidence regarding electricity connection or payment of bills raised by the licensee for consumption of electricity will not constitute evidence for the purpose of lawful occupation of the premises in any municipal record, revenue record or any court of law.

Explanation : Any consumer who has been granted connection under this provision shall be deemed to be an occupier for the purposes of the licensee notwithstanding that his occupation is found by any court, tribunal or other authority to be not bonafide or lawful.

6. All applications for supply of power shall be filed at least thirty days before the expected date of supply, where distribution mains have been laid and power supply commenced. In case of high tension service or service requiring extension of the licensee's distribution mains, the prospective consumer shall submit his application not less than ninety days in advance provided that for

contracting loads at HT or EHT in excess of 5 MW up to 10 MW, application shall be made one year in advance and for contracting loads in excess of 10 MW two years in advance.

7. An applicant, who is not the owner of the premises occupied by him, shall execute an indemnity bond, indemnifying the licensee against any damages payable on account of any dispute arising out of supply of power to the premises.
8. When the applicant's premises have no frontage on a street and the service line from the licensee's mains has to go over or under the adjoining premises of any other person (whether or not the adjoining premises is owned jointly by the applicant and such other person) the applicant shall obtain at his own expense necessary way-leave, licence, sanction, permission or other right or interest from the adjoining owner or co-owner. The licensee shall not supply power until such way-leave, licence, sanction or other right or interest is obtained and produced. Any extra expenditure incurred in placing the service line in accordance with the terms of way leave, licence sanction or other right or interest obtained from the owner or co-owner shall be borne by the applicant. No way-leave, licence sanction or other right or interest once granted shall be cancelled or withdrawn, without giving six months notice by registered post to the engineer and the concerned consumer and a provision to this effect should be incorporated in the terms of the way leave, licence, sanction, or other right or interest arranged by the consumer and submitted to the licensee. The consumer may however arrange for alternative route, if any, to retain the supply of power. In all such cases the consumer shall bear the cost of diversion and other incidental expenses as may be estimated by the engineer. It shall not be incumbent on the licensee to ascertain the validity or adequacy of the way-leave, licence, sanction, or other right or interest obtained by the applicant.

Notwithstanding anything stated above, any way leave (including way leave granted for supply to others) would be surrendered or alternate route would be accepted only if in the opinion of the licensee it is technically feasible. The decision of the licensee in this regard would be final.

9. The service connection to an applicant for Industrial or General Purpose may be given without prejudice to his liability to obtain permission or sanction, etc. from any other authority or body.
10.
 - i) If the applicant in respect of an earlier agreement executed in his/her name or in the name of his spouse, parents or in the name of a firm or company with which he/she was associated either as a partner, director or managing director, is in arrears of electricity dues or other dues for the same premises payable to the licensee, the application for supply shall not be allowed by the engineer until the arrears are paid in full.
 - ii) Where applicant has purchased existing property and connection is lying disconnected, it shall be the duty of the applicant to verify that the previous owner has paid all dues to the Licensee and has obtained "no dues certificate" from the Licensee. In case "no dues certificate" is not obtained by the previous owner, the applicant before purchase of property may approach the Engineer of the Licensee for a "no dues certificate". The Engineer shall acknowledge receipt of such request and shall either intimate in writing outstanding dues , if any, on the premises or issue "no dues certificate" within one month from the date of

application. In case the Licensee does not intimate outstanding dues or issue “no dues certificate” within specified time, new connection on the premises shall not be denied on ground of outstanding dues of previous consumer.

- iii) Where a property /premises has been sub-divided , the outstanding dues for the consumption of energy on such premises, if any, shall be divided on pro-rata basis based on area of sub-division.
 - iv) A new connection to such sub-divided premises shall be given only after the share of outstanding dues attributed to such sub-divided premises is duly paid by the applicant. A Licensee shall not refuse connection to an applicant only on the ground that dues on the other portion(s) of such premises have not been paid, nor shall the Licensee demand record of last paid bills of other portion(s) from such applicants.
 - v) In case of complete demolition and reconstruction of the premises or the building, the existing installation shall be surrendered and agreement terminated. Meter and service line will be removed, and only fresh connection shall be arranged for the reconstructed premises or building, treating it as a new premises after clearing the old dues on the premises by the consumer(s).
 - vi) Any charge for electricity or any sum other than charge for electricity as due and payable to licensee which remains unpaid by a deceased consumer or the erstwhile owner / occupier of any land / premises as the case may be, shall be a charge on the premises transmitted to the legal representative/ successor-in-law or transferred to the new owner/ occupier having lawful occupation of the premises as the case may be, and the same shall be recoverable by the license as due from such legal representative or successor-in- law or new owner / occupier having lawful occupation of the premises as the case may be.
- 11. i)** Within three days of receipt of the application for LT supply, three clear days notice shall be sent by the licensee to the applicant or to the licensed contractor acting on his behalf for the applicant or his representative to be present for the purpose of inspection of the premises and fixation of the point of entry of supply mains and the position of mains, cut-outs or circuit breakers and meters. The licensee will in no case fix meters and main cut-outs nor will allow the same to remain in any position which entails entry of the licensee’s employees into private or religious quarters.
- ii) *The licensee shall respond to the application for supply at HT within twenty-one days stating whether the connection is feasible or not. If feasible, the licensee shall intimate voltage at which supply will be given and point of commencement of supply.*
 - iii) *The licensee shall forward the application for supply at EHT to the transmission licensee within three days of its receipt for its further processing in terms of provisions in the Grid Code. The licensee shall obtain the final reply regarding feasibility from the Transmission Licensee and communicate the same to the applicant within one-month receipt of application.*

Estimate

12. 1) a) After the point of entry of the supply mains and the position of mains, cut-outs or circuit breakers and meters have been settled as provided for in Regulation-11 above, the licensee shall supply to the applicant within a period of one week an estimate of the cost of carrying out the work along with security deposit required. The licensee also shall forward the form of licensed contractors' completion and test report to the applicant. Before the work of laying the service line is taken up, the applicant shall pay in full the cost of laying the service line as per estimate prepared by the engineer.
 - b) If supply is requested at HT or at EHT, the licensee shall intimate the applicant the estimated charges and time required for providing new connection within sixty working days of notifying feasibility of supply as provided in Regulation-11 above. The licensee also shall forward the form of licensed contractors' completion and test report to the applicant. Before the work of laying the service line is taken up, the applicant shall pay in full the cost of laying the service line as per estimate prepared by the engineer.
 - c) After the deposit has been duly made, orders for taking up the work shall be issued within a period of three days from the date of deposit. The amount deposited by the applicant shall be subsequently adjusted, if necessary, on compilation of the figures of the actual cost of the service lines. The balance amount, if any, shall be refunded to the consumer by way of adjustment in the first electricity bill. The applicant shall pay any expenditure incurred in excess of the amount deposited by the applicant within fifteen days of demand.
 - d) A final bill shall be sent to the consumer after giving service connection, within one month, indicating therein the actual expenses incurred together with a demand or refund notice, if any.
- 2) Service lines for temporary connections shall be laid by the licensee where possible and the estimated cost for laying and removing such service lines together with estimated energy charge shall be paid by the applicant in advance on demand by the licensee.
 - 3) Where any difference or dispute arises as to the cost or fixing of the position of service lines, the matter shall be referred to the Electrical Inspector for decision.

Licensee's Obligation to Supply and power to recover expenditure

13. 1) The supply of power shall be made, if it is available in the system, technically feasible and remunerative as per the norms fixed at **Appendix I**. by the Commission and the applicant enters into an agreement in the standard form under Regulation 15 accepting the terms relating to tariff and other conditions of supply of the licensee.
- 2) In case the scheme of supply is not remunerative, as above, the applicant shall be required to bear the portion of charges to make the scheme remunerative.

- 3) No additional power shall be supplied by licensee unless all arrear charges for the existing power supply have either been paid in full or paid in accordance with an installment facility granted by the licensee for unconditionally paying the arrears within the stipulated time.
- 4) Every Distribution Licensee shall, on receipt of an application from the owner or occupier of any premises give supply of electricity to the premises within the time stipulated in sub-clause (5), subject to the payment of fees, charges and security and the due fulfillment of other conditions to be satisfied by such owner or occupier of the premises.
- 5) Subject to Regulation 8, the Distribution Licensee shall give supply of electricity to the premises pursuant to the application under sub-clause (4) above:
 - a) Where no extension of distribution main or commissioning of new sub-station is required for effecting such supply within one month after the receipt of the application along with the fees, charges and security amount payable;
 - b) In cases where such extension of distribution main or commissioning of new sub-station is required but there is no requirement of erecting and commissioning a new 33/11kV sub station within the time frame given hereunder:

Type of service Connection requested	Period from date of payment of required security and other estimated charges, within which supply of electricity should be provided
Low Tension (LT) supply	30 days
11KV supply	60 days
33KV supply	90 days

Provided that the Distribution Licensee may approach the Commission for extension of the time specified above, in specific cases where the magnitude of extension is such that the Licensee will require more time, duly furnishing the details in support of such claim for extension and if satisfied with the justification given by the Distribution Licensee, the Commission may extend the time for commencing the supply.

- c) In the case of application for new connection, where extension of supply requires erection and commissioning of new 33/11 KV sub-station, the Distribution Licensee shall within 15 days of receipt of application, submit to the Commission a proposal for erection of 33/11 KV sub-station together with the time required for commissioning the substation. The Commission shall, after hearing the Distribution Licensee and the consumer concerned decide on the proposal and the time frame for erection of the sub-station. The Distribution Licensee shall erect and commission the sub-station and commence power supply to the applicant within the period approved by the Commission.

Provided that if the substation is meant to extend supply to an individual consumer, the Licensee may, unless otherwise directed by the Commission, commence erection of the substation only after receipt of necessary security from the applicant.

Provided further that, where such substation is covered in the investment plan approved by the Commission, the Distribution Licensee shall complete the erection of such substation within the time period stated in such investment plan.

Provided that wherever the substation or the line has been covered in the investment plan approved by the Commission the distribution licensee should not collect any charge from the intending consumers even though it may not be remunerative, in case the line or substation proposed in the investment plan would not have been there.

- 6) The Distribution Licensee shall not be responsible for the delay, if any, in extending the supply, if the same is on account of problems relating to statutory clearances, right of way, acquisition of land, or the delay in consumer's obligation to obtain approval of Chief Electrical Inspector for his High Tension or Extra High Tension installation, or for any delay in compliance with requirements by the applicant or delay or for any other similar reasons beyond the reasonable control of the Distribution Licensee.
- 7) Subject to the above it shall be the responsibility of the Distribution Licensee to have necessary commercial arrangements with the respective Transmission Licensee(s) to ensure that the required supply at Extra High Tension (EHT), i.e. above 33 KV, is made available within the time frame in consultation with Transmission Licensee.
- 8) In cases where the village or hamlet or area is not electrified earlier, the Distribution Licensee shall give supply of electricity to premises in such village or hamlet or area as per the programme of electrification of habitations covered in the investment plan approved by the Commission **after confirmation by the State Government** and subject to availability of fund for giving such supply and right of the way. The supply shall be extended within the time frame stated in such investment plan
- 9) **Shifting of service connection/deviation of lines and shifting of equipment**

Wherever the consumers request for shifting the service connection to the new premises or for deviation for the existing lines at their cost the following time schedule shall be observed for completing these works after getting the expenses as laid down in this Code.

- | | |
|---|---------|
| 1. Shifting of meter/service | 15 days |
| 2. Shifting of LT lines | 30 days |
| 3. Shifting of 11KV lines | 60days |
| 4. Shifting of 33KV lines | 90days |
| 5. Shifting of 33/11 KV Distribution Transformer structures | 90 days |

The time schedule given above includes the time required for preparation of estimates, collection of deposits, etc.

The accounts should be settled within three months from the date of completion of shifting work by recovery of excess expenditure or refunding the balance deposit.

No charges to be levied in case the line was previously drawn unauthorisedly over a plot which causes inconvenience either to plot owner/owners, or other consumers affected.

10) **Transfer of service connection**

- a) Subject to the Regulation 8, the transfer of service connection shall be effected within 15 days from the date of receipt of complete application.
- b) The service connection from the name of a person to the name of another consumer shall not be transferred unless the arrear charges pending against the previous occupier are cleared.

11) **Change of Classification**

A consumer can utilise a service connection given to him for a purpose different from the purpose for which he originally obtained the service connection, only if the same tariff is applicable to the new purpose also. If a different tariff is applicable to the new purpose, the consumer shall apply to the Licensee before changing the purpose.

Within fifteen days from the date of receipt of application from the consumer, the Licensee shall effect change of tariff.

However, no consumer will be permitted to change the tariff of the service connection from any low-tension tariff (other than agriculture) to low-tension tariff for agriculture.

Consequences of default

14. 1) The Distribution Licensee who fails to comply with the time frame for supply of electricity stipulated in Regulation 13(5) above shall be liable to pay penalty as may be decided by the adjudicating officer of the Commission in accordance with Section 143 read with sub-section (3) of Section 43 of the Act.
- 2) The liability to pay penalty under this Regulation for default if any, shall not absolve the Distribution Licensee from the liability to pay compensation to the affected person as per the regulation notified under sub-section (2) of Section 57 of the Act.

Agreement

15. Every person whose application for initial supply or subsequent additional supply of power has been processed by the licensee who avails the supply at three phase, shall before taking such supply execute an agreement in the standard format as per **Form No.3** of this Code and will deposit security amount as per Regulation 19(2) of this Code. In the case of non-remunerative schemes, portion of charges as indicated in Regulation 13 (2) will also have to be deposited. Such agreement shall not be required for Domestic and General Purpose consumers and their applications for power supply in the form as per in Form No.1, if accepted, shall constitute the agreement between the licensee and the consumer. The duplicate copy of the application in **Form no.1** shall be handed over to the applicant with endorsement of acceptance for his reference and record.

Termination of Agreement

16. 1) If power supply to any consumer remains disconnected for a period of two months for non-payment of charges or dues or non-compliance of any direction issued under this Code, and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the said period of two months, without notice, provided the initial period of agreement is over.
- 2) On termination of the agreement, the licensee shall be entitled to remove the service line and other installation for supply of power from the premises of the consumer. After permanent disconnection, if the consumer wishes to revive the connection, then it would be treated as a fresh application for connection and would be entertained only after all outstanding dues have been cleared.
- 3) Consumer may terminate the agreement after giving at least two months notice to the licensee only after completion of initial period of agreement.

Provided that the notice shall be accompanied with a copy of payment of last bill.

17. Whenever restriction on power supply is imposed and power purchased from other States or agencies is supplied to the consumer on special request, a supplementary agreement shall be executed which shall remain in force for the period of such restriction.

Record of Disconnection and Reconnection

18. The licensee shall maintain a record of disconnection and reconnection. The licensee shall intimate in writing the date of disconnection to the consumer within seven days of disconnection and obtain acknowledgement of the consumer or his authorised representative.

Security Deposit

19. 1) Any person entering into an agreement with the licensee for supply of power shall deposit such amount to cover charges (i.e. demand/fixed charges and energy charges as applicable) for supply of three months where by-monthly bill is in vogue and two month charges in the case of monthly billing cycle, for the relevant consumer category. In case of phased contract demand, the security deposit will be accordingly phased. Enhanced security deposit shall be payable thirty days prior to each scheduled enhanced demand. Provisions to this effect shall be incorporated in the agreement.
- 2) The initial security deposit (demand charges plus energy charges) shall be calculated based on the load factor as under:

Calculation of amount for Initial Security Deposit

$\frac{1}{2}$ Two months consumption charges as Security Deposit (In Rupees) $\frac{1}{2}$ {(Contract Demand in K W) X (24 Hrs) X (30days) X (Load Factor) X (Energy Charge in Rs per unit) $\frac{1}{2}$ {(Contract Demand in KVA) X (80%) X (Demand Charge in Rs. per KVA)}		
Sl.	CATEGORY OF CONSUMER	LOAD FACTOR FOR CALCULATION OF ENERGY CONSUMPTION (%)
1	Domestic	10%
2	General Purpose	30%
3	Irrigation Pumping and Agriculture	15%
4	Public Lighting	30%
5	L.T. / H.T. Industrial (S) Supply	20%
6	L.T. Industrial (M) Supply	30%
7	Specified Public Purpose	30%
8	Public Water Works	50%
9	Large Industry	70%
10	Power Intensive Industry-	80%
11	Mini Steel Plant	40%
12	Railway Traction	40%
13	Heavy Industry	70%
14	Emergency Supply to CPP	To be mutually settled
15	Temporary Connection	As applicable to relevant consumer category
* Applicable to consumers under two part tariff, $\frac{1}{2}$ 2(two) where monthly billing cycle and 3 (three) where bi-monthly bill in vogue.		

- 3) If any person requiring supply under LT or HT is prepared to take the supply through a pre-payment meter, the distribution licensee shall not be entitled to collect the security deposit from such person.

Provided that in the case of existing consumers (LT or HT) who opt for the supply through pre-payment meter, the Licensee shall refund the amount of the security deposit of such consumer lying with the Licensee by adjustment of the then outstanding dues to the Licensee or any amount becoming due to the Licensee immediately thereafter.

- 4) The security deposit shall be paid in cash or by bank draft. It may also be paid by cheque or by credit card, where specifically allowed by the licensee.
- 5) The licensee may require any consumer to give him reasonable security as shall be approved by the Commission for the payment to him of all monies which may become due to him where any electric line or electrical plant or electric meter is to be provided for supplying electricity to such consumer, in respect of the provision of such line or plant or meter.

Review and payment of Additional Security Deposit for the electricity supplied:-

20. 1) General Review

Subject to the restrictions of the periods of three months or two months as specified in Regulation 19(1), the adequacy of the amount of security deposit calculated in respect of consumers shall be reviewed by the Licensee generally once in every year (preferably after revision of tariff for the respective year) based on the average consumption for the period representing 12 (twelve) months from April to March of the previous year.

2) Demand notice for Additional Security Deposit

- a) Based on review as per sub-clause (1) above, demand for shortfall or refund of excess shall be made by the Licensee. Provided, however, that if the security deposit payable by the consumer is short by or in excess of not more than 10% of the existing security deposit, no demand for shortfall will be made for payment of Additional Security Deposit and the consumer shall not be entitled to demand the refund of the Excess.
- b) If the existing Security Deposit of a consumer is found to be in excess by more than 10% of the required security deposit, refund of the excess security deposit shall be made by the Licensee by adjustment of the then outstanding dues from the consumer to the Licensee or any amount becoming due from the consumer to the Licensee immediately thereafter.
- c) Where the consumer is required to pay Additional Security Deposit, the Licensee shall issue to the Consumer a 30 days' advance notice stating the amount payable with supporting calculations.

3) Surcharge for belated payment of Additional Security Deposit

- a) The consumers shall pay the additional security deposit within thirty days from the date of service of the demand notice issued by the Licensee.
- b) If there is any delay in payment, the consumer shall pay surcharge thereon at the rate of 15% per annum or at such rate as may be fixed by the Commission from time to time, without prejudice to the Licensee's right to disconnect supply of electricity, as per this Regulation.

4) Disconnection for non-payment of Security Deposit for the electricity supplied

If the consumer does not make payment of initial security deposit, the licensee can refuse to release supply. In the case where additional security deposit is demanded by the licensee in terms of this Regulation 20(2) above, and the consumer does not make payment, the supply to the consumer shall be liable for disconnection as laid down under Regulation 100.

21. Interest on Security Deposit payable by the Licensee

- 1) The Licensee shall pay interest on security deposit of the consumer, at the bank rate notified by Reserve Bank of India provided that the Commission may direct a higher rate of interest from time to time by notification in official Gazette.
- 2) The interest accruing to the credit of the consumer shall be adjusted annually in the amounts outstanding from the consumer to the licensee as on 1st May of every year and the amounts becoming due from the consumer to the licensee immediately thereafter.
- 3) The licensee shall duly show the amounts becoming due to consumer towards interest on the security deposit in the bills raised on the consumer.
- 4) The Licensee shall pay interest at twice the rate specified under sub-clause (1) above for the delay in making the adjustments for interest on security deposit.

22. Refund of Security Deposit after termination of the Agreement

The security deposit shall be returned to the consumer only after the termination of the agreement and after adjustment of outstanding dues, if any, within a period of one month from the date of termination. In case of non-refund of such security deposit during the aforesaid period, it shall carry interest at the rate of 15 % per annum from the effective date of termination of the agreement (without prejudice to other rights and remedies of the consumer) payable to the consumer. Before termination of the agreement, the licensee is entitled to adjust the whole or part of the security deposit towards arrears payable by the consumer.

23. Service Line

- 1) Upon compliance of all conditions including technical feasibility and viability, the licensee shall lay service line, from the nearest distribution mains up to a convenient point on the boundary of the applicant's property to which power is proposed to be supplied.

Provided that in case of temporary supply, the licensee's estimated cost of laying the line at the time of connection and removing of service line at the time of disconnection shall be borne by the applicant.

- 2) The main cutouts or fuses shall be inserted and sealed by the licensee free of cost to the consumer and acknowledgement thereon shall be obtained from the consumer.

24 In case of a HT or EHT feeder directly taken to the consumer's premises for his exclusive use from the licensee's sub-station or from the transmission licensee, the metering arrangement shall be done at the consumer's premises or, at the licensee's sub-station itself.

25 When the metering arrangements are installed in the consumer's premises, the position of the service cutouts or circuit breakers and meters shall be so fixed as to permit easy access to the employees of the licensee at any time.

26. Where the shifting of the service line within the same premises is undertaken on the request of the consumer, the entire charge on account of shifting including the cost of additional materials if any shall be borne by the consumer and shall be payable within fifteen days of licensee's demand. In other cases, where shifting is necessary in public interest or for convenience of the licensee, the consumer shall extend full co-operation but shall not be required to pay any charges.
27. The entire service line, notwithstanding that whole or portion thereof has been paid for by the consumer, shall be the property of the licensee and shall be maintained by the licensee who shall always have the right to use it for the supply of energy to any other person unless the line has been provided for the exclusive use of the consumer through any arrangement agreed to in writing.

Point of Supply

28. Unless otherwise agreed to, the supply shall be at a single point at the out-going terminals of the licensee, i.e.,
- a) Cut-outs or circuit breakers in the case of low tension consumers, and
 - b) Control switch gear or circuit breaker or high tension fuses that may be installed in the licensee's or consumer's premises as mutually agreed in the case of high tension or extra high tension consumers subject to provisions of this Code.

Wiring on Consumer's Premises

29. 1) For the protection of the consumer and the public it is necessary that the wiring on the consumer's premises should conform to the Indian Electricity Rules, 1956 and the rules of the insurance company with which the building may have been insured and will be carried out by a licensed contractor. The material used for wiring shall comply with the standards laid down in that behalf by the Bureau of Indian Standards. As soon as the applicant's licensed contractor completes the wiring and other electrical installation in the premises, the applicant shall submit to the licensee, the contractor's completion and test report.
- 2) As required by Rule 45 of the Indian Electricity Rules, 1956, no electrical installation work including addition, alteration, repairs and adjustments to existing installations, except such replacement of lamps, fans, fuses, switches, low voltage domestic appliance and fittings as in no way alter the capacity and the character of the installation, shall be carried out within the premises of any consumer or owner for the purpose of supply of energy to such consumer or owner, except by a contractor licensed by the appropriate authority in this behalf and under the direct supervision of a person holding a certificate of competency issued or recognised by the appropriate authority. Any person committing a breach of Rule 45 of the Indian Electricity Rules, 1956 shall render himself liable to punishment under Rule 139 of the said Rules.

CHAPTER – IV

APPARATUS ON CONSUMER'S PREMISES

Installation of Equipment and Apparatus of the Consumer

- 30.** All transformers, switch-gear and other electrical equipment belonging to the consumer and connected to the mains of the licensee shall be maintained to the reasonable satisfaction of the licensee and shall comply in all respect with IE Rules and shall conform to the BIS.
- 31.** Low tension consumers shall in all cases and at their cost provide a safety device in the form of linked quick break main switch and a main fuse on each phase other than the earthed neutral at the point of commencement of supply. The switch shall be fixed as near as possible to the meter board or meter box.
- 32.** In the case of high tension or extra high-tension consumer, suitable protective devices approved by the licensee shall be used so as to afford full protection to the licensee's apparatus placed on the consumer's premises. In case a high tension or extra high-tension consumer is directly connected to a Transmission Licensee's sub-station, the Distribution Licensee shall obtain the concurrence of the Transmission Licensee before giving approval as above. A high tension consumer or extra high tension consumer requiring a supply of 1000 KVA and above shall install at his cost suitable circuit breakers of approved make with sufficient rupturing capacity as decided by the licensee on the incoming side of his load fitted with automatic protective devices, so adjusted that the circuit breakers supplied by the consumer operate before terminal circuit breaker or the isolating apparatus of the licensee is activated. A high tension consumer requiring supply below 1000 KVA shall provide on the high tension incoming side of his load a gang operated triple pole isolating switch of approved make with high tension fuses of fast blowing characteristics or circuit breaker of adequate rupturing capacity which should be so adjusted that they blow off or operate before the protective devices in the licensee's terminal circuit breaker or isolating apparatus operate. The consumer will allow the licensee for connection and provide a terminal in the circuit breaker for connection for automatic meter/remote meter unit system whenever requires.
- 33.** High tension consumers shall install step-down transformers having vector group with winding connected in delta on high voltage side and star on low voltage side with neutral terminal brought outside and suitably earthed.
- 34.** Supply to the consumer may be cut off if the wiring, apparatus, equipment or installation is found to be defective at any time or if the consumer uses any apparatus or appliance or uses the energy in such manner as to endanger the service lines, equipment, electric supply mains and other works of the licensee or interferes with the efficient supply of energy to other consumers. In case of leakage in consumer's premises, provision of Rule 49 of Indian Electricity Rules, 1956 shall apply.

A. C. Motor Installation

- 35.** 1) No A. C. motor shall be connected to the low or medium voltage system of the licensee unless the motor and the installation thereof has suitable device to limit starting current as detailed in Regulation 36 below.
- 2) Power supply shall not be given to any applicant at low or medium voltage and for utilising in induction motors of capacity of three HP and above or welding transformers of capacity one KVA and above, unless shunt capacitors of appropriate rating are installed by the consumer across the terminals of such motor(s) or welding transformers to achieve average monthly power factor as specified in this Code.
- 36.** 1) Motors of low or medium voltage shall be provided with control gear so as to prevent satisfactorily the maximum current demand from the consumer's installation exceeding the limits given in the following schedule at any time under all possible conditions.

Nature of Supply	Size of installation	Limit of maximum current Demand
Single phase	Up to and including 1 BHP	Six times full load current.
Three phase	Above 1 BHP and up to and including 10 BHP	Three times full load current.
Three phase	Above 10 BHP and up to and including 15 BHP	Twice full load current.
Three phase	Above 15 BHP	One-and-a-half-time full load current.

Failure to comply with these regulations will render the consumer liable to disconnection from the supply on account of interference with the supply to other consumers. Starting current limit may be relaxed by the licensee depending on the location and condition of working.

- 2) Motor circuits shall be controlled by a triple pole linked switch protected by a no-volt release and T.P. fuses (or overload releases). It is important that the release should be maintained in thorough working order. Wiring for motors shall be run with all three-phase wires bunched in a single metallic conduit, which shall be efficiently earthed throughout and connected to the frame of the motor from which two separate earth wires shall be run. The minimum size of the earth wire permitted is No.14 S.W.G. All motors shall comply in every respect with the Indian Electricity Rules, 1956. Motors above one BHP shall be wound for three-phase, 400 volts between phases.

Installation of Equipment and Apparatus of the Licensee

- 37.** The licensee may ask the applicant to provide accommodation to install the licensee's equipment and apparatus, which may be considered necessary by the engineer for effecting power supply to the applicant. After the applicant has provided such accommodation for fixing the equipment and apparatus, the said installation shall continue on his premises with full control vested in the licensee. The installation shall remain in the premises for a reasonable period not exceeding six

months even after the termination of the agreement without payment of any compensation to the owner of the premises to enable the engineer to ensure the supply of power to existing consumers receiving supply through the said installation.

Inspection and Testing for New Connections

38. After compliance with the provision of Regulation-19 by the applicant and within three days of receipt of the completion report and the test report of the licensed contractor, the engineer will give three clear days notice to the applicant of the time and the date when his representative proposes to inspect and test the installation. It shall then be the duty of the applicant to arrange his licensed contractor or other representative to be present during the inspection to give the engineer or his representative any relevant information required by him concerning the installation. On due compliance by the applicant, the engineer shall complete the inspection of applicant's installation within a period of ten days from the date of receipt of the test report of the licensed contractor.
39. No charge shall be levied for the first test by the engineer, but for subsequent tests, if required, charge shall be payable as may be fixed by the licensee.

In case of low tension consumers :

40. 1) Before taking the insulation tests of installation, wiring must be complete in every respect. All fittings such as lamps, fans, cookers, motors, etc. must be connected up, fuses inserted and all switches placed in the 'ON' position before the tests are carried out. Temporary wires or fittings or dead ends, shall not be included in the installation and no part of the work shall be left incomplete. The insulation resistance of the entire installation to earth shall be tested from the load side of the licensee's terminals.
- 2) The licensee shall not connect the installation on the applicant's premises with its works unless it is reasonably satisfied that the installation shall not at the time of making connection cause leakage exceeding one five thousandth part of the maximum current supplied to the applicant's premises. Any defects if noticed by licensee's engineer shall be intimated within seven days from the date of inspection to the applicant.
- 3) The insulation resistance shall be measured by applying between earth and the whole system of conductors or any section thereof with all fuses in place and all switches closed and except in case of earthed concentric wiring all lamps in position or both poles of the installation otherwise electrically connected together, a D.C. Voltage of not less than twice the working voltage provided that it does not exceed 500 Volts for medium voltage circuit. When the supply is derived from three wire (AC or DC) or a poly-phase system, the neutral pole of which is connected to earth either directly or through added resistance the working voltage shall be deemed to be that which is maintained between the outer or phase conductor and the neutral. The insulation resistance in megohms of an installation shall not measure less than 50 divided by the number of points on the circuit provided that the whole installation need not be required to have an insulation resistance greater than one megohm. Heating

and power appliances and electric lines may if desired be disconnected from the circuit during the tests but in that event the insulation resistance between the case or frame work and all live parts of each appliance shall not be less than that stated in the relevant ISS or when there is no such mention, shall not be less than half a megohm.

- 4) The insulation resistance shall also be measured between all conductors connected to one pole phase conductor and all the conductors connected to the middle wire or to the neutral or to the other pole or phase conductor of the supply. Such a test shall be made after removing all metallic connections between the two poles of the installation and in these circumstances, insulation resistance between the two terminals of the installation shall not be less than that specified in Regulation 40(3) above.

In case of high tension consumers and EHT consumers:

41. 1) Manufacturer's test certificates in respect of all HT or EHT apparatus shall be produced if required.
- 2) In addition, the licensee may test the HT or EHT installation, as the case may be, by applying standard test voltage in accordance with the Indian Electricity Rules, 1956 and Bureau of Indian Standards or International Electro-technical Commission.
- 3) Testing of a High Tension or EHT installation shall however be taken up by the engineer only after the HT or EHT consumer obtains certificates of inspection of the installation from the Electrical Inspector.

Approval of Consumers Installation

42. Before any wiring or apparatus of the applicants, including transformers, switch gear, etc. are connected to the licensee's distribution system, the same shall be subject to the inspection and approval of the engineer and no connection shall be made without such approval. In addition, all EHT or HT installation shall have to be approved by the Electrical Inspector or any officer authorised by him in this behalf as required under Rule 63 of The Indian Electricity Rules 1956.
43. 1) Power supply shall commence when the engineer is satisfied that-
 - a) installation is in accordance with the Completion and Test Report as approved by the engineer, and
 - b) installation complies with other conditions of this Code, and
 - c) installation complies with the provisions of the Indian Electricity Rules, 1956.
- 2) The engineer shall notify the applicant in writing of any defect noticed by him within seven days of inspection. In such a case the engineer may allow commencement of supply only after the defects in the installation are rectified to his satisfaction. If the applicant receives no intimation within seven days of inspection, the installation will be deemed to have been approved. In case the consumer challenges the defects pointed out by the licensee, the licensee shall refer the matter to the Electrical Inspector within seven days, whose decision shall be final and binding.

Commencement of Supply

44. Within seven days of approval of the applicant's installation, the engineer shall commence supply of power to the applicant under intimation to him. If the applicant fails to avail power within the period of ninety days from such intimation, he shall be liable to pay the demand charges and minimum monthly charges as applicable. The designated authority of the licensee may, in special circumstances, extend the above period of ninety days.

Licensee's Supply Mains and Apparatus

45. 1) All equipment such as metering equipment and tamper proof boxes etc. for the purpose of metering, except the meter shall be included in the service connection estimate and the cost thereof realised from the applicant. The applicant shall have the option of supplying an appropriate meter to the specification of the licensee and approved by the licensee.
- 2) In case the applicant requires the licensee to provide the meter, the licensee shall do so on such terms and conditions as decided by the licensee with the approval of the Commission.
- 3) Notwithstanding the fact that the meter, metering equipment and other apparatus as indicated above are supplied by the applicant, or paid for by the applicant, the same shall remain under the control of the licensee so long as the agreement is in force.

Safety of Installation

46. Without prejudice to any other action available under the law and under this Code, supply may be disconnected, if it constitutes an immediate danger to the safety of the installation or personnel.
47. The consumer shall compensate the licensee for any damage caused to the mains, apparatus or instruments or any other property of the licensee in the consumer's premises, occasioned by any act, omission, lapses or negligence on the part of the consumer or his servants, agents or employees and if supply of power has been disrupted or disconnected on account of such damage, the supply may not be restored until the damage is assessed and the cost of restoration is deposited by the consumer. The engineer's decision in regard to the damage caused and the compensation payable assessed on the basis of current market rate and the cost of restoration as assessed shall be final and binding subject to the result of the appeal, if any. The consumer may represent to the designated authority of the licensee in regard to the determination of damage and cost fixed by the engineer. No damage shall be claimed and no demand for payment of cost shall be raised without giving seven clear days notice to the consumer and reasonable opportunity to him to make representation, if any.
48. The licensee shall, in consultation with the consumer, be entitled to lay necessary overhead and underground mains and install substations, equipment, transformers, etc. in accordance with the Indian Electricity Rules, 1956 on the private property of the consumer, required for the purpose of supply of power to him. The consumer shall not be entitled to interfere with or alter any such installation of the licensee in his premises at any time for any reasons whatsoever. Upon request by the consumer, the engineer may effect any alteration, if feasible, at the cost of the consumer.

49. The licensee in turn shall maintain its installation in good order. The conductors and poles shall be maintained in such order as not to cause any electrical or mechanical accidents or damage to consumer's property and public property or endanger human life. Prompt action shall be taken by the licensee to repair or replace the damaged parts immediately on getting intimation of damage or danger to life.

Fuse Failure

50. If at any time, the licensee's service fuse or HT fuse fails, intimation thereof may be sent to the nearest fuse call centre or section office having jurisdiction over the area for rectifying the defects or replacing the fuse. None other than the authorised employees of the licensee may replace the fuse in the licensee's cut-outs and H.V switchgears.

Access to Consumer's Premises

51. For carrying out general inspection, repair and testing, the Engineer or the staff authorised by him shall be entitled to enter the premises of a consumer after informing the consumer or occupier. In case of unauthorised addition and alteration of equipment, theft and misappropriation of energy, diversion of power bypassing of meter for consumption of electricity, the Engineer or his staff can disconnect the power of the premises in pursuance of a special order in this behalf made by an Executive Magistrate in accordance with the Section-163 of the Act.

Preparation of Inventory of Licensee's Installation or Inspection Report

52. During the checking and verification of the electrical installation in the premises of the consumer, including the supply line and meter, a complete inventory shall be prepared of all connected equipment, apparatus, machinery, forming integral part of the installation in the premises of the consumer. The consumer or his representative shall be requested to sign the inventory or inspection report. If the consumer or his representative refuses to sign the inventory or the inspection report an endorsement to that effect shall be made by the engineer on the body of the report. A copy of the said report shall be affixed at the consumer's premises. In such cases, the consumer shall be deemed to have been served with a copy of the report. Within one month of service of the report as aforesaid, the consumer shall be entitled to complain against the correctness of the inventory or the result of the inspection to the designated authority of the licensee, who shall enquire into the matter of the complaint and decide on the correctness or otherwise of the report.

Addition and Alteration of Consumer Installation

53. Additions or alterations to the consumer's approved installation shall be made only by a licensed electrical contractor. In case such addition or alteration results in increase of the connected or contract load of the consumer, prior approval of the licensee shall be taken and the procedures laid down in Regulations 72, 73 and 74 shall be followed. Approval of Electrical Inspector shall also be taken wherever applicable.

CHAPTER - V

METERS

54. 1) Initial power supply shall not be given without a correct meter. All meters shall be of static type. The meters not complying with Central Electricity Authority (Installation and Operation of Meters) Regulation, 2006 (with the amendment from time to time) shall be replaced by the licensee or on request of the consumer. The meters may also be replaced as per the regulations or directions of the Commission.
- 2) All the consumers shall be required to provide appropriate and suitable site for placement of meter, related equipment, appropriate metering device, load-limiter or other apparatus to the satisfaction of the licensee.
- 3) In the case of all new high-tension supplies, HT metering units shall be provided and installed. In case where LT metering unit is provided at L.T. side, all L.T. metering units shall be converted to H.T. metering units. For existing L.T. metering units connected on the L.T. side of the consumer's transformers, the reading of such metering units, shall be added with the average losses in the transformers calculated as bellow:
- a) Energy loss in transformer in units per month = $(730 \times \text{rating of the transformer in KVA}) / 100$,
- b) Demand loss in transformer in KVA = One percent of the rating of the transformer in KVA.

55. 1) **Standards of meter-**

It shall comply with the standards as specified by the Central Electricity Authority (Installation and Operation of Meters) Regulation, 2006 (with the amendment from time to time). All meters shall bear BIS mark and have additional features as approved by the Commission. To facilitate this, the licensee shall provide a list of makes and models of the meters.

2) **Accuracy Class-**

It shall meet the requirements of Central Electricity Authority (Installation and Operation of Meters) Regulation, 2006 (with the amendment from time to time). Meters up to 650 V should be of 1.0 or better class accuracy, above 650 V and up to 33 KV, it should be 0.5S or better and above 33 KV, it should be 0.2S.

The accuracy class of Current transformers (CTs) and Voltage transformers (VTs) shall not be inferior to that of associated meters. The existing CTs and VTs not complying with these regulations shall be replaced by new CTs and VTs, if found defective, non-functional or as per the directions of the Appropriate Commission. In case the CTs and VTs of the same

Accuracy Class as that of meters can not be accommodated in the metering cubicle or panel due to space constraints, the CTs and VTs of the next lower Accuracy Class can be installed.

3) Reviewing Status of Meter

The licensee shall make out a plan for introduction and adoption of new technologies (such as Pre- paid Meters, time of the day meters, automatic remote meter reading system through appropriate communication system) becoming available with the approval of the Commission or as per the directions of the Commission

4) Immunity to External Factors

The meter shall be immune to external influences like magnetic induction, vibration, electrostatic discharge, switching transients surge voltages, oblique suspension and harmonics and necessary tests shall be carried out in accordance with the relevant standard.

Supply and Installation of Meters and Cut-outs/ MCBs / CBs

56. 1) The licensee shall supply the meter (unless the consumer elects to supply the same), cut-out/ MCB / CB / load limiter to consumers at the time of providing new service connection or at any other time as required.

2) a) In case of new connection/replacement of meter, the consumer, in accordance with Sections 55 and regulations framed under Section 73 of the Act, may himself procure the meter either from the vendors certified by the licensee conforming to licensee's technical specifications or may request the licensee to supply the meter and charge meter rent as per the tariff order. The licensee shall calibrate the consumer's meter at consumer's cost and seal the meter. The consumer shall have the option to get the meter calibrated in any accredited Test laboratory.

b) Alternatively, consumer may choose to pay the full cost of the meter provided by the licensee. No meter rent shall be chargeable in such case.

c) The consumer shall claim the meter purchased by him as his asset only after it is permanently removed from the system of the licensee.

d) The distribution licensee shall put in place a system of quality assurance and testing of meters with the approval of Appropriate Commission.

The licensee shall set up appropriate number of accredited testing laboratories or utilize the services of other accredited testing laboratories. The licensee shall take immediate action to get the accreditations of their existing meter testing laboratories from NABL, if not already done.

3) Meters will be installed at the point of supply or at a suitable place as the engineer may decide. The owner of the premises where, the meter is installed shall provide access to the authorised representative(s) of the licensee for installation, testing, commissioning, reading, recording and maintenance. The place of installation of meter shall be such that minimum

inconvenience and disruptions are caused to the site owners and the concerned organisations.

It may be installed by the licensee either at consumer premises or outside the consumer premises. If it is installed outside the premises of the consumer, then the licensee shall provide real time display unit at the consumer premises for his information to indicate the electricity consumed by the consumer. For billing purpose, reading of the meter but not the display unit shall be taken into account.

The meter shall be fixed preferably in the basement or ground floor in multi-storied buildings where it will be easily accessible for reading and inspection at any time. The consumer shall run his wiring from such point of supply.

- 4) In case of a feeder directly taken to the consumer's premises for his exclusive use from the licensee's sub-station or from the transmission licensee, the metering arrangement shall be done at the consumer's premises or, at the licensee's sub-station itself. In the event the Commission allows supply of electricity directly from a generating company to consumer on a dedicated transmission system, the location of the meter will be as per their mutual agreement. When the metering arrangements are installed in the consumer's premises, subject to regulation 56(3) above, the position of the service cut-outs or circuit breakers and meters shall be so fixed as to permit easy access to the employees of the licensee at any time.

All EHT & HT consumers shall provide independent entry to the meter or metering cubicle. All efforts should be made to ensure un-obstructed access to the meter by a representative of the licensee.

- 5) An applicant requiring high voltage or extra high voltage supply must provide and maintain at his expense a locked and weather-proof enclosure of a design approved by the licensee for the purpose of housing the licensee's metering equipment. Similar enclosure may be used by the applicant for his own metering equipment.
- 6) The metering box shall normally be mounted at such a height that meter reading counter/ display window is at eye level.
- 7) i) **Sealing of Meters -**
 - a) All meters shall be sealed by the manufacturer at its works. Whenever new meter / metering equipment is installed (as a replacement or for a new connection), the meters and associated equipment shall be properly sealed by the engineer as per the standards given in the CEA(Installation and Operation of Meters) Regulation,2006, in addition to the seal provided by the manufacturer at its works and consumer's acknowledgement obtained.
 - b) A tracking and recording software for all new seals shall be provided by the manufacturer of the meter so as to track total movement of seals starting from manufacturing, procurement, storage, record keeping, installation, series of inspections, removal and

disposal. Seal shall be unique for each utility and name or logo of the utility shall be clearly visible on the seals. Only the patented seals (seal from the manufacturer who has official right to manufacture the seal) shall be used. Polycarbonate or acrylic seals or plastic seals or holographic seals or any other superior seal shall be used. Lead seals shall not be used in the new meters.

- c) Old lead seals shall be replaced by new seals in a phased manner and the time frame of the same shall be submitted by the licensee to the Appropriate Commission for approval.

ii) **Removal of Seals from Meters-**

The seals, nameplates, distinguishing numbers or marks affixed on the said equipment or apparatus shall not be interfered with, broken, tampered with removed or erased by the consumer under any circumstances. Any tampering, breaking or removing the seal from the meter shall be dealt with as per relevant provisions of the Act. The meter, metering equipment, etc. shall on no account be handled or removed by any one except under the authority of the engineer or his authorised representative. The engineer or his authorised representative can do so in the presence of the consumer or his representative. An acknowledgement shall be taken from the consumer or his representative when seal is broken.

iii) **Safety of Meters-**

The consumer shall, as far as circumstances permit, take precautions for the safety of the meter installed in his premises. Licensee shall be responsible for the safety of the meter located outside the premises of the consumer and the consumer shall be responsible for the real time display unit installed by the licensee in consumer premises.

- 8) In case of single phase meters, the consumer shall ensure that there is no common neutral or phase or looping of neutral or phase of two or more consumers on consumers' side wiring. If such common neutral or phase or looping of neutral or phase comes to the notice of the licensee, it shall suitably inform the consumer through installation report or regular electricity bills or meter test report as applicable.
- 9) Consumer shall install the Earth Leakage Protective Device (ELPD) in accordance with the provisions of the rules or regulations in this regard.
- 10) If the earth leakage indication is displayed in the meter the licensees shall suitably inform the consumer through installation report or regular electricity bills or meter test report as applicable.
- 11) In case CTs and VTs form part of the meters, the meter shall be installed as near the instrument transformers as possible to reduce the potential drop in the secondary leads. The Voltage Transformers shall be electromagnetic VT or Capacitive Voltage Transformer (CVT).

12) The meters shall be provided with such anti tampering features as per the Standards stipulated in the Schedule annexed to the Central Electricity Authority (Installation and Operation of Meters) regulation, 2006 (with the amendment from time to time).

57. The consumer may, after giving notice to the engineer, get a check meter installed at his own expense in his incoming line by the side of the licensee's meter. In case of difference in readings between the licensee's meter and consumer's check meter, the readings of the licensee's meter shall be taken to be conclusive. The consumer may demand the licensee's meter to be tested by the Electrical Inspector whose decision shall be final and binding on the consumer and the licensee. The consumer shall be required to pay a fee for such testing. If the meter is found incorrect after testing, the fee paid by the consumer shall be refunded by the licensee by way of adjustment in the next bill. If the meter is found correct after testing, the fee paid by the consumer shall be forfeited by the licensee.

Provided that even if the meter is supplied either by licensee or by consumer, if the Engineer suspects about the accuracy of the meter, the Engineer may by giving 24 hour notice to the consumer install a check meter tested and duly sealed in Government laboratory either by side of the original meter within the premises of the consumer or at such other places as may be decided by the Engineer to test the accuracy of the meter and in that case the reading records in the check meter can be treated as of the original meter for the purpose of ascertaining the consumption made by the consumer, which is conclusive.

58. 1) The meter and associated equipment shall be inspected by the engineer prior to their commissioning in the service. If the engineer has reason to believe that the meter is incorrect, he may at any time remove the existing meter supplied by the licensee for the purpose of testing in accordance with existing Rules, Regulations and provisions of the Act. The consumer shall not be entitled to object to such removal. For the period, the meter is not refixed again after testing, the billing shall be done taking into consideration the average 3 (Three) months energy bill after reinstallation of the meter.

2) In case the consumer has supplied the meter, if the meters become defective in service or found to be missing, the consumer shall, on such defects or loss being noticed by him or notified to him by the engineer, remove the defects or, as the case may be, replace the meter within a period not exceeding thirty working days. The engineer within seven working days of noticing the defect or loss shall advise the consumer for necessary test, repair or replacement of the meter. Should the consumer desire to get the meter tested or rectified in the licensee's testing laboratory, he may do so by depositing the fees fixed by the licensee and the licensee shall get it tested within a period of fifteen working days from the date of deposit. Failure to rectify or replace the meter within the above period shall result in disconnection after seven clear days notice to the consumer. For the period the meter is not refixed again after testing, the billing shall be taking into consideration the average 3 (Three) months energy bill after reinstallation of the meter.

- 3) Where the meter has been supplied by the licensee and the meter becomes defective in service, the engineer shall remove the meter and test the same as provided in Regulation 58(1).
 - a) If after testing, the meter is found defective not due to tampering or deliberate damage, the defective meter shall be replaced by another tested meter without any charge to the consumer within thirty working days from the date of removal of meter from consumer's premises.
 - b) If the meter is found to be missing, or after inspection or testing if the meter is found to have been tampered with or damaged, the engineer may call upon the consumer to deposit the cost of replacement within seven working days. The licensee shall install a tested meter within fifteen working days of deposit by the consumer.
- 59.**
- 1) Should the consumer dispute the accuracy of any meter which is not his own property, he may, upon giving notice and paying the required fee, have the same tested in a Government laboratory within a period of one month from the date of deposit of such fee.
 - 2) Due notice to the consumer shall be served by the licensee to be present during the test. The Licensee shall have the option to carry out and conclude the test in absence of the consumer after expiry of the notice period. The billing for the period the meter remains defective or unavailable from the date of reporting to the date of its installation after repair or replacement shall be revised in accordance with Regulations 97 and 98.
 - 3) If the meter is found to be incorrect after testing, fees paid by the consumer shall be returned by way of adjustment in the next electricity bill of the consumer.
 - 4) The repair or adjustment of a meter found to be defective should be done so as to bring the percentage of the error within the stipulated limit of accuracy. In case adjustment or repair is not possible, the defective meter shall be replaced by another tested meter within a period of thirty working days.
 - 5) In the event of any difference or dispute on the accuracy of any meter, the same shall be decided on an application by either party to the Electrical Inspector.
 - 6) On receipt of complaints of meters running slow, running fast, creeping beyond limits, not working or defective, a tested standard meter can be fixed in series with the existing meter by the licensee. The connecting terminals/meter boxes of both the existing and tested standard meter shall be sealed jointly by Licensee's representative and the consumer. Meter reading of both the meters shall be taken jointly after some hours of operation. The accuracy of existing meter can be known by comparing readings of both the meters for the same period. If the existing meter is found to be defective, it can be removed to laboratory for repair and the tested meter already available in the consumer's premises can be fixed in place of the existing meter.

Reading of the Meters

60. Reading of meters shall be taken by qualified persons authorised by the licensee at intervals of one month or a period not exceeding two months in respect of LT Domestic and General Purpose consumers or as may be notified by the licensee. The meter readers shall have access to the consumer's premises at all reasonable times for the purpose of meter readings. In respect of Domestic and General Purpose consumers, meters should be read only during daylight hours. The Licensee may use hand held instruments, Meter Reading Instrument (MRI) or Automatic Meter Reading (AMR) machine or any advanced mechanism for recording meter readings and detection of actual consumption of energy for generation of bills on the spot. The readings of each meter shall be entered by such reader in the meter reading book and the signature of the consumer or his representative will be obtained therein except where meters have been installed on the ground floor for a group of apartments or a group of houses in a common area. The meter reading may be entered and signed by the meter reader in the consumer's pass book provided by the licensee. The licensee may adopt alternative technically advanced practices for consumer's information of meter readings. The meter reader should be supplied by the licensee with a laminated photo identity card, which he shall show to the consumer on demand. It shall be responsibility of the licensee to record the metered data, maintain database of all the information associated with the meters and verify the correctness of metered data, Arrangements shall be made by the licensee to display the meter reading and payment status of high value consumers on the Internet.

Special Reading of Meters in Cases of Change of Occupancy/Vacation of Premises for Domestic Consumers

- 61.**
- 1) It shall be the responsibility of the consumer to get his connection disconnected if he vacates the premises, as otherwise he shall continue to remain liable for all charges.
 - 2) Notice and request for disconnection is to be given by the consumer at least 7 (seven) days before the proposed date of vacation. The licensee shall arrange to take a special reading of the meter after intimating the consumer.
 - 3) If the licensee fails to disconnect the supply even after seven days notice, no claim shall lie on the consumer either for consumption of energy or safety of the licensee's equipment in consumer's premise.

Testing of Meters

- 62.**
- 1) It shall be the responsibility of the licensee to satisfy himself regarding the accuracy of the meter before it is installed and may test them for this purpose.
 - 2) The licensee shall also conduct periodical inspection/testing of the meters at site as per the following schedule or earlier: The licensee may instead of testing the meter at site can remove the meter and replace the same by a tested meter duly tested in an accredited test laboratory.

- a) Single phase meters : at least once every five years,
 - b) LT three phase meters : at least once every three years,
 - c) HT/EHT meters including MDI : at least once a year.
- 3) Records of these test results shall be maintained in accordance with Rule 57 of Indian Electricity Rules, 1956 or in accordance with regulations framed under Section 73 of the Act.
 - 4) If required, the licensee may remove the existing meter for the purpose of testing as provided under Regulation 58 of the Code. The representatives of the licensee must, however, produce an authenticated notice to this effect and sign the document, mentioning his full name and designation, as a receipt, before removing the meter. The consumer shall not object to such removal.
 - 5) In addition, meters installed in the circuit shall be tested if study of consumption pattern changes drastically from the similar months or season of the previous years or if there is consumer's complaint pertaining to a meter. The standard reference meter of better accuracy class than the meter under test shall be used for site testing of consumer meters up to 650 volts. The testing for consumers meters above 650 volts should cover the entire metering system including CTs, VTs. Testing may be carried out through NABL accredited mobile laboratory using secondary injection kit, measuring unit and phantom loading or at any accredited test laboratory and recalibrated if required at manufacturer's works.

63. Additional meters

In addition to any meter which may be placed for recording the electricity consumed by the consumer, the licensee may connect additional meters, maximum demand indicator or other apparatus as he may think fit for the purposes of ascertaining or regulating either the quantity of electricity supplied to the consumer, or the number of hours during which the supply is given, or the rate per unit of time at which energy is supplied to the consumer, or any other quantity or time connected with the supply to consumer: Provided that the meter, indicator or apparatus shall not, in the absence of an agreement to the contrary, be placed otherwise than between the distributing mains of the licensee and any meter: Provided further that, where the charges for the supply of energy depend wholly or partly upon the reading or indication of any such meter, indicator or apparatus as aforesaid, the licensee shall, in the absence of an agreement to the contrary, keep the meter, indicator or apparatus correct.

CHAPTER - VI

CONTRACT DEMAND

Connected Load and Contract Demand

- 64.** Contract demand for loads of 110 KVA and above shall be as stipulated in the agreement and may be different from the connected load. Contract demand for a connected load below 110 KVA shall be the same as the connected load. However in case of installation with static meter/ meter with provision of recording demand, the recorded demand rounded to nearest 0.5 Kw shall be considered as the contract demand requiring no verification.
- 65.** 1) The manufacturer's rating of each item shall be considered to determine the connected load at the premises.
- 2) Spare plug points shall not be counted towards connected load.
- 3) In case of non-availability of rated capacity of any item, the load shown below shall be considered for Domestic and General Purpose category of consumers.

Item	Load per item (Watts)	NO. of item	Load
1.	2	3	4=2X3
Tube light	40W		
Incandescent lamp	60W		
Table Fan / Ceiling Fan (36 “)	60 W		
Air Circulator	180 W		
Ceiling Fan (48")	60 W		
Ceiling Fan (56")	70 W		
Exhaust Fan	75W		
Music system	40 W		
Television (Portable)	65 W		
Television	125 W		
Mixie / grinder	500 W		
Electric Iron	450 W		
Fridge (Single door)	1/8 HP (100 W)		

Fridge (Double door)	1/6 HP (125W)
Cooler	170 W
Heater (for cooking) (according to physical availability)	1000/1500 W
Heater (for water heating)	1000/1500 W
Microwave oven	600/900 W
Washing machine	340 W
Kitchen Exhaust Chimney	45 W
Aqua guard filter m/c	30 W
Air conditioner (1 Ton)	1500W
Air conditioner (1.5Ton)	2000W
Geyser	2000 W
Geyser (Instant)	3000W
Pump Set	375 W
Personal Computer with monitor	120 W
Printer	100 W
Each light point as	60 W unless otherwise declared by the consumer, which will be final.

Reduction of Contract Demand

- 66.** 1) Every application for reduction of contract demand shall be made to the designated authority of the licensee.
- 2) Subject to Regulation 67 below no application for reduction in contract demand shall be entertained within three months from the date of commencement of initial or revised supply unless the agreement provides otherwise.
- 67.** Contract demand above 20 KW shall not be allowed to be reduced more than once within a period of thirty-six months from the date of initial supply or from the date of last reduction. Contract demand of 20 KW and below shall not be allowed to be reduced more than once within a period of twelve months from the date of initial supply or from the date of last reduction. The designated authority of the licensee may for reasons to be recorded, allow such reduction more than once within the aforesaid period of thirty-six months or twelve months as applicable.
- 68.** Every application for reduction of contract demand shall be accompanied by
- 1) such processing fees as may be notified by the licensee for the particular category of consumer,

- 2) test report from the licensed contractor where alteration of installation is involved,
- 3) meter reading of the previous three months, and
- 4) letter of approval of Electrical Inspector wherever applicable.

- 69.** No permission shall be granted to reduce the contract demand if on a consideration of the investment made by the licensee for effecting power supply to the consumer, the reduction is likely to result in the investment becoming non-remunerative according to the norms fixed by the licensee with the approval of the Commission, unless the consumer is agreeable to bear the financial burden of making the investment viable due to such reduction.
- 70.** Decision on a consumer's application for reduction of contract demand shall be taken by the designated authority within ninety days of receipt of complete application. No application shall be rejected without recording reasons. The order on the application shall be communicated to the consumer by registered post.
- 71.** When reduction of contract demand is permitted by the designated authority of the licensee, the effective date of such reduction shall be reckoned from the first day of the month following the month in which the application, complete in all respects, was received by the engineer.

Enhancement of Contract Demand

- 72.** Every application for enhancement of contract demand shall be made to the designated authority of the licensee and accompanied by -
- 1) such processing fee as notified by the licensee for the particular category of consumer,
 - 2) test report from the licensed contractor where alteration of installation is involved, and
 - 3) letter of approval of Electrical Inspector wherever applicable.
- 73.** An application for the enhancement of the contract demand may be rejected if -
- 1) the additional power cannot be supplied at the existing voltage of supply of the license and the consumer is not willing to avail the power at higher voltage at which licensee is able to supply in accordance with Regulation 76 of this Code, or
 - 2) the consumer is not agreeable to bear that part of the estimated cost of necessary additions or alterations in the system as is required to make it remunerative according to the norms fixed by the licensee with the approval of the Commission, or
 - 3) the consumer is in arrears of payment of licensee's dues.
- 74.** If as a result of the enhancement of contract demand, the classification of the consumer changes, the designated authority of the licensee before allowing the application may call upon the consumer to execute fresh agreement, subject to compliance of other conditions as laid down in this Code.

CHAPTER - VII

SYSTEM OF SUPPLY

System of Supply

- 75.** 1) The declared frequency of A.C. supply is 50 Hz.
- 2) The declared voltage of A.C. Supply is as follows:
- a) Low Voltage - single phase, 230 V, between phases and neutral.
 - b) Medium Voltage - Three phase or Two phase 400 Volts between phases.
 - c) High tension supply - Three phase at 11 KV or 33 KV.
 - d) EHT supply – a three phase above 33 KV or two phases at 132 KV/220 KV for existing Railway Traction.
- 76.** The voltage of supply shall be determined by the engineer depending on the contract demand of the consumer. The supply voltage for the contract demands shall normally be as follows.
- 1) a) For contract demand not exceeding 5 KW or 5.55 KVA, excepting in the case of irrigation pumps and agricultural services, supply shall be at single phase, two wires and 230 volts,
 - b) For irrigation pumping and agricultural service load of 3 BHP and below, supply shall be at single phase, two wire and 230 volts, between phase and neutral, or 3 phase, 3 or 4 wire and 400 volts between phases,
 - c) For load above 5 KW or 5.55 KVA up to and including 70 KVA, supply shall be at 2 phase, 3 wires or 3 phases, 3 or 4 wires at 400 volts between phases.
 - 2) For contract demand above 70 KVA but below 555 KVA, supply shall be at 3 phase, 3 wires at 11000 volts. For contract demand of 555 KVA and above but below 1110 KVA, supply may be given at 3 phase, 3 wires at 11000 volts or 33000 volts depending on the convenience of the licensee;
 - 3) For Contract Demand of 1110 KVA and above but upto 15000 KVA for dedicated line (tie-line) connecting to 33 KV bay of 132/33 KV S/S and upto 10000 KVA in non-dedicated (non-tie) line, supply shall be at 3 phases, 3 wires at 33000 volts.
- The Connectivity of User (consumer) or Generator including CGP at 33 KV or at any higher voltage level should be decided mutually on techno-commercial analysis and system study.
- 4) For Contract Demand of above 15000 KVA, supply shall be at 3 phases, 3 wires EHT.
- Provided that licensee, at its discretion, may also supply at any other voltage depending on system availability or condition.

Power Factor

77. The consumer shall so arrange his installation that the average lagging power factor of his load during any billing period is not less than 92%. Power factor penalty shall be levied if there is a breach of the aforesaid requirement.

Balance of Load

78. A consumer taking two or three phase supply shall balance his load in such a way that the difference in loading of each phase does not exceed 5% of average loading between the phases.

Parallel Operation with Licensee's System

79. The consumer shall arrange plant, machinery and apparatus of his generating station including any extension of or addition to the same to operate in an isolated mode from the licensee's system. Parallel operation is permissible only with the consent of the licensee. In cases where such consent has been given, the consumer shall so arrange his installation that the licensee or the engineer does not become liable for any damage caused to the consumer's plants, machinery and apparatus on account of such parallel operation, or any adverse consequences arising therefrom.

CHAPTER - VIII

CLASSIFICATION OF CONSUMER

Classification of Consumer

80. Licensee may classify or reclassify the consumer into various categories from time to time as may be approved by the Commission and fix different tariffs and conditions of supply for different class of consumers. The present classification is as follows: -

1) Domestic

This category relates to supply of power to residential premises for Domestic purposes only which may include connected load for non-Domestic purposes like offices, consultation chambers and other misc. loads upto 20% of the total connected load. This category shall include consumers under Kutir Jyoti Programme and shall include supply to occupants of flats in multi-storied buildings or residential colonies receiving power at single point for Domestic purposes which may include connected load for non-Domestic purposes like offices, consultation chambers and other misc. loads upto 20% of the total connected load in case the non-Domestic load exceeds 20% of the total connected load, they shall be treated as General Purpose consumers.

Common facilities like water supply, common area lighting, lift etc, in residential housing colonies/complexes and apartments, being utilised mostly for residential purpose shall be covered under this category after the completion by the developer and occupied by residents.

This shall not cover residential colonies attached to industrial establishment where power supply is drawn through the meter of the industrial establishment.

2) General Purpose

This category relates to supply of power to premises, which are used for office, business, general purpose or other purposes not covered under any other category where the non-Domestic load exceeds 20% of the total connected load.

3) Public Lighting

This category relates to supply of power to the government, a local authority or any other public body for providing street lighting, for traffic signaling and for lighting of Public Park.

4) Railway Traction

This category relates to supply of power for Railway Traction.

5) i) Irrigation Pumping and Agriculture : This category relates to supply of power for pumping of water in lift irrigation, flow irrigation and for lifting of water from wells/bore-wells, dug-wells, nallahs, streams, rivulets, rivers, exclusively for agricultural purposes.

- ii) **Allied Agricultural Activities:** This category relates to supply of power for Aquaculture (which includes Pisciculture/ Prawn culture), Horticulture, Floriculture, Sericulture, Animal Husbandry and Poultry. Activities such as ice factories, chilling plants, cold storages, cattle/poultry/fish feed units and food /agri products processing units are excluded.
- iii) **Allied Agro-industrial Activities :** This category relates to supply of power to “Cold Storages (i.e. a temperature controlled storage where flowers, fruits, vegetables, meat and fish can be kept fresh or frozen until it is needed) and includes chilling plant for milk and only the cold storages attached to processing units for meat, fish, prawns, flowers, fruits and vegetables”.

6) Public Water Works and Sewerage Pumping Installation

This category relates to supply of power for public water supply and sewerage pumping installations owned and operated by the State Govt., Local Bodies or their agencies. This also includes supply of power for water supply under Swajala Dhara Scheme of Govt. of India or any other scheme set up/ managed by Village Committee catering to the village hamlets with about 100 households on the average and has a connected load of less than 10 KW.

7) Specified Public Purpose

This category relates to supply of power to (a) religious institutions, (b) educational institutions (including their hostels), (c) hospitals, dispensaries and primary health centres owned by government, local bodies and charitable institutions (recognised as such by Income Tax Dept.), (d) electric crematorium and (e) non-commercial sports organisations.

The term ‘educational institution’ does not include vocational training or coaching centres.

8) LT Industrial (S) Supply

This category relates to supply of power for industrial purpose with a contract demand below 22 KVA.

9) LT/HT Industrial (M) Supply

This category relates to supply of power for industrial production with a contract demand of 22 KVA and above but below 110 KVA, where power is generally utilised as motive force.

10) Large Industries

This category relates to supply of power to industries with a contract demand of 110 KVA and above but below 25000 KVA, where power is substantially utilised as motive force for industrial production.

11) Heavy Industries

This category relates to supply of power to industries with a contract demand of 25000 KVA and above where power is substantially utilised as a motive force.

12) Mini Steel Plant

This category relates to supply of power to steel manufacturing units licensed to operate as mini steel plants with contract demand of 4444 KVA and above where power is ordinarily utilised in induction or arc furnaces.

13) Power Intensive Industries

This category relates to supply of power to industries where power is substantially utilised as raw material involving electro-chemical or electro-metallurgical processes with a contract demand of and above 2000 KVA.

14) Temporary supply

This category relates to supply of power to meet temporary needs on special occasions including marriage or other ceremonial functions, fairs, festivals, religious functions or seasonal business or for construction of residential houses, complexes, commercial complexes, industrial premises provided that such power supply does not exceed a period of six months.

15) Industries owning Generating Stations and Captive Power Plants availing Emergency Supply only

This category relates to supply of power to industries with generating stations including Captive Power Plants only for start-up of the unit or to meet their essential auxiliary and survival requirements in the event of the failure of their generation capacity. Such emergency assistance shall be limited to 100 % of the rated capacity of the largest unit in the Captive Power Plant of Generating Stations

Consumers under Special Agreement

- 81.** The licensee may, having regard to the nature of supply and purpose for which supply is required, fix special tariff and conditions of supply for the consumers not covered by the classification enumerated in this Code. For such purpose licensee may enter into special agreements with the approval of the Commission with suitable modifications in the Standard Agreement Form. The tariff in such cases shall be separately approved by the Commission.

Reclassification of Consumer

- 82.** If it is found that a consumer has been classified in a particular category erroneously or the purpose of supply as mentioned in the agreement has changed or the consumption of power has exceeded the limit of that category or any order of reduction or enhancement of contract demand has been obtained, the engineer may reclassify him under appropriate category after issuing notice to him to execute a fresh agreement on the basis of the altered classification or modified contract demand. If the consumer does not take steps within the time indicated in the notice to execute the fresh agreement, the engineer may, after issuing a clear seven days show cause notice and after considering his explanation, if any, may disconnect the supply of power.

CHAPTER - IX

CHARGES FOR SUPPLY

Tariffs and Charges

- 83.** Tariffs and charges for supply of electricity shall be determined by the licensee with the approval of the Commission under the Act. Such tariff, tariffs or charges shall take effect only after seven days from the date of publication in at least two daily newspapers having circulation in the area of supply. The charges may include: -
- a) Minimum monthly charges,
 - b) Demand charges,
 - c) Energy charges, and
 - d) Other charges.

Minimum Monthly Charges

- 84.** Every consumer, during continuance of agreement under Regulation 15, shall be liable to pay minimum monthly charges even if no electricity is consumed for any reason whatsoever or supply has been disconnected due to default of the consumer.

Demand Charges

- 85.** 1) Monthly demand charges shall be payable by the consumer on the basis of maximum demand and contract demand as determined in the tariff notification. In case maximum demand meter is not provided or the meter has become defective, the monthly demand charges shall be payable on the basis of contract demand as determined in the tariff notification.
- 2) Such monthly demand charges shall be payable during the continuance of the agreement under Regulation 15 even if no electricity is consumed for any reason whatsoever or supply has been disconnected due to default of the consumer.
- 3) During statutory power-cuts and power restrictions imposed by the licensee, if the restriction on demand is imposed for a period exceeding sixty hours in a month, the monthly demand charges shall be prorated in accordance with the period and quantum of demand restrictions imposed. In all other cases the consumer shall be liable to pay the full demand charges.

Energy Charges

- 86.** Energy charges as decided in the licensee's tariff shall be payable by the consumer on the basis of actual consumption of the energy.

Other Charges including Meter Rent (Subject to Regulation of the Authority under the provisions of Sections 55(1), 73(e) and 177(2)(c) of the Act).

87. No meter rent shall be chargeable in case where consumer has supplied the meter or the consumer has paid the full cost of the meter provided by the licensee or during the period the meter supplied by the licensee remains defective. Bills shall be prepared for each category on the basis of the information provided in the prevailing tariff order.

The licensee may levy other charges including customer charges, connection charges, re-connection charges, delayed payment surcharge, fuel surcharge, power purchase surcharge, and power factor penalty as approved by the Commission from time to time.

Statutory Levies

88. Statutory levies such as electricity duty shall be payable by the consumer on demand.

CHAPTER - X

RECOVERY OF ELECTRICITY CHARGES AND INTERVAL OF BILLING

Payment of Bills

89. 1) It would be the duty of the engineer or his authorised agent to ensure that the bills are despatched within ten days from the end of billing cycle and records of such despatch are duly maintained. The licence shall send the bills to the consumers either by post or by courier or through the messenger well before the due date to avoid any inconvenience to the consumer not covered under spot billing.

Contents of the Energy Bill

- 2)** The bill for metered connections may have the following details:
- a) Service Connection Number
 - b) Period of Bill
 - c) Name and address of the consumer
 - d) Bill number
 - e) Pole Number from which connection is served
 - f) Name, address and telephone number of the distribution centre
 - g) Date of issue of bill
 - h) Tariff category
 - i) Tariff, rate of electricity duty applicable
 - j) Contracted/ Connected load/ demand
 - k) Single phase or three phase connection
 - l) Identification details of the meter
 - m) Reading date - past and present
 - n) Meter reading - past and present
 - o) Units assessed
 - p) Basis of bill
 - q) Meter rental

- r) Current month's charges - Energy Charges, fixed/demand charge, Minimum Charges, Electricity Duty, meter rent, capacitor surcharge if any, security deposit installment if any, Rebate allowed, others if any
- s) Arrear Electricity Charges, Delayed Payment Surcharge arrears.
- t) Credit towards interest on Security Deposit
- u) Total charges
- v) Delayed Payment Surcharge
- w) Due date of payment – through cheque and cash payment
- x) Authority in whose favour cheque/Bank draft is to be issued. (To be printed on reverse of the bill)
- y) Security Deposit held and required

The following information may also need to be provided to the consumer printed on the bills: -

- a) The names(s) / address(es) of collection centers
- b) Working hours for collection of bills
- c) Designation and address of the authority with whom grievance pertaining to bills, meter, meter reading etc. can be lodged
- d) Any other message that the Licensee may like to give e.g. requesting the consumer to indicate their phone number, if available, on the portion of the bill retained by the licensee on receipt of payment. This information can be used for better communication with consumers.
- e) The bill may contain additional information, if any, as desired by the licensee.

3) Contents of the spot billing

The spot bill may have the following details

- a) Service Connection Number
- b) Period of Bill
- c) Name and address of the consumer
- d) Bill number
- e) Date of issue of bill
- f) Tariff category
- g) Tariff, rate of electricity duty and applicable
- h) Contracted/ Connected load/ demand
- i) Single phase or three phase connection

- j) Reading date - past and present
- k) Meter reading - past and present
- l) Units assessed
- m) Basis of bill
- n) Meter rental
- o) Current month's charges - Energy Charges, fixed/demand charge, Minimum Charges, Electricity Duty, meter rent, capacitor surcharge if any, security deposit installment if any, Rebate allowed, others if any
- p) Arrear Electricity Charges, Delayed Payment Surcharge arrears.
- q) Total charges
- r) Delayed Payment Surcharge
- s) Due date of payment

4) Central Assistance Centre

The licensee shall make arrangements to provide guidance and information to any consumer on telephone and for this purpose shall set-up call centre or centres according to the directives given by the Commission in this regard. All urban areas may be brought under this facility in the first phase and rural areas may be included thereafter. Details of payment status, arrear status, authorised load, contract demand etc. may be provided to the consumer if he discloses his connection number and address. The licensee shall also develop and implement, within a reasonable time as desired by the Commission, a bill details display system on internet for division headquarter towns. Access to this information display may be controlled through password system.

Billing

- 90.** The charges payable by a consumer for supply of electrical power and other sums payable to the licensee shall be billed on prorata monthly basis indicating the period for which charges have been levied. When supply to a new consumer is commenced or an agreement is terminated on a day other than the first day of a month, demand charges and other charges as applicable under tariff notification shall be levied prorata for the number of days during the month for which supply shall have been given or agreement shall have been in force.

Disputed/Erroneous Bills

- 91.** In the event, of any dispute in the billed amount, the consumer may lodge a complaint before the designated officer/agency as determined by the Licensee and pay the average of last 6 months consumption or the billed amount whichever is less within due date pending settlement of the dispute. The licensee shall resolve the dispute or communicate its decision with reasons to the consumer within a maximum period of one month as per Regulation 92.

92. i) If the licensee finds the bill to be erroneous, a revised bill shall be furnished to the consumer indicating a revised due date. Excess amount paid by the consumer shall be refunded by way of adjustment in the subsequent bill. Such excess amount shall be refunded together with interest at the rate of 1 (one) % per month from the date of payment of excess amount.
- ii) If the licensee finds the bill to be correct, the consumer shall be intimated accordingly and notified to pay the balance, if any, within fifteen days with interest at the rate of 1 % per month from the due date. If the engineer does not resolve the dispute within one month stipulated in Regulation 91, the consumer will not be liable to pay the interest on the balance amount. However, if the dispute is not resolved due to negligence or non-cooperation of the consumer, the consumer will be liable to pay interest.
- iii) Failure to make payment as provided under Regulation 91 or Regulation 92(ii) above, shall merit action as provided in Regulation 100.

Payment

93. 1) a) The licensee shall ensure adequate publicity of the addresses / locations and working hours of the collection centres including those of banks where consumers can make payments. The licensee shall also endeavor to provide a choice of maximum alternative modes of payment to the consumers like payment through cash, local cheque, bank draft, banker's cheque, Electronic Clearing System (ECS), etc after proper cost-benefit analysis. EHT/HT/General Purpose consumers will inform their respective banker to pay electricity bill directly to Licensees on presentation of bill. Consumers will authorise bankers to debit their account on payment of bill
- b) The collection centers should have the facility of receiving payment from consumers/ representatives of consumers who wish to make payments on behalf of a number of consumers. Separate counters should be provided for this purpose so that the waiting time for other consumers is not increased.

Due Date of Payment

- 2) The Licensee shall intimate the consumer of the due date for payment of his bills. The due date of payment for all consumers shall be fifteen days from the bill date This will normally be the due date for all billing cycles for that consumer If due date of payment mentioned in the bill is a public holiday, the succeeding working day shall be treated as the due date.

Receipt of Payment-

- 3) Every consumer shall be issued a receipt in token of having received the payment. The entry regarding payment shall also be made in passbooks issued to LT consumers.

Advance Payment

- 4) The consumer may also be allowed to make advance payment of future bills, which shall be adjusted in the succeeding months. Utility will also consider suitable rebate in case of advance payment. The entry in passbooks in such cases will be made whenever the consumer

comes or sends the passbook for updation. The details of payment made in advance shall also be entered into the passbook given to the L.T. consumers. The licensee shall prepare and submit a scheme for approval of the Commission for consumers with high value bills, where such consumers shall be eligible to make payment of part of their average monthly bill in advance and shall be eligible for the additional rebate as decided by the Commission.

Collection Drop Boxes-

- 5) The licensee should make arrangements to receive payment through drop boxes where the consumer may drop his cheque (crossed account payee). Licensee should keep the drop boxes at the collection centres and at other locations as notified from time to time to facilitate the payment without the need for standing in the queue. The cheque should be drawn in favour of the licensee. The service connection number, billing month, consumer name and address including telephone number if any should be clearly written on the back of the cheque. In case the bank levies any clearance charge, the same amount shall be recoverable from the consumer in the subsequent bill.

Bounced Cheque

- 6) In the event of non-realisation of cheque, the licensee shall have the right to increase the security deposit from the consumer and shall also have the right to take steps such as levying dishonored cheque charges or initiating other actions as per Law besides insisting on future payment by demand draft or by cash. The line may be disconnected forthwith without any notice if due date is passed.

Payment of Energy Charges

- 7) Consumers are expected to make payment for the energy used by them every month/by-monthly. The licensee must ensure that a bill is delivered to the consumer by hand or by post every month/by-monthly.

Provisional Billing

- 8) The amount thus billed shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycle. Such provisional billing shall not continue for more than one meter reading cycle at a stretch. If the meter remains inaccessible even for the next cycle, the consumer will be served with a 24-hour notice under section 163 (3) of the Act, to open his premises for reading of the meter at a fixed time and date. If the meter is not accessible at the time fixed in the notice, the supply may be disconnected after serving a 24-hour notice under section 163 (3) of the Act.

Transformer Loss

- 9) In the case of High Tension supply, if HT metering set can not be readily provided and installed, LT metering set shall be provided and connected on the LT side of the consumer's transformers. To the reading of such metering set, will be added the average losses in the transformers calculated as follows:

- a) Energy loss in transformer in units per month = $(730 \times \text{rating of the transformer in KVA}) / 100$,
- b) Demand loss in transformer in KVA = One percent of the rating of the transformer in KVA.

Pass Book/ Meter reading Card-

- 10) The Licensee should provide a passbook or a meter-reading card to all Low-Tension (LT) consumers to facilitate the keeping of record of consumption by the consumer.

Non-Receipt of Bill-

- 11) If for any reason the consumer does not receive the bill for the billing cycle within two weeks of the end of the billing cycle, it would be the obligation of the consumer to approach the engineer and collect a duplicate bill.

Rebate

- 12) Payment of the billed amount in time shall entitle categories of consumers, as laid down in the tariff order under PART VII of the Act of the, to a rebate on such amount for the current billing period. Every bill shall indicate the amount payable by the relevant category of consumer if payment is made within the due date and the amount payable if the payment is made beyond the due date. The categories of consumers who are entitled to a rebate and the rate or rates of such rebate shall be determined by the licensee from time to time as part of the tariff as approved by the Commission

Delayed Payment Surcharge

- 13) Category of consumers to whom delayed payment surcharge is applicable as per tariff order shall be liable to pay such delayed payment surcharge at the rate of two per cent per month or part thereof on arrears amount for default in payment by due date. There shall be no surcharge over surcharge.

Recovery of Arrear

94. 1) The amount paid by the consumer shall be first adjusted towards electricity duty provided that in case of part payment by the consumer, the proportionate share of the duty from the total collection shall be adjusted first. Out of the balance, adjustments shall be made in the following order of priority:
 - a) Current electricity charges,
 - b) Current miscellaneous charges,
 - c) Arrear electricity charges,
 - d) Arrear miscellaneous charges,
 - e) Delayed payment surcharge.

- 2) The Licensee shall not be eligible to recover any sum due from any consumer after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity, as per provisions laid down under Section. 56(2) of the Act.

Installment Facilities

95. Payment of bills by installments may be granted by the licensee to the senior citizens and disabled in the Domestic category on request and on production of proof. In respect of others, the facility may be granted at the discretion of the designated authority of licensee. Grant of installments shall not affect the liability of the consumer to pay delayed payment surcharge till full clearance of the arrears. Consumers availing installment facilities shall not be eligible to avail rebate. The licensee may authorise the designate the authority to grant installment facilities.

Recovery of Arrears

96. In addition to other modes of recovery available under the law, engineer shall be entitled to take recourse to proceedings under the Orissa Public Demand Recovery Act, 1962 (Act I of 1963) for realisation of the licensee's dues if such dues are treated as public demand.

Billing with Defective Meter

97. For the period the meter remained defective or was lost, the billing shall be done on the basis of average meter reading for the consecutive three billing periods succeeding the billing period in which the defect or loss was noticed. It shall be presumed that use of electricity through defective meter was continuing for a period of three months immediately preceding the date of inspection in case of Domestic and Agricultural consumers and for a period of six months immediately preceding the date of inspection for all other categories of consumers, unless the onus is rebutted by the person, occupier or possessor of such premises or place.
98. If the readings of meter working in association with Current Transformer (CT) and Potential Transformer (PT) and other auxiliary equipment, if any, are found to be incorrect on account of wrong connection or disconnection of such CTs, PTs and other equipment or on account of omissions or commissions in regard to multiplying factor, erroneous adoption of CT ratio, PT ratio, the billing in such cases shall be done as laid down in Regulation 97.

Meter Not Accessible:

99. 1) If for any reason whatsoever, the meter installed in the consumer's premises is not accessible and meter reading can not be taken, the bills shall be raised provisionally on the basis of consumption last recorded subject to subsequent revision on the basis of actual meter reading. The meter should be installed at an accessible place.
- 2) If the engineer apprehends that the consumer is deliberately avoiding the inspection of meter and meter reading, he may give seven clear days notice by Registered Post to the consumer to remain present in the premises on the date and time mentioned in the notice. If the consumer defaults, the engineer may take steps for disconnection of supply after giving twenty-four hours notice to the consumer.

CHAPTER – XI

DISCONNECTION/RECONNECTION OF SUPPLY

Disconnection of Service

- 100.** 1) Where a consumer fails to pay any consumption charge for electricity or any other sum due and payable by him to a licensee, by the due date mentioned in the bill, the licensee may, after giving not less than fifteen (15) clear days' notice in writing to such person and without prejudice to his rights to recover such charge or other sum, cut off supply of electricity and for that purpose disconnect any electric supply line or other works being the property of such licensee or the generating company through which electricity is supplied, transmitted, distributed or wheeled. The licensee may not commence the supply until such charge or other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, are paid.
- 2) Notwithstanding anything contained herein above, no sum due from any consumer, under this section shall be recoverable after a period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity for non payment of such sum which has become non-recoverable.
- 3) In case of continued default in payment of electricity charges and any sum due to licensee by any consumer for a period of more than two months, the licensee shall be entitled to terminate the agreement executed by the consumer as per the terms and conditions of supply of the licensee as approved by the Commission and may remove the electric line or works connected with the provision of supply to the consumer.
- 4) The licensee shall not cut off supply if the consumer deposits under protest:
- a) The amount equal to the sum claimed from him, or
 - b) Electricity charges due from him calculated on the basis of average charge for electricity supplied to him during the preceding six months whichever is less pending disposal of the dispute. The licensee shall accept such payment from the consumer.

Restoration of supply of electricity

- 101.** If any service is disconnected on account of non-payment of electricity charges or any other charges due to licensee, after the consumer has duly paid the amounts due, the additional charges for the delay and the charges for reconnection, the licensee shall restore the electrical supply in not more than four working hours of the consumer producing the proof of payment of the amounts and charges.

Provided however if the electric line or works providing supply to the consumer is removed by reason of the disconnection the licensee shall restore the supply after undertaking the works or providing the electric line with in the time stated for providing any new connection and the consumer shall also pay for such reconnection as if he has been provided a new connection.

Service of notice

102. Any order/notice to the consumer by the licensee including the notice under section 56 of the Act, shall be deemed to be duly served by the licensee if it is:

- 1) Sent by registered post, under certificate of posting, by courier, or other similar means, or delivered by hand to the person residing at the address notified to the licensee by the consumer and an acknowledgement taken from any person in the premises, or
- 2) Affixed at a conspicuous part of such premises in case there is no person, to whom the same can with reasonable diligence, be delivered.

CHAPTER - XII

PROHIBITIONS

Assignment without Permission

- 103.** No consumer shall assign the agreement or transfer or part with the benefits under the agreement in favour of any other person without the express consent or approval of the engineer in respect of Domestic and General Purpose consumers and the designated authority of the licensee in respect of other categories of consumers. In case of death of a consumer who is an individual, his legal heir or successor in interest or legatee may be given recognition as a consumer in place of the deceased.
- 104.** Any connection which has been unauthorisedly transferred or parted with shall be liable for disconnection of supply after a seven days notice calling for his explanation and considering the explanation submitted, if any, by him. This may be in addition to any other action the licensee is authorised to take under law and this Code.

Re-sale, Transfer, Dishonest Abstraction and Theft of Energy

- 105.** No consumer shall sell or transfer or divert power to any person or premises unless the agreement so provides.
- 106.** No consumer shall make use of power in excess of the approved contract demand or use power for a purpose other than the one for which agreement has been executed or shall dishonestly abstract power from the licensee's system.

CHAPTER - XIII

FORCE MAJEURE AND RESTRICTION ON POWER SUPPLY

- 107.** The licensee or the consumer shall not be liable for any claim for loss, damage or compensation whatsoever arising out of failure of supply when such failure is due either directly or indirectly to war, mutiny, civil commotion, riot, strike, lockout, fire, flood, tempest, lightning, earthquake or other force, accident or cause beyond his control.
- 108.** In the event of restriction / regulation (planned load shedding) on power supply ordered by the Commission under Section 23 of the Act, the licensee shall be under no obligation to supply energy contracted for.
- 109.** 1) The consumer shall curtail or stagger or altogether stop using electricity when so directed by the engineer or the designated authority of licensee if the power supply position or any other emergency in the licensee's system of supply warrants such a course.
- 2) The licensee will be entitled for the purpose of maintenance of its supply system to temporarily discontinue supply of power to any area for such period as may be reasonably necessary subject to such advance notice as may be feasible.
- 110.** At any time during the continuance of the agreement between the licensee and the consumer, the plant or premises of the consumer is destroyed or damaged due to force majeure conditions referred to in Regulations 107 and 108 resulting in break-down or rendering the plant or the premises wholly or substantially unfit for occupation or use, the consumer may on giving seven days notice in writing to the engineer of such break-down or unfitness take a reduced supply of power as may be necessary and feasible. In such a contingency, he shall not be liable to pay the charges in accordance with the agreement, but he shall pay minimum monthly charges, demand charges where such charges are payable on the basis of the maximum demand recorded in the demand meter and energy charges on the basis of actual energy consumed. The aforesaid period of reduced supply shall not count towards the initial period as stated in the agreement and the period of the agreement shall be extended for a further period equal to the period of reduced supply.

CHAPTER – XIV

MISCELLANEOUS

Issue of Orders and Practice Direction

111. Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to implementation of these Regulations and procedure to be followed on various matters which the Commission has been empowered by these Regulations to lay down.

Power to remove difficulties

112. If any difficulty arises in giving effect to any of the provisions of these Regulations, the matter may be referred to the Commission who after consulting the parties affected may pass any general or special order, not inconsistent with the provisions of the Act, which appears to it to be necessary or expedient, for the purpose of removing the difficulty.

Saving of the Power of the Licensee relating to its Business of Supplying Electricity

113. It is open to any licensee to frame and adopt such provisions, consistent with the provisions of the Act, and other enactment for the time being in force, and the terms and conditions of the licence relating to supply of electricity, at variance with the provisions of this Code with the aim of providing a more consumer-friendly service;

Provided that the provisions so framed and adopted shall have effect subject to prior approval of the Commission in writing.

Repeal

- 114.** 1) The OERC Distribution (Conditions of Supply) Code, 1998 is hereby repealed.
2) Section 5 of the Orissa General Clause Act, 1937 shall apply to such repeal in the same manner and to the same extent as it applies to any enactment.

115. Application of CEA Regulations –

The provisions of the Regulations framed by Central Electricity Authority (CEA) under Section 55(1), 73(e) and 177(2)(c) of the Electricity Act, 2003 as amended from time to time, shall be applicable with regard to installation and operation of meters. In case there is any inconsistency between CEA Regulations and this Code, the former shall prevail.

By order of the Commission

M.R.Hazra
SECRETARY TO COMMISSION

**FORM OF REQUISITION FOR SUPPLY OF ELECTRICAL
ENERGY (FOR DOMESTIC & GENERAL PURPOSE
CATEGORY)**

To

The Junior Engineer/ Sub-Divisional Engineer,

(Indicate the local area of the jurisdiction of the engineer of the licensee)

Sir,

1. I/We hereby request you to supply Electrical energy to the premises hereinafter described. I/ We am/are the owner/lawful occupier of the premises at ... in which supply of electrical energy is now required.
2. I/We agree to take supply for TWO YEARS to utilise the energy for General Purpose/ Domestic purposes only. Thereafter Agreement shall so continue unless terminated by either of the parties after giving one month's notice.
3. I/We agree to pay for the service connection and other dues including the security as may be payable and shall also pay the charges, surcharges, electricity duty in accordance with the OERC Distribution (Conditions of Supply) Code, 2004 provided that annual sum payable individually by me/us under the proviso Section 45 of the Electricity Act, 2003 shall not be deemed to be part of the minimum monthly charges or demand charges, if any, payable under Regulations 84 and 85 of the OERC Distribution (Conditions of Supply) Code, 2004
4. I/We have obtained and perused a copy of OERC Distribution (Conditions of Supply) Code, 2004 and understood its contents and hereby undertake to observe and comply with the terms and conditions stipulated therein to the extent they are applicable to me/us.
5. I/We further require you to supply me/us with the necessary meter/meters on hire in terms of Section 55 of the Electricity Act, 2003. I/We agree to give you such security [as per Section 47(1) (b) of the Electricity Act, 2003] as may be required for the price of the meter/meters, whenever called upon to do so. (Strike out if meter to be supplied by the consumer).

6. Plot/Holding No. of the premises :

Village/Town/Street:

Address for Correspondence:

Owned by:

(Name & Full address)

Tenanted/occupied by:

(Name & Full address)

Written permission of the

Yes/No/Not-applicable/Applicable

Landlord/owner Tendered

Written permission of way leave

(Furnish if required)

{Refer to Regulation 8 of the OERC Electricity Distribution (Conditions of Supply) Code, 2004}

7. The following are my/our electrical installation to be fixed in the premises:

	No. of Points	Wattage of points	Total wattage
Tube light			
Incandescent lamp			
Table Fan/Fan (36 “)			
Fan (48")			
Fan (56")			
Air Circulator			
Tape Recorder/Music system			
Television			
Mixie			
Electric Iron			
Fridge			
Cooler			
Heater (for cooking)			
Heater (for water heating)			
Microwave oven			
Washing machine			

Aqua guard filter m/c
 Kitchen chimney
 Air conditioner (1/1.5Ton)
 Geysers
 Pump Set
 Personal Computer
 Printer
 Industrial appliance
 Other equipment

8. My contract demand is _____ KW/KVA

The electrical installation works will be carried out by
 (contractor)

Date :

Applicant's Signature

Note :

- a) Addition or omissions to the connected load/contract demand to be notified to the licensee and permission obtained before effecting such changes.
- b) The wattage against item (7) above may be estimated as following :
 - i) In case of non-availability of rated capacity of any item, the load shown below shall be considered for Domestic and General Purpose category of consumers.

Item	Load per item (Watts)	NO. of item	Load
1.	2	3	4=2X3
Tube light	40W		
Incandescent lamp	60W		
Table Fan / Ceiling Fan (36 “)	60 W		
Air Circulator	180 W		
Ceiling Fan (48")	60 W		
Ceiling Fan (56")	70 W		
Exhaust Fan	75W		
Music system	40 W		

Television (Portable)	65 W
Television	125 W
Mixie / grinder	500 W
Electric Iron	450 W
Fridge (Single door)	1/8 HP (100 W)
Fridge (Double door)	1/6 HP (125W)
Cooler	170 W
Heater (for cooking) (according to physical availability)	1000/1500 W
Heater (for water heating)	1000/1500 W
Microwave oven	600/900 W
Washing machine	340 W
Kitchen Exhaust Chimney	45 W
Aqua guard filter m/c	30 W
Air conditioner (1 Ton)	1500W
Air conditioner (1.5Ton)	2000W
Geyser	2000 W
Geyser (Instant)	3000W
Pump Set	375 W
Personal Computer with monitor	120 W
Printer	100 W

- ii) Each light point as 60 W unless otherwise declared by the consumer, which will be final.
- iii) Spare plug points shall not be counted towards connected load.

The acknowledgement of application is to be made to the applicant.

APPLICATION FOR SUPPLY OF ELECTRICAL ENERGY
(For Industrial Category)

Dated, the

To

Executive Engineer/Divisional Engineer

.....**Division,**

At.....

(Through SDO)

Dear Sir,

I, the undersigned on behalf of request you to please submit an estimate to me for provision of service connections & for supply of electrical power as per details given below. The rate at which electrical energy is proposed to be supplied & other conditions of supply may please be forwarded with your estimate.

I / We am/are the owners/tenants of the said Premises.

1. Postal Address of the applicant :
2. Premises at which power is required :
3. Purpose for which power is proposed to :
Private residence, Factory, Home
Industry, Irrigation, Pump, Domestic,
Cinema, Workshop, Restaurant Mill.
4. Whether the premises is provided with
electrical power, if so, its nature and why
this additional power is required.
5. a) If a factory, nature of manufacturing :
process & whether it is manufacturing
now or proposes to do so.
b) Working hour/days of factory. :
c) Demand during the hours factory
Will be idle (K.W)

6. a) Load factor Percent.
- b) Maximum demand K.W.
- c) M.D. expected during 5 p.m. to 10 p.m.
- d) Voltage of supply required at
3 phase 50 Cycles A.C.
7. a) Guaranteed monthly minimum consumption,
if any, per K.W. or per 100 K.W. or maximum
demand/connected load.
- b) Whether consumer accepts to pay for the
Minimum guaranteed consumption if the
Consumption falls short of the guaranteed.
8. Whether energy required on a permanent or temporary basis.
9. Period for which energy is required.
10. Whether applicant accepts to execute an agreement as
As per rules in for of the Department.
11. DETAILS OF LOAD REQUIRED.

(a) GENERAL

Item no.	Nature of demand (Light, fan, motor etc)	Number	Connected load of each point.	Total connected load	Remark
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1. Light
2. Fans
3. Plug Points
4. Plug points
Appliances i.e., iron,
Cooker, Refrigerator.
5. Consignees.

Total :

(b) MOTORS AND OTHER PPLIANCES.

Item No.	H.P. of each K.W.	Voltage	Winding	Control	Use	Remark.
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Total H.P. of all Motors :

Total No. of Motors :

STEP-UP OR STEPDOWN TRANSFORMERS

Item No.	Capacity K.V.A.	PRIMARY		SECONDARY	
		Voltage Winding	Protection	Voltage Winding	Protector

Total :

Yours faithfully.

APPLICANT

STANDARD AGREEMENT FORM FOR SUPPLY OF ELECTRICAL ENERGY

THIS AGREEMENT made on the day of two Thousand and between (Name of the Licensee) (hereinafter called “the Licensee” which expression, unless repugnant to the subject or context, shall include its successors and assigns) of the ONE PART And The name of the consumer and the address in detail should be mentioned. In the case of Registered partnership firm, besides the name and address of the firm the name and address of the Managing Partner or the Partner executing the agreement on its behalf should be mentioned. In the case of a Company incorporated under the provisions of the Companies Act, 1956, the address of the registered office of the Company and the name of the Managing Director or Principal Officer of the Company duly authorised to executive the agreement should be stated.

(Thereinafter called “THE CONSUMER” which expression, unless repugnant to the subject or context, shall include his heirs, successors and assigns) of the OTHER PART.

WHEREAS the consumer has requested the licensee to supply electrical energy to the premises of the consumer situated at in the district of for the purpose of and the licensee has agreed to supply the same on terms and conditions stipulated hereunder.

NOW THESE PRESENTS WITNESS that in consideration of the payment to be made by the consumer as herein after contained, it is hereby MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO as follows:

- 1. Duration of Agreement :** This agreement shall commence from the date of its execution and shall continue to be in force until the expiry of FIVE years from the date of supply, and thereafter shall so continue until the same is determined by either party giving to the other, two calendar month’s notice, in writing, of its intention to terminate the Agreement.

Provided that after the initial period of agreement if power supply remains disconnected for a period of two months for non-payment of tariff or non-compliance of the directions issued under the OERC Distribution (Conditions of Supply) Code, 2004 and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the 2 months period from the date of disconnection without further notice.

- 2. Condition of Supply :** The consumer has obtained and perused a copy of the OERC Distribution (Conditions of Supply) Code, 2004 understood its contents and undertakes to observe and abide by all the terms and conditions stipulated therein to the extent they are applicable to him. The said Code as modified from time to time, to the extent they are applicable shall be deemed to form part of this Agreement.

3. **Quantum of Supply** : Subject to the provisions hereinafter contained and during the continuance of this Agreement, the licensee, represented by the 'engineer', shall supply the consumer and the consumer shall take from the licensee, a supply up to but not exceeding a contract demand ofKVA/.....KW. The consumer may utilise power up to KVA/..... KW.out of the aforesaid contract demand in his residential colony for use by himself or his employees.
4. **Type of Supply** : The aforesaid supply shall be from a three phase 50 Hz alternating current system at a normal pressure of Volts. The quantum of supply shall be measured by a suitable metering equipment of Volts.
5. **Security Deposit** : The consumer, pursuant to the OERC Distribution (Conditions of Supply) Code, 2004 has made Security Deposit of Rs..... in favour of the engineer. The consumer undertakes to make any additional security deposit, as and when called upon by the engineer.
6. **Charges to be paid by the Consumer** : The consumer shall pay to the engineer, for power demanded and electrical energy supplied under this agreement 'minimum monthly charges', 'demand charges', 'energy charges' and 'other charges' in accordance with the provisions of OERC Distribution (Conditions of Supply) Code, ,2004 and as notified in the Tariff Notifications from time to time;

Provided that annual sum payable by any individual consumer under the proviso to Section 45 of the Electricity Act, 2003, shall not be deemed to be part of the minimum monthly charges or demand charges, if any, payable by the consumer or the particular class of consumers under Regulation 84 and 85 of the OERC Distribution (Conditions of Supply) Code, 2004 Provided further that the consumer shall pay electricity duty or such other levy, tax or duty as may be prescribed under any other law in addition to the charges, fuel surcharge and transformer loss payable under the OERC Distribution (Conditions of Supply) Code, 2004.

7. The tariff and conditions of supply mentioned in this Agreement shall be subject to any revision that may be made by the licensee from time to time.
8. **Stamp Duty** : The consumer agrees to bear the cost of the stamp duty and all costs⁹⁹ incidental to the execution of this Agreement in full.

In WITNESSES WHEREOF the parties hereto have put their hands and seals this the day of20.....

Signature of the consumer

Signature of the engineer acting for
and on behalf of the

..... (licensee)

Witnesses to the execution
consumer.

Witnesses to the execution by the
by the engineer.

1.

1.

2.

2.

PROCEDURE FOR DETERMINATION OF REMUNERATIVE NORMS

Introduction

The Licensee is under obligation to supply power to the consumer, if it is available in the system, technically feasible and remunerative. Regulation 13 of OERC Distribution (Condition of Supply) Code, 2004 requires that Distribution Licensees will look into the technical feasibility and commercial viability as per the norms. In case the scheme of supply is not remunerative as above, the applicant shall be required to bear the portion of charges to make the scheme remunerative.

1. General

New construction/extension/upgradation of lines, sub-stations, etc. meant for a single beneficiary or a group of beneficiaries require capital investment and additional expenditure for servicing the new consumers. The licensee shall undertake Cost-benefit analysis of the scheme of power supply in order to ascertain whether the remunerative supply scheme is technically feasible.

2. Remunerative Scheme

An investment on any scheme of power supply shall be treated as remunerative if the revenue from sale of power is equal to or exceeds the cost of power purchase for meeting the consumer's load, the cost of capital, depreciation, interest and O&M expenses.

The licensee shall undertake such schemes at its cost when the scheme is found to be commercially viable if it is remunerative as per the norms approved by the Commission hereunder.

Any work that does not satisfy the above norms will be taken up by the licensee provided the consumer bears the differential amounts of capital cost which satisfies the viability norm.

3. Cost-Benefit Analysis

The licensee makes a Cost-Benefit Analysis of each scheme/project intended to be undertaken for power supply. For the purpose of this calculation the licensee has to take useful life of the assets to be created for power supply for this purpose.

The licensee should take a period of 12 months (one year) for calculating annual net revenue at the end of first year to calculate the commercial viability norm.

4. Calculation of capital cost

Cost data compiled by DISTCOs shall be submitted to the Commission for approval from time to time. Pending submission of Cost Data to the Commission for approval, Capital cost shall be determined based on the escalation factor approved by the Commission from year to year (financial yearwise).

When a consumer is asked to bear the capital work, the estimated cost shall be calculated on the aforesaid basis. The licensee is entitled to collect the requisite supervision charge for checking and ensuring that the capital works have been done as per the standards and in addition, the inspection fees for inspection pertaining to safety and security as notified by the Govt. of Orissa from time to time. The licensee should ensure inspection of works by the Electrical Inspector.

The material cost shall be inflated by the percentage as mentioned below for the incidental expenses incurred for procurement of materials for erection and installation of the capital works.

(a) Cost of materials as per the cost data/estimate approved by the Commission	A	
(b) Stock storage insurance	B	3% of A
(c) Contingency	C	3% of (A+B)
(d) Tools & Plants	D	2% of (A+B)
(e) Transportation	E	7.5% of (A+B)
(f) Erection charges	F	10% of (A+B)
(g) Sub-total	G	Sum of A...F
(h) Other overheads(including supervision Charges)	H	6% of G
(i) Total estimated capital cost	I	G+H
(j) Inspection fees (to be paid by the consumer to the licensee, which is ultimately to be the paid to the Government of Orissa).		As per actuals according to the notification of the Govt. of Orissa from time to time.

5. Calculation of annual expenditure and revenue

The cost benefit shall be carried out for a period of 12 months. The following costs shall be taken into account on the basis mentioned against each.

i) Cost		Basis
Cost of power purchase as per the approved BST [on the quantum of proposed sale to the consumer/ (100-loss percentage)]	J	As per the prevailing tariff order approved by the Commission
Repair and Maintenance Expenses	K	- do -
Depreciation	L	- do z-
Total annual expenditure	M	- do -
Return	N	- do -
Total annual expenditure + return	X	(M+N)

In the current tariff order R&M expenses, depreciation and RoI (Rate of return) has been approved at 5.4%, 7.86% and 16% respectively.

ii) Benefit

The licensee shall calculate the average estimated earning per year from additional sale that will accrue due to new connections. The revenue to be earned can be from following sources.

- | | |
|---|-------------|
| a) Minimum fixed charges/customer charges | O |
| b) Revenue from demand charges | P |
| c) Revenue from energy charges | Q |
| d) Other revenue | R |
| e) Total revenue | Y (O+P+Q+R) |

6. The scheme shall be considered remunerative if $Y-X = 0$ or positive

This condition gets satisfied when the gross operative surplus (Y-M) is equal to or more than the return on investment calculated at the approved rate of return then the licensee has to make the investment of the total capital cost.

7. Consumer contribution required making the scheme remunerative

In case the gross operating surplus is less than the return on investment then the capital to be invested in the scheme is to be shared by the licensee and the consumer. The licensee shall make investment in the ratio of operating surplus to the estimated RoI. Balance capital cost i.e. capital investment as reduced by investment made by licensee shall be the consumer's contribution.

8. When the gross operating surplus turns out to be negative then the scheme shall be treated as non-remunerative.

9. Assessment of consumption

The average annual load factor for a category of consumer as approved in the prevailing tariff order for the particular distribution licensee shall be considered for assessing the consumption for any new consumer/s.

10. Losses of the distribution system

Overall loss percentage as approved by the Commission for the distribution licensee as per the prevailing tariff order shall be the basis for determining the quantum of energy to be purchased by the licensee for meeting the requirement of the consumer.

11. Revenue

The licensee shall adopt current tariff for the purpose of calculation for revenue including miscellaneous revenue, if any, from sale of power.

The Commission, therefore, direct that :-

- i) Normally when a scheme is found to be remunerative the licensee should make investment for all LT works. In case the gross operating surplus is less than the RoI and initially not found to be remunerative as per the commercial viability norms approved by the Commission a portion of the capital cost has to be met by the beneficiary to make it remunerative.

- ii) As an example as per the present tariff and cost estimate, one span of LT line can be remunerative when there are two prospective consumers in Domestic category with 2 KW connected load each. Power supply to consumers with CD less than 2 KW in Domestic category should be given from the existing L.T. network without further calculation of remunerative norms. Similarly, one span of LT line is found General Purpose category is willing to avail power supply with a connected load of 1 KW.
- iii) In case the consumer is prepared to invest in capital works that are remunerative for licensee in giving power supply to new connections at HT, all such consumers may be asked to invest the full estimated cost which will be adjusted against monthly energy bill subsequently not exceeding 24 months from the date of availing power supply.
- iv) If any capital subsidy is available for the proposed power supply for any category of consumer by the Government or any corporate body, the same should be treated as “consumer contribution” for that scheme.
- v) Government of Orissa shall provide capital subsidy to the licensee for the entire capital expenditure for new R.E. works.





EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO.711, CUTTACK, FRIDAY, MAY 28, 2004 / JAISTHA 7, 1926

ORISSA ELECTRICITY REGULATORY COMMISSION

BHUBANESWAR-751 012

NOTIFICATION

The 21st May 2004

No. OERC-Engg-94/2003/ In exercise of powers under Sections 57, 58 and 59 read with Section 181 (za) and (zb) of the Electricity Act, 2003 and all powers enabling it in that behalf, and after consultation with the Licensees, the Orissa Electricity Regulatory Commission hereby frames the following Regulation regarding the Licensees Standards of performance, namely:-

1. Short title, commencement and interpretation:-

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (Licensees' Standards of Performance) Regulations, 2004.
- 2) These Regulations shall be applicable to all Distribution Licensees and all Trading Licensees engaged in supply of electricity to the public.
- 3) These Regulations extends to the whole of the State of Orissa.
- 4) These Regulations shall come into force from the date of the publication in the official Gazette.
- 5) The Orissa General Clauses Act, 1937 shall apply to the interpretation of this Regulation.

.2. Definitions:-

- 1) In these Regulations, unless the context otherwise requires:-
 - a) "Act" means the Electricity Act, 2003;
 - b) "Commission" means the Orissa Electricity Regulatory Commission;
 - c) "Extra High Tension/Extra High Voltage" means the voltage exceeding 33000 volts under normal conditions;
 - d) "High Tension/High Voltage" means the voltage exceeding 440 Volts but, not exceeding 33000 volts under normal conditions;
 - e) "Licensee" shall mean the Distribution Licensee and wherever the context so requires shall include the Trading Licensee;
 - f) "Low/ Medium Voltage" means the voltage that does not exceed 230/440 Volts under normal conditions;
- 2) Words and expressions used and not defined in these regulations shall bear the same meaning as in the Act.

3. Registration of Complaint :-

3(1) The licensee shall maintain a register for recording the complaints received personally or phone or any other means available. Every complaint so received shall be recorded as Section no., name of the complainant, details of complaint, date and time of complaint. The complaint Sl. No. shall be intimated to the complainant on the spot. The copy of the complaint as recorded above shall be supplied in a prescribed format to the complainant free of cost. The copy of the complaint as recorded above shall be supplied in a prescribed format to the complainant free of cost. The record in the Register should be available for inspection any time by any person on demand. The aim of maintaining this register is to provide adequate service to the consumer and the required information to the Commission.

3(2) For quick and smooth registration of complaint, the Licensee shall within the time limits as noted down, from the date of amendment of these Regulations, establish Call centre(s) for redressal of grievances of its consumers. Call centre(s) shall be accessible to its consumers round the clock during all days of the week:

(i) for "Urban Areas" within 12 months;

(ii) for "Rural Areas" within 24 months.

Note: The "Urban Areas" as used in the above context means the areas covered under Notified Area Council(NAC), Municipality and Municipal Corporation, and the words "Rural areas" mean "Rural Areas" as prescribed by the Govt. of Orissa, vide its notification dt. 30.03.2005 published in the Extra-ordinary Orissa Gazette No. 610 dt.13.04.2005.

3(3) Licensee shall use the existing channels for recording the consumer complaints as per the procedure described in the Regulation 3 (1) of this Regulation till the establishment of Call centre(s).

3(4) Every Licensee shall employ or engage sufficient number of officers or employees at its Call centre(s) and earmark or allot or establish a basic telephone or cellular mobile telephone number having sufficient lines or connections to be called as the "toll free number" or "consumer care number" or "help line number", as the case may be, at its Call centre(s). No call charges or short message service charges shall be levied upon, or payable by its consumers, for calls made, or, short message service sent, to the "toll free number" or "consumer care number" or "help line number", as the case may be.

3(5) Every Licensee shall, immediately upon establishment of its Call centre(s), inform through a public notice in newspapers in circulation in the "Area of Supply" and should also ensure proper circulation of information to the consumers in case of any changes in the contact numbers.

3(6) Licensee should ensure availability of electronic data base to record complaints. This data bank should also be linked with the billing data base.

3(7) For easy resolution of consumer complaints, the licensee should have an on the hand information about the electrical address and other details about the consumers. For this, the Licensee shall within the time limits as under, from the date of amendment of these Regulations, complete consumer indexing:

- (i) for "Urban Areas": to be completed within 18 months; and
- (ii) for "Rural Areas": to be completed in 24 months.

3(8) Licensee shall maintain consumer-wise records regarding the Guaranteed Standards of Performance in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standards.

4 Guaranteed and Overall standards of performance:-

- (1) The Standards specified in Schedule-I shall be the Guaranteed Standards of Performance, being the minimum standards of service that a licensee shall achieve and maintain in the discharge of his obligations as a Licensee.
- (2) The Standards specified in the Schedule-II shall be the Overall Standards of Performance, which the Licensee shall seek to achieve in the discharge of his obligations as a Licensee.
- (3) The Commission may from time to time add, alter, vary, modify or amend the contents of the Schedule I and Schedule-II, by a general or special order passed by the Commission.

5. Compensation:-

- (1) The Licensee shall be liable to pay to the affected consumers compensation specified in Schedule - III for Licensee's failure to meet the Guaranteed Standards of Performance specified in Schedule - I.
- (2) The Licensee concerned shall on his own pay the compensation referred to under sub-clause (1) above within ninety days of the failure of the Guaranteed Standard of Performance and in the manner specified in Schedule - III.
- (3) The liability of compensation under sub-clauses (1) to (2) above shall be applicable to supply of electricity from such date the Commission may direct by order issued for the purpose.

6. Information on Standards of Performance :-

- (1) The Licensee shall furnish to the Commission, in monthly reports and a consolidated annual report for each financial year, the following information as to the Guaranteed Standards of Performance:
 - (a) The levels of performance achieved by the Licensee with reference to those specified in Schedule - I to this regulation;
 - (b) The number of cases in which compensation were payable under clause 4 above, and the aggregate amount of the compensation paid and payable by the Licensee;

- (c) The number of claims made by the consumer against the Licensee for failure to meet the Guaranteed Standards of Performance and the action taken by the Licensee including the reasons as to delay in payment, or non-payment of compensation for such claims; and
 - (d) The measures taken by the licensee to improve performance in the areas covered by Guaranteed Standards and Licensee's assessment of the targets to be imposed for the ensuing year.
- (2) The monthly reports under sub-clause (1) shall be furnished to the Commission within 15 days of the close of the month and the annual report under the said sub-clause (1) shall be furnished to the Commission within 30 days of the close of the financial year.
- (3) The Licensee shall furnish to the Commission, in a report for every quarter and in a consolidated annual report for each financial year, the following information as to the Overall Standards of Performance:
- a. The level of performance achieved with reference to those specified in Schedule - II to this regulation; and,
 - b. The measures taken by the licensee to improve performance in the areas covered by Overall Standards and licensee's assessment of the targets to be imposed for the ensuing year.
- (4) The Quarterly reports under sub-clause (3) shall be furnished to the Commission within 15 days of the close of the quarter and the annual report under the said sub-clause (3) shall be furnished to the Commission within 30 days of the close of the financial year.
- (5) The Commission shall, at such intervals as it may deem fit, direct the Licensee or otherwise arrange for the publication of the information furnished by licensees under this regulation in such form and manner as the Commission consider it to be appropriate.

7. Obligation of Trading Licensee:-

In the event the supply of electricity to the public is effected by a Trading Licensee utilizing the Electric Line or Works of a Distribution Licensee, it shall be the responsibility of the Trading Licensee to ensure the due performance of the obligation by the Distribution Licensee under this Regulation and the Trading Licensee shall be liable to ensure due payment of the compensation provided in this Regulation.

8. Third party audit

8.1 The Commission may authorize the Commission staff or any empanelled independent auditor to conduct annual checks, in order to monitor the compliance of the Standards by Licensees and report to the Commission.

8.2 The following procedure shall be adopted for engaging auditors:

- (a) audit scope and the methodology for carrying out the audit to be set by the Commission;
- (b) the Commission shall identify and nominate an agency from the notified panel of auditors;
- (c) the Commission shall not engage an auditor consecutively for more than three years.
- (d) the agency which is currently the statutory auditor or internal auditor or has been engaged as a consultant by the Licensee, shall not be engaged.

9. Exemption:-

- 1) The standards of performance specified in this regulation shall remain suspended during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake or such other force and strike, lockout, fire affecting the Licensee's installations and activities, outage due to generation failure or transmission network failure, outage initiated by NLDC / RLDC /SLDC during occurrence of the failure of their facilities.
- 2) The Commission may by a general or special order issued for the purpose, and after hearing the Licensee and such representatives of the affected consumer group as the Commission consider it to be appropriate, release the Licensee from the liability to compensate the consumers for any default in the performance of any standard, if the Commission is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee had otherwise duly made efforts to fulfill his obligations.

10. Issue of orders and practice directions:-

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by this regulation to direct, and matters incidental or ancillary thereto.

10. Power to remove difficulties:-

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by this regulation to direct, and matters incidental or ancillary thereto.

11. Power to remove difficulties:-

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do any thing not being inconsistent with provisions of the Act, which in the opinion of the Commission are necessary or expedient for the purpose of removing the difficulties.

12. Power to Amend:-

The Commission may at any time add, vary, alter, modify or amend any of the provisions of these Regulations or the Schedules attached to this Regulation.

13. Repeal and Savings:-

- (1) The Orissa Electricity Regulatory Commission (Consumer Right to Information and Standards of Performance) Regulation, 1998 is hereby repealed to the extent these Regulations has made specific provisions.
- (2) Section 5 of Orissa General Clauses Act, 1937 shall apply to such repeal in the same manner and to the same extent as it applies to any enactment.
- (3) Nothing in these Regulations shall affect the rights and privileges of the consumers under any other law including the Consumer Protection Act, 1986.

(BY ORDER OF THE COMMISSION)

(M.R.HAZRA)

SECRETARY

GUARANTEED STANDARDS OF PERFORMANCE

I. Restoration of Power Supply

- 1.1** Within 4 (Four) hours of receipt of complaint, the Licensee shall inform, on enquiry by the consumer, the likely time by which the power supply be restored.
- 1.2 Normal Fuse-off:** The Licensee shall restore power supply in the case of normal fuse-off calls (replacing Horn Gap (HG) fuses or Low Tension (LT) fuses at the distribution transformer or at the consumer premises) within 6 hours of receiving the complaint in towns and cities and within 24 hours of receiving the complaint in rural areas.
- 1.3 Line Breakdowns:** In case of line breakdowns, the licensee shall ensure restoration of power supply within 12 hours of occurrence of breakdown in towns and cities and within 24 hours of occurrence of breakdown in rural areas. However, in case of major breakdowns due to heavy rain, lightning, whirlwind requiring replacement of conductor, structures the licensee shall ensure restoration of power supply within 24 hrs of occurrence of breakdown in towns and cities and within 48 hrs of occurrence of breakdown in rural areas.
- 1.4 Distribution Transformer failure:** The Licensee shall restore supply in the case of distribution transformer failures by replacement of transformer within 24 hours of receiving the complaint in towns and cities and within 48 hours of receiving the complaint in rural areas.
- 1.5 Period of scheduled outages:** Interruption in power supply due to scheduled outages shall be notified by the licensee at least 24 hours in advance and shall not exceed 12 hours in a day. In each such event, the licensee shall endeavour to ensure that the supply is restored by 6:00 PM during Summer and 5 PM during winter.

II. Quality of Power Supply

2.1 Voltage Variations

- i) (i) The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:
- a) In the case of Low/Medium Voltage, +6% and -6%;
 - b) In the case of High Voltage, +6% and -9%; and,
 - c) In the case of Extra High Voltage, +10% and -12.5%.

Or as amended by the authority from time to time.

- ii) On receipt of a voltage variation complaint, the licensee shall verify if the voltage is varying outside the limits specified in sub-paragraph (i) above and if confirmed, the licensee shall -
 - a) Improve the voltage variations within 15 days of original complaint if no expansion/enhancement of network is involved;
 - b) Resolve the complaint within 120 days, in case of upto 11KV and 180 days in case of upto 33KV.
 - c) If it is beyond its control (i.e. due to transmission system) the Licensee should intimate the consumer of such reason within 7 days.

2.2 Harmonics

- i) The Licensee shall maintain the limits of harmonics as per the stages specified hereunder:

Stage-1: The cumulative Total Voltage Harmonic Distortion (THDv) at the Point of Commencement of Supply for each consumer connected at 132KV and above shall be limited to 3% (as per Grid Code of Orissa) OGC.

Stage-2: The cumulative Total Voltage Harmonic Distortion (THDv) at the Point of Commencement of Supply for each consumer connected at 33KV shall be limited to 8% (as per Grid Code of Orissa) OGC.

Stage-3: The cumulative Total Voltage Harmonic Distortion (THDv) at the Point of Commencement of Supply for each consumer connected at 11KV shall be limited to 8% (as per Grid Code of Orissa) OGC.

- ii) The Stage-1 above shall be effective from the date, when the Commission makes order for such purpose.
- iii) The Commission shall lay down the effective dates for Stage-2 and Stage-3 in consultation with the Licensees.
- iv) The assessment method for recording harmonic levels shall be as laid out in the Grid Code OGC of the State, until the Commission lays down a separate procedure.

2.3. Complaints about meters

- i) The licensee shall inspect and check the correctness of the meter within 7 working days of receiving the complaint. If the meter is not working including that it is stuck up, running slow, fast or creeping beyond the limits, the Licensee shall replace the meter within 30 days of receiving the original complaint if the meter belongs to the Licensee. If it belongs to the consumer, actions shall be taken as per OERC Distribution (Conditions of Supply) Code, 2004.
- ii) The Licensee shall replace burnt out meters within 30 working days of removal of the meter after receiving the complaint if the burning of meter is not due to causes attributable to the consumer like tampering, defect in consumer's installation, meter getting wet, connecting unauthorized additional load by consumer etc.

- iii) If the meter is burnt due to reasons attributable to the consumer, the Licensee shall serve a notice to the consumer for recovery of cost of the meter within 7 days of detection, and shall replace the meter within 15 days of receiving the payment from the consumer and after necessary corrective action is taken to avoid future damage to the meter.

III. Applications for New connections/Additional Load

3.1. For 230V/400V supplies:

The licensee shall deal with consumer's application for new connection as follows:

- a) Within three days of receipt of application, the licensee shall send 3 (three) clear days notice to the applicant as specified in Regulation 11 (i) of the OERC Distribution (Conditions of Supply) Code, 2004 for the purpose of inspection of premises and fixation of point of entry of supply mains and the position of mains, cutouts or circuit breakers and meters.
- b) Estimate charges for providing connection and security deposit required shall be intimated within one week after the point of entry of supply mains and the position of mains, cutouts or circuit breakers and meter has been settled.

3.2. For H.T. supply up to 33KV and EHT supply:

The licensee shall deal with of consumer's application for new connection as follows:

- a) If supply is requested to be given at H.T., the licensee shall respond whether connection is feasible or not within 21 working days of application. If feasible, licensee shall intimate voltage at which supply will be given and point of commencement of supply. The licensee shall intimate the consumer seeking the new connection, estimated charges and time required for providing the new connection within 60 (sixty) working days of notifying feasibility of supply.
- b) If supply is requested to be given at EHT, the licensee shall obtain the final reply regarding feasibility from the Transmission licensee and communicate the same to the applicant within 30 working days of receipt of original application. The licensee shall intimate the consumer seeking the new connection, estimated charges and time required for providing the new connection within 60 (sixty) working days of notifying feasibility of supply.
- c) (c) Connection shall be provided within the estimated time, as intimated, after deposit of Estimated charges, submission of Test Report by consumers, inspection by Supplier's Engineer/Electrical Inspector and Agreement, if required. The licensee shall, however, not be held responsible for delay, if any, for providing connection, if the same is on account of statutory clearances, Rights of way, acquisition of land over which licensee has no reasonable control.

- 3.3.** Where no extension of distribution main or commissioning of new sub-station is required for effecting such supply within one month after the receipt of the receipt of the application along with the fees, charges and security amount payable, the Licensee shall give supply of electricity to the consumer.

3.4. Where Power supply Requires Extension of Distribution Mains.

- a) In cases where such extension of distribution main or commissioning of new sub-station is required but there is no requirement of erecting and commissioning a new 33/11kV sub station the supply of the electricity shall be provided within the time frame specified hereunder:

Type of service connection requested	Period from date of payment of required security, within which supply of electricity should be provided
Low Tension (LT) supply	(30) days
11KV supply	(60) days
33KV supply	(90) days

Provided that the Distribution Licensee may approach the Commission for extension of the time specified above, in specific cases where the magnitude of extension is such that the Licensee will require more time, duly furnishing the details in support of such claim for extension and if satisfied with the justification given by the Distribution Licensee, the Commission may extend the time for commencing the supply

- b) In the case of application for new connection, where extension of supply requires erection and commissioning of new 33/11 KV sub-station, the Distribution Licensee shall within 15 days of receipt of application, submit to the Commission a proposal for erection of 33/11 KV sub-station together with the time required for commissioning the substation. The Commission shall, after hearing the Distribution Licensee and the consumer concerned decide on the proposal and the time frame for erection of the sub-station. The Distribution Licensee shall erect and commission the sub-station and commence power supply to the applicant within the period approved by the Commission.

Provided that if the substation is meant to extend supply to an individual consumer, the Licensee may, unless otherwise directed by the Commission, commence erection of the substation only after receipt of necessary security from the applicant.

Provided further that, where such substation is covered in the investment plan approved by the Commission, the Distribution Licensee shall complete the erection of such substation within the time period stated in such investment plan.

- 3.5.** The Distribution Licensee shall not be responsible for the delay, if any, in extending the supply, if the same is on account of problems relating to statutory clearances, right of way, acquisition of land, or the delay in consumer's obligation to obtain approval of Chief Electrical Inspector for his High Tension or Extra High Tension installation, or for any other similar reasons beyond the reasonable control of the Distribution Licensee.
- 3.6.** Subject to the above it shall be the responsibility of the Distribution Licensee to have necessary commercial arrangements with the respective Transmission Licensee(s) to ensure that the required supply at Extra High Tension (EHT), i.e. above 33 KV, is made available within the time frame in consultation with Transmission Licensee.
- 3.7.** In cases where the village or hamlet or area is not electrified earlier, the Distribution Licensee shall give supply of electricity to premises in such village or hamlet or area as per the programme of electrification of habitations covered in the investment plan approved by the Commission. The supply shall be extended within the time frame stated in such investment plan approved by the Commission.

3.8 Temporary supply of power

Licensee shall examine the technical feasibility of the connection requested for and if found feasible shall sanction the load and raise a demand note in accordance within 3 days of acceptance of application in Urban Areas and within 7 days of acceptance of application in Rural Areas. If the connection is not found technically feasible, Licensee shall intimate to the applicant in writing within 3 days of completion of technical feasibility study. No connection up to 10 kW shall be rejected on technical grounds.

The applicant shall make the payment in accordance with the demand note within 2 days of receipt of demand note failing which the sanction shall stand lapsed. Also Licensee may, at the request of applicant, accept payment at the time of making application which shall be received on account and subject to completion of all commercial formalities.

After payment of applicable charges, Licensee shall energize the connection in accordance with the date indicated in the application.

Temporary connection shall be granted for a period of up to 6 months at a time, which can be further extended depending upon the requirement.

The grant of temporary connection does not in any way create a right in favor of the applicant for claiming a permanent connection.

IV Transfer of ownership and conversion of services

4. The licensee shall give effect to transfer of ownership, change of category and conversion of the existing services from Low Tension to High Tension and vice-versa within the following time limits:

- | | | |
|--|---|--|
| a) Title transfer of ownership | - | within 15 days of receipt of application, with necessary documents and necessary fee, if any |
| b) Change of category | | |
| c) Conversion from Low Tension single phase to Low Tension 3-phase and vice-versa. | - | within 30 days from the date of payment of necessary charges by the consumer. |
| d) Conversion from Low Tension 11KV and vice-versa. | - | within 60 days from the date of payment of necessary charges by the consumer. |
| e) Conversion from Low Tension 33KV and vice-versa. | - | within 90 days from the date of payment of necessary charges by the consumer |

V Complaints about consumer's bills

5.1

- i) (i) The Licensee shall acknowledge the consumer's complaint immediately, if received in person and within 2 days, if received by post. The licensee shall resolve the complaint regarding electricity bills within 30 days of its receipt.
- ii) (ii) In case the complaint is genuine and revision of bill already issued becomes necessary, the due date for payment of bill shall be reckoned from the date of receipt of revised bill for the purpose of disconnection of supply or for levy of additional charges for belated payment.

5.2 Reconnection of supply following disconnection due to non-payment of bills.

The licensee shall restore power supply to a consumer, whose supply has been disconnected due to non-payment of electricity bills, within 4 working hours of receipt of production of proof of payment by the consumer.

OVERALL STANDARDS OF PERFORMANCE

- 1.1 **Normal fuse-off calls:** The licensee shall maintain the percentage of fuse-off calls rectified within the time limits specified under sub-paragraph 1.1 of Schedule-I to total calls received of not less than 90 %.
- 1.2 **Line Breakdowns:** In case of line breakdowns, the licensee shall ensure restoration of power supply within 12 hours of occurrence of breakdown in towns and cities and within 24 hours of occurrence of breakdown in rural areas as specified in sub-paragraph 1.3 of Schedule-I. The licensee shall achieve this standard of performance in at least 95 % of the cases.
- 1.3 **Distribution Transformer Failures:** The licensee shall maintain the percentage of distribution transformers replaced within the time limits specified in sub-paragraph 1.4 of Schedule-I to the total distribution transformers failed at a value not less than 95 %.
- 1.4 **Period of scheduled outages:** As specified in sub-paragraph 1.5 of Schedule-I, interruption in power supply due to scheduled outages shall be notified in advance by the Licensee and shall not exceed 12 hours in a day and in each such event, the Licensee has to ensure that the supply is restored by 6:00PM during Summer and 5 PM during Winter. The Licensee shall achieve both of these standards of performance in at least 90% of the cases.
- 1.5 **Reliability Indices**
- i) The following reliability/outage indices are specified by the Institute of Electrical and Electronics Engineers (IEEE) Standard 1366 of 1998. The licensee shall compute and report the value of these indices from (AAA) onwards:
- a) **System Average Interruption Frequency Index (SAIFI):** The licensee shall calculate the value as per the formula and methodology specified below.
- b) **System Average Interruption Duration Index (SAIDI):** The licensee shall calculate the value as per the formula and methodology specified below.
- c) **Momentary Average Interruption Frequency Index (MAIFI):** The licensee shall calculate the value as per the formula and methodology specified below.

Method to compute Distribution System Reliability Indices

The Indices shall be computed for the Discom as a whole by stacking, for each month all the 11KV feeders in the supply area, excluding those serving predominantly agricultural loads, and then aggregating the number and duration of all interruptions in that month for each feeder. The Indices would then be computed using the following formulae:

$$(A) \text{ SAIFI} = \frac{\sum_{i=1}^n (A_i * N_i)}{N_t} \text{ Where,}$$

A_i = Total number of sustained interruptions (each longer than 5 minutes) on i^{th} feeder for the month

N_i = Connected load of i^{th} feeder affected due to each interruption

N_t = Total connected load at 11KV in the Distribution licensee's supply area

n = number of 11KV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

$$(B) \text{ SAIDI} = \frac{\sum_{i=1}^n (B_i * N_i)}{N_t} \quad \text{Where,}$$

B_i = Total duration of all sustained interruptions on i^{th} feeder for the month.

$$(C) \text{ MAIFI} = \frac{\sum_{i=1}^n (C_i * N_i)}{N_t} \quad \text{Where,}$$

C_i = Total number of momentary interruptions (each less than or equal to 5 minutes) on i^{th} feeder for the month

Note : The feeders must be segregated into rural and urban and the value of the indices must be reported separately for each month.

- i) The Licensee shall compute the value of the indices separately for feeders serving predominantly agricultural loads. The methodology for computation of indices shall remain the same as in the case of other feeders.
- ii) Based on the information provided by the Licensees, the Commission may notify the target levels for these indices annually.

1.6 Frequency variations: The Licensee shall achieve coordination with other network constituents such as State Transmission Utility, State Load Dispatch Center, other Distribution Licensees; and other Transmission Licensees in an endeavour to maintain the supply frequency within +/- 3% of nominal frequency (50Hz), as per the Indian Electricity Rules 1956, as applicable at present and as may be amended from time to time. The Licensee shall conduct hourly measurement of supply frequency and report the number of events when the supply frequency was outside specified limits.

1.7 Voltage Unbalance: The Licensee shall ensure that the voltage unbalance does not exceed 3% at the point of commencement of supply. Voltage Unbalance shall be computed in a manner to be specified by the Commission separately or as part of the Distribution (Planning and Operation) Code or Distribution Operating Standards.

1.8 Street Light faults

The Licensee shall rectify line faults and restore streetlights within 6 hours of detection or receipt of complaint, whichever is earlier. The Licensee shall achieve this standard of performance in at least 90 % of the cases.

1.9 Billing mistakes: The Licensee shall maintain the percentage of bills requiring rectifications following complaints to the total number of bills issued, at a value not greater than 0.1 %.

1.10 Faulty meters: The Licensee shall maintain the percentage of defective meters to the total number of meters in service, at a value not greater than 5%.

1.11 The Licensee shall endeavour to minimize electrical accidents in the distribution system. Increase or decrease in no. of electrical accidents compared over a period of time will be an indicator of the Licensee's performance.

PROPOSED GUARANTEED STANDARDS OF PERFORMANCE AND LEVEL OF COMPENSATION TO CONSUMER FOR DEFAULT IN EACH CASE

I SCHEDULE OF COMPENSATION AND MANNER OF PAYMENT

Service area	Compensation payable to affected consumer	Manner of payment
Normal Fuse-off		
Urban Areas	Rs. 100 in each case of default	Automatic
Other Areas		
Line Breakdowns		
Urban Areas	Rs. 100 to each affected consumer	To be Claimed
Other Areas		
Distribution Transformer failure		
Urban Areas	Rs. 200 to each affected consumer	To be Claimed
Other Areas		
Period of scheduled outages		
Maximum duration in a single stretch	Rs. 200 to each affected consumer	To be Claimed
Restoration of supply		
Voltage Variations		
No expansion/enhancement of network is involved	Rs. 200 in each case of default	Automatic
Up-gradation of distribution system is required	Rs. 500 in each case of default	
Harmonics		
EHT connections	To be decided by the Commission at appropriate time.	
HT connections		
Meter Complaints		
Inspect and check correctness	Rs. 100 in each case of default	To be Claimed
Replace slow, creeping or stuck up meters	Rs. 100 in each case of default	Automatic
Replace burnt meters if cause not attributable to consumer	Rs. 200 in each case of default	Automatic
Replace burnt meters in all other cases		
Application for new connection/additional load		
Connection feasible from existing network		
Release of supply	Rs. 100 for each day of default	Automatic

Service area	Compensation payable to affected consumer	Manner of payment
Network expansion/enhancement required for providing connection		
Release of supply – Low Tension (including agriculture)	Rs. 100 for each day of default	To be Claimed
Release of supply – High Tension 11KV supply	Rs. 500 for each day of default	To be Claimed
Release of supply – High Tension 33KV supply	Rs. 500 for each day of default	Automatic
Release of supply – Extra High Tension services		
Erection of Substation required for release of supply	Rs. 1000 for each day of default	Automatic
Transfer of ownership and conversion of service		
Title transfer of ownership	Rs. 100 for each day of default	Automatic
Change of category	Rs. 100 for each day of default	Automatic
Conversion from LT 1-ph to LT 3-ph		
Conversion from LT to HT and vice-versa	Rs. 200 for each day of default	Automatic
Resolution of complaints on consumer's bills		
<i>Resolution of complaint.</i>	Rs. 50 for each day of default	Automatic
Reconnection of supply following disconnection		
Urban Areas	Rs. 100 for each case of default	Automatic
Other Areas		

Conditions Applicable to payment of compensation:

1. The Licensee shall register every complaint of a consumer regarding failure of power supply, quality of power supply, meters and payment of bills etc. and intimate the complaint number to the consumer.
2. The Licensee shall maintain all records regarding the Guaranteed Standards of Performance, in a consumer-wise manner, in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standard.
3. The compensation payable may be done by the licensee by way of adjustment against existing, current, and/or future bills for supply of electricity.
4. The compensation claims shall be dealt with in the following manner:

Automatic: This mode of payment requires the Licensee to calculate and pay or adjust the compensation amount to the affected consumer automatically, following non-compliance of the

specific standard. The consumer can also approach the Licensee to claim compensation, if the standard is violated and the Licensee fails to dispense the compensation in a reasonable amount of time.

5. The Licensee is required to make internal investigation regarding fixing of liability for recovering the compensation amount from the erring employees concerned.
6. The employees should be informed on the details of Regulations and suitably trained so that they make endeavour in the form of proper operation and maintenance in their system to meet the standards.

To be Claimed : This mode of payment requires the consumer to bring to the notice of the Licensee that the standard has been violated and accordingly claim the compensation amount from the Licensee.



**ORISSA ELECTRICITY REGULATORY COMMISSION
(CONDUCT OF BUSINESS)
REGULATIONS, 2004**

The Orissa



Gazette

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ORISSA ELECTRICITY REGULATORY COMMISSION

BHUBANESWAR

NOTIFICATION

Dated the 21st May 2004

No. **OERC-Eng. 95/2003**- In exercise of powers conferred by Section 181 of the Electricity Act, 2003 (36 of 2003) and Sub-Section (2) of Section 9 and Sub-Section (2)(a) of Section 54 of the Orissa Electricity Reform Act, 1995 the Orissa Electricity Regulatory Commission makes the following Regulations for conduct of its Proceedings and discharge of its functions:-

CHAPTER - I

GENERAL

1. Short title, commencement and interpretation:-

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (Conduct of Business) Regulations, 2004.
- 2) These Regulations extend to the whole of the State of Orissa.
- 3) These Regulations shall come into force on the date of their publication in the Official Gazette.
- 4) The Orissa General Clauses Act, 1937 shall apply to the interpretation of these Regulations.

2. Definitions

- 1) In these Regulations, unless the context otherwise requires:
 - a) '**Central Act**' or "**the Act**" means the Electricity Act, 2003;
 - b) '**Chairperson**' means the Chairperson of the Orissa Electricity Regulatory Commission;
 - c) '**Commission**' means the Orissa Electricity Regulatory Commission;
 - d) '**Member**' means a member of the Orissa Electricity Regulatory Commission;
 - e) '**Officer**' means an Officer of the Commission;
 - f) '**Petition**' shall mean and include all petitions, applications, complaints, appeals, replies, rejoinder and supplemental pleadings;
 - g) '**Proceedings**' shall mean proceedings of all nature that the Commission may decide to initiate or hold in the discharge of its functions under the Central Act or the State Act but any preliminary meeting or any action done by the Commission before such initiation shall not be a proceeding for the purposes of these Regulations;
 - h) '**Receiving Officer**' shall mean the officer designated by the Commission for receiving the Petition;
 - i) '**Secretary**' means the Secretary of the Orissa Electricity Regulatory Commission.
 - j) '**State Act**' means the Orissa Electricity Reform Act, 1995;
 - k) '**State Government**' means the Government of Orissa.

- 2.1** Words or expressions occurring in these Regulations and not defined herein above shall bear the same meaning as in the Central Act. Words and expressions used in these regulations but not defined either in these Regulations or in the Central Act but defined in the State Act shall have the meaning respectively assigned to them in the State Act.

3. Commission's offices, office hours and sittings:-

- 1) The place of the office(s) of the Commission may from time to time be decided by the Commission, by an order made in that behalf.
- 2) Unless otherwise directed, the headquarters and other offices of the Commission shall be open daily except on second Saturday of each month, Sundays and holidays notified by the State Government.
- 3) The headquarters and other offices of the Commission shall be open at such times as the Commission may direct.
- 4) Where the last day for doing of any act falls on a day on which the office of the Commission is closed and by reason thereof, the act cannot be done on that day, it may be done on the next day on which the office is open.
- 5) The Commission may hold sittings for hearing matters at the headquarters or at any other place on days and time to be decided by the Commission.

4. Language of the Commission:-

- 1) The proceedings of the Commission shall be conducted in English or Oriya.
- 2) No petition, documents or other matters contained in any language other than English or Oriya shall be accepted by the Commission unless the same is accompanied by a translation thereof in English or Oriya.
- 3) Any translation which is agreed to by the parties to the proceedings or which any of the parties may furnish with an authenticity certificate of the person, who had translated in to English or Oriya, may be accepted by the Commission in appropriate case as a true translation.

5. Seal of the Commission:-

- 1) There shall be a separate seal indicating that it is the seal of the Commission.
- 2) Every order, decision or communication made, notice issued or certified copy granted by the Commission shall be stamped with the seal of the Commission and shall be authenticated by the Secretary or any other Officer of the Commission designated for the purpose and duly authorized by the Commission in that behalf.

6. Functions and Duties of the Secretary and Delegation of powers:-

- 1) The Secretary shall exercise such functions as are assigned to him by these Regulations or otherwise by the Commission or the Chairperson.
- 2) In particular and without prejudice to the generality of the provision of the clause (1) above, the Secretary shall have the following functions, namely:
 - i) he shall receive or cause to receive all petitions, applications, other filings or references pertaining to the Commission;
 - ii) he shall prepare or cause to prepare the briefs and summaries of all such filings presented before the Commission ;

- iii) he shall assist the Commission in proceedings conducted by the Commission;
 - iv) he shall authenticate the orders passed by the Commission;
 - v) he shall ensure compliance of the orders passed by the Commission; and
 - vi) He shall have the right to collect from the State Governments, the Central Government and their agencies, the State Electricity Boards or other offices, companies and firms or any other person as may be directed by the Commission, such information as may be considered useful for the purpose of efficient discharge of the functions of the Commission under the Central Act and the State Act.
- 3) The Secretary shall have the custody of the seal and records of the Commission.
 - 4) The Secretary may, with the approval of the Commission, delegate to any other Officer of the Commission any function required by these Regulations or otherwise, to be exercised by the Secretary.
 - 5) In the absence of the Secretary, such other Officer of the Commission, as may be nominated by the Chairperson, may exercise the functions of the Secretary.
 - 6) The Commission shall always have the authority, either on an application made by any interested or affected party or suo motu, to review, revoke, revise, modify, amend, alter or otherwise change any order made or action taken by the Secretary or other Officers of the Commission, if the Commission considers it to be appropriate.
 - 7) Subject to the provisions of Section 97 of the Act, the Commission may by general or special order delegate to its Officers such functions including functions to be exercised by the Secretary on terms and conditions the Commission may direct for the purpose.
 - 8) The terms and conditions of the services of the Secretary, Officers and Staff of the Commission shall be as per Orissa Electricity Regulatory Commission (Method of Recruitment and Conditions of Service) Regulations, 1997 notified by the Commission.

7. Authorised representative to appear before Commission:-

- 1) A person may appear himself or may authorise any other person to appear before the Commission and to act and plead on his behalf.
- 2) A person may authorise an advocate or a member of any statutory professional body holding a Certificate of practice as the Commission may from time to time direct to represent him and to act and plead on his behalf before the Commission.
- 3) The Commission may from time to time decide the terms and conditions subject to which a person may authorise any other person to represent him and to act and plead on his behalf and the type of authorisation to be provided to the Commission for the purpose.
- 4) Notwithstanding the above, the Commission may allow any consumer group or association or any persons duly authorized by such consumer group or association to appear in any proceeding before the Commission or in any meeting before the initiation of the proceedings as the Commission may consider it to be appropriate.

CHAPTER - II

GENERAL RULES CONCERNING THE PROCEEDINGS BEFORE THE COMMISSION

8. Proceedings before the Commission:-

- 1) a) The Commission may from time to time hold such proceedings as it may considers to be appropriate in the discharge of its functions under the Central Act and the State Act.
 - b) Subject to the provisions of the Act, Rules and Regulations framed thereunder, the quorum for meeting of the Commission shall ordinarily be two but the Commission may determine by order in writing, the matters which can be heard by a single Member.
 - c) The Commission may appoint by order in writing any of its Members as Adjudicating Officer under Section 143 of the Act or under Section 27 of the Energy Conservation Act, 2001.
- 2) The Commission may appoint an Officer or any other person whom the Commission considers it to be appropriate to participate and assist the Commission in the proceedings.
- 3) All matters which the Commission is required under the Central Act and the State Act to undertake and discharge through hearings shall be done through hearing in the manner specified under the said Acts and in these Regulations.
- 4) Except where the Commission may provide otherwise for reasons to be recorded in writing, all matters affecting the rights or interests of the licensee or any other person or class of persons shall be undertaken and discharged through hearing in the manner specified in these Regulations.
- 5) The Commission may hold hearings in matters other than those specified in clauses (3) and (4) above if the Commission considers it to be appropriate.
- 6) The Commission may hold consultations with the parties or any one or more of them before deciding on the initiation of a proceeding in any matter.

9. Initiation of Proceedings:-

- 1) The Commission may initiate any proceeding suo motu or on a petition filed by any affected or interested person.
- 2) When the Commission initiates the proceedings it shall be by a notice issued by the Office of the Commission and the Commission may give such orders and directions as may be deemed necessary, for service of notices to the affected or interested parties and for the filing of replies and rejoinders in opposition or in support of the petition in such form as the Commission may direct.

- 3) The Commission may, if it considers appropriate, issue orders for advertisement of the petition inviting comments on the issues involved in the proceedings in such form as the Commission may direct.
- 4) While issuing the notice the Commission may, in suo motu proceedings and in other appropriate cases, designate an Officer of the Commission or any other person whom the Commission considers it to be appropriate to present the matter in the capacity of a petitioner in the case.

10. Petitions before the Commission:-

- 1) All petitions shall contain a clear and concise statement of the facts with material particulars, the relief sought, the applicable provisions of law and the basis for such relief.
- 2) All petitions to be filed before the Commission shall be type written, cyclostyled or printed neatly and legibly on white paper and every page shall be consecutively numbered. The petition shall be filed in six copies or such other number of copies if the Commission so directs and all such copies shall be complete in all respects. The Commission may in addition seek copies of the Petition to be filed in an electronic form, on such terms and conditions, as the Commission may direct.
- 3) The contents of the petition shall be divided appropriately into separate paragraphs, which shall be numbered serially.
- 4) The petition shall be accompanied by such documents, supporting data and statements, as are relevant to the matters in issue in the petition.
- 5) The fee if any fixed by the Commission shall be paid at the time of or before the presentation of the Petition.

11. General headings:-

The general heading in all petitions before the Commission and in all advertisements and notices shall be in the Form attached to these Regulations as **Appendix 1**.

12. Affidavit in support:-

- 1) The Petitions filed shall be verified by an affidavit and every such affidavit shall be in the Form attached to these Regulations as **Appendix 2**.
- 2) Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which he is signing and shall be signed and sworn before a person lawfully authorized to take and receive affidavits.
- 3) Every affidavit shall clearly and separately indicate the statements which are true to the -
 - i) knowledge of the deponent;
 - ii) information received by the deponent; and
 - iii) belief of the deponent.

- 4) Where any statement in affidavit is stated to be true to the information received by the deponent, the affidavit shall also disclose the source of the information and a statement that the deponent believes that information to be true.

13. Presentation and scrutiny of the pleadings, etc.:-

- 1) All petitions shall be presented in person or by any duly authorized agent to an officer designated for the purpose by the Commission (the Receiving Officer) at the headquarters of the Commission or at such other place or places as may be notified by the Commission from time to time and during the time notified. The petitions may also be sent by registered post with acknowledgment due to the Commission at the places mentioned above.
- 2) The vakalatnama in favour of the Advocate and, in the event the petitions are presented by the authorized agent or representative, the document authorizing the agent or representative shall be filed along with the petition.
- 3) The presentation and the receipt of the petition shall be duly entered in the register maintained for the purpose by the office of the Commission.
- 4) Upon the receipt of the petition, the Receiving Officer shall acknowledge the receipt by stamping and endorsing the date on which the petition has been presented and shall issue an acknowledgment with stamp and date to the person filing the petition. In case the petition is received by registered post the date on which the petition is actually received at the office of Commission shall be taken as date of the presentation of the petition.
- 5) The Receiving Officer may decline to accept any petition which is not in conformity with the provisions of the Central Act or the State Act or these Regulations or directions given by the Commission or is otherwise defective or which is presented otherwise than in accordance with these Regulations or directions of the Commission:

Provided however that no petition shall be refused for defect in the pleading or in its presentation, without giving an opportunity to the person filing the petition to rectify the defect within the time, which may be allowed for the purpose. The Receiving Officer shall advise in writing the person filing the petition of the defects in the petition filed and the time within which the defects be rectified.

- 6) A party aggrieved by any order of the Receiving Officer in regard to the presentation of the petition may request the matter to be placed before the Secretary of the Commission for appropriate orders.
- 7) The Chairperson or any Member as the Chairperson may designate for the purpose, shall be entitled at any time to call for the petition presented by the party and give such directions regarding the presentation and acceptance of the petition as he considers appropriate.
- 8) If on scrutiny, the petition is not refused or any order of refusal is modified by the Secretary or by the Chairperson or the Member of the Commission designated for the purpose, the petition shall be duly registered and given a number in the manner directed by the Commission.

- 9) As soon as the petition and all necessary documents are lodged and the defects and objections, if any, are removed and the petition has been scrutinized and numbered, the petition shall be placed before the Commission for admission.

Provided, however, that in the case of complaints of individual consumers, class of consumers or any consumer organizations, the Secretary of the Commission may refer the matter to the Forum for redressal of the grievances of the Consumers established for the purpose in terms of Section 42(5) of the Central Act and the regulations framed by the Commission under the said provisions.

- 10) The Commission may admit the petition for hearing without requiring the attendance of the party filing the petition. The Commission shall not pass an order refusing admission without giving the party concerned an opportunity of being heard. The Commission may, if it considers appropriate, issue notice to such person or persons, as it may desire to hear on the petition for admission.
- 11) If the Commission admits the petition, it may give such orders and directions as may be considered necessary, for service of notices to the respondent and other affected or interested parties and for the filing of replies and rejoinder in opposition or in support of the petition in such form as the Commission may direct.

14. Service of notices and processes issued by the Commission:-

- 1) Any notice or process to be issued by the Commission may be served by any one or more of the following modes as may be directed by the Commission:
 - i) service by the party itself; or
 - ii) by hand delivery through a messenger; or
 - iii) by registered post with acknowledgment due; or
 - iv) by publication in newspaper in cases where the Commission is satisfied that it is not reasonably practicable to serve the notices, processes, etc. on any person in the manner mentioned above; or
 - v) service through courier and such other mode of service as the Commission may decide from time to time.
- 2) Every notice or process required to be served on or delivered to any person may be sent to the person or his agent empowered to accept service at the address furnished by him for service or at the place where the person or his agent ordinarily resides or carries on business or personally works for gain.
- 3) In the event any matter is pending before the Commission and the person to be served has authorized an agent or representative to appear for or represent him or her in the matter, such agent or representative shall be deemed to be duly empowered to take service of the notices and processes on behalf of the party concerned in all matters and the service on such agent or representative shall be taken as due service on the person to be served. It

shall be the duty of such agent or representative to duly inform the person whom he represents of the service of the notices.

- 4) Where a notice or process is served by a party to the proceedings either in person or through registered post, an affidavit of service shall be filed by such party with the Commission giving details of the proof of service.
- 5) Where any petition is required to be published in newspapers it shall be done within such time as the Commission may direct and, unless otherwise directed by the Commission, such publication shall be made in one issue each of a daily newspaper in English language and in Oriya language having circulation in the area directed by the Commission.
- 6) The Commission may also effect service or give directions for effecting service in any other manner it considers appropriate.
- 7) The Commission shall be entitled to decide in each case the person(s) who shall bear the cost of such service and publication.
- 8) Save as otherwise provided in the Central Act or in the State Act or in these Regulations and subject to any direction which the Commission or the Secretary or the Officer of the Commission designated for the purpose may issue, the Petitioner, the Applicant or any other person whom the Commission may make responsible, shall arrange for service of notices, summons, processes and for publication of notices and processes required to be served or published.
- 9) In default of compliance with the requirements of these Regulations or directions of the Commission as regards the service of notices, summons or processes or the advertisement and publication thereof, the Commission may either dismiss the petition or give such other or further directions, as it thinks fit.
- 10) No service or publication required to be done shall be deemed invalid by reason of any defect in the name or description of a person provided that the Commission is satisfied that such service is in other respects sufficient.
- 11) No proceeding shall be invalidated by reason of any defect or irregularity in the service or publication unless the Commission, on an objection taken, is of the opinion that substantial injustice has been caused by such defect or irregularity or publication or there are otherwise sufficient reasons for doing so.

15. Filing of reply, opposition, objections, etc. :-

- 1) Each person to whom the notice of inquiry or the petition is issued (hereinafter called the "respondent") who intends to oppose or support the petition shall file the reply and the documents relied upon within such period and in such number of copies as may be directed by the Commission.
- 2) In the reply filed, the respondent shall specifically admit, deny or explain the facts stated in the notice of inquiry or the petition and may also state such additional facts as he considers necessary for a just decision of the case.

- 3) The reply shall be signed and verified and supported by affidavit in the same manner as in the case of the petition. The respondent shall also indicate whether he wish to participate in the proceedings and be orally heard.
- 4) The respondent shall serve a copy of the reply along with the documents duly attested to be true copies on the petitioner or his authorized representative and file proof of such service with the office of the Commission at the time of filing the reply.
- 5) Where the respondent states additional facts, the Commission may allow the petitioner to file a rejoinder to the reply filed by the respondent. The procedure mentioned above for filing of the reply shall apply mutatis mutandis to the filing of the rejoinder.
- 6) Every person who intends to file objection or comments in regard to a matter pending before the Commission, pursuant to the publication issued for the purpose (other than the persons to whom notices, processes, etc. have been issued calling for reply) shall deliver to the Receiving Officer the statement of the objection or comments with copies of the documents and evidence in support thereof within the time fixed for the purpose.
- 7) The Commission may permit such person or persons as it may consider to be appropriate to participate in the proceedings before the Commission, if on the report received from the Officer, the Commission considers that the participation of such person or persons will facilitate the proceedings and the decision in the mater.
- 8) Unless permitted by the Commission, the person filing objections or comments shall not be entitled to participate in the proceedings. However, the Commission shall take into account the objections and comments filed after giving such opportunity to the parties in the proceedings to deal with the objections and suggestions.

16. Hearing of the matter:-

- 1) The Commission may determine the stage, the manner, the place, the date and the time of the hearing of the matter as the Commission consider to be appropriate, consistent with such specific timing requirements as are set forth in the Central Act or the applicable provisions of the State Act or otherwise the need to expeditiously decide the matter.
- 2) The Commission may decide the matter on the pleadings of the parties or may call the parties to produce evidence by way of affidavit or lead oral evidence in the matter.
- 3) If the Commission directs evidence of a party to be led by way of affidavit, the Commission may, as and when the Commission considers it to be necessary, grant an opportunity to the other party to cross-examine the deponent of the affidavit.
- 4) The Commission may, if considered necessary or expedient, direct that the evidence of any of the parties be recorded by an Officer or person designated for the purpose by the Commission.
- 5) The Commission may direct the parties to file written note of arguments or submissions in any proceeding before the Commission as the Commission considers it to be appropriate.

17. Power of the Commission to call for information etc.:-

- 1) The Commission may, at any time before passing orders on the matter, require the parties or any one or more of them or any other person whom the Commission considers appropriate, to produce such documentary or other material objects as evidence as the Commission may consider necessary for the purpose of enabling it to pass orders.
- 2) The Commission may direct the summoning of the witnesses, discovery and production of any document or other material objects producible in evidence, requisition any public record from any office, examination by an officer of the Commission the books, accounts or other documents or information in the custody or control of any person which the Commission considers relevant for the matter.
- 3) The Commission may, if it considers appropriate, allow any of the parties or others specified in clauses (1) or (2) above, to adduce such further documentary or other evidence in regard to evidence made available by any of the parties or other persons under the said clauses.
- 4) The Commission may, at any time, summon and enforce the attendance of any person and examine him on oath.
- 5) The Commission may receive evidence by way of affidavit.

18. Reference of issues to others:-

- 1). At any stage of the proceedings, the Commission shall be entitled to refer such issue or issues in the matter as it considers appropriate, to persons including, but not limited to, the officers and consultants of the Commission whom the Commission considers as qualified to give expert or specialized advice or opinion.
- 2). The Commission may nominate from time to time any person including, but not limited to, the Officers and consultants to visit any place or places for inspection and report on the existence or status of the place or any facilities therein.
- 3). The Commission, if it thinks fit, may direct the parties to appear before the persons designated in clauses (1) or (2) above to present their respective views on the issues or matters referred to.
- 4) The report or the opinion received from such person shall form a part of the record of the case and parties shall be given the copies of the report or opinion given by the person designated by the Commission. The parties shall be entitled to file their version either in support or in opposition to the report or the opinion.
- 5) The Commission shall duly take into account the report or the opinion given by the person and the replies filed by the parties while deciding the matter and if considered necessary, examine the person giving the report or the opinion:

Provided that the Commission shall not be bound by the report or the opinion given and shall be entitled to take such decision as it may consider to be appropriate.

19. Procedure to be followed where any party does not appear:-

- 1) If, on the date fixed for hearing or any other date to which such hearing may be adjourned, any party or his authorized agent or representative does not appear when the matter is called for hearing, the Commission may, in its discretion, either dismiss the petition for

default when the petitioner or the person who moves the Commission for hearing is absent or proceed *ex parte* to hear and decide the petition if the other party is absent.

- 2) Where a petition is dismissed for default or decided *ex parte*, the person aggrieved may file an application *for restoration* within 30 days from the date of such dismissal or being proceeded *ex parte*, as the case may be, for recall of the order passed, and the Commission may recall the order on such terms as it thinks fit, if the Commission is satisfied that there was sufficient cause for the non-appearance of the person when the petition was called on for hearing.

20. Orders of the Commission:-

- 1) The Commission shall pass orders on the petition and the Chairperson and the Members of the Commission, who heard the matter, shall sign the orders.
- 2) The reasons given by the Commission in support of the orders, including those by the dissenting member, if any, shall form a part of the order and shall be available for inspection and supply of copies in accordance with these Regulations.
- 3) The Commission shall have the powers to pass such interim orders in any proceeding, hearing or matter before the Commission, as the Commission may consider it to be appropriate.
- 4) All orders and decisions issued or communicated by the Commission shall be certified under the signature of the Secretary or an Officer empowered in this behalf by the Chairperson and bear the official seal of the Commission.
- 5) All final orders of the Commission shall be communicated to the parties in the proceeding under the signature of the Secretary or an Officer empowered in this behalf by the Chairperson or the Secretary.

21. Inspection of records and supply of certified copies:-

- 1) The records of every proceeding shall be open, as of right, to the inspection of the parties or their authorised representatives at any time either during the proceeding or after the orders are passed, subject to payment of fees and compliance with such other terms as the Commission may direct.
- 2) The records of every proceeding, except those parts which for reasons directed by the Commission to be confidential or privileged, shall be open to inspection by any person other than the parties to the petition either during the proceeding or after the orders have been passed, subject to such person complying with such terms as the Commission may direct from time to time including in regard to time, place and manner of inspection and payment of fees.
- 3) A person shall be entitled to obtain certified copies of the orders, decisions, directions and reasons in support thereof given by the Commission as well as the pleadings and papers and other parts of the records of the Commission to which he is entitled, subject to payment of fees and compliance with such other terms as the Commission may direct.

CHAPTER - III

ARBITRATION OF DISPUTES

22. Arbitration:-

- 1) The arbitration of disputes which under the Central Act or the State Act are within the scope of the jurisdiction of the Commission may be commenced on an application made by any of the parties to the dispute.
- 2) The Commission shall issue notice to the concerned parties to show cause as to why the disputes between the parties should not be adjudicated and settled through arbitration.
- 3) The Commission may, after hearing the parties to whom notices have been issued and if satisfied that no reason or cause has been shown against the arbitration request, pass an order directing that the disputes be referred for adjudication and settlement through arbitration either by the Commission or by a person or persons to be nominated by the Commission.

23. Nomination of Arbitrators:-

- 1) If the Commission decides to refer the matter to arbitration by a person or persons other than the Commission, the reference shall be:
 - a) to a sole arbitrator if the parties to the dispute agree on the name of the sole arbitrator; or
 - b) if the parties are unable to agree on the name of the arbitrator, to a sole arbitrator to be designated by the Commission or to three persons as the Commission may direct taking into account the nature of the dispute and the value involved and, if the decision is to refer to three arbitrators, one to be nominated by each of the parties to the dispute and the third by the Commission:

Provided that if any of the parties fails to nominate the arbitrator or if any arbitrator nominated by the parties or the Commission, fails or neglects to act or continue as arbitrator, the Commission shall be entitled to nominate any other person in his place.

- 2) The Commission shall not nominate a person as arbitrator to whom any of the parties to the arbitration has a reasonable objection on grounds of possible bias or similar such reasons and the Commission considers the apprehension to be justified.

24. Procedure for adjudication, settlement and passing of award:-

- 1) In case the Commission acts as the arbitrator, the procedure to be followed shall be as far as possible the same as in the case of hearing before the Commission provided in Chapter II above.

- 2) In case the Commission nominates an arbitrator or arbitrators to adjudicate and settle the disputes, such arbitrator or arbitrators may follow such procedure as they may consider appropriate, consistent with the principles of natural justice and fair opportunity to be given to the parties to arbitration and shall follow specific directions issued by the Commission.
- 3) The arbitrator or arbitrators, as the case may be shall, after hearing the parties pass an award giving reasons for the decision on all issues arising for adjudication and forward the award with relevant documents to the Commission within such time as the Commission may direct.
- 4) The award made by the Commission or the arbitrators, as the case may be, shall be an award under the Arbitration and Conciliation Act, 1996.

25. Cost of arbitration and proceedings:-

The cost of the arbitration and proceedings before the Commission shall be borne by such parties and in such sums as the Commission may direct.

CHAPTER - IV

LICENCE

26. Application for licence:-

- 1) Any person intending to engage in the business of Transmission, Distribution or Trading in electricity in the State of Orissa, shall apply to the Commission for the grant of appropriate license in the form and manner directed by the Commission and accompanied by such fees as may be prescribed for this purpose by the Government of Orissa in shape of cross demand draft/Banker's Cheque drawn in favour of the Commission.

Provided that till such time the fees are prescribed by the Government, the application shall be accompanied by a fee as may be directed by the Commission.

- 2) The Commission may, if considered appropriate, advertise in newspapers and notify in such other appropriate manner as the Commission may decide, inviting applications for grant of licence.
- 3) The applications for Licence shall be made in accordance with the provision of the Central Act, the State Act and these Regulations and in the applicable form contained in **Appendix 3A, 3B** and **3C** to these Regulations for Distribution, Transmission and Trading respectively and shall be supported by affidavit of the authorized person in the format as appended at **Appendix 2**.
- 4) Every application for a licence shall be signed by or on behalf of the applicant and addressed to such Officer as the Commission may designate in this behalf and it shall be accompanied by:
 - i) six copies or such number of copies as the Commission may direct of the proforma containing the specific terms and conditions which the applicant desires to be included in the Licence and the statement stating the exclusion desired of the general conditions specified by the Commission and justification thereof, with the name and address of the applicant and of his agent (if any) printed on the cover page of the proforma;
 - ii) six copies or such number of copies as the Commission may direct each signed by the applicant, of maps of the proposed area of Transmission or Distribution on scale of not less than 1 cm. to 1 km. (1:1,00,000). If no such maps are available, of not less than that of the largest scale ordinance maps available, or on such other scales as may be approved by the Commission.
 - iii) a statement describing any lands or assets, which the applicant proposes to acquire for the purpose of the licence and the means of such acquisition;

- iv) a copy of the business plan, with an approximate statement of the capital proposed to be expended in connection with the utility, the means of financing of such capital expenditure, the resultant efficiency improvements and such other particulars as the Commission may require;
 - v) a copy of Memorandum and Articles of Association in the case of a company or the incorporation or registration documents in the case of other legal entities;
 - vi) Annual Accounts or other similar documents as may be required; and
 - vii) a receipt in acknowledgement of payment of the fee specified in that regard.
- 5) Any person intending to act as the Transmission Licensee shall, immediately on making the application, forward a copy of such application to the State Transmission Utility. The State Transmission Utility shall acknowledge the receipt of the application and within thirty days of the receipt of the said application send its recommendations, if any, to the Commission.

27. Technical Requirements to Qualify as an Electricity Trader:-

- 1) a) The applicant for trading licence shall have the technical capability and resources and capabilities adequate to manage the intended volume of intrastate trade.
 - b) The Commission may from time to time by general or special order decide on the technical capabilities to be maintained by the Electricity Trader.
 - c) The Applicant shall have at least one person with qualification in engineering and adequate experience in electricity industry to comply with the technical requirements for discharging the functions of the Electricity Trader.
- 2) The Electricity Trader shall maintain the technical capability and resources as directed by the Commission and provide the Commission with the details of any changes thereon and justify that the capability is adequately maintained to cater to the volume of trade undertaken by him.

28. Financial Requirements to Qualify as an Electricity Trader:-

- 1) The applicant shall declare to the Commission the maximum trading volume the applicant proposes to handle in a month and its future plans of trading during the initial three years.
- 2) The applicant shall maintain at all times the capital adequacy and net worth sufficient to cover the maximum trading volume over an average settlement period of 30 days (one month) worth of credit for the applicant as an electricity trader subject to the following minimum requirements:
 - a) Trade up to 5 Million Units (MU) per month
Net Worth Requirement =0.25 crore
 - b) Trade greater than 5 Million Units (MU) and up to 10 MU per month,
Net Worth Requirement =Rs.0.5 crore

- c) Trade greater than 10 MU and up to 20 MU per month,
Net Worth Requirement = Rs.1.0 crore
- d) Trade greater than 20 MU and up to 30 MU per month,
Net Worth Requirement = Rs.1.25 crore
- e) Trade greater than 30 MU and up to 30 MU per month,
Net Worth Requirement = Rs.1.5 crore
- f) Trade greater than 40MU and up to 50 MU per month,
Net Worth Requirement = Rs.1.75 crore
- g) For trade greater than 50 MU per month, the trader shall maintain,
Net Worth Requirement of 1.75 crore and additional Rs.0.25 crore for each 10 MU in
addition to 50 MU.

29. Exemption of Distribution Licensee:-

Notwithstanding anything contained in Regulations 26 and 27, the Distribution Licensees under Section 14 of the Act entitled to undertake intra-state trading in electricity shall not be required to have the technical or financial requirements as specified in the above Regulations including the capital adequacy norm and the credit worthiness.

Provided that the Commission may under the proviso to Section 16 of the Act lay down General or Specific Conditions which such deemed licensee shall be required to comply to continue the activities of an electricity trader.

30. Contents of Proforma

The proforma referred to in Regulation 26 above shall contain the particulars contained in the application form in **Appendix 3A, 3B and 3C**, as the case may be, and specifically the following:

- a) A short title descriptive of the proposed utility together with the address and description of the applicant, and if the applicant is a company, the names of all the directors of the company;
- b) Type of licence applied for;
- c) Location of the proposed area of operation;
- d) A description of the proposed area of operation; and
- e) The general conditions and also the specific conditions, if any, which the Commission has laid down for inclusion in the licenses of the nature applied with justification for any deviation sought for; and
- f) Such other particulars as the Commission may direct.

31. Conditions of Licence:-

- 1) The General Conditions subject to which each of the categories of licence shall be issued are contained in **Appendix 4A, 4B and 4C** respectively and the application for licence shall incorporate the acceptance of such general conditions.

- 2) The Commission may decide the Specific Conditions subject to which licence shall be issued to the applicant.
- 3) Any person applying for Licence to undertake trading in electricity in the State of Orissa shall duly fulfill the conditions of technical requirement, capital adequacy requirement and credit worthiness and further shall agree to discharge such duties as may be directed by the Commission under Section 52 of the Central Act.
- 4) Any person intending to apply for license shall duly comply with the conditions and requirements laid down by the Commission.

32. Acknowledgment of application:-

On receipt of the application, the Receiving Officer shall note thereon the date of its receipt and shall send to the applicant an acknowledgment stating the date of receipt.

33. Copies of maps and proforma for public inspection:-

The applicant shall maintain at his own office and at such other place as may be directed by the Commission, the copies of the documents referred to in clause (4) of Regulation 26 above for public inspection and furnish to persons applying for them the copies of such documents at a price not exceeding the normal photocopying charges;

34. Calling for additional information:-

The Commission or the Secretary or any Officer designated for the purpose by the Commission may upon scrutiny of the application, require the applicant to furnish within a period to be directed, such additional information or particulars or documents as the Commission may consider to be necessary for the purpose of dealing with the application.

35. Notifying the due filing of the application:-

If the Commission finds the application to be complete and accompanied by the requisite information, particulars and documents and the applicant has complied with all the requirements for making the application and furnishing of information, particulars and documents, the Commission or the Secretary or the Officer designated for the purpose shall certify that the application is ready for being considered for grant of licence in accordance with applicable laws and communicate the same to the applicant.

36. Publication of notice of application:-

- 1) The applicant shall, within seven days from the date of admission and numbering of the application, publish a notice of the application in the form contained in **Appendix 5** in two local daily news papers (one Oriya and one English) having wide circulation in applicant's area of business.
- 2) The publication shall be headed by a short title corresponding to that given in the application and shall give the addresses of the offices at which the documents copies of maps therein referred to may be inspected and the copies of documents be purchased and shall state that every local authority, utility or person, desirous of making any representation with reference to application to the Commission, may do so by letter addressed to such Officer as the Commission may designate in this behalf, within thirty days from the date of publication.

- 3) The applicant for grant of intra-state trading licence shall publish in two local dailies as stated in clause (1) above with the following particulars, namely:
 - a) Name of the applicant in bold at the top clearly bringing out whether the applicant is a person i.e. an individual or a body corporate or association, partnership firm, private limited company or a public limited company incorporated under the Companies Act, 1956, giving full particulars of its office address and the registered office address in case of a Company incorporated under the Companies Act, 1956.
 - b) A statement that the applicant has made an application for grant of licence in intra-state trading under Sub-Section (1) of Section 15 of the Act, to the Orissa Electricity Regulatory Commission.
 - c) Share holding pattern, financial and technical strength and management profile of the applicant.
 - d) Volume of power intended to be traded during the first year after grant of licence and the future plans for trading during the next 5 years.
 - e) Details of past experience of the applicant or the persons on its management in same or similar activity.
 - f) Geographical areas within which the applicant will undertake trading in electricity as stated in the application made to the Commission.
 - g) A statement to the effect that the application and other documents filed before the Commission from time to time, are available for inspection with the applicant, by any person.
 - h) Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected by any person.
 - i) A statement to the effect that complete application is available in the website of the applicant. A statement that objections, if any, be filed before the Commission with a copy of the objections to the applicant, within 30 days of publication of the notice.
- 4) The applicant shall within 7 days from the date of publication of the notice as aforesaid submit to the Commission on affidavit the details of the notice published and shall also file relevant copies of the newspapers in which the notice is published.
- 5) The applicant may file his comments on the objections or suggestions received in response to the notice within 45 days of its publication in the newspapers.

37. Service of notice of the application:-

- 1) The Commission may direct that notice of the application be served on the Central Government, the State Government, the local authority or any other authority or person or body as the Commission may direct in such form with such particulars and in such manner as the Commission may consider appropriate.

- 2) The applicant shall apply for and obtain the “no objection” certificate required from the Central Government in terms of clause (ii) of Sub-Section (2) of Section 15 of the Central Act before the application is placed for hearing by the Commission for grant of the licence.

38. Objections:-

- 1) Any person intending to object to the grant of the licence shall file objection within thirty days from the date of publication of the notice by the applicant. The objection shall be filed in the form of reply and the provisions of Chapter II dealing with reply shall apply to the filing of such objections.
- 2) Any person who desires to have any amendment made in proposed conditions of licence shall deliver a statement of the amendment to the applicant and to such Officer as the Commission may designate in this behalf and within the time allowed by the Commission for filing objection.

9. Hearings and local inquires:-

- 1) If the applicant has duly arranged for the publication of the notice of the intended application and the time for filing of the objection is over and after the applicant has furnished to the Commission the no objection certificate, if any, required from the Central Government, the Commission may proceed with the hearing of the application.
- 2) The Commission shall give the notice of hearing to the applicant, the persons who had filed objections, the Central Government, the State Government and such other authority, person or body as the Commission may consider appropriate.
- 3) The Commission shall consider the recommendations, if any, from the State Transmission Utility in regard to the grant of Transmission licence.
- 4) If any person objects to the grant of a licence applied for, the Commission may if either the applicant or the objector so desires, cause a local inquiry to be held of which the notice in writing shall be given to both the applicant and the objector;
- 5) In case of such local inquiry a memorandum of the results of the inquiry made shall be prepared and shall be signed by the applicant, the Officer or person designated for the purpose and such other person as the Commission may direct.
- 6) The hearing on the application for grant of licence shall thereafter proceed as far as possible in the same manner as provided in Chapter II of these Regulations.

40. Grant of licence:-

- 1) After inquiry if any, and the hearing, the Commission may decide to grant or refuse the licence and if it decides to grant the licence it may do so on such terms and conditions and with such modifications to the general or specific conditions as the Commission may decide.
- 2) When the Commission has approved the grant of licence, the Secretary or such other Officer as the Commission may designate in this behalf, shall inform the applicant of such

approval and of the form in which it is proposed to grant the licence and the conditions to be satisfied by the applicant including the initial and periodical licence fees to be paid by the applicant for the grant of the licence.

- 3) The Commission may publish a notice in two daily newspapers, as the Commission may consider necessary, stating the name and address of the person to whom it proposes to issue the licence.
- 4) On receiving an intimation in writing from the applicant that he is willing to accept a licence in the form approved by the Commission and after the applicant satisfies the conditions imposed for the grant of the licence, the Commission may direct the applicant to publish the licence or such part or gist thereof as the Commission consider it to be appropriate.
- 5) The Commission shall immediately after issue of a licence, forward a copy of the licence to the State Government, Central Electricity Authority, local authority, and to such other persons as the Commission considers necessary.

41. Date of commencement of licence:-

The licence shall commence from the date the Commission may direct as the date of commencement of licence, and the licence shall be in force for the period directed in the Licence, subject however to earlier revocation in accordance with law.

42. Deposit of maps:-

- 1) When a licence has been granted, three sets of maps showing, as regards such licence, the particulars specified in Regulation 26 of these Regulations shall be signed and dated to correspond with the date of the notification of the grant of the licence by such Officer as the Commission may designate in this behalf.
- 2) One set of such maps shall be retained as the deposited maps by the said Officer and the other two sets shall be given to the licensee after due attestation by the Commission.
- 3) The Licensee shall whenever required by Commission furnish the maps in an electronic form.

43. Deposit of licence copies:-

- 1) Every person who is granted a licence shall within thirty days of the grant thereof:
 - a) have adequate number of copies of the licence printed;
 - b) have adequate number of maps prepared showing the area of supply stated in the licence; and
 - c) arrange to exhibit a copy each of such licence and maps for public inspection at all reasonable times at his head office and at his local offices (if any) within the area of supply.
- 2) Every such licensee shall, within the aforesaid period of thirty days, supply free of charge one copy of the licence to every Municipal Corporation, Municipal Office within the area of

supply and shall also make necessary arrangements for the sale of printed copies of the licence to all persons applying for the same during the period of the licence, at a price not exceeding normal photocopying charges.

44. Preparation and submission of accounts:-

- 1) Every licensee shall cause the accounts of his utility to be made up to the thirty-first day of March each year.
- 2) Such licensee shall prepare and render an annual statement of his accounts in accordance with the provisions of the State Act, within a period of six months from the aforesaid date, or such extended period as the Commission may authorise after it is satisfied that the time allowed is insufficient owing to any cause beyond the control of the licensee. The statement shall be rendered in such numbers of copies as the Commission direct.
- 4) The accounts shall be made up in such forms as the Commission may direct from time to time. The forms shall be signed by the Licensee or the duly authorized agent or manager of the Licensee.
- 5) The Commission may, by special or general order direct that, in addition to the submission of the annual statements of accounts under sub-clause (3) the Licensee shall submit to the Commission or such other authority as it may designate in this behalf such additional information as it may require for the purpose.

45. Distribution (Condition of Supply) Code: -

- 1) The Distribution Licensee shall comply with the provisions of the OERC Distribution (Conditions of Supply) Code, 2004.
- 2) The Distribution Licensee shall within 6 months from the grant of the licence and in the case of deemed licensee under Section 14 of the Act not later than 31st December 2004 file with the Commission the modifications to the existing Conditions of Supply and on the approval being granted by the Commission the conditions of Supply with such modification approved by the Commission shall apply to the Distribution Licensee.
- 3) Until the Commission approves the Conditions of Supply under clause (2) above, the Distribution Licensee shall follow the existing conditions of supply with such specific modification as the Commission may direct.
- 4) The Distribution Licensee shall always keep in his office adequate number of copies of the updated Distribution (Condition of Supply) Code and he shall, on demand, sell such copies to any applicant at a price not exceeding normal photocopying charges.

46. Contravention by Licensee:-

The Commission may pass such orders as it thinks fit in accordance with the provisions of the Central Act, State Act and these Regulations for the contravention or the likely contravention of the terms and conditions of licence by the Licensee.

47. Revocation of the licence:-

- 1) The proceedings for revocation of the licence or for passing of any other orders stated in Section 19 of the Central Act shall be initiated by an order passed by the Commission. The Commission may initiate such proceedings suo motu or on application of the licensee or on receiving any complaint or information from any person.
- 2) The Commission shall give notice of the proceedings for the revocation of the licence to the licensee and to such other persons, authority or body as the Commission may consider necessary.
- 3) Subject to the provisions of Central Act, and the procedure contained therein, the inquiry by the Commission for revocation of the licence, in so far it is applicable, shall be in the same manner as provided in Chapter II of these Regulations.

Provided that the licensee shall be given not less than three months notice in writing to show cause against the proposed revocation and the notice to show cause issued to the licensee shall clearly state the grounds on which the Commission proposes to revoke the licence.

- 4) If the Commission decides to revoke the licence, the Commission shall communicate the order of revocation to the licensee stating the effective date from which such revocation shall take effect.
- 5) The Commission may instead of revoking the licence pass any other order imposing further terms and conditions subject to which the Licensee is permitted to operate thereafter.
- 6) Where the Commission has given notice for revocation of licence, the licensee may, after prior approval of the Commission, sell the undertakings of the Licensee to any person who is found eligible by the Commission for grant of licence, without prejudice to any penalty which may be imposed or prosecution proceeding which may be initiated against the person whose licence is revoked.

48. Amendment of the licence:-

- 1) The application for amendment to the terms and conditions of the licence may be made by the Licensee in such form as may be directed for the purpose by the Commission. The application shall be accompanied with a statement of the proposed amendment and shall be supported by affidavit as provided in Chapter II of these Regulations.
- 2) The application for amendment shall be accompanied by a receipt of such fee as the Commission may direct and paid in the manner directed by the Commission.
- 3) The applicant shall, within seven days from the date of admission and numbering of the application for amendment, publish a notice of the amendment application filed giving a brief statement of the amendment proposed, the reason for the proposed amendment, the effect of the amendment proposed on the discharge of the functions of the Licensee under the Licence granted, the alternate arrangement proposed for such discharge of the functions and such other particulars as the Commission may direct. The publication shall give the addresses of the offices at which the application for amendment may be inspected and the copies of documents be purchased and shall state that every local authority, utility or person, desirous of making any representation with reference to application to the Commission,

may do so by letter addressed to such Officer as the Commission may designate in this behalf, within thirty days from the date of publication.

- 4) In the event the Commission proposes to amend the terms and conditions of the Licence granted to a licensee the Commission shall publish a notice of the proposed amendment giving a brief statement of the amendment proposed, the reason for the proposed amendment, the effect of the amendment proposed on the discharge of the functions of the Licensee under the Licence granted, the alternate arrangement proposed for such discharge of the functions and such other particulars as the Commission may consider appropriate
- 5) Unless otherwise directed in writing by the Commission, the procedure laid down in these Regulations for grant of licence, in so far it can be applied, shall be followed while dealing with an application for amendment of the licence.

49. Exemption of the Distribution Licence

- 1) Until otherwise directed by the Commission, the following classes of persons engaged in the supply of electricity in the State of Orissa shall be deemed to have applied for and granted the Distribution Licence for the purpose contained herein and subject to the fulfillment of the conditions contained in clause (2):
 - i) Persons who supply electricity generated by themselves and/or supplied to them by an authorised person, for the purposes of an event or function not exceeding two months, and when the electricity is distributed through a system owned by them.
 - ii) Persons who supply electricity to the residential colonies as a part of their activity of maintaining such colonies for use and occupation of their employees and/or for use and occupation of persons providing facilities and services to the employees, where such person procures electricity from any Licensee or from any other source approved by the Commission and distributes the electricity within the residential colonies on no-profit motive basis.
 - iii) Persons receiving electricity from the licensee and supplying electricity to their own employees' colony including ancilliary facilities, on no profit basis.
 - iv) Persons receiving electricity from the licensee at a single point in a residential or commercial complex and supplying the same to the persons in the same premises, on no profit basis.
 - v) Such other persons as the Commission may from time to time by order notify, subject to such terms and conditions as the Commission may direct.
- 2) The Licence under clause (1) above shall:
 - i) establish the electric line or works and restrict its activity only within the area of operation;
 - ii) comply with all applicable rules and regulations concerning the safety and security of the operation.
- 3) If any difference or dispute arises as to whether the person is entitled to undertake supply of electricity as a Licensee under this Regulation 49, the decision thereon of the Commission shall be final.

CHAPTER - V

GENERATING COMPANIES AND CAPTIVE GENERATING STATIONS

50. The generating companies and other persons who have established generating stations including captive generating stations in the State and persons who desire to establish such generating stations including Captive Generating Stations shall furnish to the Commission the technical and other relevant details of the generating stations as per **Appendix – 6A** and **6B**, as the case may be, within 30 days of notification of these Regulations or within 30 days of the commencement of generation of electricity at the station, whichever is later.

Provided that the Captive Generating Stations of Low Tension Consumers shall not be required to furnish the above details to the Commission unless otherwise specifically directed by the Commission.

CHAPTER - VI

POWER PROCUREMENT AND PURCHASE

- 51
- 1) In accordance with the provisions of the Central Act and the State Act and the licence conditions every Distribution Licensee shall purchase or procure electricity required for the business of the Distribution Licensee in an economical and efficient manner and under a transparent power purchase and procurement process and generally based on the principles of least cost purchase.
 - 2) The power purchase by a Distribution Licensee may be classified by the Commission as short term power purchase or long term power purchase on terms as may be decided by the Commission from time to time.
 - 3) The Commission may from time to time issue guidelines, practice directions and orders governing the short term purchases and long term purchases which the Distribution Licensee can undertake for the purpose of the licensed business.
 - 4) Unless otherwise approved by the Commission by a general or special order a long term power purchase or procurement by the Distribution Licensee shall be done through a structured competitive procurement process approved by the Commission.
 - 5) The Distribution Licensee shall file with the Commission the details in regard to the distribution system under his control and arrangement available from the Transmission Licensee and others in the State to evacuate the electricity procured and to distribute the same in accordance with the power procurement plans approved by the Commission.
 - 6) The Commission may from time to time lay down the details required to be given by the Distribution Licensee in regard to resource planning, power purchase and procurement planning, planning for transmission system and distribution system, competitive procurement process as well as all other matters relating to purchase of energy by the licensee in the guidelines and practice directions that may be issued by the Commission from time to time.
 - 7) The Commission shall take into consideration while determining the tariffs of the Distribution Licensees as per this regulation and as per the Tariff Regulations to be framed by the Commission under Section 61 of the Central Act, the approval granted by the Commission to the Distribution Licensees for the power purchase and procurement process under this clause and the actions and inactions on the part of the Distribution Licensees in complying with the terms contained in this clause.
 - 8) Nothing contained herein shall affect the obligations of distribution licensee under the existing contract and arrangement with the Bulk supply Licensee or the entities which may succeed to such Bulk Supply activities in the State.

CHAPTER - VII

INVESTMENT APPROVALS

52. 1) Unless otherwise directed by the Commission, every licensee shall obtain prior approval of the Commission for making investment in the licensed business if such investment is above the limits laid down by the Commission in the Licence Conditions.
- 2) a) The Commission may at its discretion hold such inquiries and consultations as the Commission may consider appropriate while dealing with the application for approval for the investment to be made by the licensee.
- b) The Commission may at its discretion initiate a proceeding or consider the application for investment approval as a part of the proceedings for determination of tariff or along with any other proceedings as the Commission may consider appropriate.
- 3) The Commission shall be entitled to appoint consultants, experts and others as the Commission may consider appropriate and authorise the Commission's staff, consultants and experts to hold discussions and deliberations with the licensees before the Commission considers the application for investment approval.
- 4) a) The licensee and other applicants seeking investment approval shall furnish information, particulars, documents as may be required by the Commission staff, consultants and experts appointed by the Commission for the purpose and allow them access to the records and documents in the possession or custody of the licensee.
- b) The licensee shall cooperate with the Commission's staff, consultants and experts to enable them to discharge their functions and to submit a report to the Commission on the outcome of their findings

CHAPTER - VIII

TARIFFS

53. Filing by the Licensees:-

- 1) Subject to the provisions of the Central Act and the State Act, each year, by 30th November or by such other time as may be directed by the Commission, each Transmission and Distribution Licensee shall file with the Commission, in the format as may be laid down by the Commission, statements containing calculation of the expected aggregate revenue from charges under its currently approved tariff and the expected cost of providing services for the ensuing financial year.
- 2) If a Transmission or Distribution Licensee carries on more than one business, the statements referred to in clause (1) above shall be given separately for each separate business of the licensee and in such manner in respect of each such business as the Commission may direct.
- 3) The statements referred to in clause (1) above shall contain the following details:
 - a) the licensee's demand forecast by customer or consumer category for the ensuing financial year and the basis of the forecast;
 - b) a calculation of expected aggregate revenue that would result from the above demand during the same period under the currently approved tariff by customer or consumer category;
 - c) a calculation of the licensee's estimated costs of providing the service required by the level of demand indicated in sub-clause (a) above for each category of consumers during the stated period calculated in accordance with the financial principles and their application contained in the Sixth Schedule to the Electricity (Supply) Act, 1948 as was in force before the repeal of the said Act by the Electricity Act, 2003 or such other principles the Commission may direct from time to time;
 - d) In case the Licensee carries on any business or services other than those licensed, the Licensee shall give separate revenue and expense statements together with such details as the Commission may require in respect of such business or services; and
 - e) Such other information as the Commission may direct.
- 4) The Transmission or the Distribution Licensee shall for such period as may be directed by the Commission, file an application containing proposals to deal with the gaps between the expected aggregate revenue at the then prevalent tariff and the expected cost of services including schemes for reduction in loss levels, other efficiency gains to be achieved, the revision in charges and changes in tariff structure for different categories of consumers.

- 5) The application under clause (1) shall be accompanied by such fees as the Commission may direct.
- 6) The Transmission or the Distribution Licensee shall furnish to the Commission such additional information, particulars and documents as the Commission may require from time to time after such filing of revenue calculations and tariff proposals.
- 7) The Transmission or the Distribution Licensee shall publish for the information of the public the contents of the application in an abridged form in such manner the Commission may direct and shall provide copies of the application and documents filed with the Commission at a price not exceeding normal photocopying charges.

54. Multi Year Tariff Principles and Guidelines:-

- 1) The Commission may adopt multi year tariff principles for matters relating to calculation of revenue requirements of the Transmission or the Distribution Licensees and the tariff determination including on aspects of investments, reduction of loss levels, other efficiency gains to be achieved, the revision in charges, changes in tariff structure, pass through of identified element of costs and such other matters as the Commission may by a general or special order direct.
- 2) The Commission may, as and when considered appropriate, issue guidelines for filing statement of revenue calculations and tariff proposals for periods of more than one financial year and unless waived by the Commission, the licensee shall follow such guidelines issued by the Commission.

55. Hearing:-

- 1) The Commission may hold a proceeding on the revenue calculations and tariff proposals given by the Transmission or the Distribution Licensee and may hear such persons as the Commission may consider appropriate to decide on such revenue calculations and tariff proposals.
- 2) The procedure of hearing on the revenue calculations and tariff proposals of the Transmission or the Distribution Licensee shall be in the manner as the Commission may decide from time to time.

56. Order of the Commission:-

- 1) Upon hearing the Transmission or the Distribution Licensee and such other parties and upon making such other inquiry as the Commission consider it to be appropriate, the Commission shall make an order and notify the Transmission or the Distribution Licensee of its decision on the revenue calculations and tariff proposals.
- 2) While making an order under clause (1) above or at any time thereafter, the Commission may direct the publication of the tariff determined by the Commission which the Transmission or the Distribution Licensee shall charge different consumers or customers and categories thereof in the ensuing period.

- 3) The Commission shall, within seven days of the order forward a copy of the order to the State Government, the Central Electricity Authority and the concerned licensees.

57. Publication:-

- 1) The Transmission or the Distribution Licensee shall publish the tariff or tariffs approved by the Commission in the newspapers having circulation in the area of supply as the Commission may direct. The publication shall, besides such other things as the Commission may require, include a general description of the tariff changes and its effect on the classes of the consumers.
- 2) The tariffs so published under clause (1) above shall be the notified tariffs applicable in the concerned area. In case of any increase in tariff the same shall take effect only after such number of days as the Commission may direct which shall not be less than seven days, from the date of first publication of the tariffs.

58. Subsidy from State Government:-

- 1) The State Government may, at any time as it considers to be appropriate, propose any subsidy to any class or classes of consumers in the tariff determined by the Commission and upon receiving such proposal, the Commission shall determine the amount to be paid as subsidy and the terms and conditions of such payment including the manner of payment of subsidy amounts by the State Government to the person affected by the decision of the subsidy.
- 2) While determining the tariff, the Commission shall take into account any subsidies, which the State Government had agreed to give to any class or classes of consumers.
- 3) The tariff determined by the Commission shall be published duly taking into account such subsidy offered by the State Government as on the date of the decision of the Commission.
- 4) Notwithstanding anything contained above no direction of the State Government shall be operative if the payment is not made by the State Government in accordance with the provisions of Section 65 of the Central Act and in the event of such directions being not operative the amount of subsidy to be made by the State Government shall be added in the tariff to be charged by the Distribution Licensees to the concerned class or classes of consumers.
- 5) The Distribution Licensee shall be required to furnish documents to the satisfaction of the Commission that the subsidy amount received by the Distribution Licensee from the State Government is duly accounted for and utilised for the purpose for which the subsidy is given.

59. Bills to Consumers:-

- 1) The Distribution Licensee shall raise bills for the energy supplied or transmitted or services rendered to the consumers only in accordance with the notified tariff and in accordance with clause (4) of Regulation 58 above.

- 2) The bills to the consumers shall distinctively display the per unit cost of supply of electricity to the class of consumers as determined by the Commission, the subsidy, if any, given by the State Government applicable to such class of consumers and such other particulars as the Commission may by order direct from time to time

60. Revision of Tariff:-

- 1) No tariff or part of any tariff may ordinarily be amended, more frequently than once in any financial year, except in respect of any changes expressly permitted under the terms of any fuel surcharge formula as laid down by the Commission.
- 2) Unless otherwise agreed by the Commission, the amount eligible for recovery towards the adjustment for the price and mix variations in the quantity of energy to be purchased shall be computed and recovered as set out in **Appendix 7**. The Commission may from time to time add, vary, amend, alter or substitute the contents of the **Appendix 7** by a general or special order the Commission may issue for the purpose and such order may be issued as applicable to specific licensees
- 3) The consequential orders which the Commission may issue to give effect to subsidy the State Government may provide shall not be construed as amendment of tariff notified. The Distribution Licensee shall, however, give appropriate adjustments in the bills to be raised on the consumers for the subsidy amount in the manner the Commission may direct.

61. Generation Tariff:-

- 1) The Commission may approve the tariff for the power purchase and procurement by the Distribution Licence from the Generating Company as per Chapter VI of these Regulations and on such approval being given, the Generating Company shall be entitled to sell the energy to the Distribution Licensee as per the tariff, terms and conditions contained in the Power Purchase Agreement as approved by the Commission.
- 2) In cases other than those covered by clause (1) above the Generating Company may file an application by 30th November of each year to the Commission for determination of tariff for any of its generating station for the sale of energy in the State of Orissa giving details of the fixed and variable costs associated with the generation and sale of energy from the generating station.
- 3) The application by the Generating Company under clause (2) may be filed for determination of the tariff for sale of energy to any specific purchaser including the Distribution Licensee or to more than one such purchaser or generally for sale of energy from time to time to such person or persons including Distribution Licensees who may desire to purchase energy.
- 4) The Commission may determine the tariff for the sale of energy from the Generating Station of a Generating Company and the Generating Company may thereafter enter into agreements for the sale of energy on the tariff determined by the Commission subject to the terms and conditions laid down by the Commission.

Provided that the determination of the Generation Tariff shall not entitle the Generating Company to sell energy to the Distribution Licensees on a long term basis except in accordance with the Power Purchase Agreement or procurement to be finalised by the Distribution Licensee as provided in Chapter VI of these Regulations and the terms and conditions which the Commission may lay down for the purpose from time to time.

Provided also that determination of the Generation Tariff shall not entitle the Generating Company to sell energy to the Distribution Licensees on a short term basis except in accordance with the Chapter VI of these regulations and on the terms and conditions laid down by the Commission under Chapter VI.

62. Tariff of Electricity Trader:-

- 1) The Commission may approve the tariff for the power purchase and procurement by the Distribution Licensee from the Electricity trader as per Chapter VI of these Regulations and on such approval being given, the Electricity Trader shall be entitled to sell the energy to the Distribution Licensee as per the tariff, terms and conditions contained in the Power Purchase Agreement as approved by the Commission.
- 2) The Commission may from time to time fix the trading margin of the electricity trader for trading in electricity in the State of Orissa.

The determination of the trading margin for the Electricity Trader, shall not entitle the Distribution Licensees to purchase the electricity except as provided in Chapter VI of these Regulations and further such sale shall be subject to such further terms and conditions the Commission may lay down for the purpose from time to time.

CHAPTER - IX

PERFORMANCE STANDARDS, CODES, SUPPLY REGULATIONS ETC.

63. 1) The Commission may from time to time direct the licensees and generating companies operating in the State to formulate or adopt such codes as the Commission considers appropriate for the proper and efficient conduct of the electricity sector and operation of the power systems in the State..
- 2) The Commission may hold such consultations and proceedings as the Commission considers appropriate to deliberate on the codes formulated by the licensee.
- 3) The Commission may appoint consultants or experts to advise the Commission on the codes formulated by the licensees and generating companies.
- 4) The Commission may direct such modifications as it considers appropriate to the codes formulated by the Licensees and generating companies.
- 5) The licensees and generating companies shall implement codes approved by the Commission consistent with the directions and orders made by the Commission from time to time.
- 6) Without prejudice to the generality of the powers of the Commission in regard to the enforcement of standards of performance in operation of the power system the codes to be formulated and implemented may include
- a) Grid Code;
 - b) Distribution (planning and operation) Code;
 - c) Distribution (Conditions of Supply)Code;
 - d) Consumer related codes including code of practice on payment of bills, standards and quality of service and fines and penalties for failure, consumer rights statement and consumer complaint handling procedures;
 - e) Safety and Security Code;
 - f) Transmission System Planning and Security Standards;
 - g) Distribution System Planning and Security Standards;
 - h) Transmission Operating standards;
 - i) Distribution Operating Standards; and
 - j) Codes on utilisation of electricity and demand side management.
- 7) The Licensees and generating companies shall follow the existing standards, codes and conditions of supply till the codes, standards and conditions of supply are formulated and implemented in accordance with these Regulations.

CHAPTER – X

INVESTIGATION, INQUIRY, COLLECTION OF INFORMATION, ETC.

64. Collection of information:-

- 1) The Commission may make such order or orders as it thinks fit in terms of the provisions of the Central Act or the State Act for collection of information, inquiry, investigation, entry, search, seizure and without prejudice to the generality of its powers:
 - a) the Commission may specially authorize any officer, on behalf of the Commission, to enter any building or place where the Commission has reason to believe that any document relating to the subject matter of the inquiry or adjudication under the Central Act and the State Act, may be found and may seize any such document or take extracts or copies there from.
 - b) in the exercise of powers conferred on it by Section 128 of the Central Act, the Commission may, on being satisfied that a licensee or a generating company has failed to comply with any of the conditions of the licence or the provisions of the Central Act or the State Act or the rules or regulations made thereunder, at any time, by order in writing, direct an Investigating Authority directed in the order to investigate the affairs of the licensee or generating company and report to the Commission. For this the Commission may direct the minimum information to be maintained by the licensees and generating companies in their books and also direct the manner in which such information shall be maintained and the checks and verifications to be adopted.
 - c) the Commission may, at any time, direct the Secretary or any one or more Officers or consultants or any other person as the Commission considers appropriate to study, investigate or furnish information with respect to any matter within the purview of the Commission.
 - d) the Commission may for the above purpose give such other directions as it may deem fit and direct the time within which the report is to be submitted or information furnished.
 - e) the Commission may issue or authorize the Secretary or an Officer on its behalf to issue directions to any person to produce before it and allow to be examined and kept by an Officer of the Commission designated in this behalf the books of accounts as provided in the Central Act or the State Act.
 - f) the Commission may, for the purpose of collecting any information particulars or documents which the Commission consider necessary in connection with the discharge of its functions, issue such directions and follow any one or more of the methods provided for in the Central Act or the State Act as the Commission consider it to be appropriate.

- g) if any such report or information obtained as stated in Central Act or the State Act or in these regulations appears to the Commission to be insufficient or inadequate, the Commission or the Secretary or an Officer authorised for the purpose may give directions for further inquiry, report and furnishing of information.
 - h) the Commission may direct that such incidental, consequential and supplemental matters which may be considered relevant in connection with the above, be attended to.
- 2) In the discharge of the functions and powers under the Central Act, the State Act and the Regulations, the Commission may, if it thinks fit, direct a notice of inquiry to be issued and proceed with the matter in a manner provided under Chapter II of these Regulations.
 - 3) On receipt of the report from the appointed Investigating Authority, and after giving an opportunity to the licensee or generating company, as the case may be, to make a representation in connection with the report, the Commission may make an order to require the licensee or the generating company to take such action in respect of any matter arising out of the report as the Commission may think fit;
 - 4) The Commission may, after giving reasonable notice to the licensee or the generating company, as the case may be, publish the report submitted by the Investigating Authority or such portion(s) thereof as may appear to the Commission to be necessary.
 - 5) Every Licensee and the generating company shall maintain in his books the information to the extent and in the manner contained in **Appendix 8** to these regulations to facilitate the functions of the investigating authority. The Commission may from time to time add, vary or modify the contents of **Appendix 8** as the Commission may consider appropriate

65. Assistance of Experts:-

- 1) The Commission may, at any time, take the assistance of any institution, consultants, experts, engineers, chartered accountants, advocates, surveyors and such other technical and professional persons, as it may consider necessary, and ask them to study, investigate, inquire into any matter or issue and submit report or reports or furnish any information. The Commission may determine the terms and conditions for engagement of such professionals.
- 2) If the report or information obtained in terms of the above Regulations or any part thereof is proposed to be relied upon by the Commission in forming its opinion or view in any proceedings, the parties in the proceedings shall be given a reasonable opportunity for filing objections and making submissions on the report or information.

CHAPTER XI

FINES AND CHARGES

66. Imposition of Fines and Charges:-

- 1) The Commission may initiate a proceeding for imposition of fines and charges and award of compensation upon receiving from the person affected a complaint or on its own if the Commission is of the view that the facts made known prima-facie constitute non-compliance or violation by a generating company, a licensee or other person of any provision or requirement of the Central Act or the State Act or of any of the rules or regulations framed there under or of directions or orders of the Commission.
- 2) If the Commission decides on the basis of the information received that there is a prima-facie cause to proceed in the matter, a case shall be registered and notice shall be issued to the person who is responsible for non compliance or violation under clause (1) above to show cause within a reasonable time as to why the Commission should not impose the fines or charges on him. The notice shall state the substance of the allegation against such person with specific reference to the alleged non-compliance or violation.
- 3) On the date fixed in the notice for appearance, the Commission shall explain to the person who is responsible for non compliance or violation or his authorised representative, the non-compliance or violation alleged to have been committed by such person.
- 4) Where the person who is responsible for non compliance or violation appears in response to the notice and admits the truth of the allegation by a memorandum in writing, the Commission shall record the response and may impose fines or charges at its discretion in accordance with the provisions of the Central Act, the State Act and the Regulations framed by the Commission for the purpose and may also award compensation to the affected person.
- 5) Where the person who is responsible for non compliance or violation on appearance does not admit the alleged violation or non-compliance and demands a hearing, the Commission shall proceed to hear the case in accordance with the provisions of the Central Act and State Act and these Regulations.
- 6) If any person to whom a notice has been issued fails without reasonable cause to appear before the Commission on the date fixed for hearing or any subsequent date to which the proceeding may have been adjourned, the Commission may at its discretion proceed with the case ex parte in the absence of such person.
- 7) The Commission shall proceed to hear the complainant and take all such evidence, oral or documentary, or by way of affidavit, as may be produced in support of the case and take all such evidence as may be produced by the person who is responsible for non compliance or violation in his defence. Where the proceeding has been initiated upon information received by the Commission, it may direct any of its officers to act as complainant in the matter and present the evidence in the case.

- 8) The Commission, at any stage of the proceeding, shall have the power to summon and enforce the attendance of any person who appears to be acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the Commission appears to be material or relevant to the subject matter of the proceeding.

67. Process for levy and recovery of Fines and Charges:-

- 1) If on the conclusion of any proceeding, the Commission is satisfied that any person is liable to fines or charges, it may by order in writing impose such fines or charges in accordance with the provisions of the Central Act or the State Act, and the Regulation specified for the purpose and may also award compensation.
- 2) While determining the quantum of fines or charges, the Commission shall, amongst other, consider the following factors:
 - a) the nature and extent of non-compliance or violation,
 - b) wrongful gain or unfair advantage derived as a result of the non-compliance or violation,
 - c) loss or degree of harassment caused to any person(s) as a result of the non-compliance or violation, and
 - d) the repetitive nature of the non-compliance or violation.
- 3) While passing an order under this regulation, the Commission may award compensation to the complainant or affected party to be paid by the person found to have committed the non-compliance or violation.
- 4) The Commission may direct the time within which the fines, charges or compensation should be paid by the concerned person,
- 5) The Commission may designate an Officer to collect the fines and charges pursuant to the provisions of the Central Act and the State Act.

68. Withdrawal and Disposal of Complaint:-

- 1) If a complainant, at any time before a final order is passed in any proceedings satisfies the Commission that there are sufficient grounds for permitting him to withdraw his complaint against the respondent named in the complaint, or if there be more than one respondent, against all or any of them, the Commission may permit the complainant to withdraw the same.
- 2) If the Commission, is of the opinion that it will not be appropriate to allow the withdrawal of the complaint, the Commission may make orders for the complaint being continued by such other person in the place of the complainant and in such manner as the Commission may consider appropriate.
- 3) Where the Commission is of the opinion that the continuance of the proceeding under this regulation is unnecessary or is an abuse of the process, it may at any stage, terminate the proceeding for reasons to be recorded in writing.

CHAPTER - XII

APPLICATION OF CERTAIN PROVISIONS OF INDIAN PENAL CODE AND CRIMINAL PROCEDURE CODE

69. Applicability of provisions of Indian Penal Code and Criminal Procedure Code:-

- 1) In terms of Section 95 of the Act, the proceedings before the Commission shall be deemed to be judicial proceedings and Commission shall be deemed to be a Civil Court as specified in the said Section read with applicable provisions of the Indian Penal Code and the code of Criminal Procedure, 1973.
- 2) The extracts of the relevant provisions of the Indian Penal Code and Criminal Procedure Code are contained in **Appendix 9** to these Regulations.

CHAPTER - XIII
MISCELLANEOUS

70. Review of the decisions, directions and orders:-

- 1) The Commission may on its own motion, or on the application of any of the person or parties concerned, within 90 days of the making of any decision, direction or order, review such decision, directions or orders and pass such appropriate orders as the Commission thinks fit.
- 2) An application for such review shall be filed in the same manner as a petition under Chapter II of these Regulations.
- 3) The application shall be accompanied by such fee, if any, as may be laid down by Commission.

71. Continuance of proceedings after death, etc.: -

- 1) Where in any proceedings any of the parties to the proceedings dies or is adjudicated as an insolvent or in the case of a Company under liquidation/ winding up, the proceedings shall continue with the successors-in-interest of the party concerned.
- 2) The Commission may, for reasons to be recorded, treat the proceedings as abated in case the Commission so directs and dispense with the need to bring the successors-in-interest to come on record.
- 3) In case any person wishes to bring on record the successors-in-interest, the application for the purpose shall be filed within 90 days from the event requiring the successors-in-interest to come on record.

Provided that the Commission may, if it is satisfied that there is sufficient cause for not filing the application within the time allowed, condone the delay subject to such terms and conditions, as the Commission may consider appropriate.

- 4) If the person fails to bring on record the successor-in-interest within the time allowed under clause (3) and in the event the application for condoning the delay in bringing on record the successor-in-interest is not condoned under the proviso to clause (3) the proceedings against the deceased person shall abate,

72. Proceedings to be open to public: -

The proceedings before the Commission shall be open to the public subject to availability of sitting accommodation.

Provided that the Commission may, if it thinks fit, and for reasons to be recorded in writing, order at any stage of the proceedings of any particular case that the public generally or any particular person or group of persons shall not have access to or be or remain in, the room or building used by the Commission for the purpose of conduct of the proceeding.

73. Publication of petition:-

- 1) Where any application, petition, or other matter is required to be published under the Central Act, the State Act or these Regulations or as per the directions of the Commission, it shall, unless the Commission otherwise orders or the Central Act or the State Act or Regulations otherwise provide, be advertised within such time as the Commission may direct and in the absence of any specific direction to the contrary not less than 5 days before the date fixed for hearing and further unless otherwise directed by the Commission such publication shall be done in two newspapers one in English Language and one in Oriya Language having wide circulation in the area concerned.
- 2) Except as otherwise provided, such advertisements shall give a heading describing the subject matter in brief.
- 3) Such advertisement to be published shall be approved by the Officer of the Commission designated for the purpose.

74. Confidentiality:-

- 1) The Records of the Commission, except those parts which for reasons directed by the Commission are confidential or privileged, shall be open to inspection by all, subject to the payment of fees and compliance with such other terms as the Commission may direct.
- 2) The Commission may, on such terms and conditions as it considers appropriate, provide for the supply of the certified copies of the documents and papers available with the Commission to any person.
- 3) The Commission may, by order, direct that any information, documents and other papers and materials produced before it or any of its Officers, consultants, representatives or otherwise which may otherwise come into their possession or custody, shall be confidential or privileged and shall not be available for inspection or supply of copies, and the Commission may also direct that such document, papers or materials shall not be used in any manner except as specifically authorized by the Commission.

75. Issue of orders and practice directions:-

Subject to the provisions of the Central Act, State Act and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of the Regulations and procedure to be followed on various matters which the Commission has been empowered by these regulations to lay down.

76. Saving of inherent power of the Commission:-

- 1) Nothing in these regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Commission.
- 2) Nothing shall bar the Commission from adopting a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient.

- 3) Nothing in these regulations shall, expressly or impliedly, bar the Commission to deal with any matter or exercise any power under the Central Act and the State Act for which no Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

77. General power to amend:-

The Commission may, at any time amend any defect or error in any proceeding before it.

78. Power to remove difficulties:-

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Central Act and the State Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

79. Power to dispense with the requirement of the Regulations:-

The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties, dispense with the requirements of any of the Regulations in a specific case or cases subject to such terms and conditions as may be directed.

80. Extension or abridgment of time allowed:-

Subject to the provisions of the Central Act and the State Act, the time allowed by these regulations or by order of the Commission for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by order of the Commission.

81. Effect of non-compliance:-

The failure to comply with any requirement of these Regulations shall not invalidate any proceeding merely by reason of such failure unless the Commission is of the view that such failure has resulted in miscarriage of justice.

82. Costs

- 1) Subject to such conditions and limitations as may be directed by the Commission, the cost of all proceedings shall be awarded at the discretion of the Commission and the Commission shall have full power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes.
- 2) The costs shall be paid within 30 days from the date of the order or within such time as the Commission may, by order, direct. The order of the Commission awarding costs shall be executed in the same manner as the decree/order of a Civil Court.

83. Enforcement of orders passed by the Commission:-

The Secretary shall ensure enforcement and compliance of the orders passed by the Commission, by the persons concerned in accordance with the provisions of the Central Act and the State Act and regulations and if necessary, may seek the orders of the Commission for directions.

84. Recognition of Consumer Association and consumer interest:-

- 1) It shall be open to the Commission to permit any recognized association, forum or other bodies corporate or any group of consumers to participate in any proceedings before the Commission and permit them to make such representation or participate in the proceedings before the Commission in such manner as the Commission considers appropriate.
- 2) It shall be open to the Commission for the sake of timely completion of proceedings, to direct grouping of the associations, forums referred to in clause (1) above so that they can make collective representation.
- 3) The Commission may appoint any officer or any other person to represent consumers' interest, if considered necessary.
- 4) The Commission may, for the purpose of clauses (1) or (3) above direct payment of such fees, costs and expense by such of the parties in the proceedings, as the Commission may consider appropriate.

85. Repeal and Savings:-

- 1) The provisions of the Orissa Electricity Regulatory Commission (Conduct of Business) Regulations, 1996, Orissa Electricity Regulatory Commission (Exemption from License) Regulations, 1998 and Orissa Electricity Regulatory Commission (Fines and Charges) Regulations, 1999 are hereby repealed.
- 2) Section 5 of the Orissa General Clauses Act, 1937 shall apply to such repeal in the same manner and to the same extent as it applies to any enactment.

By order of the Commission

(M.R.HAZRA)

SECRETARY

APPENDIX - 1

(See Regulation 11)

General Heading for Proceedings

**BEFORE THE ORISSA
ELECTRICITY REGULATORY COMMISSION,
Bhubaneswar**

FILE NO.

CASE NO.

(To be filled by the Office)

IN THE MATTER OF :

(Gist of the purpose of the petition or application)

AND

IN THE MATTER OF :

(Names and full addresses of the petitioners/applicants and names and full addresses of the respondents).

APPENDIX- 2
(See Regulation 12)

**BEFORE THE
ORISSA ELECTRICITY REGULATORY COMMISSION
Bhubaneswar**

FILE No.

CASE NO. (To be filled by the Office)

IN THE MATTER OF : (Gist of the purpose of the petition or application) AND

IN THE MATTER OF :

(Names and full addresses of the petitioners/applicants and names and full addresses of the respondents)

Affidavit verifying the petition/reply/application

I, AB, son of aged residing at do solemnly affirm and say as follows :

1. I am a Director / Secretary / of Ltd., the petitioner in the above matter and am duly authorised by the said petitioner to make this affidavit on its behalf.

Note: This paragraph is to be included in cases where the petitioner is the Company.

2. The statements made in paragraphs of the petition herein now shown to me and marked with the letter 'A' are true to my knowledge and the statements made in paragraphs are based on information and I believe them to be true.

Deponent

Verification:

I, the deponent above named do hereby verify that the contents of my above affidavit are true to my knowledge; no part of it is false and nothing material has been concealed there from

Verified at on the day of

Deponent

APPENDIX 3 A

(See Regulation 26)

ORISSA ELECTRICITY REGULATORY COMMISSION

FORM – 1 : Application Form for grant of a Distribution Licence in the State of Orissa

The applicant must submit the completed application in six copies to the Secretary, Orissa Electricity Regulatory Commission, Vidyut Niyamak Bhavan, Unit VIII, Bhubaneswar-12 along with application fee of Rs. xxx (Rupees in words) in form of a DD drawn in favour of Orissa. Electricity Regulatory Commission, payable at Bhubaneshwar.

PART-A: GENERAL INFORMATION OF APPLICANT

1. Details of Applicant
 - a. Full Name of the Applicant :
 - b. Full Address of the Applicant :
 - c. Name, Designation & Address of the Contact Person :
 - d. Contact Telephone Numbers :
Fax Number(s) :
Email ID :
2. Nature and Details of Ownership
 - a. Company/ Firm/ Co-op Society/ Individual/ Others :
 - b. When and where Company Incorporation/ Registration
Place of Incorporation/ Registration :
Year of Incorporation :
Registration Number :
Place of Registration of the firm, co-op society
 - c. Names and Addresses of Directors/partners/governing body members/trustees
3. Principal Shareholders/ Partners/ Members
4. Details of the area of distribution and supply or the area of operation for which Distribution licence has been sought:
 - a. Boundaries of the proposed Area of Distribution/supply/operation :
 - b. Coverage of Distribution Network :

- c. Nature of other electricity licenses / authorisation, if any, for electricity transmission, distribution or trading already granted :
- d. Arrangement proposed for Sourcing of Power
 - i. Voltages :
 - ii. Source of Supply (Name of supplier) :
 - iii. Quantum of electricity proposed to be handled (Demand in MW and Energy in MU):
 - iv. Purchase price at which electricity is proposed to be procured :
- e. Supply of Power
 - i. Voltages :
 - ii. Categories of Distribution & Supply :
- f. Method and manner of establishing a forum for redressal of consumer grievances:
- g. Funding arrangements (source and application) to meet supply obligations :
- 5. Arrangement, if any, proposed with the existing distribution licensee in the area of distribution or supply
- 6. Arrangement with the Transmission Licensees and other distribution licensees for evacuation of electricity
- 7. Resume of the Organisation giving details of
 - a. Management capability
 - b. Financial Strength
 - c. Ability to discharge distribution and supply activities in a sustainable manner
- 8. Prior Experience (Past 3 years details for Related Business)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information	
Name & Address of the project(s) developed	
Brief description of project(s) developed	
Cost of the project(s) developed – Rs. Lakhs.	
Name & Address of the Client company(s) for whom the project(s) were developed	
Name, Designation & Address of Reference person of Client Co(s)	

9. Details of the Assets and facilities required for the Business

- i) Is the applicant acquiring Existing Assets or Creating New Assets?
- ii) For applicants acquiring Existing Assets

<p>Funding</p>	
<p>Proposed means of Finance</p> <p>Equity (Rs. Lakhs)</p> <ul style="list-style-type: none"> Applicant Co-promoters Others <p>Debt</p> <p>Domestic (Rs. Lakhs)</p> <ul style="list-style-type: none"> Indian Financial Institutions Commercial Banks Others (give details) <p>International (FC Million)</p> <ul style="list-style-type: none"> Supplier's Credit Direct Borrowing Others (give details) Equivalent INR (with Exchange rate used) Others 	
<p>In case Asset Procurement/ Project is proposed to be jointly funded by an External Agency</p> <p>Name & Address of the Agency, and contact details of the reference person of the Agency (<i>name, address, telephone/fax numbers, email etc.</i>)</p> <p>Proposed Equity from the Agency (Rs. Lakhs)</p> <p>Agency's equity as a percentage of total equity (%)</p> <p>Nature of proposed tie -up between Applicant and the other agency.</p>	

<p>Details of debt proposed for the Asset Procurement/ Project</p> <p>Details of Lenders (name & address).</p> <p>Details of Loan packages indicating the loan amount, currency, Term of loan, interest rate, up -front fees, Commitment charges etc.</p> <p>Whether any guarantee is being sought for the loans from any agency.</p> <p>Is Yes, provide details</p>	<p>Yes/ No</p>
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iii) For Applicants creating New Assets

EPC	
<p>Whether the Applicant is proposing to employ an EPC Contractor.</p> <p>If Yes, Name, Address & contact details of the same.</p> <p>Proposed Contract Value Foreign Currency Equivalent INR (with Exchange rate used)</p>	<p>Yes/ No</p>

iv) For Applicants employing other contractors

Other Contracts	
<p>Whether the Applicant is proposing to employ any Contractor(s) for O&M work.</p> <p>If Yes, Name, Address & contact details of the same.</p> <p>Period of the Contract</p> <p>Details of the experience of the O&M contractor in similar business(es)</p>	<p>Yes/ No</p>

Note :

1. Consent letters of the other Agency & Contractors to associate with the Applicant for the above project to be enclosed.

2. Necessary approvals and no objections to be obtained at appropriate time and forwarded to the Commission.

10. Appropriate Expertise (Personnel)

Name of Personnel	Qualification	Specialisation	Years of Experience	Status in the Firm
1.				
2.				
3.				
4.				
5.				

11. Financial Details of other business ventures of the applicant)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information						
Names of Subsidiary Business Units	Products Manufactured/ Services					
1.	1.					
2.	2.					
3.	3.					
4.	4.					
5.	5.					
Financial Indicators	Year 1	Year 2	Year 3	Year 4	Year 5	
Fixed Assets						
Gross Fixed Assets						
Accumulated Depreciation						
Net Fixed Assets						
Equity						
Promoters'						
Government/ Financial Institutions						
Public						
Others						
Liabilities						
Long Term						
Short Term						
Income						
Sale of Power						
Others						

Expenses Admin. & General Expense Repairs & Maintenance Employee Cost Interest & Financial Charges Long Term Short Term Others					
Financial Indicators	Year 1	Year 2	Year 3	Year 4	Year 5
Overall Turnover (Rs. Lakhs)					
Profits & Returns (Rs. Lakhs) Net Profits Dividends Paid					
Operating Ratios Return on Equity Return on Capital Employed Return on Net Fixed Assets					
Liquidity Ratio Debt Service Coverage Ratio Current Ratio Quick Ratio					
Capital Adequacy & Credit worthiness Debt/ Networth Debt/ Equity					
Turnover Ratio Total Asset Turnover Fixed Asset Turnover					

12. Baseline Information (Business for which Licence is sought)

General Information	
Asset Base Sub-Stations 500 kVA 250 kVA 100 kVA 63 kVA 25 kVA 10 kVA Others EHT Line (Ckt. Kms) 66 kV and above HT Line(Ckt. Km.) 33 kV 11 kV LT Line (Ckt. Kms) 400/440/220 Volts	

Commercial Information	
Metering Status Metered Consumers (as a % of Total Consumers)	
Billing Status Billing (as a % of Total Input)	
Revenue Realization Revenue Realization per Unit Sale (Rs./ Unit) Collection Efficiency (%)	
Loss Technical Loss (%) Commercial Loss (%)	

PART B LIST OF DOCUMENTS TO ACCOMPANY LICENCE APPLICATION

1. The applicant shall submit all the three statutory financial statements; balance sheets, profit and loss account and cash flow statement.
2. Information relating to pre-existing licence (if any), with copy of licence / sanction
3. Copies of Company's Articles of Association, Memorandum of Association, Partnership deeds and similar constitutional documents.
4. Certification of incorporation/Registration.
5. Certification for commencement of Business.
6. Original Power of Attorney of the Signatory to commit the Applicant or its Promoter.
7. Details of Income Tax registration and PAN NO.
8. Details of import license, if any.
9. Data relating to Management and Financial capability
 - a. Managerial
 - i. Senior management's curriculum vitae
 - ii. Cadre strength for different categories (technical and non-technical)
 - b. Financial
 - i. Bank references asserting that the Applicant is financially solvent
 - ii. Most recent Annual Financial Statements.
 - iii. Annual Audited Accounts for the past 3 years for the Applicant and any Holding Company, Subsidiary or affiliated company
 - iv. Any accompanying notes and certifications on the above statements from reputed chartered accountant

- c. Any other documentary evidence to substantiate the financial capabilities, technical competence and others.
10. Data relating to the Applicant's Business proposals
- a. Five year Business Plan (with projection) for the proposed business for which the application relates
 - b. Five year annual forecasts of costs, sales, revenues, project financing and funding arrangements (clearly giving the assumptions involved) and basis for such assumption
11. Detailed Map(s)
- i. Detailed electrical distribution map (including information on substations and configuration of the system) and geographical map for the proposed area of Distribution, drawn to scale (scale not less than one cm to one km or any other scale as may be approved by the Commission)
 - ii. The map shall clearly distinguish between the existing system and new facilities that shall be required for meeting the obligation to supply
 - iii. The map shall indicate the streets and roads in which the electricity is distributed
 - iv. A list of all local authorities vested with the administration of any portion of the area of Distribution
 - v. An approximate Statement describing any lands, which the Applicant proposes to acquire for the purpose of the licence and the means of such acquisition
12. No objection certificates to distribute or supply in an area from the Central Government as per s.15(2)(ii) of the Electricity Act or acknowledgement for the filing of the application with the Central Government seeking such approval.

Date

Signature of the Applicant

APPENDIX - 3 B

(See Regulation 26)

ORISSA ELECTRICITY REGULATORY COMMISSION

FORM – 1 : Application Form for grant of a Transmission Licence in the State of Orissa

The applicant must submit the completed application in six copies to the Secretary, Orissa Electricity Regulatory Commission, Vidyut Niyamak Bhavan, Unit-VIII, Bhubaneswar-12 along with application fee of Rs. xxx (Rupees in words) in form of a DD drawn in favour of Orissa Electricity Regulatory Commission, payable at Bhubaneshwar.

PART-A: GENERAL INFORMATION OF APPLICANT

1. Details of Applicant
 - a. Full Name of the Applicant :
 - b. Full Address of the Applicant :
 - c. Name, Designation & Address
of the Contact Person :
 - d. Contact Telephone Numbers :
Fax Number(s) :
Email ID :
2. Nature and Details of Ownership
 - a. Company/ Firm/ Co-op Society/ Individual/ Others :
 - b. When and where Company Incorporation/ Registration
Place of Incorporation/ Registration :
Year of Incorporation :
Registration Number :
 - c. Names and Addresses of Directors
3. Principal Shareholders/ Partners/ Members
4. Details of the area of transmission for which the licence has been sought:
 - a. Boundaries of the proposed Area of Transmission:
 - b. Coverage of the Transmission Network :
 - c. Nature of other electricity licenses / authorisation, if any,
for electricity transmission, distribution or trading already granted :
 - d. Funding arrangements (source and application) to meet the obligations :
5. Arrangement proposed with the State Transmission Utility
6. Arrangement, if any, proposed with other licensees
7. Arrangement, if any, with Generating Companies
8. Resume of the Organisation giving details of
 - a. Management capability

b. Financial Strength

c. Ability to attend to the activities in a sustainable manner

9. Prior Experience (Past 5 years details for Related Business)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information	
Name & Address of the project(s) developed	
Brief description of project(s) developed	
Cost of the project(s) developed – Rs. Lakhs.	
Name & Address of the Client company(s) for whom the project(s) were developed	
Name, Designation & Address of Reference person of Client Co(s)	

10. Details of the Assets and facilities required for the Business

i) Is the applicant acquiring Existing Assets or Creating New Assets?

ii) For applicants acquiring Existing Assets

Funding	
Proposed means of Finance	
Equity (Rs. Lakhs)	
Applicant	
Co-promoters	
Others	
Debt	
Domestic (Rs. Lakhs)	
Indian Financial Institutions	
Commercial Banks	
Others (give details)	
International (FC Million)	
Supplier's Credit	
Direct Borrowing	
Others (give details)	
Equivalent INR (with Exchange rate used)	
Others	

<p>In case Asset Procurement/ Project is proposed to be jointly funded by an External Agency</p> <p>Name & Address of the Agency, and contact details of the reference person of the Agency (<i>name, address, telephone/fax numbers, email etc.</i>)</p> <p>Proposed Equity from the Agency (Rs. Lakhs)</p> <p>Agency's equity as a percentage of total equity (%)</p> <p>Nature of proposed tie -up between Applicant and the other agency.</p>	
<p>Details of debt proposed for the Asset Procurement/ Project</p> <p>Details of Lenders (<i>name & address</i>).</p> <p>Details of Loan packages indicating the loan amount, currency, Term of loan, interest rate, up -front fees, Commitment charges etc.</p> <p>Whether any guarantee is being sought for the loans from any agency.</p> <p>Is Yes, provide details</p>	<p>Yes/ No</p>

iii) For Applicants creating New Assets

<p>EPC</p>	
<p>Whether the Applicant is proposing to employ an EPC Contractor.</p> <p>If Yes, Name, Address & contact details of the same.</p> <p>Proposed Contract Value Foreign Currency Equivalent INR (with Exchange rate used)</p>	<p>Yes/ No</p>

(iv) For Applicants employing other contractors

Other Contracts	
Whether the Applicant is proposing to employ any Contractor(s) for O&M work.	Yes/ No
If Yes, Name, Address & contact details of the same.	
Period of the Contract	
Details of the experience of the O&M contractor in similar business(es)	

Note :

- a) Consent letters of the other Agency & Contractors to associate with the Applicant for the above project to be enclosed.
- b) Necessary approvals and no objections to be obtained at appropriate time and forwarded to the Commission.

11. Appropriate Expertise (Personnel)

Name of Personnel	Qualification	Specialisation	Years of Experience	Status in the Firm
a.				
b.				
c.				
d.				
e.				

12. Financial Details of other business ventures of the applicant)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information					
Names of Subsidiary Business Units			Products Manufactured/ Services		
Financial Indicators					
Fixed Assets					
Gross Fixed Assets					
Accumulated Depreciation					
Net Fixed Assets					

Equity Promoters' Government/ Financial Institutions Public Others					
Liabilities Long Term Short Term					
Income Sale of Power Others					
Expenses Admin. & General Expense Repairs & Maintenance Employee Cost Interest & Financial Charges Long Term Short Term Others					
Financial Indicators					
Overall Turnover (Rs. Lakhs)					
Profits & Returns (Rs. Lakhs) Net Profits Dividends Paid					
Operating Ratios Return on Equity Return on Capital Employed Return on Net Fixed Assets					
Liquidity Ratio Debt Service Coverage Ratio Current Ratio Quick Ratio					
Capital Adequacy & Credit worthiness Debt/ Networth Debt/ Equity					
Turnover Ratio Total Asset Turnover Fixed Asset Turnover					

13. Baseline Information (Business for which Licence is sought)

General Information	

PART B LIST OF DOCUMENTS TO ACCOMPANY LICENCE APPLICATION

1. The applicant shall submit all the three statutory financial statements; balance sheets, profit and loss account and cash flow statement.
2. Information relating to pre-existing licence (if any), with copy of licence / sanction.
3. Copies of Company's Articles of Association, Memorandum of Association, Partnership deeds and similar constitutional documents.
4. Certification of incorporation/Registration.
5. Certification for commencement of Business.
6. Original Power of Attorney of the Signatory to commit the Applicant or its Promoter.
7. Details of Income Tax registration and PAN no.
8. Details of import license, if any.
9. Data relating to Management and Financial capability
 - a. Managerial
 - i. Senior management's curriculum vitae
 - ii. Cadre strength for different categories (technical and non-technical)
 - b. Financial
 - i. Bank references asserting that the Applicant is financially solvent
 - ii. Most recent Annual Financial Statements
 - iii. Annual Audited Accounts for the past 3 years for the Applicant and any Holding Company, Subsidiary or affiliated company
 - iv. Any accompanying notes and certifications on the above statements from reputed chartered accountant
 - c. Any other documentary evidence to substantiate the financial capabilities, technical competence and others.

10. Data relating to the Applicant's Business proposals
 - i. Five year Business Plan (with projection) for the proposed business for which the application relates
 - ii. Five year annual forecasts of costs, revenues, project financing and funding arrangements (clearly giving the assumptions involved) and the basis of such assumption.
11. An approximate Statement describing any lands, which the Applicant proposes to acquire for the purpose of the licence and the means of such acquisition
12. Acknowledgement for service of the copy of the application with the annexure and documents to the State Transmission Utility

Date

Signature of the Applicant

APPENDIX - 3 C

(See Regulation 26)

ORISSA ELECTRICITY REGULATORY COMMISSION

FORM – 1 : Application Form for grant of a Trading Licence in the State of Orissa

The applicant must submit the completed application in six copies to the Secretary, Orissa Electricity Regulatory Commission, Vidyut Niyamak Bhavan, Unit-VIII, Bhubaneswar-12 along with application fee of Rs. xxx (Rupees in words) in form of a DD drawn in favour of Orissa Electricity Regulatory Commission, payable at Bhubaneshwar.

PART-A : GENERAL INFORMATION OF APPLICANT

1. Details of Applicant
 - a. Full Name of the Applicant :
 - b. Full Address of the Applicant :
 - c. Name, Designation & Address
of the Contact Person :
 - d. Contact Telephone Numbers :
Fax Number(s) :
Email ID :
2. Details of Ownership
 - a. Company/ Firm/ Co-op Society/ Individual/ Others :
 - b. When and where Company Incorporation/ Registration
Place of Incorporation/ Registration :
Year of Incorporation :
Registration Number :
 - c. Names and Addresses of Directors
3. Principal Shareholders/ Partners/ Members
4. Details of the area of operation
 - a. Nature of other electricity licenses / authorisation, if any, of the applicant
for electricity transmission, distribution or trading already granted :
5. Details of Operation
 - a. Maximum trading volume proposed to be undertaken by the applicant on a monthly basis
for the first three years;
6. Funding arrangements (source and application) to meet the obligations :
7. Arrangement for purchase of energy

8. Arrangement, if any, proposed with other existing trading and distribution licensees
9. Resume of the Organisation giving details of
 - a. Management capability
 - b. Financial Strength
 - c. Ability to attend to the activities in a sustainable manner
10. Prior Experience (Past 5 years details for Related Business)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information	
Name & Address of the project(s) developed	
Brief description of project(s) developed	
Cost of the project(s) developed – Rs. Lakhs.	
Name & Address of the Client company(s) for whom the project(s) were developed	
Name, Designation & Address of Reference person of Client Co(s)	

11. Financial Details of other business ventures of the applicant)

[To be filled in by the applicant or by each participant separately in case of JVC/ consortium (As applicable)]

General Information	
Names of Subsidiary Business Units	Products Manufactured/ Services
Financial Indicators	
Fixed Assets	
Gross Fixed Assets	
Accumulated Depreciation	
Net Fixed Assets	

Equity Promoters' Government/ Financial Institutions Public Others					
Liabilities Long Term Short Term					
Income Sale of Power Others					
Expenses Admin. & General Expense Repairs & Maintenance Employee Cost Interest & Financial Charges Long Term Short Term Others					
Financial Indicators					
Overall Turnover (Rs. Lakhs)					
Profits & Returns (Rs. Lakhs) Net Profits Dividends Paid					
Operating Ratios Return on Equity Return on Capital Employed Return on Net Fixed Assets					
Liquidity Ratio Debt Service Coverage Ratio Current Ratio Quick Ratio					
Capital Adequacy & Credit worthiness Debt/ Networth Debt/ Equity					
Turnover Ratio Total Asset Turnover Fixed Asset Turnover					

12. Baseline Information (Business for which Licence is sought)

General Information	

PART B LIST OF DOCUMENTS TO ACCOMPANY LICENCE APPLICATION

1. The applicant shall submit all the three statutory financial statements; balance sheets, profit and loss account and cash flow statement.
2. Information relating to pre-existing licence (if any), with copy of licence / sanction
4. Copies of Company's Articles of Association, Memorandum of Association, Partnership deeds and similar constitutional documents.
4. Certification of incorporation/Registration.
5. Certification for commencement of Business.
6. Original Power of Attorney of the Signatory to commit the Applicant or its Promoter.
7. Details of Income Tax registration and PAN no.
8. Data relating to Management and Financial capability
 - a. Managerial
 - i. Senior management's curriculum vitae
 - ii. Cadre strength for different categories (technical and non-technical)
 - b. Financial
 - i. Bank references asserting that the Applicant is financially solvent
 - ii. Most recent Annual Financial Statements.
 - iii. Annual Audited Accounts for the past 3 years for the Applicant and any Holding Company, Subsidiary or affiliated company
 - iv. Any accompanying notes and certifications on the above statements from reputed chartered accountant
 - c. Any other documentary evidence to substantiate the financial capabilities, technical competence and others.

9. Data relating to the Applicant's Business proposals
10. Five year Business Plan (with projection) for the proposed business for which the application relates
11. Five-year annual forecasts of costs, revenues, project financing and funding arrangements (clearly giving the assumptions involved).
12. An approximate Statement describing any lands, which the Applicant proposes to acquire for the purpose of the licence and the means of such acquisition

Date

Signature of the Applicant

APPENDIX - 4A

(See Regulation 31)

ORISSA ELECTRICITY REGULATORY COMMISSION GENERAL CONDITIONS OF DISTRIBUTION LICENCE

1 DEFINITIONS

1.1 Unless the context otherwise requires, in these General conditions :

“Accounting Statement” means for each financial year, accounting statements for the Licensed Business comprising a profit and loss account, a balance sheet and a statement of sources and application of funds, together with notes thereto as detailed under the Companies Act, 1956 (1 of 1956) and such other particulars and details in the manner as the Commission may direct from time to time. If the Distribution Licensee engages in any business or activity in addition to the Licensed Business , the accounting statements shall comply with the regulations of the Commission dealing with the treatment of Other Business of Distribution Licensee and show separately the amounts of any revenue, cost, asset, liability, reserve or provision, which has been either: charged from the Licensed Business to any Other Business or vice versa together with a description of the basis of that charge; or determined by apportionment or allocation between the Licensed Business and any Other Business of the Distribution Licensee together with a description of the basis of the apportionment or allocation.

“Act” means the Electricity Act, 2003 (36 of 2003)

“Annual Accounts” means the accounts of the Distribution Licensee prepared in accordance with the provisions of the Companies Act, 1956 and/or in such other manner as may be directed by the Commission in terms of the provisions of the Act;

“Area of Distribution” or “Area of Supply” means the area of Distribution stated in the Distribution Licence within which the Distribution Licensee is authorised to establish, operate and maintain the Distribution System and supply electricity;

“Auditors” means the Distribution Licensee’s auditors holding office in accordance with the requirements of Sections 224 to 234A or Section 619 as appropriate, of the Companies Act 1956 (1 of 1956);

“Authorised”, in relation to any Person, business or activity, means authorised by licence granted under Section 14 of the Act or deemed to be granted under the first second third and fifth proviso to Section 14 of the Act or exemption granted under Section 13 of the Act and the regulations of the Commission;

“Commission” means the Orissa Electricity Regulatory Commission;

“Deemed Licensee” means a person authorised under the first, second, third, and fifth provisos to Section 14 of the Act

“Distribution” means the conveyance or wheeling of electricity by means of a Distribution System;

“Distribution Business” means Authorised business of a Distribution Licensee to operate and maintain a Distribution System for supplying of electricity to the consumers in an Area of Supply;

“Distribution Code” means the Distribution (Planning and Operation) Code governing all material technical aspects relating to connections to and the operation and use of the Distribution System as approved by the Commission;

“Distribution Licensee” means the person authorised by the Distribution Licence and shall include the deemed licensee who is so authorised under Section 14 of the Act.

“Distribution System Operating Standards” means the standards related to the Distribution Licensee’s operation of the Distribution System as approved by the Commission pursuant to clause 16 of these General Conditions

“Distribution System Planning and Security Standards” means the standards related to the adequacy of the Distribution Licensee’s system planning and security of the Distribution System, as approved by the Commission pursuant to clause 16 of these General Conditions.

“Existing Distribution System Planning and Security Standards” means the standards for system planning and security of the Distribution System existing in the area of distribution as on the date of the grant of Licence;

“Existing Distribution System Operating Standards” means the standards for operating the Distribution System existing in the area of distribution as on the date of the grant of Licence;

“Force Majeure” means events beyond the reasonable control of the Licensee, including, but not limited to earthquakes, cyclones, floods, storms, adverse weather conditions, war, terrorist attacks, civil commotion or other similar occurrences that leads to any act that would involve a breach of relevant laws or regulations concerned with electrical safety;

“Generating Set” means any plant or apparatus for the production of electricity and shall, where appropriate, include a generating station comprising of one or more than one generating unit;

“Generator Interconnection Facilities” means electrical lines, transformers, busbars, switch-gear, plant or apparatus utilised to enable access to a Transmission System or Distribution System by the Generating Set(s);

“Grid Code” means the grid code developed by the State Transmission Utility and approved by the Commission, covering all material technical aspects relating to connections to and the operation of the Grid the use of a Distribution System, or (in so far as relevant to the operation and use of a Distribution System) the operation of electric lines and electrical plant connected to the Distribution System, the Distribution Systems, or the system of any Supplier, and shall include the Interim Grid Code;

“Holding Company” shall have the same meaning as in Section 4 of the Companies Act 1956 (1 of 1956);

“Interim Grid Code” means the existing practices and procedures implemented by the State Transmission Utility pending the approval of the Grid Code by the Commission,

“Interim Distribution Code” means the existing practices and procedures in the area of distribution to be followed by the Distribution Licensee for operating the Distribution System as on the date of the grant of the Licence pending the approval by the Commission of the Distribution Code of the Distribution Licensee;

“Licensed Business” means the business of Distribution and Supply of electricity as authorised under the Distribution Licence;

“Major Incident” means an incident associated with the Distribution of electricity, which results in a significant interruption of service, substantial damage to equipment, or loss of life or significant injury to human beings, or as otherwise directed by the Commission and shall also include any other incident which the Commission expressly declares to be a major incident;

“Operational Control” means possessing the authority to make operational decisions such as commissioning and utilisation of units, service lines and equipment;

“Other Business” means business of the Distribution Licensee other than the Licensed Business;

“Performance Standards” means the standards as may be determined by the Commission pursuant to Section 57 of the Act;

“Person” shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;

“Regulations” means the regulations made by the Commission, under the provisions of the Act or the State Act;

“Specific Conditions” means the conditions in addition or in variation to the General Conditions, which the Commission may lay down, specifically for a Distribution Licensee

“State” means the State of Orissa.

“State Act” means the Orissa Electricity Reform Act, 1995 to the extent the provisions of the said Act is not inconsistent with the Act;

“State Government” means the Government of the State of Orissa;

“Subsidiary” shall have the same meaning as in Section 4 of the Companies Act 1956 (1 of 1956);

“Trading Business” means the Authorised business of an Electricity Trader in the Area of Operation allowed under the Trading Licence granted ;

“Trading Licence” means the Licence granted under Section 14 of the Act to undertake Trading in Electricity;

“Trading Licensee” means an Electricity Trader and shall include deemed licensee who is so authorised under Section 14 of the Act;

“**Transfer**” shall include the sale, exchange, gift, lease, licence, loan, securitisation, mortgage, charge, pledge or grant of any other encumbrance or otherwise permitting of any encumbrance to subsist or parting with physical possession or any other disposition or dealing;

“**Use of System**” means use of the Distribution System for the transportation or wheeling of electricity,

“**Users**” means anyone who uses the Distribution System .

1.2 Words, terms and expressions occurring in these General Conditions and not defined herein above shall bear the same meaning as in the Act.

2 TERM:

The Distribution Licence shall come into force on the date to be mentioned by the Commission in the order granting the licence and subject to the terms and conditions of the grant of licence, shall remain in force for the period mentioned in the Order.

3 COMPLIANCE WITH LAWS, RULES AND REGULATIONS

3.1. The Distribution Licensee shall comply with the provisions of the Act, Rules, Regulations, Orders and Directions issued by the Commission from time to time and the provisions of all other applicable laws.

3.2. The Distribution Licensee shall act in accordance with these General Conditions except where the Distribution Licensee is exempted from any provisions of these General Conditions at the time of the grant of licence or otherwise specifically by an approval of the Commission to any deviation there from.

3.3. The Distribution Licensee shall duly comply with the order and directions of the National Load Despatch Centre, Regional Load Despatch Centre and the State Load Despatch Centre and other statutory authorities issued in the discharge of their functions under the Act or the State Act.

4 FUNCTIONS OF THE DISTRIBUTION LICENSEE

4.1 The Distribution Licensee shall develop and maintain an efficient, co-ordinated and economical distribution system in the Area of Distribution and effect supply of electricity to consumers in such area of supply in accordance with the provisions of the Act, the State Act, Rules, Regulations, Orders and Directions of the Commission.

4.2 The Distribution Licensee shall be entitled to:

- a) Purchase, import or otherwise acquire electricity from generating companies, electricity trader(s) and from other persons with whom the Distribution Licensee has agreements or arrangements of power purchase or procurement of energy in accordance with the terms and conditions of such agreement and arrangement consented to or approved by the Commission ;

- b) purchase or acquire electricity from any Person whose generating unit existing as on date of the grant of the Licence, is directly connected to and interfaced with the Distribution System of the Distribution Licensee, provided that the Distribution Licensee shall intimate the Commission of the existing arrangements for such purchase or acquisition of electrical energy and obtain the general or special approval of the Commission
 - c) Purchase or otherwise acquire electricity from any person or licensee on the tariffs and terms and conditions as approved by the Commission;
 - d) Appoint Franchisees to distribute and/or supply of electricity for a specified area within the area of distribution of the Distribution Licensee without a separate licence to be taken by such franchisee provided that the Licensee shall be responsible for distribution of electricity in his area of supply;
 - e) Undertake Trading in electricity without the need for a separate Trading Licence;
 - f) Provide access to the Distribution System to any person for wheeling of electricity in accordance with regulations made by the Commission for the purpose;
 - g) Sell electricity or energy capacity contracted for such period and to the extent of electricity or capacity is not required by the Distribution Licensee for the discharge of his obligations to supply electricity in the area of supply.
- 4.3 The Distribution Licensee shall sell, supply or otherwise dispose of electricity to any person, only in accordance with his Licence, on the tariffs and terms and conditions as approved by the Commission;
- 4.4 The Distribution Licensee shall purchase the energy required by the Licensee for meeting obligation under the Distribution Licence in an economical manner and under a transparent power purchase or procurement process and in accordance with the regulations, guidelines, directions made by the Commission from time to time.
- 4.5 The Distribution Licensee shall engage in any Other Business only consistent with the Regulation of the Commission issued under Section 51 of the Act
- 4.6 The Distribution Licensee shall seek approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any Person, except when made or issued for the purposes of the Licensed Business. The loans to employees pursuant to their terms of service and trade advances in the ordinary course of business are excluded from the requirement to seek such approval.
- 4.7 The Distribution Licensee may engage any of the Subsidiaries or Holding Company or a Subsidiary of such Holding Company of the Distribution Licensee to provide any goods or services to the Licensee in connection with the Licensed Business, subject to the following conditions:
- a) that the transaction will be on an arms-length basis and at a value that is fair and reasonable in the circumstances;
 - b) that the transaction will be consistent with any Regulation framed by the Commission relating to the provision of goods and services with respect to Licensed Business; and

c) that the Licensee will give 15 days' notice with details of such arrangement, to the Commission prior to commencement of such arrangement.

4.8. The Distribution Licensee may establish Subsidiaries or associated companies or grant a Franchisee or enter into management contracts including appointment of billing agent to conduct or carry out any of the functions, which the Distribution Licensee is authorised to conduct or carry under the Licence Provided that the Licensee shall be responsible for all actions of the Subsidiaries or associated companies or Franchisees or agents or contractors.

4.9. Except as provided in clause 4.8 above the Distribution Licensee shall not transfer or assign this Licence or any of the functions under the Licence to any other person without the prior approval of the Commission.

4.10. The Distribution Licensee shall provide open access to the Distribution System for use of the Licensees, and Generating Companies including the Captive Generating Plant(s) and the Consumer subject to no operational constraints in the Distribution System and subject to payment by the user of all applicable tariffs and charges as determined or directed to be charged by any general or special order of the Commission.

4.11. The Distribution Licensee shall not, without the prior approval of the Commission in accordance with the provision of Section 17 of the Act:

- a) undertake any transaction to acquire by purchase or take over or otherwise, the utility of any other Licensee;
- b) acquire any beneficial interest in any Generating Company or Generating Station; or
- c) transmit, distribute or supply electricity to any Person in the State, not under the Licensee;

4.12. The Distribution Licensee shall provide to the other Licensees the intervening Distribution facilities to the extent of surplus capacity available, in his Distribution System and in the event of any dispute as to the availability of the surplus capacity the same shall be determined by the Commission. The charges, terms and conditions for the use of the intervening facilities may be mutually agreed between the Licensees subject to any order made by the Commission for the purpose. In the event of any disagreement the same shall be decided by the Commission.

4.13. Any other conditions which not otherwise covered as may be decided by the Commission while granting licence.

5 ACCOUNTS

5.1 Unless otherwise permitted by the Commission the financial year of the Distribution Licensee for the purposes of these General Conditions and matters relating to the Licensed Business shall run from the first of April to the following thirty-first of March.

5.2 The Distribution Licensee shall, in respect of the Licensed Business and any Other Business:

- a) keep such accounting records as would be required to be kept in respect of each such business so that the revenues, costs, assets, liabilities, reserves and provisions of, or

reasonably attributable to the Licensed Business are separately identifiable in the books of the Distribution Licensee, from those of Other Business in which the Distribution Licensee may be engaged;

- b) prepare on a consistent basis from such accounting records and deliver to the Commission the Accounting Statements; namely
 - i) in respect of the first six months of each financial year, a Half Yearly profit and loss account, cash flow statement and balance sheet together with such supporting documents and information as the Commission may direct from time to time;
 - ii) in respect of the Accounting Statements prepared, an Auditor's report for each financial year, stating whether in their opinion the statements have been properly prepared and give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to such businesses to which the statements relate; and
 - iii) a copy of each Half Yearly profit and loss account not later than three months after the end of the period to which it relates, and copies of the Accounting Statements and Auditor's report not later than six months after the end of the financial year to which they relate.

5.3 The Distribution Licensee shall not normally change the basis of charge or apportionment or allocation of revenues or expenses in relation to the preparation of the Accounting Statements in respect of a financial year from those applied in respect of the previous financial year, without prior intimation to the Commission. Any change, if proposed, in the basis of charge or apportionment of revenues or expenses shall be consistent with the provisions of the Companies Act, 1956, the Accounting Standards or Rules and further any guidelines issued by the Commission in this regard.

5.4 Where, in relation to the Accounting Statements in respect of a financial year, the Distribution Licensee has changed the basis of charge or apportionment or allocation from those adopted for the immediately preceding financial year, the Distribution Licensee shall, if directed by the Commission, prepare and deliver to the Commission such Accounting Statements on the basis which it applied in respect of the immediately preceding financial year.

5.5 The Accounting Statements under clause 5.2. above shall, unless otherwise directed by the Commission:

- a) be prepared and published with the Annual Accounts of the Distribution Licensee, in the manner provided herein;
- b) state the accounting policies adopted;
- c) be prepared in accordance with the generally accepted accounting principles; and
- d) be prepared in the form as the Commission may stipulate from time to time;

5.6 The References to costs or liabilities of, or reasonably attributable to Licensed Business or Other Business shall be construed as excluding taxation, and capital liabilities which do not relate principally to such Business and interest thereon.

5.7 The Distribution Licensee shall ensure that the Accounting Statements in respect of each financial year prepared under clause 5.2 and the Auditor's report in respect of each financial year are publicised in such manner as the Commission may direct and are made available to any Person requesting them at a price not exceeding the reasonable cost of duplicating them.

6 PROHIBITION OF UNDUE PREFERENCE

The Distribution Licensee shall not show undue preference to any Person in the distribution and supply of Electricity or rendering of services in the area of supply. The Distribution Licensee shall not be held to have shown any such undue preference if any differentiation of the consumer occurs as a result of the implementation of any order of the Commission or of the order of the State Government in regard to subsidy payment under Section 65 of the Act.

7 PROVISION OF INFORMATION TO THE COMMISSION

7.1 The Distribution Licensee shall furnish to the Commission without delay such information, documents and details related to the Licensed Business or any Other Business of the Distribution Licensee, as the Commission may require from time to time for its own purposes or for the purposes of the Government of India, State Government, the Central Commission, the Central Electricity Authority, the State Transmission Utility and State Load Dispatch Centre.

7.2 The Distribution Licensee shall duly maintain the information as the Commission may direct under Section 128 of the Act.

7.3 The Distribution Licensee shall notify the Commission as soon as possible the occurrence of any Major Incident affecting any part of its Distribution System and in any event, by not later than two months from the date of such occurrence:

- a) submit a report to the Commission giving full details of the facts within the knowledge of the Distribution Licensee regarding the incident and its cause;
- b) in the event the report under sub-clause (a) is likely to take more than two months from the date of such incident, the Distribution Licensee shall within one month from such date of the incident submit a preliminary report with such details which the Distribution Licensee can reasonably furnish and state reasons as to why the Distribution Licensee requires more than two months for giving full report of such incident; and
- c) give copies of the report to all parties concerned with the Major Incident and to such other Persons as the Commission may direct.

7.4 The decision of the Commission as to what is a Major Incident shall be final. The Commission may by order, after providing an opportunity of hearing direct the Distribution Licensee to provide such amount of compensation as the Commission may direct to person, who suffer substantial injury or to the heirs of those who lose their lives as a result of such major incident where the Major Incident has been caused by any act of commission, omission or negligence on the part of any of the employees or agents of the Distribution Licensee.

7.5 The Commission at its discretion may require the submission of a report on the major incident to be prepared by an independent person at the expense of the Distribution Licensee.

- 7.6 The Distribution Licensee shall also undertake such studies as the Commission may direct from time to time for the improvement of its Distribution System and any other matter concerning the Distribution Business that the Commission considers necessary to avoid the occurrence of any such major incident.
- 7.7 The Distribution Licensee shall duly inform the Commission about any incident restricting it from meeting obligations under the licence granted including any act of omission or commission by others and steps taken by the Distribution Licensee to mitigate the effect of such incident.
- 7.8 The Commission may at any time require the Distribution Licensee to comply with the provisions of clauses 7.3 to 7.7 as to incidents which the Commission may specifically direct and the Distribution Licensee shall be obliged to comply with the same notwithstanding that such incidents are not Major Incidents; provided that the time limits specified in shall commence from the date that the Commission notifies Distribution Licensee of such requirement.
- 7.9 The Distribution Licensee shall submit a Business Plan within three months of Distribution Licence coming in force for such period as the Commission may direct and shall update such plan annually. The Business Plan shall contain year wise load growth, year wise Distribution loss reduction proposal along with specific action plan, metering plan for metering interface points, investment plan as detailed in Clause 8 herein, treatment of previous losses, debt restructuring plan, cost reduction plan, projected profit and loss account, projected balance sheets, projected cash flow statements and projected important financial parameters.
- 7.10 The Commission may require the Distribution Licensee to intimate by the end of first quarter of each financial year the progress made in implementing the Business Plan of the previous financial year with the comparison of actual implementation vis-à-vis the Plan as approved by the Commission and shall post it in its web-site .

8 INVESTMENTS

- 8.1 Unless otherwise directed by the Commission, every licensee shall obtain prior approval of the Commission for making investment in the licensed business if such investment is above the limits laid down in clause.8.8.
- 8.2 The Distribution Licensee shall duly comply with the Regulations, guidelines, directions and orders the Commission may issue from time to time in regard to the investments to be made in the Distribution Business.
- 8.3 The Distribution Licensee shall submit to the Commission Investment Plans as a part of the business plan under clause 7.9 above giving details of investment schemes to be undertaken during the concerned period for the approval of the Commission. The Distribution Licensee shall demonstrate to the satisfaction of the Commission that:
- a) there is a need for such Investments in the Distribution System contained in the Investment Plan;
 - b) the Distribution Licensee has made techno-economic analysis and environmental aspects of all viable alternatives to the proposal for investing in or acquiring new Distribution System assets to meet such need.

- 8.4 In the application for investment approval, the licensee shall furnish the following information or particulars:
- a) A detailed project report containing techno-economic analysis and environmental aspects of the investment together with the outline of the works to be undertaken, the salient features and particulars demonstrating the need for investment;
 - b) The project cost together with the cost benefit analysis;
 - c) Whether the investment is in a new project or for expansion or up-gradation of an existing system;
 - d) Sanctions and statutory clearances required for execution of the project and status of such sanctions and statutory clearances;
 - e) Phasing of investment over the financial years and commissioning schedule;
 - f) The manner in which investments will be capitalised for the purposes of inclusion in the revenue requirements of the Licensee;
 - g) Constraints which the Licensee may face in making the investments or in implementing the project including constraints on information available;
 - h) Resource mobilisation and financial plans for meeting the investment;
 - i) Process for inviting and finalizing tenders for procurement of equipment, material and /or services relating to investment, in accordance with a transparent tendering procedure as may be approved by the Commission; and
 - j) Such other particulars as the Commission may from time to time direct.
- 8.5 a) The licensee and other applicants seeking investment approval shall furnish information, particulars, documents as may be required by the Commission staff, consultants and experts appointed by the Commission for the purpose and allow them access to the records and documents in the power, possession or custody of the licensee.
- b) The licensee shall cooperate with the Commission's staff, consultants and experts to enable them to discharge their functions and to submit a report to the Commission on the outcome of their findings.
- 8.6 The Distribution Licensee shall intimate, by the end of the first quarter of each financial year
- a) the annual investment plan with details of investment schemes to be carried out during the financial year; and
 - b) the progress made in implementing the annual investment plan of the previous financial year with the comparison of actual implementation vis-à-vis the plan as approved by the Commission for the concerned period.
- 8.7. The Distribution Licensee shall make the investments in a prudent manner being guided by the duty to build, maintain and operate an efficient, co-ordinated and economical Distribution System in its Area of Business.

- 8.8 The Distribution Licensee shall not undertake schemes involving Major Investments, not covered under the Investment Plan approved by the Commission under clause 8.3 above without the prior approval of the Commission, and for such approval the Distribution Licensee shall demonstrate to the satisfaction of the Commission the factors mentioned in clause 8.3 above.
- 8.9. The Distribution Licensee shall invite and finalise tenders for procurement of equipment, material and/or services relating to major investment, in accordance with a transparent tendering procedure as may be directed by the Commission.
- 8.10. For the purposes of this clause 8, the term “Major Investment” means any planned investment in or acquisition of Distribution facilities, the cost of which, when aggregated with all other investments or acquisitions (if any) forming part of the same overall transaction, equals or exceeds an amount contained in the Specific Conditions applicable to the Distribution Licensee or otherwise decided by the Commission from time to time by a general or special order.
- 8.11 The Distribution Licensee shall be entitled to make Investment in the Distribution Business other than those covered under clauses 8.3 and 8.8 above but for the purposes of considering such Investment while determining the tariff, the Distribution Licensee shall satisfy the Commission that the Investment was required for the Distribution Business and such investment was made in an efficient, co-ordinated and economical manner.
- 8.12 The Distribution Licensee shall submit to the Commission along with the “Expected Revenue Calculations” filed under Section 62 of the Act, the highlights of the annual investment plan consisting of the schemes approved by the Commission, schemes submitted before the Commission for approval and all schemes not requiring prior approval of the Commission planned for the ensuing financial year and shall make investment in the said financial year in accordance with the said investment plan. The Commission shall take into consideration while determining the tariffs of the Licensees as per the Tariff Regulations to be framed by the Commission under Section 61 of the Act, the approval granted by the Commission to the Licensees for the investments under this clause and the actions and inactions on the part of the Distribution Licensees in complying with the terms contained in this clause.

Provided that if any unforeseen contingencies required reallocation of funds within the schemes listed in the annual investment plan, the Distribution Licensee may do so to the extent such reallocation up to a limit of 10 % of the overall investment plan and 25 % of the approved amount in respect of each item/work of the investment plan. The Distribution Licensee shall give due intimation of such relocation to the Commission within 7 days of making the investment

Provided also that if on account of unforeseen circumstances the Distribution Licensee is required to make investment in a scheme, which does not find a place in the annual investment plan, the Distribution Licensee may do so if the same is not a Major Investment and subject to the conditions contained in clause 8.12 above.

9. TRANSFER OF ASSETS

- 9.1 Save as provided in this Clause 9, the Distribution Licensee shall not, in a single transaction or a set of related transactions, transfer or relinquish Operational Control over any asset whose

book value at the time of the proposed Transfer exceeds the amount decided by Commission in the Specific Conditions applicable to the Distribution Licensee or otherwise by a general or special order.

- 9.2 The Distribution Licensee shall give to the Commission prior notice of its intention to transfer or relinquish Operational Control over any asset whose value exceeds the amount decided by the Commission as per clause 9.1 above and the Distribution Licensee shall disclose all relevant facts in the communication to the Commission. The Commission may, within 30 days of the receipt of the notice, seek further information in support of the transaction and shall, generally within 30 days of such further information being submitted by the Distribution Licensee, and where no such further information is sought by the Commission as above, within 60 days of the filing of the application, approve the Transfer arrangement subject to such terms and conditions or modifications as is considered appropriate or reject the same, for reasons to be recorded in the order issued by the Commission.
- 9.3 The Distribution Licensee may Transfer or relinquish Operational Control over any asset as is detailed in any notice given under clause 9.2 where:
- a) the Commission confirms in writing that it consents to such Transfer or relinquishment of Operational Control subject to such conditions as the Commission may impose; or
 - b) the Commission does not inform the Distribution Licensee in writing of any objection to such Transfer or relinquishment of Operational Control within the notice period referred to in clause 9.2 and the transfer is effected by transparent and competitive bidding procedures.
- 9.4 The Distribution Licensee may also Transfer or relinquish Operational Control over any asset where:
- a) the Commission has issued directions for the purposes of this clause 9 containing a general consent (whether or not subject to conditions) to:
 - i) the transactions of a particular description, and/or
 - ii) the Transfer or relinquishment of Operational Control over assets of a particular description, and/or
 - iii) the Transfer or relinquishment of Operational Control in accordance with any conditions to which the consent is subject, or
 - b) the Transfer or relinquishment of Operational Control in question is mandated under any other law; or
 - c) the asset in question was acquired and used by the Distribution Licensee exclusively or primarily in connection with any Other Business and does not constitute a legal or beneficial interest in land, or otherwise form part of the Distribution System or is not otherwise an asset required for the Licensed Business.
- 9.5 The Distribution Licensee shall be entitled to utilise the assets as a means of facilitating financing its investment requirement or including collateral for debt financing, securitisation of receivables etc. for the Licensed Business subject to the conditions:

- a) that the Distribution Licensee will inform the Commission about such arrangements at least 15 days prior to the effective date of the relevant agreements;
- b) the Distribution Licensee acts in a prudent and reasonable manner in such utilisation of assets; and
- c) the Distribution Licensee retains the Operational Control over assets in the Distribution System.

9.6. Notwithstanding anything contained in this clause 9 in case of any emergency condition, the Distribution Licensee may transfer the assets subject to the condition that the Distribution Licensee shall immediately after such a transaction seek post-facto approval of the Commission giving the detailed facts about the emergency and the details of the transaction entered into. It shall be the obligation of the Distribution Licensee to establish to the satisfaction of the Commission of the presence of emergency condition necessitating the transfer of the assets.

10. PAYMENT OF LICENCE FEES

10.1 Within such period as the Commission may direct, the Distribution Licensee shall pay to the Commission the Licence Fees, initial and periodic, mentioned in the Special condition in such manner as the Commission may direct in the said Special Condition

10.2 Where the Distribution Licensee fails to pay to the Commission any of the fees due under clause 10.1 by the due dates:

- a) without prejudice to other obligations, the Distribution Licensee shall be liable to pay interest on the outstanding amount at a simple interest rate of 1.5 percent per month, the interest being payable for the period beginning on the day after which the amount became due, and ending on the day on which the payment is made to the Commission in cleared funds; and
- b) in the event of continued default by the Distribution Licensee, the Commission may revoke the Distribution Licence..

10.3 The Distribution Licensee shall be entitled to take into account any fee paid by it under this clause 10 excluding however the interest for delayed payment as an expense and payment of penalty, fines and charges paid by the licensee in the determination of aggregate revenues to be charged to the tariffs.

11. TERMS OF REVOCATION

11.1 Subject to the provisions of Section 19 of the Act and the Regulations framed there under, the Commission may, at any time initiate proceedings against the Distribution Licensee for revocation of the Distribution Licence and if satisfied in such proceedings of the grounds for revocation and the public interest, revoke the Distribution Licence:

- a) where the Distribution Licensee in the opinion of the Commission, makes wilful and prolonged default in doing anything required of him by or under the Act or the State Act or the rules or regulations made thereunder;

- b) where the Distribution Licensee violates any of the terms or conditions of his licence the breach of which is expressly declared by such licence to render it liable to revocation;
- c) where the Distribution Licensee fails, within the period fixed in this behalf by his licence, or any longer period which the Commission may have granted therefor-
 - i) to show, to the satisfaction of the Commission, that he is in a position to fully and efficiently discharge the duties and obligations imposed on him by his licence; or
 - ii) to make deposits or furnish the security, or pay the fees or other charges required by his licence;
- d) where in the opinion of the Commission the financial position of the Distribution Licensee is such that he is unable to fully and efficiently discharge the duties and obligations imposed on him; and .
- e) where the Distribution Licensee has failed to comply with all the Regulations, Codes, and Standards and also orders and directions of the Commission or otherwise has committed an act which renders Distribution Licence revocable on any other grounds stated in the Act or the State Act or the Rules or Regulations framed thereunder.

11.2 Where in its opinion the public interest so requires, the Commission may, on application, or with the consent of the Distribution Licensee, revoke his licence as to the whole or any part of his area of Distribution upon such terms and conditions as it thinks fit.

11.3 Before revoking a Distribution Licence the Commission shall, if in its opinion consider necessary, refer the matter to the State Government and agree on an alternate arrangement to be made for discharging the duties of the Distribution Licensee.

12. AMENDMENT OF LICENSE CONDITIONS

12.1 These General Conditions of License may be altered or amended by the Commission under Section 18 of the Act at any time if it is in public interest . For any such alteration or amendment, the following provisions shall have effect:

- a) where the Distribution Licensee has made an application under Sub-Section (1) of Section 18 of the Act proposing any alteration or amendment in the Conditions of License, the Distribution Licensee shall publish a notice of such application with such particulars and in such manner as may be directed by the Commission;
- b) in the case of an application proposing alteration or modification in the Area of Activity comprising the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Government for defence purposes, the alteration or modification shall be made only with the consent of the Central Government;
- c) where any alteration or amendment in a licence is proposed to be made otherwise than on the application of the Distribution Licensee, the Commission shall publish the proposed alteration or amendment with such particulars and in such manner as the Commission may consider to be appropriate;

- d) the Commission shall not make any alteration or amendment unless all suggestions or objections received within thirty days from the date of the first publication of the notice have been considered by the Commission.

13 DISPUTE RESOLUTION

13.1 The Commission shall be entitled to act as arbitrator or nominate person(s) as arbitrator(s) to adjudicate and settle disputes between the Distribution Licensee and any other licensee or between the Distribution Licensee and a generating company in pursuance of clause (f) of Sub-Section (1) of Section 86 read with Section 158 of the Act and Regulation(s) of the Commission.

13.2 The arbitration proceedings for disputes under clause 13.1 above may be commenced and conducted by the Commission or the disputes may be referred to the arbitration of others, as the case may be, in accordance with Chapter III of the Conduct of Business Regulations specified by the Commission.

14. COMPLIANCE WITH THE GRID CODE

14.1 The Distribution Licensee shall comply with the provisions of the Grid Code in so far as it is applicable to the operation of the Distribution System or otherwise to any of the activities of the Distribution Licensee.

14.2 The Commission may, after consultation with any affected Generating Companies, the Transmission Licensee, the State Transmission Utility, the State Load Despatch Centre and Electricity Traders, issue directions relieving the Distribution Licensee of obligation under clause 14.1 in respect of such parts of the Grid Code and to such extent as may be ordered by the Commission.

14.3 Till such time the Grid Code is approved by the Commission, the Distribution Licensee shall comply with the Interim Grid Code.

15. DISTRIBUTION (CONDITIONS OF SUPPLY) CODE & DISTRIBUTION CODE

15.1 The Distribution Licensee shall abide by the Distribution (Conditions of Supply) Code and Distribution (Planning and Operation) Code.

15.2a) The Distribution (Conditions of Supply) Code may amongst others provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply for non payment thereof, restoration of supply of electricity, tampering, distress or damage to electrical plant, electric lines or meter, entry of distribution licensees to any person acting on his behalf for disconnecting supply and removing the meter, entry for replacing, altering or maintaining electric lines or electrical plant or meter.

- b) The Commission may, at the request of the Licensee, issue directions relieving the Licensee of its obligations under the Distribution (Conditions of Supply) Code in respect of such parts of the Licensee's Distribution System and to such extent as may be directed by the Commission.

- 15.3 In addition to the Distribution (Conditions of Supply) Code the Commission may from time to time approve at the request of the Distribution Licensee other conditions applicable for supply of electricity by the Distribution Licensee in the area of Distribution.
- 15.4 The Distribution Code may amongst others, cover all material technical aspects relating to connections, and the operation and use of the Distribution System including the operation of the electrical lines and electrical plant and apparatus connected to the Distribution System in so far as relevant to the operation and use of the Distribution System and shall include, but not be limited to, the Distribution Planning and connection code containing:
- a) planning code describing the plan for laying the Distribution lines and the service lines in the Area of Supply, the technical and design criteria and procedures to be applied by the Licensee in the planning and development of the Licensee's Distribution System; and
 - b) connection conditions describing the technical, design and operational criteria to be complied with by any Person connected or seeking connection with the Licensee's Distribution System; and the Distribution operating code specifying the conditions under which the Licensee shall operate the Licensee's Distribution System and under which Persons shall operate their plant and/or Distribution System in relation to the Licensee's Distribution System, in so far as necessary to protect the security and quality of supply and safe operation of the Licensee's Distribution System under both normal and abnormal operating conditions.
- 15.5 The Distribution (Planning and Operation) Code shall be designed so as to permit the development, maintenance and operation of an efficient, co-ordinated and economical Distribution System.
- 15.6 The Distribution Licensee shall, till the Distribution (Conditions of Supply) Code or Distribution Code comes into force, follow the same practices which has been followed by the supply Licensees in the State with such modifications as may be directed or permitted by the Commission.
- 15.7 The Distribution Licensee shall from time to time, as appropriate, review the Distribution Code and its implementation in consultation with the Transmission Licensee, Trading Licensee, Generating Companies and such other Persons as the Commission may order. The Licensee shall also undertake such review as and when directed to do by the Commission. Following any such review, the Licensee shall send to the Commission:
- a) a report on the outcome of such review;
 - b) any proposed revisions to the Distribution Code as the Licensee (having regard to the outcome of such review) reasonably thinks fit for the achievement of the objectives of the Distribution Code and this Licence; and
 - c) all written representations or objections received during such review.
- 15.8 All revisions to the Distribution Code shall require approval from the Commission.
- 15.9 The Licensee shall make available to any Person requesting for it, copies of the Distribution Code and Distribution (Conditions of Supply) Code and practices thereto in force at the relevant time, at a price not exceeding the reasonable cost of duplicating it.

15.10A compilation of the existing codes and practices relating to construction of the Licensee's Distribution System and its Distribution facilities shall be filed with the Commission by the Licensee within 90 days of the grant of this Licence. The Licensee shall follow the existing codes and practices with such modification as the Commission may direct from time to time. The construction practices shall be reviewed and upgraded by the Licensee from time to time, as appropriate, based on relevant technological improvements and changes.

15.11The Distribution Licensee shall duly comply with the following:

CONSUMER SERVICE

A Code of Practice on Payment of Bills

- a) The Licensee shall, within 90 days after grant of Licence, prepare and submit to the Commission, for its approval, a code of practice concerning the payment of electricity bills by Consumers and including appropriate guidance for the assistance of such Consumers who may have difficulty in paying such bills, and procedures for disconnecting in the event of non payment by the consumer. In granting the approval, the Commission may make such modifications, as it considers necessary to the code of practice.
- b) The Commission may, upon receiving a representation or otherwise, require the Distribution Licensee to review, the code of practice and the manner in which it has been implemented with a view to determine whether any modification should be made to it or to the manner of its implementation.
- c) The Distribution Licensee shall, in consultation with such other Persons as the Commission may direct review and submit any revision to the code of practice that it wishes to make, to the Commission for its approval, including any representation received by the Distribution Licensee and not accepted by it. The Commission may modify the code of practice concerning payment of bills as it considers necessary.
- d) The Distribution Licensee shall:
 - i) draw to the attention of Consumers, in such manner as the Commission may direct, the existence of the code of practice and each substantive revision of it and how they may inspect or obtain a copy of the code of practice in its latest form;
 - ii) make a copy of the code of practice, revised from time to time, available for inspection by members of the public during normal working hours; and
 - iii) provide an updated copy of the code of practice revised from time to time to each new Consumer and to any other Person who requests for it at a price not exceeding the reasonable cost of duplicating it.
- e) The Distribution Licensee shall comply with the existing practice and procedures with respect to the payment of electricity bills by Consumers with such modifications as the Commission may direct, until the code of practice on payment of bills by Consumers, as mentioned in this paragraph is adopted with the approval of the Commission.

B. Complaint Handling Procedure:

- a) The Distribution Licensee shall establish a forum for redressal of grievances of the consumers in accordance with the guidelines issued by the Commission under Section 42 of the Act.
- b) The Distribution Licensee shall within reasonable time, as directed by the Commission, after the Licence becomes effective and with approval of the Commission, notify a procedure for handling complaints from Consumers of the Licensee in addition to the forum for redressal of grievances. The Commission may hold consultations with the State Advisory Committee or a Person or body of Persons, who the Commission considers as representing the interest of the Consumers likely to be affected and make such modification of the procedure, as it believes necessary before granting approval to the consumer complaints.
- c) The Commission may, upon receiving a representation, or otherwise, require the Distribution Licensee to review the complaint handling procedure prepared and the manner in which it has been implemented, with a view to determine whether any modification should be made to it or to the manner of its implementation.
- d) Any procedure so established, including any revisions to it, shall notify the periods within which it is intended that different kinds of complaint should be processed and resolved.
- e) The Distribution Licensee shall submit to the Commission for its approval any revision proposed to be made to the procedure established.
- f) The Distribution Licensee shall:
 - i) draw to the attention of Consumers, in such manner as the Commission may direct, the existence of the complaint handling procedure and each substantive revision of it and how the Consumers may inspect or obtain copies of such procedure in its latest form.
 - ii) make a copy of its complaint handling procedure, revised from time to time, available for inspection by members of the public at the relevant offices of the Licensee during normal working hours; and
 - iii) provide a copy of the complaint handling procedure revised from time to time to each new Consumer, and to any other Person who requests for it at a price not exceeding the reasonable cost of duplicating it.

C. Consumer Rights Statement

- a) The Distribution Licensee shall, within a reasonable period of time as directed by the Commission after the Licence become effective or such other time as the Commission may allow, prepare and submit to the Commission for approval, a consumer rights statement, explaining to Consumers their rights as Consumers serviced by the Licensee. The Commission may, upon holding such consultation with the State Advisory Committee, and such other Persons or bodies of Persons who the Commission considers as representing the interests of Consumers likely to be affected by it, and may make such modification of the statement, as it considers necessary in public interest.

- b) The Commission may, upon receiving a representation or otherwise, require the Distribution Licensee to review the consumer rights statement prepared and the manner in which it has been implemented with a view to determining whether any modification should be made to it or to the manner of its implementation.
- c) The Distribution Licensee shall submit any revision to the consumer rights statement that it wishes to make to the Commission for its approval, including any representation received by the Distribution Licensee and not accepted by it. The Commission may modify the existing consumer rights statement, as it considers necessary.
- d) The Distribution Licensee shall:
 - i) draw to the attention of Consumers, in such manner as the Commission may direct, the existence of its consumer rights statement and each substantive revision of it and how they may inspect or obtain a copy of such consumer rights statement in its latest form.
 - ii) make a copy of its consumer rights statement, revised from time to time, available for inspection by members of the public at its offices during normal working hours; and
 - iii) provide a copy of the consumer rights statement, revised from time to time, to all new Consumers to be served by it, and to any other Person who requests for it at a price not exceeding the reasonable cost of duplicating it.

15.12 The Distribution Licensee shall duly comply with the Standards as the Commission may direct from time to time, for the performance of the duties of the Distribution Licensees under the Act or the State Act.

16. DISTRIBUTION SYSTEM PLANNING AND SECURITY STANDARDS, DISTRIBUTION SYSTEM OPERATING STANDARDS, OVERALL PERFORMANCE STANDARDS

16.1 The Distribution Licensee shall comply with the Existing Distribution System Planning, Security Standards and the Existing Distribution System Operating Standards, with such modifications as the Commission may direct, until the Distribution System Planning, Security Standards and Distribution System Operating Standards proposed by the Distribution Licensee are approved by the Commission.

16.2 The Distribution Licensee shall plan, develop and operate its Distribution System in accordance with the Distribution System Planning and Security Standards together with the Distribution Code as approved by the Commission;

16.3. a) The Distribution Licensee shall, within such time as the Commission may direct in the Specific Conditions or otherwise submit to the Commission the existing planning and security standards and the operating standards for its Distribution System and the existing planning and security standards and operating standards relating to generation capacity connected to its Distribution System being followed by the Distribution Licensee. Such existing standards, with such modification as the Commission may direct, shall continue to remain in effect until the new standards approved by the Commission.

- b) The Distribution Licensee shall, within such time as the Commission may direct in the Specific Conditions or otherwise, prepare, in consultation with the Suppliers, Generating Companies, Central Transmission Utility, State Transmission Utility, Regional Power Committee and such other person as the Commission may direct, and submit to the Commission for approval the Distribution Licensee's proposal for Distribution Planning and Security Standards and Distribution Operating Standards, and Operating Standards in accordance with these General Conditions
- c) The Distribution Planning and Security Standards and Distribution Operating Standards, and the Operating Standards submitted by the Distribution Licensee pursuant to this clause 16.3, with such modifications as the Commission may require, shall take effect from such dates as the Commission may direct.

16.4 The Distribution Licensee shall not be in breach of its obligations if the failure to meet the Distribution Planning and Security Standards or the Distribution Operating Standards is due to Force Majeure, provided that, the Distribution Licensee has used its reasonable efforts, to comply with the Distribution Planning and Security Standards or the Distribution Operating Standards, as the case may be.

16.5 The Distribution Licensee shall, in consultation with Suppliers, the Generating Companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power committee and such other persons as the Commission may order, review the standards and their implementation on each occasion a review of the Grid Code is undertaken. Following any such review, the Distribution Licensee shall send to the Commission:

- a) a report on the outcome of such review; and
- b) any revision which the Distribution Licensee proposes to make to such documents from time to time (having regard to the outcome of such review); and
- c) any written representations or objections (including those not accepted by the Distribution Licensee) from Suppliers, the Generating Companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power committee and such other persons as the Commission may order arising during the consultation process; Provided that the Commission may, upon application of the Transmission Licensee, relieve the Distribution Licensee from the obligation to review the standards and their implementation, to such extent as shall be given in directions issued to the Distribution Licensee by the Commission for the purposes of this condition.

16.6. The Commission may, having regard to any written representations and objections received and following such further consultation as the Commission may consider appropriate, issue directions requiring the Distribution Licensee to revise the standards in such manner as may be given in the directions. The Distribution Licensee shall duly carry out the revisions directed by the Commission

16.7 The Distribution Licensee shall, within 3 months of the end of each financial year, submit to the Commission a report indicating the performance of the Distribution Licensee's Distribution System

during the previous financial year. The Distribution Licensee's compliance with the Standards of Performance may be measured, in part, by the Licensee's adherence to the Distribution Code, Distribution (Conditions of Supply) Code and other codes and Regulations set forth by the Commission. The Distribution Licensee shall, if required by the Commission, publish a summary of the report in a manner approved by the Commission.

16.8 The Distribution Licensee shall conduct its Licensed Business in the manner which it reasonably considers to be the best to achieve the Performance Standards in connection with provision of Supply services and the promotion of the efficient use of electricity by Consumers, as may be directed by the Commission by a general or special order.

16.9 The Distribution Licensee shall provide annually, information to the Commission as to the means by which it proposes to achieve the Performance Standards and other standards applicable to the Distribution Licensee.

17. OBLIGATION TO CONNECT CONSUMERS AND PUBLIC LAMPS

17.1 Subject to the other provisions of these conditions, the Distribution Licensee shall on the application of the owner or occupier of any premises within the Area of Supply, give connection to the Distribution Licensee's Distribution System for the purposes of providing Supply of electricity to such premises, in accordance with the applicable regulations, directions and orders of the Commission.

17.2 The Distribution Licensee shall abide by the rules made by the State Government in terms of laying down or placing electric supply lines. The rules framed by the State Government will prescribe the cases and circumstances in which consent in writing is required from the Appropriate Government, local authority, owner or occupier, as the case may be, for carrying out the works, the nature and period of notice to be given by the Distribution Licensee before carrying out works, procedures and manner of consideration of objections and suggestions, determination and payment of compensation and all such activities in accordance to Section 67 of Act

17.3 Where, after Distribution mains have been laid down under the provisions of clause 17.1 and the supply of energy through those mains or any of them has commenced, a requisition is made by the State Government or by a local authority requiring the Distribution Licensee to supply for a period of not less than two years, energy for any public lamps within the Area of Supply, the Distribution Licensee shall supply, and save in so far as it is prevented from doing so by events of Force Majeure and operational/constraints, continue to supply energy for such lamps in such quantities as the State Government or the local authority, as the case may be, may require. The State Government or the relevant local authority, as the case may be, may require the Distribution Licensee:

- a) to provide the mains and other equipment for public lamps; and
- b) to use for that purpose supports, if any, previously erected or set up by it for supply of energy.

17.4 The Distribution Licensee may levy any reasonable charge/s for carrying out works/release of supply, in accordance with any procedures that may be stipulated by the Distribution Licensee and approved by the Commission as well as the provisions of the Act and the Regulations of the Commission.

18. OBLIGATION TO SUPPLY AND POWER SUPPLY PLANNING STANDARDS

18.1 The Distribution Licensee shall take all reasonable steps to ensure that all Consumers connected to the Distribution Licensee's Distribution System receive a safe, economical and reliable Supply of electricity as provided in the Distribution Code, and other guidelines issued by the Commission in accordance with the provisions of the Act, the State Act, Rules and Regulations issued thereunder.

18.2 The Distribution Licensees shall be entitled to utilise the soil, subsoil and areas pertaining to public rights of way, streets, public squares and other assets in the public domain, as well as to cross rivers, bridges, railways, electrical and communication lines, subject to the provisions of Section 67 of the Act.

18.3 The Distribution Licensee shall:

- a) forecast annually the demand for power within the Area of Supply in each of the next succeeding 10 years;
- b) prepare and submit such forecasts to the State Transmission Utility in accordance with the guidelines issued by the Commission from time to time; and
- c) co-operate with the Transmission licensees, the State Transmission Utility and the State Load Despatch Centre and other Licensees in the preparation of power demand forecasts for the state of Orissa .

18.4 Subject to the foregoing clauses, the Distribution Licensee shall purchase electricity from the Generating Companies, Electricity Traders and others as consented to by the Commission in quantities which the Distribution Licensee considers sufficient to meet the expected demand of the Licensee's Consumers.

18.5 The Distribution Licensee shall, within three months after this Licence has come into force or such other time as the Commission may allow, prepare and submit to the Commission for approval, a disaster management plan, to address emergencies that may arise in connection with the operation of the Distribution Licence. For purposes of this clause, an emergency shall mean any condition and/or situation that materially and adversely.

- a) affects the ability of the Licensee to maintain safe, adequate and continuous operation of all or any part of the Licensed Business; or
- b) endangers the security of any person, plant, or other life, equipment or property.

19 POWERS TO RECOVER EXPENDITURE, RECOVER SECURITY

The Distribution Licensee shall be entitled to recover tariff , charges, fee, etc. and require security deposit to be made for supply of electricity or for provision of services, in accordance with the provision of the Act and the Rules and Regulations for the purpose framed under the Act.

20 USE OF METERS

20.1 The Distribution Licensee shall comply with the requirements of the Act and the Regulations, Directions and Orders of the Commission in regard to supply of electricity through meter.

20.2 The Distribution Licensee may require the consumer to give security for the price of a meter and enter into an agreement for hire thereof, unless the consumer elects to purchase a meter.

21. CONNECTION AND USE OF SYSTEM

The Distribution Licensee shall make such arrangements for open access to the use of his Distribution System by Users subject however to the availability of the adequate Distribution capacity in the system in accordance with open access regulations notified by the Commission and further subject to the User agreeing to pay all applicable charges including the Distribution charges and surcharges wherever applicable.

22. POWER PROCUREMENT

22.1 The Distribution Licensee shall satisfy the Commission as to the need for additional power procurement on a long-term basis and in the case of short term power purchase the circumstances where such short term power purchase will become necessary

22.2 The Distribution Licensee shall not enter into a binding or enforceable contractual commitment till the Commission by a general or special order approves the procurement of electricity by the Distribution Licensee

22.3 The Distribution Licensee shall satisfy the Commission that the electricity procured under long term power purchase otherwise than through a competitive bidding process or any short term power purchase is of least cost or economical in the prevalent circumstances and that the Distribution Licensee has made prudent and best efforts to minimise the cost of purchase.

22.4 The Commission may not permit any such short term or long term purchase if the manner or method proposed for such procurement of electricity is not conducive to the objective of least cost purchase or for any other reason the purchase is not economical or efficient.

22.5 The short-term power purchase by the Distribution Licensee may be undertaken in such a manner as the Commission may from time to time direct by a general or special order.

22.6 The Distribution Licensee shall forecast the demand for electricity for his business and formulate proposals in coordination with the generating companies, Licensee companies, other licensees, authorities and other concerned persons. The Distribution Licensee shall file with the Commission power procurement plan to meet the demand in such a manner as the Commission may direct.

23. EXPECTED REVENUE CALCULATION AND TARIFFS

23.1 The Distribution Licensee shall calculate the expected revenue from charges which it is permitted to recover, in accordance with the provisions of the Act, the State Act, the Regulations of the Commission, the tariff terms and conditions and other guidelines, orders and directions issued by the Commission from time to time.

- 23.2 The Distribution Licensee shall file the Expected Revenue Calculation and the application containing tariff proposals in the manner provided in the Conduct of Business Regulations and consistent with the Regulations under Section 61 of the Act
- 23.3 Unless otherwise provided in the Specific Conditions or in any order or direction made by the Commission the Distribution Licensee shall every year, not later than 30th November, submit to the Commission (i) a Statement with full details of its expected aggregate revenues and cost of service for the ensuing financial year (including financing costs and its proposed return on equity) for its Licensed Business, in accordance with the provisions of the Act and the regulations, guidelines and orders issued by the Commission from time to time and (ii) the annual investment plan giving specific details of the investment which the Distribution Licensee proposes to make in the ensuing financial year and which the Distribution Licensee desires to be covered under the revenue requirements in the ensuing financial year with appropriate references to schemes, if any, already approved by the Commission of which such investments form a part. The Distribution Licensee shall prepare and submit to the Commission the Statement and the investment details referred to in the above separately for each of its Licensed Businesses and Other Businesses.
- 23.4 The Distribution Licensee shall, along with the Expected Revenue Calculation or at such other time and periodicity the Commission may specifically permit file the application containing tariff proposals and the revision to the existing tariffs approved by the Commission to match the revenue requirements of the Distribution Licensee
- 23.5 The amount that the Distribution Licensee is permitted to recover from its tariffs shall be the amount that the Commission determines and approves in accordance with the provisions of the Act, State Act and the Regulations of the Commission
- 23.6 The Distribution Licensee may apply to the Commission to amend its tariffs in accordance with the Act and applicable Regulations and directions of the Commission.

24 PROVISION OF SUBSIDIES TO CERTAIN CONSUMERS

- 24.1 If the State Government requires the grant of any subsidy to any consumer or class of consumers in the tariff determined by the Commission, the State Government shall, notwithstanding any direction which may be given under Section 108 of the Act, pay, in advance and in such manner as may be directed by the Commission, the amount to compensate the person affected by the grant of subsidy in the manner the Commission may direct.
- 24.2 Provided that no such direction of the State Government shall be operative if the payment is not made in accordance with the provisions of the Act and Regulations of the Commission, and the licensee shall charge to the consumers the tariff fixed by the Commission from the date of issue of Order(s) by the Commission in this regard.

25. POWER TO ENTER PREMISES AND TO REMOVE FITTINGS OR OTHER APPARATUS OF LICENSEE

- 25.1 In accordance to Section 163 of the Act, the licensee or any person duly authorised may, at reasonable time, and on informing the occupier of his intent, enter any premises to which supply has been made or over which electric lines and works have been lawfully placed for the purpose of

- a) Inspecting, testing, repairing or altering electric supply lines, meters, fittings belonging to the licensee; or
- b) Ascertaining the amount of electricity supplied; or
- c) Removing such lines, fittings, works where electricity supply is not required.

25.2 The Licensee or its authorised person may on a special order of the Executive Magistrate give a notice not less than twenty four hours in writing to the occupier for entering any premises for purposes mentioned in sub-clause 24.1 above.

25.3 The licensee may, on refusal of entry by the occupier of the premises, cut off power supply as per Section 163 of the Act till such time the refusal continues but for no longer than that .

26. DISCONNECTIONS

26.1 The Licensee shall give 15 days clear notice in writing prior to disconnection

26.2 The licensee shall not cut off supply if the person deposits under protest

- a) The amount equal to the sum claimed from him or
- b) Electricity charges due from him calculated on the basis of average charge for electricity supplied to him during the preceding 6 months whichever is less pending disposal of the dispute

26.3 The licensee shall have to show such sum as recoverable continuously for a period of two years for the electricity supplied and act as per Section 56(2) of the Act.

26.4 Pursuant to Sections 126, 127, 135-140 of the Act, the Licensee shall have the powers and authority to take appropriate actions for:

- a) Metering at the point of supply of electricity;
- b) Revenue realisation;
- c) Implementing credit control procedure as approved by the Commission;
- d) Prosecution for theft;
- e) Prevention of meter tampering;
- f) Prevention of diversion of electricity, and
- g) Prevention of unauthorised use of electricity; and
- h) All such similar matters affecting Distribution or Retail Supply.

27. MISCELLANEOUS

27.1. All issues arising in relation to interpretation of these General Conditions and as to the terms and conditions thereof shall be a matter for the determination of the Commission and the decision of the Commission on such issues shall be final, subject only to the right of appeal under Section 111 of the Act.

27.2. The Commission may at the time of grant of Distribution Licence waive or modify the application of any of the provisions of these General Conditions either in the order granting the licence or by Specific Conditions made applicable to a specific Distribution Licensee.

28. The General conditions contained herein shall apply to all applicants for grant of Distribution Licence after the coming into force of the Act and also to all deemed Distribution Licensees under Section 14 proviso first, second, third and fifth of the Act.

APPENDIX - 4B

(See Regulation 31)

ORISSA ELECTRICITY REGULATORY COMMISSION GENERAL CONDITIONS OF TRANSMISSION LICENCE

1. DEFINITIONS

1.1. Unless the context otherwise requires in these general conditions;

“Accounting Statement” means for each financial year, accounting statements for the Licensed Business comprising a profit and loss account, a balance sheet and a statement of sources and application of funds, together with notes thereto as detailed under the Companies Act, 1956 (1 of 1956) and such other particulars and details in the manner as the Commission may direct from time to time. If the Transmission Licensee engages in any business or activity in addition to the Licensed Business, the accounting statements shall comply with the regulations of the Commission dealing with the treatment of Other Business of Transmission Licensees and show separately the amounts of any revenue, cost, asset, liability, reserve or provision, which has been either: charged from the Licensed Business to any Other Business or vice versa together with a description of the basis of that charge; or determined by apportionment or allocation between the Licensed Business and any Other Business of the Transmission Licensee together with a description of the basis of the apportionment or allocation.

“Act” means the Electricity Act, 2003 (36 of 2003)

“Annual Accounts” means the accounts of the Transmission Licensee prepared in accordance with the provisions of the Companies Act, 1956 and/or in such other manner as may be directed by the Commission in terms of the provisions of the Act;

“Area of Activity” means the area of activity stated in the Transmission Licence within which the Transmission Licensee is authorised to establish, operate and maintain transmission lines;

“Auditors” means the Transmission Licensee’s auditors holding office in accordance with the requirements of Sections 224 to 234A or Section 619 as appropriate, of the Companies Act 1956 (1 of 1956);

“Authorised”, in relation to any Person, business or activity, means authorised by licence granted under Section 14 of the Act or deemed to be granted under the first second third and fifth proviso to Section 14 of the Act or exemption granted under Section 13 of the Act and the regulations of the Commission;

“Commission” means the Orissa Electricity Regulatory Commission;

“Distribution” means the conveyance of electricity by means of a Distribution System;

“Distribution Business” means Authorised business of a distribution licensee to operate and maintain a distribution system for supplying electricity to the consumers in his Area of Supply;

“Distribution Code” means the Distribution (Planning and Operation) Code governing all material technical aspects relating to connections to and the operation and use of the Distribution System as approved by the Commission;

“Existing Transmission System Planning and Security Standards” means the Transmission Licensee’s standards for system planning and security of the Transmission System as of the date of the grant of Transmission Licence and in the event of a new business such standards applicable to the other or previous Transmission Licensees in the State;

“Existing Transmission System Operating Standards” means the Transmission Licensee’s standards for operating the Transmission System as of the date of the grant of the Transmission Licence and in the event of a new business such standards applicable to the other or previous Transmission Licensees in the State;

“Force Majeure” means events beyond the reasonable control of the Licensee, including, but not limited to earthquakes, cyclones, floods, storms, adverse weather conditions, war, terrorist attacks, civil commotion or other similar occurrences that leads to any act that would involve a breach of relevant laws or regulations concerned with electrical safety;

“Generator Interconnection Facilities” means electrical lines, transformers, bus-bars, switch-gear, plant or apparatus utilised to enable access to a Transmission System or Distribution System by the Generating Set(s);

“Grid Code” means the grid code developed by the State Transmission Utility approved by the Commission, covering all material technical aspects relating to connections to and the operation and use of a Transmission System, or (in so far as relevant to the operation and use of a Transmission System) the operation of electric lines and electrical plant connected to the Transmission System, the Distribution Systems, or the system of any Supplier, and shall include the Interim Grid Code;

“Holding Company” shall have the same meaning as in Section 4 of the Companies Act, 1956.

“Interim Grid Code” means the existing practices and procedures followed by the State Transmission Utility, as the case may be for operating the Transmission System as of the date of issue of the Terms and Conditions of Transmission Licence;

“Intervening Transmission Facilities” means the electric lines owned or operated by a Transmission Licensee where such electric lines can be utilized for transmitting electricity for and on behalf of another licensee at his request and on payment of a tariff or charge

“Licence” means the licence under Section 14 of the Act under which the Licensee is Authorised to conduct the Licensed Business;

“Licensed Business” means the business of Transmission of electricity as authorised under the licence;

“Major Incident” means an incident associated with the Transmission of electricity, which results in a significant interruption of service, substantial damage to equipment, or loss of life or significant injury to human beings, or as otherwise directed by the Commission and shall also include any other incident which the Commission expressly declares to be a major incident;

“Operational Control” means possessing the authority to make operational decisions such as commissioning and utilisation of units, service lines and equipment;

“Other Business” means business of the Transmission Licensee other than the Licensed Business;

“Performance Standards” means the standards as may be determined by the Commission pursuant to Section 57 of the Act;

“Person” shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;

“Regulations” means the regulations made by the Commission, under the provisions the Act or the State Act;

“Specific Conditions” means the conditions in addition or in variation to the General Conditions which the Commission may lay down specifically for a Distribution Licensee;

“State Act” means the Orissa Electricity Reform Act, 1995;

“State Government” means the Government of the State of Orissa;

“Subsidiary” shall have the same meaning as in Section 4 of the Companies Act 1956 (1 of 1956);

“Transfer” shall include the sale, exchange, gift, lease, licence, loan, securitisation, mortgage, charge, pledge or grant of any other encumbrance or otherwise permitting of any encumbrance to subsist or parting with physical possession or any other disposition or dealing;

“Transmission Business” means the Authorised business of a Transmission Licensee to Transmit electricity, whether for its own account or for that of any other Person, through any system owned and/ or operated by such Licensee;

“Transmission Licensee” means the entity, which has been granted a Transmission Licence or is a deemed Licensee under the first, second, third or fifth proviso of Section 14 of the Act authorized to transmit electricity;

“Transmission Operating Standards” means the standards related to the Transmission Licensee’s operation of its Transmission System approved by the Commission;

“Transmission Planning and Security Standards” means the standards related to the adequacy of the Transmission Licensee’s system planning and security of its Transmission System as approved by the Commission;

“Transmission System” means the system consisting mainly of extra high voltage electric lines having design voltage of 33 kV and higher, owned or controlled by the Transmission Licensee, and used for the purposes of the conveyance of electricity between the switchyards of two Generating Sets or from the Switchyard of a Generating Set to a substation, or between substations, or to or from any external interconnection and includes all bays/equipment upto the interconnection with the Distribution System, and any plant, apparatus and meters owned or used in connection with the transmission of electricity, but shall not include any part of a Distribution System;

“Use of System” means use of the Transmission System for the transportation of electricity for any person pursuant to a contract entered into with the Transmission Licensee

“Users” means anyone who uses the Transmission System.

1.2 Words, terms and expressions occurring in these General Conditions and not defined herein above shall bear the same meaning as in the Act.

2. TERM:

The Transmission Licence shall come into force on the date to be mentioned by the Commission in the order granting the licence and subject to the terms and conditions of the grant of licence, shall remain in force for the period mentioned in the Order

3. COMPLIANCE WITH LAWS,RULES AND REGULATIONS

3.1 The Transmission Licensee shall comply with the provisions of the Act, Rules, Regulations, orders and directions issued by the Commission from time to time and the provisions of all other applicable laws.

3.2. The Transmission Licensee shall act in accordance with this General Conditions except where the Transmission Licensee is exempted from any provisions of these general conditions at the time of the grant of licence or otherwise specifically obtains the approval of the Commission for any deviation there from.

3.3. The Transmission Licensee shall duly comply with the order and directions of the National Load Despatch Centre, Regional Load Despatch Centre and the State Load Despatch Centre and other statutory authorities issued in the discharge of their functions under the Act or the State Act.

4. ACTIVITIES OF THE TRANSMISSION LICENSEE

4.1. The Transmission Licensee shall duly discharge the duties of the Transmission Licensee as provided under Section 40 of the Act.

4.2. The Transmission Licensee shall provide non discriminatory open access to the Transmission System for use of the Licensees, and Generating Company including the Captive Generating Plant and the Consumer subject to availability of transmission capacity in the transmission lines and in the case of use of such Transmission System for supply of electricity to consumer subject to payment of surcharge to meet the current level of cross subsidy as envisaged in Section 40 read with Sub-Section (2) of Section 42 of the Act .

4.3. The Transmission Licensee shall not without the prior approval of the Commission:

- a) undertake any transaction to acquire by purchase or takeover or otherwise, the utility of any other Licensee;
- b) acquire any beneficial interest in any Generating Company of Generating Station;, or
- c) transmit electricity to any Person in the State of Orissa, not authorised to by the Commission;

- 4.4. The Transmission Licensee shall not engage in the business of electricity Trading or directly or indirectly associate in the business of an electricity trader or the Distribution Licensee .
- 4.5. The Transmission Licensee shall provide to the other licensees intervening transmission facilities to the extent of surplus capacity available, in his Transmission System and in the event of any dispute as to the availability of the surplus capacity the same shall be determined by the Commission. The charges and terms and conditions for the intervening facilities may be mutually agreed between the Licensees and in the event of any disagreement the same shall be decided by the Commission.
- 4.6. In the event the Transmission Licensee engages in any Other Business, the same shall be subject to the following conditions
- a) the Licensed Business and the conduct thereof by the Transmission Licensee is not prejudiced and/or adversely affected in any manner by reason of the Other Business;
 - b) a proportion of the revenue , as may be directed by the Commission , derived from such Other Business shall be utilized for reducing the charges for Transmission and Wheeling;
 - c) the Transmission Licensee shall prepare and keep, in respect of the Other Business activities, separate accounting records as would be required to be kept in respect of such activities as if they were carried on by a separate company, so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to such Other Business activities are separately identifiable from those of the Licensed Business;
 - d) the Licensed Business does not subsidize in any way such Other Business nor creates encumbrance on its transmission assets in any way to support such Other Business; and
 - e) the Transmission Licensee shall not transfer any assets utilised in the Transmission System for the purposes of Other Business activities without the prior approval of the Commission.
- 4.7. The Transmission Licensee shall seek approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any Person, except when made or issued for the purposes of the Licensed Business. Loans to employees pursuant to their terms of service and trade advances in the ordinary course of business are excluded from the requirement to seek such approval.
- 4.8. The Transmission Licensee may engage any of its Subsidiaries or Holding Company or a Subsidiary of such Holding Company of the Transmission Licensee to provide any goods or services to the Transmission Licensee in connection with the Licensed Business, subject to the following conditions that:
- a) the transaction will be on an arms-length basis and at a value that is fair and reasonable in the circumstances;
 - b) the transaction will be consistent with any Regulations framed by the Commission relating to the provision of goods and services with respect to Licensed Business; and
 - c) the Transmission Licensee will give 15 days' notice with details of such arrangement, to the Commission prior to commencement of such arrangement.

- 4.9. In all other cases of engagement of such Subsidiary or Holding Company or a subsidiary of the Holding Company, prior permission of the Commission will be required. Where such prior permission is required, the Transmission Licensee will file a suitable application with the Commission disclosing relevant facts. The Commission may, within 30 days of the filing of the application, seek further information in support of the application. The Commission shall generally within 30 days of such further information being submitted by the Transmission Licensee, and where no such further investigation is required, generally within 60 days of the filing of the application, allow the arrangement subject to such terms and conditions or modifications as it considers appropriate or reject the same, for reasons recorded in writing in the order to be issued by the Commission.
- 4.10. The Transmission Licensee shall not at any time assign his licence or transfer his utility, or any part thereof, by sale, lease, exchange or otherwise without the prior approval of the Commission. To obtain the approval of the Commission as aforesaid, the Transmission Licensee will file a suitable application with the Commission disclosing relevant facts in that behalf and the Commission shall dispose such application expeditiously.

5. ACCOUNTS

- 5.1. Unless otherwise permitted by the Commission the financial year of the Transmission Licensee for the purposes of these General Conditions and matters relating to the Licensed Business shall run from the first of April to the following thirty-first of March.
- 5.2. The Transmission Licensee shall, in respect of the Licensed Business and any Other Business:
- a) keep such accounting records as would be required to be kept in respect of each such business so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to the Licensed Business are separately identifiable in the books of the Transmission Licensee, from those of Other Business in which the Transmission Licensee may be engaged;
 - b) prepare on a consistent basis from such accounting records and deliver to the Commission the Accounting Statements; namely;
 - i) in respect of the first six months of each financial year, a Half Yearly profit and loss account, cash flow statement and balance sheet together with such supporting documents and information as the Commission may prescribe from time to time such statements and documents to be published in the manner directed by the Commission;
 - ii) in respect of the Accounting Statements prepared, an Auditor's report for each financial year, stating whether in their opinion these statements have been properly prepared in accordance with this clause and give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to such businesses to which the statements relate; and
 - iii) a copy of each Half Yearly profit and loss account not later than three months after the end of the period to which it relates, and copies of the Accounting Statements and Auditor's report not later than six months after the end of the financial year to which they relate.

- 5.3. The Transmission Licensee shall not normally change the basis of charge or apportionment or allocation of revenues or expenses in relation to the preparation of the Accounting Statements in respect of a financial year from those applied in respect of the previous financial year, without prior intimation to the Commission. Any change, if proposed, in the basis of charge or apportionment of revenues or expenses shall be consistent with the provisions of the Companies Act, 1956, the Accounting Standards or Rules and any guidelines issued by the Commission in this regard.
- 5.4. Where, in relation to the Accounting Statements in respect of a financial year, the Transmission Licensee has changed the basis of charge or apportionment or allocation from those adopted for the immediately preceding financial year, the Transmission Licensee shall, if directed by the Commission, (in addition to preparing Accounting Statements on those basis which it has adopted), prepare and deliver to the Commission such Accounting Statements on the basis which it applied in respect of the immediately preceding financial year.
- 5.5. Accounting Statements under clause 5.2 above shall, unless or otherwise approved or directed by the Commission:
- a) be prepared and published with the Annual Accounts of the Transmission Licensee, in the manner provided herein;
 - b) state the accounting policies adopted;
 - c) be prepared in accordance with generally accepted accounting policy; and
 - d) be prepared in the form as the Commission may stipulate from time to time;
- 5.6. The references to costs or liabilities of, or reasonably attributable to Licensed Business or Other Business shall be construed as excluding taxation, and capital liabilities which do not relate principally to such Business and interest thereon.
- 5.7. The Transmission Licensee shall ensure that the Accounting Statements in respect of each financial year prepared under clause 5.2 and the Auditor's report in respect of each financial year are publicised in such manner as the Commission may direct and are made available to any Person requesting them at a price not exceeding the reasonable cost of duplicating them.

6. PROVISION OF INFORMATION TO THE COMMISSION

- 6.1. The Transmission Licensee shall furnish to the Commission without undue delay such information, documents and details related to the Licensed Business or any Other Business of the Transmission Licensee, as the Commission may require from time to time for its own purposes or for the purposes of the Government of India, State Government, the Central Commission and/or the Central Electricity Authority, the State Transmission Utility and the State Load Despatch Centre.
- 6.2. The Transmission Licensee shall duly maintain the information as the Commission may direct under Section 128 of the Act.

- 6.3. The Transmission Licensee shall notify the Commission as soon as possible the occurrence of any Major Incident affecting any part of its Transmission System and in any event, by not later than two months from the date of such occurrence:
- a) submit a report to the Commission giving full details of the facts within the knowledge of the Transmission Licensee regarding the incident and its cause.
 - b) in the event the report under sub-clause (a) is likely to take more than 2 months from the date of such incident, the Transmission Licensee shall within 1 month from such date of the incident submit a preliminary report with such details which the Transmission Licensee can reasonably furnish and state reasons as to why the Transmission Licensee requires more than 2 months for giving full report of such incident; and
 - c) give copies of the report to all parties concerned with the Major Incident and to such other Persons as the Commission may direct.
- 6.4. The decision of the Commission as to what is a Major Incident shall be final. The Commission may by order, after providing an opportunity of hearing direct the Transmission Licensee to provide such amount of compensation as the Commission may direct to person(s) who suffer substantial injury or to the heirs of those who lose their lives as a result of such major incident where a Major Incident has been caused by any act of commission, omission or negligence on the part of any of the employees or agents of the Transmission Licensee.
- 6.5. The Commission at its own discretion may require the submission of a report to be prepared by an independent person at the expense of the Transmission Licensee.
- 6.6. The Transmission Licensee shall also undertake such studies as the Commission may direct it to undertake from time to time for the improvement of its Transmission Business and any other matter concerning the Transmission Business that the Commission considers necessary in the public interest to avoid the occurrence of any such major incident.
- 6.7. The Transmission Licensee shall duly inform the Commission about any incident restricting it from meeting its obligation under the licence granted including any act of omission or commission by others and steps taken by the Transmission Licensee to mitigate the effect of such incident.
- 6.8. The Commission may at any time require the Transmission Licensee to comply with the provisions of clauses as to incidents which the Commission may specifically direct and the Transmission Licensee shall be obliged to comply with the same notwithstanding that such incidents are not Major Incidents; provided that the time limits specified in clause shall commence from the date that the Commission notifies Transmission Licensee of such requirement.
- 6.9. The Transmission Licensee shall submit a Business Plan within three months of Transmission Licence coming in force for such period as the Commission may direct and shall update such plan annually. The Business Plan shall contain year wise load growth, year wise Transmission loss reduction proposal along with specific action plan, metering plan for metering interface points, investment plan, treatment of previous losses, debt restructuring plan, cost reduction plan, projected profit and loss account, projected balance sheets, projected cash flow statements and projected important financial parameters.

6.10. The Commission may require the Transmission Licensee to intimate by the end of first quarter of each financial year the progress made in implementing the Business Plan of the previous financial year with the comparison of actual implementation vis-à-vis the Plan as approved by the Commission. The licensee shall post the accounting statements in respect of each financial year along with their auditor's comments on their web-site.

7. INVESTMENTS

7.1 Unless otherwise directed by the Commission, every licensee shall obtain prior approval of the Commission for making investment in the licensed business if such investment is above the limits laid down in clause 7.8 of these General Conditions.

7.2 The Transmission Licensee shall duly comply with the Regulations, guidelines, directions and orders the Commission may issue from time to time in regard to the investments to be made in the Transmission Business.

7.3 The Transmission Licensee shall submit to the Commission Investment Plans as a part of the business plan under clause 6.9 above giving details of investment schemes to be undertaken during the concerned period for the approval of the Commission. The Transmission Licensee shall demonstrate to the satisfaction of the Commission that:

- a) there is a need for such Investments in the Transmission System contained in the Investment Plan;
- b) the Transmission Licensee has made techno economic analysis and environmental aspects of all viable alternatives to the proposal for investing in or acquiring new Transmission System assets to meet such need;

7.4 In the application for investment approval, the licensee shall furnish the following information or particulars.

- a) A detailed project report containing techno economic analysis and environmental aspects of the investment together with the outline of the works to be undertaken, the salient features and particulars demonstrating the need for investment;
- b) The project cost together with the cost benefit analysis;
- c) Whether the investment is in a new project or for expansion or up-gradation of an existing system;
- d) Sanctions and statutory clearances required for execution of the project and status of such sanctions and statutory clearances;
- e) Phasing of investment over the financial years and commissioning schedule;
- f) The manner in which investments will be capitalised for the purposes of inclusion in the revenue requirements of the Licensee;
- g) Constraints which the Licensee may face in making the investments or in implementing the project including constraints on information available;

- h) Resource mobilisation and financial plans for meeting the investment;
 - i) Process for inviting and finalizing tenders for procurement of equipment, material and /or services relating to investment, in accordance with a transparent tendering procedure as may be approved by the Commission; and
 - j) Such other particulars as the Commission may from time to time direct.
- 7.5
- a) The licensee and other applicants seeking investment approval shall furnish information, particulars, documents as may be required by the Commission staff, consultants and experts appointed by the Commission for the purpose and allow them access to the records and documents in the power, possession or custody of the licensee.
 - b) The licensee shall cooperate with the Commission's staff, consultants and experts to enable them to discharge their functions and to submit a report to the Commission on the outcome of their findings.
- 7.6 The Transmission licensee shall intimate, by the end of the first quarter of each financial year
- a) the annual investment plan with details of investment schemes to be carried out during the financial year ;and
 - b) the progress made in implementing the annual investment plan of the previous financial year with the comparison of actual implementation vis-à-vis the plan as approved by the Commission for the concerned period.
- 7.7 The Transmission Licensee shall make the investments in a prudent manner being guided by the duty to build, maintain and operate an efficient, co-ordinated and economical Transmission System in the State.
- 7.8 The Transmission Licensee shall not undertake schemes involving Major Investments, not covered under the Investment Plan approved by the Commission under clause 7.3 above without the prior approval of the Commission, and for such approval the Transmission Licensee shall demonstrate to the satisfaction of the Commission the factors mentioned in clause 7.3 above.
- 7.9 The Transmission licensee shall invite and finalise tenders for procurement of equipment, material and/or services relating to major investment, in accordance with a transparent tendering procedure as may be directed by the Commission.
- 7.10 For the purposes of this clause 7, the term "Major Investment" means any planned investment in or acquisition of Transmission facilities, the cost of which, when aggregated with all other investments or acquisitions (if any) forming part of the same overall transaction, equals or exceeds an amount contained in the Specific Conditions applicable to the Transmission Licensee or otherwise decided by the Commission from time to time by a general or special order.
- 7.11 The Transmission Licensee shall be entitled to make Investment in the Transmission Business other than those covered under clauses 7.3 and 7.9 above but for the purposes of considering such Investment while determining the tariff, the Transmission Licensee shall satisfy the Commission that the Investment was required for the Transmission Business and such investment was made in an efficient, co-ordinated and economical manner.

7.12 The Transmission Licensee shall submit to the Commission along with the “Expected Revenue Calculations” filed under Section 62 of the Act , the highlights of the annual investment plan consisting of the schemes approved by the Commission, schemes submitted before the Commission for approval and all schemes not requiring prior approval of the Commission planned for the ensuing financial year and shall make investment in the said financial year in accordance with the said investment plan. The Commission shall take into consideration while determining the tariffs of the Licensee as per the Tariff Regulations to be framed by the Commission under Section 61 of the Central Act, the approval granted by the Commission to the Licensees for the investments under this clause and the actions and inaction on the part of the Transmission Licensees in complying with the terms contained in this clause

Provided that if any unforeseen contingencies required reallocation of funds within the schemes listed in the annual investment plan, the Transmission Licensee may do so to the extent such reallocation up to a limit of 10 % of the overall investment plan and 25 % of the approved amount in respect of each item/work of the investment plan. The Distribution Licensee shall give due intimation of such relocation to the Commission within 7 days of making the investment

Provided also that if on account of unforeseen circumstances the Transmission Licensee is required to make investment in a scheme, which does not find place in the annual investment plan, the Transmission Licensee may do so if the same is not a Major Investment and subject to the conditions contained in clause 7.12 above.

8. TRANSFER OF ASSETS

8.1. The Transmission Licensee shall not, in a single transaction or a set of related transactions, transfer or relinquish Operational Control over any asset whose book value at the time of the proposed Transfer exceeds the amount decided by Commission in the Specific Conditions applicable to the Transmission Licensee or otherwise by a general or special order, without complying with the conditions stipulated in this clause 8.

8.2. The Transmission Licensee shall give to the Commission prior written notice of its intention to transfer or relinquish Operational Control over any asset whose value exceeds the amount decided by the Commission as per clause 8.1 above and the Transmission Licensee shall disclose all relevant facts in the communication to the Commission. The Commission may, within 30 days of the receipt of the notice, seek further information in support of the transaction and shall, generally within 30 days of such further information being submitted by the Transmission Licensee, and where no such further information is sought by the Commission as above, within 60 days of the filing of the application, approve the Transfer arrangement subject to such terms and conditions or modifications as is considered appropriate or reject the same, for reasons recorded in writing in the order to be issued by the Commission.

8.3. The Transmission Licensee may Transfer or relinquish Operational Control over any asset as is detailed in any notice given under clause 8.2 where:

a) the Commission confirms in writing that it consents to such Transfer or relinquishment of Operational Control subject to such conditions as the Commission may impose; or

b) the Commission does not inform the Transmission Licensee in writing of any objection to such Transfer or relinquishment of Operational Control within the notice period referred to in clause 8.2 above and the transfer is effected by transparent and competitive bidding procedures.

8.4. The Transmission Licensee may also Transfer or relinquish Operational Control over any asset where:

a) the Commission has issued directions for the purposes of this clause 8 containing a general consent (whether or not subject to conditions) to:

i) the transactions of a specified description, and/or

ii) the Transfer or relinquishment of Operational Control over assets of a specified description, and/or

iii) the Transfer or relinquishment of Operational Control in accordance with any conditions to which the consent is subject, or

b) the Transfer or relinquishment of Operational Control in question is mandated under any other law; or

c) the asset in question was acquired and used by the Transmission Licensee exclusively or primarily in connection with any Other Business and does not constitute a legal or beneficial interest in land, or otherwise form part of the Transmission System or is not otherwise an asset required for the Licensed Business.

8.5. The Transmission Licensee will be entitled to utilise the assets as a means of facilitating financing its investment requirement or including collateral for debt financing, securitisation of receivables subject to the conditions:

a) that the Transmission Licensee will inform the Commission about such arrangements at least 15 days prior to the effective date of the relevant agreements;

b) the Transmission Licensee acts in a prudent and reasonable manner in such utilisation of assets; and

c) the Transmission Licensee retains the Operational Control over assets in the Transmission System.

8.6. Notwithstanding anything contained in this clause 8 in case of any emergency condition, the Transmission Licensee may transfer the assets subject to the condition that the Transmission Licensee shall immediately after such a transaction seek post-facto approval of the Commission giving the detail facts about the situation and the details of the transaction. It shall be the obligation of the Transmission Licensee to establish to the satisfaction of the Commission of the presence of emergency condition necessitating the transfer of the assets.

9. PAYMENT OF LICENCE FEES

9.1. Within such period as the Commission may direct, the Transmission Licensee shall pay to the Commission the Licence Fees, initial and also periodic, mentioned in the Special condition in such manner as the Commission may direct in the said Special Condition

- 9.2. Where the Transmission Licensee fails to pay to the Commission any of the fees due under clause 9.1 by the due dates:
- a) without prejudice to other obligations, the Transmission Licensee shall be liable to pay interest on the outstanding amount at a simple interest rate of 1.5 percent per month, the interest being payable for the period beginning on the day after which the amount became due, and ending on the day on which the payment is made to the Commission in cleared funds; and
 - b) in the event of continued default by the Transmission Licensee, the Commission may revoke the Transmission Licence..
- 9.3. The Transmission Licensee shall be entitled to take into account any fee paid by it under this clause 9 as an expense in the determination of aggregate revenues to be charged to the Tariffs, but shall not take into account any interest paid pursuant to this clause.

10. TERMS OF REVOCATION

- 10.1. Subject to the provisions of Section 19 of the Act and the Regulations framed thereunder, the Commission may, at any time initiate proceedings against the Transmission Licensee for revocation of the Transmission Licence and if satisfied in such proceedings on the grounds for revocation duly considering the public interest, revoke the Transmission Licence:
- a) where the Transmission Licensee in the opinion of the Commission, makes wilful and prolonged default in doing anything required of him by or under the Act or the State Act or the rules or regulations made thereunder;
 - b) where the Transmission Licensee violates any of the terms or conditions of his licence the breach of which is expressly declared by such licence to render it liable to revocation;
 - c) where the Transmission Licensee fails, within the period fixed in this behalf by his licence, or any longer period which the Commission may have granted therefor
 - i) to show, to the satisfaction of the Commission, that he is in a position to fully and efficiently discharge the duties and obligations imposed on him by his licence; or
 - ii) to make deposits or furnish the security, or pay the fees or other charges required by his licence;
 - d) where in the opinion of the Commission the financial position of the Transmission Licensee is such that he is unable to fully and efficiently discharge the duties and obligations imposed on him; and
 - e) Where the Transmission Licensee has failed to comply with all the Regulations, codes, and standards and also orders and directions of the Commission or otherwise has committed an act which renders Transmission Licence revocable on any other grounds stated in the Act or the State Act or the Rules or Regulations framed there under.
- 10.2. Where in its opinion the public interest so requires, the Commission may, on application, or with the consent of the Transmission Licensee, revoke his licence as to the whole or any part of his area of transmission upon such terms and conditions as it thinks fit.

10.3. Before revoking a Transmission Licence the Commission shall, if in its opinion feel necessary, refer the matter to the State Government and agree on an alternate arrangement to be made for discharging the duties of the Transmission Licensee.

11. AMENDMENT OF LICENSE CONDITIONS

11.1. These General Conditions of License may be altered or amended by the Commission at any time, if it deems fit in public interest, in exercise of powers under Section 18 of the Act. For any such alteration or amendment, before any alterations or amendments in the Transmission License are made, the following provisions shall have effect:

- a) where the Transmission Licensee has made an application under Section 18, Sub-Section (1) of the Act proposing any alteration or amendment in the General Conditions of License, the Transmission Licensee shall publish a notice of such application with such particulars and in such manner as may be directed by the Commission;
- b) in the case of an application proposing alterations or modifications in the Area of Activity comprising the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Government for defence purposes, the alterations or modifications shall be made only with the consent of the Central Government;
- c) where any alterations or amendments in a license are proposed to be made otherwise than on the application of the Transmission Licensee, the Commission shall publish the proposed alterations or amendments with such particulars and in such manner as the Commission consider to be appropriate;
- d) the Commission shall not make any alterations or amendment unless all suggestions or objections received within thirty days from the date of the first publication of the notice have been considered by the Commission.

12. DISPUTE RESOLUTION

12.1. The Commission shall be entitled to act as arbitrator or nominate person(s) as arbitrator(s) to adjudicate and settle disputes between the Transmission Licensee and any other licensees or between the Transmission Licensee and a generating company in pursuance of clause (f) of Sub-Section (1) of Section 86 read with Section 158 of the Act and the regulations of the Commission.

12.2. The arbitration proceedings for disputes under clause 12.1 above may be commenced and conducted by the Commission or the disputes may be referred to the arbitration of others, as the case may be, in accordance with the Conduct of Business Regulations specified by the Commission.

13. TRANSMISSION PLANNING AND SECURITY STANDARDS; TRANSMISSION OPERATING STANDARDS:

13.1 The Transmission Licensee shall plan and operate the Transmission System, so as to ensure that Transmission System built, operated and maintained to provide an efficient, economical and co-ordinated system of Transmission, in accordance with the Grid Code and the Planning, Security and Operating Standards.

- 13.2 a) The Transmission Licensee shall make arrangements, within such time as the Commission may direct, to meet the Power Supply Planning and Security Standards and Power Supply Operating Standards.
- b) The Security Standards are such standards as:
- i) will ensure that the Transmission Licensee conducts its planning so that transmission of electricity will meet levels of reliability and quality proposed by the Transmission Licensee as approved by the Commission; or
 - ii) the Commission may otherwise direct from time to time.
- c) The operating standards are such levels of operational security as approved by the Commission from time to time.
- 13.3 a) The Transmission Licensee shall, within such time as the Commission may direct in the Specific Conditions or otherwise submit to the Commission the existing planning and security standards and the operating standards for its Transmission System and the existing planning and security standards and operating standards relating to generation capacity connected to its Transmission System being followed by the Transmission Licensee. Such existing standards, with such modification as the Commission may direct, shall continue to remain in effect until the new standards approved by the Commission.
- b) The Transmission Licensee shall, within such time as the Commission may direct in the Specific Conditions or otherwise, prepare, in consultation with the Suppliers, Generating Companies, Central Transmission Utility, State Transmission Utility, Regional Power Committee and such other person as the Commission may direct, and submit to the Commission for approval the Transmission Licensee's proposal for Transmission Planning and Security Standards and Transmission Operating Standards, and Operating Standards in accordance with these General Conditions
- c) The Transmission Planning and Security Standards and Transmission Operating Standards, and the Operating Standards submitted by the Transmission Licensee pursuant to this clause 13, with such modifications as the Commission may require, shall take effect from such dates as the Commission may direct.
- 13.4 The Transmission Licensee shall not be in breach of its obligations, if the failure to meet the Transmission Planning and Security Standards or the Transmission Operating Standards is due to Force Majeure, provided that, the Transmission Licensee has used its reasonable efforts, to comply with the Transmission Planning and Security Standards or the Transmission Operating Standards, as the case may be.
- 13.5 The Transmission Licensee shall, in consultation with Suppliers, the Generating Companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power Committee and such other persons as the Commission may order, review the standards and their implementation on each occasion a review of the Grid Code is undertaken. Following any such review, the Transmission Licensee shall send to the Commission:

- a) a report on the outcome of such review; and
- b) any revision which the Transmission Licensee proposes to make to such documents from time to time (having regard to the outcome of such review); and
- c) any written representations or objections (including those not accepted by the Transmission Licensee) from Suppliers, the Generating Companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power Committee and such other persons as the Commission may order arising during the consultation process; Provided that the Commission may, upon application of the Transmission Licensee, relieve the Transmission Licensee from the obligation to review the standards and their implementation, to such extent as shall be stated in directions issued to the Transmission Licensee by the Commission for the purposes of this condition.

13.6 The Commission may, having regard to any written representations and objections received and following such further consultation as the Commission may consider appropriate, issue directions requiring the Transmission Licensee to revise the standards in such manner as may be stated in the directions. The Transmission Licensee shall duly carry out the revisions directed by the Commission

13.7 The Transmission Licensee shall within 3 months of the end of each financial year, submit to the Commission a report indicating the performance of the Transmission System during the previous financial year. The Transmission Licensee shall, if required by the Commission, publish the reports in a manner to be determined by the Commission. The copies of this report shall also be furnished by the Transmission Licensee to all persons applying for the same at the normal cost of photocopying.

13.8 The Transmission Licensee shall, upon request by the Commission, provide to the Commission such information as the Commission may require under or for the purpose of monitoring the duties and responsibilities of the Transmission Licensee under this clause 13. .

14. GRID CODE

14.1 The Transmission Licensee shall ensure due compliance with the Grid Code(s) in operation.

14.2 The Grid Code shall be formulated from time to time by the State Transmission Utility in consultation with the Transmission Licensee, other licensees and generating companies and implemented with the approved by the Commission. Until such State Grid Code is implemented the Transmission Licensee shall follow the Interim Grid Code.

14.3 The Commission may, on reasonable grounds and after consultation with any affected Generating Companies, the Transmission Licensee, the State Transmission Utility, the State Load Despatch Centre and Electricity Traders, issue directions relieving the Transmission Licensee of its obligation in respect of such parts of the Grid Code and to such extent as may be decided by the Commission.

14.4 The State Transmission Utility shall, in consultation with other Transmission Licensees, Generating Companies, the Central Transmission Utility, the Regional Power Committee and

such other Persons as the Commission may direct, review the Grid Code and its implementation from time to time in so far as the operation of the Transmission Licensee is concerned. Such review should be carried at least once in three years. Following any such review, the Transmission Licensee shall send to the Commission and the State Transmission Utility:

- a) a report on the outcome of such review; and
- b) any proposed revisions to the Grid Code from time to time as the State Transmission Utility reasonably thinks fit; and
- c) all written representations or objections received by the State Transmission Utility during the consultation process.

15. CONNECTION AND USE OF SYSTEM

15.1 The Transmission Licensee shall make such arrangements for non discriminatory open access to the use of his Transmission System by Users subject however to the availability of adequate transmission capacity in accordance with open access regulation notified by the Commission and further subject to the User agreeing to pay all applicable charges including the transmission charges and surcharges wherever applicable.

15.2 On application made for grant of a connection by any person intending to use the Transmission System the Transmission Licensee shall offer to enter into an agreement with such Person for connection to the Transmission System or for modification of such an existing connection and such offer shall make provision for:

- a) carrying out of works necessary to make the required connection, including the installation of meters;
- b) carrying out of any necessary works to reinforce the Transmission Licensee's Transmission System;
- c) the connection charges to be paid as directed by the Commission ; and
- d) the completion date and such other terms as are relevant to the circumstances.

15.3 The Transmission Licensee shall offer terms for agreements in accordance with clauses 15.1 or 15.2 as soon as practicable to the intended Users of the System. The Transmission Licensee shall not be obliged to offer to enter into any agreement if

- a) adequate transmission capacity is not available in the Transmission system, provided that the existence or absence of such available capacity shall be subject to determination by the State Transmission Utility and in case of any dispute pertaining to the same on such determination the same shall be subject to the decision of the Commission;
- b) it is likely to result in breach of its duties under the Act or the State Act; or
- c) it is likely to result in breach of any rules or Regulations relating to safety or Standards applicable to the Transmission Business including, the prevailing Rules;
- d) being in breach of the Grid Code or

- e) the Person making the application does not undertake to comply with the Grid Code(s) from time to time in force to the extent that it is applicable to that Person; or
 - f) the person making the application fails to pay the applicable charges, surcharges, adjustment for losses of electricity in the Transmission Systems determined by the Commission.
- 15.4 If, after a period which appears to the Commission to be reasonable for the purpose, the Transmission Licensee has failed to enter into an agreement with any intending user of the Transmission System, the Commission may at the request of such intending user settle such terms in dispute between the Transmission Licensee and that Person and, the Transmission Licensee shall forthwith enter into and implement such agreement in accordance with its terms as settled by the Commission.
- 15.5 The Transmission Licensee shall prepare and submit to the Commission on an annual basis, a statement showing in respect of each of the 5 succeeding financial years forecasts of circuit capacity, power flows and loading on the Transmission System under standard planning criteria, together with:
- a) such further information as shall be reasonably necessary to enable any Person seeking Use of System to identify and evaluate the opportunities available when connecting to and making use of such system; and
 - b) a statement prepared by the Transmission Licensee indicating its views as to those parts of its Transmission System most suited to new connections and transport of further quantities of electricity.
- 15.6 At the request of a Person or a Supplier who wishes to use the Transmission System, the Transmission Licensee shall prepare an update to the above statement, incorporating most recent data but specifically including any facility for which any other Person or a Supplier has requested use of and connection to the Transmission System.
- 15.7 The Transmission Licensee may make a charge for any statement given or sent to Persons seeking Use of System, of an amount reflecting the Transmission Licensee's reasonable costs of providing such a statement.
- 15.8 The Transmission Licensee is entitled to undertake all activities necessary, related or incidental to the conduct of the Transmission Business, which would include laying and operating appropriate communication network to implement information technology based solutions like remote metering etc. for the Licensed Transmission Business.

16. EXPECTED REVENUE CALCULATION AND TARIFFS

- 16.1 The Transmission Licensee shall calculate the expected revenue from charges which it is permitted to recover, in accordance with the provisions of the Act, the State Act, the Regulations of the Commission, the tariff terms and conditions and other guidelines, orders and directions issued by the Commission from time to time.
- 16.2 The Transmission Licensee shall file the Expected Revenue Calculation and the application containing tariff proposals in the manner provided in the Conduct of Business Regulations and consistent with the Regulations under Section 61 of the Act

- 16.3 Unless otherwise provided in the Specific Conditions or in any order or direction made by the Commission the Transmission Licensee shall every year, not later than 30th November, submit to the Commission (i) a Statement with full details of its expected aggregate revenues and cost of service for the ensuing financial year (including financing costs and its proposed return on equity) for its Licensed Business, in accordance with the provisions of the Act and the regulations, guidelines and orders issued by the Commission from time to time and (ii) the annual investment plan giving specific details of the investment which the Transmission Licensee proposes to make in the ensuing financial year and which the Transmission Licensee desires to be covered under the revenue requirements in the ensuing financial year with appropriate references to schemes, if any, already approved by the Commission of which such investments form a part. The Transmission Licensee shall prepare and submit to the Commission the Statement and the investment details referred to in the above separately for each of its Licensed Businesses and Other Businesses.
- 16.4 The Transmission Licensee shall along with the Expected Revenue Calculation or at such other time and periodicity, the Commission may specifically permit to file the application containing tariff proposals and the revision to the existing tariffs approved by the Commission to match the revenue requirements of the Transmission Licensee
- 16.5 The amount that the Transmission Licensee is permitted to recover from its tariffs is the amount that the Commission determines and approves in accordance with the provisions of the Act, State Act and the Regulations of the Commission
- 16.6 The Transmission Licensee shall pay to the Distribution Licensee concerned as provided in Sections 39 and 40 read with Sub-Section (2) of Section 42 of the Act the amount of surcharge if any permitted to be recovered by the Transmission Licensee in the case of transmission of electricity to the consumer as directed by the Commission
- 16.7 The Transmission Licensee may apply to the Commission to amend its tariffs in accordance with the Act and applicable Regulations and directions of the Commission.
- 17. APPLICATION OF THE GENERAL CONDITIONS TO THE STATE TRANSMISSION UTILITY:**
- The provisions of these General Conditions shall apply to the State Transmission Utility save as the provisions relating to revocation of the Transmission Licence and the functions of State Load Dispatch Centre under Section 32 of the Act and activities of the State Transmission Utility under clauses (b) and (c) of Sub-Section (2) of Section 39 of the Act.
- 18. MISCELLANEOUS**
- 18.1 All issues arising in relation to interpretation of these General Conditions and as to the terms and conditions thereof shall be a matter for the determination of the Commission and the decision of the Commission on such issues shall be final, subject only to the right of appeal under Section 111 of the Act.
- 18.2 The Commission may at the time of grant of Transmission Licence waive or modify the application of any of the provisions of these General Conditions either in the order granting the licence or by Specific Conditions made applicable to a specific Transmission Licensee
19. The General conditions contained herein shall apply to all applicants for grant of Transmission Licence after the coming into force of the Act and also to all deemed Transmission Licensees under Section 14 proviso first, second, third and fifth of the Act

APPENDIX - 4C

(See Regulation 31)

ORISSA ELECTRICITY REGULATORY COMMISSION GENERAL CONDITIONS OF TRADING LICENCE

1. DEFINITIONS

1.1 Unless the context otherwise requires in these general conditions:

“Accounting Statement” means for each financial year, accounting statements for the Licensed Business comprising a profit and loss account, a balance sheet and a statement of sources and application of funds, together with notes thereto as detailed under the Companies Act, 1956 (1 of 1956) and such other particulars and details in the manner as the Commission may direct from time to time. If the Trading Licensee engages in any business or activity in addition to the Licensed Business, the accounting statements shall comply with the regulations of the Commission dealing with the treatment of Other Business of Trading Licensees and show separately the amounts of any revenue, cost, asset, liability, reserve or provision, which has been either: charged from the Licensed Business to any Other Business or vice versa together with a description of the basis of that charge; or determined by apportionment or allocation between the Licensed Business and any Other Business of the Trading Licensee together with a description of the basis of the apportionment or allocation.

“Act” means the Electricity Act, 2003 (36 of 2003)

“Annual Accounts” means the accounts of the Trading Licensee prepared in accordance with the provisions of the Companies Act, 1956 and/or in such other manner as may be directed by the Commission in terms of the provisions of the Act;

“Area of Activity” means the area of activity stated in the Trading Licence within which the Trading Licensee is authorised to trade;

“Auditors” means the Trading Licensee’s auditors holding office in accordance with the requirements of Sections 224 to 234A or Section 619 as appropriate, of the Companies Act 1956 (1 of 1956);

“Authorised”, in relation to any Person, business or activity, means authorised by licence granted under Section 14 of the Act or deemed to be granted under the first second third and fifth proviso to Section 14 of the Act or exemption granted under Section 13 of the Act and the regulations of the Commission;

“Commission” means the Orissa Electricity Regulatory Commission;

“Deemed Licensee” means a person authorised under the first, second, third and fifth proviso to Section 14 of the Act.

“Distribution” means the conveyance or wheeling of electricity by means of a Distribution System;

“Distribution Code” means the Distribution (Planning and Operation) Code governing all material technical aspects relating to connections to and the operation and use of the Distribution System as approved by the Commission;

“Force Majeure” means events beyond the reasonable control of the Licensee, including, but not limited to earthquakes, cyclones, floods, storms, adverse weather conditions, war, terrorist attacks, civil commotion or other similar occurrences that leads to any act that would involve a breach of relevant laws or regulations concerned with electrical safety;

“Grid Code” means the grid code developed by the State Transmission Utility approved by the Commission, covering all material technical aspects relating to connections to and the operation of the Grid, the use of a Transmission System, or (in so far as relevant to the operation and use of a Transmission System) the operation of electric lines and electrical plant connected to the Transmission System, the Distribution Systems, or the system of any Supplier, and shall include the Interim Grid Code;

“Interim Grid Code” means the existing practices and procedures implemented by the State Transmission Utility pending the approval of the Grid code by the Commission.

“Licence” means the licence under Section 14 of the Act under which the Licensee is Authorised to conduct the Licensed Business;

“Licensed Business” means the business of Trading in electricity as authorised under the licence;

“Other Business” means business of the Trading Licensee other than the Licensed Business;

“Person” shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;

“Regulations” means the regulations made by the Commission, under the provisions the Act or the State Act;

“Specific Conditions” mean the conditions in addition to or in variation of the General Conditions, which the Commission may lay down, specifically, for a trading licensee;

“State” means the State of Orissa;

“State Act” means the Orissa Electricity Reform Act, 1995;

“State Government” means the Government of the State of Orissa;

“Trading Business” means the Authorised business of a Trading Licensee to Transmit electricity, whether for its own account or for that of any other Person, through any system owned and/ or operated by such Licensee;

“Trading Licensee” means the Licensee under Section 14 of the Act for undertaking Trading and shall include Deemed Licensee for the purpose

“Transmission Licensee” means the entity, which has been granted a Transmission Licence or is a deemed Licensee under the first, second, third or fifth proviso of Section 14 of the Act authorised to transmit electricity;

“Transfer” shall include the sale, exchange, gift, lease, licence, loan, securitisation, mortgage, charge, pledge or grant of any other encumbrance or otherwise permitting of any encumbrance to subsist;

- 1.2 Words, terms and expressions occurring in these General Conditions and not defined herein above shall bear the same meaning as in the Act.

2 TERM

The Trading Licence shall come into force on the date to be mentioned by the Commission in the order granting the licence and subject to the terms and conditions of the grant of licence, shall remain in force for the period mentioned in the Order

3. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

- 3.1 The Trading Licensee shall comply with the provisions of the Act, Rules, Regulations, orders and directions issued by the Commission from time to time and the provisions of all other applicable laws.
- 3.2 The Trading Licensee shall act in accordance with this General Conditions except where the Trading Licensee is exempted from any provisions of these general conditions at the time of the grant of licence or otherwise specifically obtains the approval of the Commission for any deviation there from.
- 3.3 The Trading Licensee shall duly comply with and undertake the activities consistent with the Grid Code, Distribution Code, Distribution (Conditions of Supply) Code and other codes and standards, orders and directions of the National Load Despatch Centre, Regional Load Despatch Centre and the State Load Despatch Centre and other statutory authorities issued in the discharge of their functions Under the Act or the State Act.

1. ACTIVITIES AND OBLIGATIONS OF THE TRADING LICENSEE

- 4.1 The Trading Licensee may engage in the business of trading in electricity in the state, provided that in the event of sale or supply of electricity to consumer besides others, the same shall be subject to payment of surcharge to meet the current level of cross subsidy as provided in Sub-Section (2) of Section 42 of the Act .
- 4.2 The Trading Licensee shall seek approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any Person, except when made or issued for the purposes of the Licensed Business. Loans to employees pursuant to their terms of service and trade advances in the ordinary course of business are excluded from the requirement to seek such approval.
- 4.3 The Trading Licensee shall not at any time transfer or assign his licence in any manner without the prior approval of the Commission
- 4.4 The trader shall make reasonable endeavours to maintain investment grade credit rating from an independent Credit Rating Agency throughout the period of the Licence
- 4.5 The licensee shall be governed by the technical requirements, capital adequacy requirements and creditworthiness specified by the Commission in these regulations, for being an electricity trader and shall upgrade these technical and capital adequacy requirements, including staff, when the volume of trading increases;

- 4.6 The licensee shall increase his net worth if the volume of trade moves from a lower category to a higher category and the change of category shall be decided based on the volume of electricity traded as on 31st March of each year, and of which the licensee shall keep the Commission informed of his moving from one category to the other and subsequent changes in the net worth;
- 4.7 The licensee shall be subject to the trading margins for the intra-state trading as fixed by the Commission, from time to time;
- 4.8 The licensee shall establish adequate communication facilities like telephone, fax, computer, internet facilities, before undertaking trading;
- 4.9 The licensee shall coordinate with Regional Electricity Boards or Regional Power Committees, as the case may be State Load Despatch Centers, and State Transmission Utilities with regard to all trading related activities;
- 4.10 The licensee shall render all assistance to any person authorised by the Commission for carrying out his duties relating to the licence;
- 4.11 Trading shall be carried out bilaterally between the parties by entering into appropriate contracts. Necessary safeguards with regard to supply of electricity through trading or payment for the electricity traded shall be included in the agreements between the parties. All trading arrangements shall be done through the letters of credit or with any other superior instrument;
- 4.12 The licensee shall not omit or neglect to undertake trading activity for four consecutive quarters;
- 4.13 The licensee shall not enter into any agreement leading to abuse of his dominant position or enter into a combination which is likely to cause or causes an adverse effect on competition in electricity industry;
- 4.14 The Trading Licensee shall duly comply with and undertake the activities consistent with the Grid Code, Distribution Code, Distribution (Conditions of Supply) Code and other codes and standards, order and directions of the National Load Despatch Centre, Regional Load Despatch Centre and the State Load Despatch Centre and other statutory authorities issued in the discharge of their functions.

4.15 DUTIES OF THE TRADING LICENSEE

The Electricity Trader shall:

- a) have in place all agreements or arrangements for the purchase and sale of electricity, and all necessary authorisations as required by the Trading Licence to be able to perform its obligations under such agreements;
- b) have in place the requisite Agreements with the Transmission Licensees and Distribution Licensees for the transmission or wheeling of electricity, as the case may be;
- c) have in place Billing and Settlement Agreements, i.e. between him and the supplier of energy including the generating companies or, between him and other Licensees, who are purchasers of electricity and also between him and the customers, who are traders or consumers;

- d) inform the customer as to when the expiry will occur and the tariffs and terms & conditions applicable to the customer beyond the expiry of the contract, if the contract of the trader with its customer is for a fixed term, then prior to the expiry of the fixed term and the arrangement is continued;
- e) maintain an up to date register or record of all the business transactions including up-to-date record of his customers; and
- f) comply with any other requirements as the Commission may direct from time to time.

4.16 PROHIBITIONS

The electricity trader shall not engage in the business of transmission of electricity

5 ACCOUNTS

- 5.1 Unless otherwise permitted by the Commission the financial year of the Trading Licensee for the purposes of these General Conditions and matters relating to the Licensed Business shall run from the first of April to the following thirty-first of March.
- 5.2 The Trading Licensee shall, in respect of the Licensed Business and any Other Business:
 - a) keep such accounting records as would be required to be kept in respect of each such business so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to the Licensed Business are separately identifiable in the books of the Trading Licensee, from those of Other Business in which the Trading Licensee may be engaged;
 - b) prepare on a consistent basis from such accounting records and deliver to the Commission, the Accounting Statements; namely:-
 - i) in respect of the first six months of each financial year, a Half Yearly profit and loss account, cash flow statement and balance sheet together with such supporting documents and information as the Commission may direct from time to time such statements and documents to be published in the manner directed by the Commission;
 - ii) in respect of the Accounting Statements prepared, an Auditor's report for each financial year, stating whether in their opinion these statements have been properly prepared in accordance with this clause and give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to such businesses to which the statements relate; and
 - iii) a copy of each Half Yearly profit and loss account not later than three months after the end of the period to which it relates, and copies of the Accounting Statements and Auditor's report not later than six months after the end of the financial year to which they relate.
- 5.3 The Trading Licensee shall not normally change the basis of charge or apportionment or allocation of revenues or expenses in relation to the preparation of the Accounting Statements

in respect of a financial year from those applied in respect of the previous financial year, without prior intimation to the Commission. Any change, if proposed, in the basis of charge or apportionment of revenues or expenses shall be consistent with the provisions of the Companies Act, 1956, the Accounting Standards or Rules and any guidelines issued by the Commission in this regard.

- 5.4 Where, in relation to the Accounting Statements in respect of a financial year, the Trading Licensee has changed the basis of charge or apportionment or allocation from those adopted for the immediately preceding financial year, the Trading Licensee shall, if directed by the Commission, (in addition to preparing Accounting Statements on those bases which it has adopted), prepare and deliver to the Commission such Accounting Statements on the basis which it applied in respect of the immediately preceding financial year.
- 5.5 The Accounting Statements under clause 5.2 above shall, unless or otherwise approved or directed by the Commission:
- a) be prepared and published with the Annual Accounts of the Trading Licensee, in the manner provided herein;
 - b) state the accounting policies adopted;
 - c) be prepared in accordance with generally accepted accounting policy; and
 - d) be prepared in the form as the Commission may stipulate from time to time;
- 5.6 The references to costs or liabilities of, or reasonably attributable to Licensed Business or Other Business shall be construed as excluding taxation, and capital liabilities which do not relate principally to such Business and interest thereon.
- 5.7 The Trading Licensee shall ensure that the Accounting Statements in respect of each financial year prepared under clause 5.2 and the Auditor's report in respect of each financial year are publicised in such manner as the Commission may direct and are made available to any Person requesting them at a price not exceeding the reasonable cost of duplicating them.

6 PROVISION OF INFORMATION TO THE COMMISSION

- 6.1 The Trading Licensee shall furnish to the Commission without undue delay such information, documents and details related to the Licensed Business or any Other Business of the Trading Licensee, as the Commission may require for its own purposes or for the purposes of the Government of India, State Government, the State Transmission Utility, The State Load Dispatch Centre, the Central Commission and/or the Central Electricity Authority.
- 6.2 The Trading Licensee shall duly maintain the information as the Commission may direct under Section 128 of the Act.
- 6.3 The Trading Licensee shall duly inform the Commission about any incident restricting it from meeting its obligation under the licence granted including any act of omission or commission by others and steps taken by the Trading Licensee to mitigate the effect of such incident .The Trading Licensee shall notify the Commission as soon as possible the occurrence of any other

incident which materially affect any part of its Trading activities and in any event, by not later than two months from the date of such occurrence:

- a) submit a report to the Commission giving full details of the facts within the knowledge of the Trading Licensee regarding the incident and its cause;
- b) Trading Licensee can reasonably furnish and state reasons as to why Trading Licensee requires more than two months for giving full report of such incident; and
- c) give copies of the report to all parties concerned with the Major Incident and to such other Persons as the Commission may direct.

6.4 The Commission may by order, after providing an opportunity of hearing direct the Trading Licensee to provide such amount of compensation as the Commission may direct to person(s) who are affected or prejudiced by any act of commission, omission or negligence on the part of any of the employees or agents of the Trading Licensee.

6.5 The Trading Licensee shall also undertake such studies as the Commission may direct it to undertake from time to time in regard to the trading activities and any other matter concerning the Trading Business that the Commission considers necessary in the public interest. The Commission at its own discretion may require the submission of a report to be prepared by an independent person on the activities of the Trading Licensee at the cost and expense of the Trading Licensee.

6.6 The Commission may at any time require the Trading Licensee to comply with the provisions of this clause 6 in a manner the Commission may direct and the Trading Licensee shall be obliged to comply with the same.

6.7 The Trading Licensee shall submit a Business Plan within three months of Trading Licence coming in force for such period as the Commission may direct and shall update such plan annually. The Business Plan shall contain year wise turnover projected profit and loss account, projected balance sheets, projected cash flow statements and projected important financial parameters. The licensee shall post the accounting statements in respect of each financial year along with their auditor's comments in its web-site.

6.8 PRUDENTIAL REPORTING

- 1) The licensee shall, as soon as practicable, report to the Commission:
 - a) Any significant change in his circumstances which may affect the licensee's ability to meet his obligations under the Act, the Rules and the Regulations, directions and orders issued by the Commission, the Grid Code, agreement or the licence;
 - b) Any material breach of the provisions of the Act, the Rules and the Regulations, directives and orders issued by the Commission, the Grid Code, agreement or the licence; and
 - c) Any major change in shareholding pattern, ownership or management of the licensee.
- 2) The Trading Licensee shall Furnish the information as may be required from time to time, to monitor the licensee's performance and compliance of the terms and conditions of the licence

and any other legislative or regulatory requirement in Form I appended to these General Conditions for submission of information.

Provided that the information in the prescribed Form shall be furnished to the State Load Despatch Centre and with a copy to the Commission, on a quarterly basis on 10th day of April, July, October and January for the quarters January to March, April to June, July to September and October to December respectively and the format for submission of information shall be filled up complete in all respects and no column shall be left blank:

Provided further that the report sent to the State Load Despatch Centre shall be posted on the website of the electricity trader or any other authorised website:

Provided also that the State Load Despatch Centre; shall verify the quantum of energy traded, as indicated in the report and submit a report to the Commission.

7 CAPITAL ADEQUACY, CREDIT WORTHINESS NORMS TO MAINTAINED

- 7.1 The Trading Licensee shall duly comply with the Regulations, guidelines, directions and orders the Commission may issue from time to time in regard to the technical and financial parameters and norms to be maintained at all times by the Trading Licensee.. These shall include the Technical Requirements, Capital Adequacy and Credit Worthiness as laid down in Chapter IV of Conduct of Business Regulations read with Section 52 of the Act, as amended, modified or substituted from time to time;
- 7.2 The non maintenance of the technical and financial parameters as per sub-clause (1) above shall amount to a material breach of the obligations of the Trading Licensee.

1. STANDARDS OF PERFORMANCE

- 8.1 The Commission may, after consultation with the licensee specify the standards of performance of a licensee or a class of licensees.
- 8.2 Notwithstanding anything contained in Clause 8.1 above, the licensee shall furnish the performance details for each year to the Commission on quarterly basis for the quarter ending 31st March, 30th June, 30th September and 31st December in the format prescribed in Form-II appended to these General Conditions, by 15th day of the first month of the following quarter.

9 LICENCE FEES

- 9.1 Within such period as the Commission may direct, the Trading Licensee shall pay to the Commission the Licence Fees, initial and also periodic, mentioned in the Special condition in such manner as the Commission may direct in the said Special Condition
- 9.2 Where the Trading Licensee fails to pay to the Commission any of the fees due under clause 9.1 by the due dates:
 - a) without prejudice to other obligations, the Trading Licensee shall be liable to pay interest on the outstanding amount at a simple interest rate of 1.5 percent per month, the interest being payable for the period beginning on the day after which the amount became due, and ending on the day on which the payment is made to the Commission in cleared funds; and

- b) in the event of continued default by the Trading Licensee, the Commission may revoke the Trading Licence..

10 TERMS OF REVOCATION

10.1 Subject to the provisions of Section 19 of the Act and the Regulations framed thereunder, the Commission may, at any time initiate proceedings against the Trading Licensee for revocation of the Trading Licence and if satisfied in such proceedings on the grounds for revocation duly considering the public interest, revoke the Trading Licence:

- a) where the Trading Licensee in the opinion of the Commission, makes material breach or wilful default in doing anything required of him by or under this Act or the State Act or the rules or regulations made thereunder
- b) where the Trading Licensee violates any of the terms or conditions of his licence the breach of which is expressly declared by such licence to render it liable to revocation;
- c) where the Trading Licensee fails, within the period fixed in this behalf by his licence, or any longer period which the Commission may have granted therefore-
 - i) to show, to the satisfaction of the Commission, that he is in a position to fully and efficiently discharge the duties and obligations imposed on him by his licence; or
 - ii) to make deposits or furnish the security, or pay the fees or other charges required by his licence;
- d) where in the opinion of the Commission the financial position of the Trading Licensee is such that he is unable to fully and efficiently discharge the duties and obligations imposed on him; and .
- e) where the Trading Licensee has failed to comply with all the Regulations, codes, and standards and also orders and directions of the Commission or otherwise has committed an act which renders Trading Licence revocable on any other grounds stated in the Act or the State Act or the Rules or Regulations framed there under.

10.2 Where in its opinion the public interest so requires, the Commission may, on application, or with the consent of the Trading Licensee, revoke his licence as to the whole or any part of his Area of Activity upon such terms and conditions as it thinks fit.

10.3 Before revoking a Trading Licence the Commission may make such alternate arrangement to be made for discharging the duties of the Trading Licensee which the Commission considers necessary in public interest and all such arrangement shall be at the cost and risk of the Trading Licensee.

11 AMENDMENT OF LICENSE CONDITIONS

11.1 These General Conditions of License may be altered or amended by the Commission at any time it deems fit if it is in public interest in exercise of powers under Section 18 of the Act. For any such alteration or amendment, before any alterations or amendments in the Trading License are made , the following provisions shall have effect:

- a) where the Trading Licensee has made an application under Section 18, Sub-Section (1) of the Act proposing any alteration or amendment in the General Conditions of License, the Trading Licensee shall publish a notice of such application with such particulars and in such manner as may be directed by the Commission;
- b) in the case of an application proposing alterations or modifications in the Area of Activity comprising the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Government for defence purposes, the alterations or modifications shall be made only with the consent of the Central Government;
- c) where any alterations or amendments in a license are proposed to be made otherwise than on the application of the Trading Licensee, the Commission shall publish the proposed alterations or amendments with such particulars and in such manner as the Commission consider to be appropriate;
- d) the Commission shall not make any alterations or amendments unless all suggestions or objections received within thirty days from the date of the first publication of the notice have been considered by the Commission.

12 DISPUTE RESOLUTION

- 12.1 The Commission shall be entitled to act as arbitrator or nominate person(s) as arbitrator(s) to adjudicate and settle disputes between the Trading Licensee and any other licensees or between the Trading Licensee and generating companies in pursuance of clause (f) of Sub-Section (1) of Section 86 read with Section 158 of the Act and Regulations of the Commission.
- 12.2 The arbitration proceedings for disputes under clause 12.1 above may be commenced and conducted by the Commission or the disputes may be referred to the arbitration of others, as the case may be, in accordance with the Conduct of Business Regulations specified by the Commission.

13. TARIFF AND TRADING MARGIN EXPECTED REVENUE CALCULATION AND TARIFFS

- 13.1 The Trading Licensee shall calculate the expected revenue from charges which it is permitted to recover as a trading margin, in accordance with the provisions of the Act, the State Act, the Regulations of the Commission, the tariff terms and conditions and other guidelines, orders and directions issued by the Commission from time to time.
- 13.2 The Trading Licensee shall file the Expected Revenue Calculation in the manner provided in the Conduct of Business Regulations and consistent with the Regulations under Section 61 of the Act
- 13.3 Unless otherwise provided in the Specific Conditions or in any order or direction made by the Commission the Trading Licensee shall every year, not later than 30th November, submit to the Commission a Statement with full details of its expected aggregate revenues and cost of service for the ensuing financial year for its Licensed Business based on the trading margin allowed by the Commission, in accordance with the provisions of the Act and the regulations, guidelines and orders issued by the Commission from time to time.

14. MISCELLANEOUS

- 14.1 All issues arising in relation to interpretation of these General Conditions and as to the terms and conditions thereof shall be a matter for the determination of the Commission and the decision of the Commission on such issues shall be final, subject only to the right of appeal under Section 111 of the Act.
- 14.2 The Commission may at the time of grant of Trading Licence waive or modify the application of any of the provisions of these General Conditions either in the order granting the licence or by Specific Conditions made applicable to a specific Trading Licensee
- 14.3 The General conditions contained herein shall apply to all applicants for grant of Trading Licence after the coming into force of the Act and also to all deemed Trading Licensees under Section 14 proviso first, second, third and fifth of the Act

FORM - I

OERC (Procedure, Terms & Conditions for grant of Trading License and other related matters) Regulation, 2003

Proforma for submission of information for the Quarter (say January to March, 2004)

Name of the Trader:

License details (No & date):

Sl. No.	Volume of Trading in million Kwhs	Purchased from	Sold to	Point of purchase	Point of Sale	Point of sale	Sale price	Transmission/ wheeling charges borne by Seller/ Trader/ Buyer*	Transmission losses borne by Seller/ Trader/ Buyer*	UI charges borne by Seller/ Trader/ Buyer*	Remarks

* Strike out whichever is not applicable

FORM - II

OERC (Procedure, Terms & Conditions for grant of Trading License and other related matters) Regulation, 2003

Proforma for submission of Standards of Performance of Electricity Trader (to be submitted through SLDC)

Name of the Trader:

License details (No & date):

Sl. No.	Volume of trading during the quarter	Cumulative trading upto the present quarter	Whether there is any change in the category of trader (YES/NO)	Whether net worth is increased, due to change of category (YES/NO)	Whether additional license fee, due to change in category deposited with the Commission (YES/NO)	Whether any violation to the license conditions pointed out by any agency or observed by the licensee himself	Payment track record for energy purchased for trading	Remarks
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APPENDIX - 5
(See Regulation 36)

**PROFORMA OF PUBLICATION BEFORE THE ORISSA
ELECTRICITY REGULATORY COMMISSION**

NOTICE

Public notice of application for a licence or for amendments or alterations of a licence
for (types of licence or name of the
licence) pursuant to Section 15 or 18 (please strike out which is not relevant of the Electricity Act,
2003)

The (Name of the applicant) hereby gives notice to all members
of the public that it has made an application (the 'Application') for
. . . . to the Orissa Electricity Regulatory Commission in accordance with Section 15 or 18 (please
strike out which is not relevant) of the Electricity Act, 2003 (36 of 2003) for (the purpose of application)
. engaged/to engage in the business of (Transmission and
or Distribution or Trading of Electricity in the State) in the area comprising (Details of area of business)
. including/excluding (strikeout which is not relevant) cantonment,
aerodrome, fortress, arsenal, dockyard or camp or any building or place in the occupation of the
Central Government.

(Purpose in brief by the licensee for alterations and amendments to the terms and conditions of a
licence)

Any person is entitled to inspect the Application and the draft licence as proposed by the applicant
licensee (Name of applicant) in the application. Copies of the maps of the area of
supply (if applicable) and of the draft licence may be inspected at the Registered Office of (Name of
applicant/company) which is at (Postal address in details) .
.
.

Any person wishing to purchase a copy of the draft licence may also do so from the Registered office
of the company in person or by post on payment of Rs.100.

OBJECTIONS:

Any local authority, utility or person having any **objection** to grant of such licence or to grant of
alterations and amendment to the licence may send his objection in writing (four copies) addressed
to the Secretary, Orissa Electricity Regulatory Commission, Bidyut Niyamak Bhavan, Unit-VIII,
Bhubaneswar – 751 012, clearly indicating the following information.

- i) Name and address of the objector
- ii) Particular licence, licensee to which objection is made.
- iii) Reasons for objection to grant of licence or to grant of alteration and amendment to licence.
- iv) Whether the objector wants to be heard in person by the Commission.

Any representation or objection to grant licence or to grant of alterations and amendments to licence may be handed over to the Secretary, Orissa Electricity Regulatory Commission or sent by Registered post to reach the Commission within one month from the date of publication of this notice.

Authorised Officers

Name and Designation

Name of the Company or Utility

Appendix - 6A

(See Regulation 50)

FORMAT FOR FURNISHING TECHNICAL DETAILS BY THERMAL GENERATING COMPANIES

							FORM-A
Plant Characteristics							
Name of the Company							
Name of the Power Station							
Basic characteristics of the plant ¹							
<u>Special Features of the Plant</u>							
Site Specific Features ²							
Special Technological Features ³							
Environmental Regulation related features ⁴							
Any other special features							
Fuel Details ⁵							
Primary Fuel			Secondary Fuel		Alternate Fuels		
Details							
Module number or Unit number							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	& so on
Installed Capacity (IC)							
Date of Commercial Operation (COD)							
Type of cooling system ⁶							
Type of Boiler Feed Pump ⁷							
¹ Describe the basic characteristics of the plant e.g. in the case of a coal based plant whether it is a conventional steam generator or circulating fluidized bed combustion generator or sub-critical once through steam generator etc.							
² Any site specific feature such as Merry-Go-Round, Vicinity to sea, Intake /makeup water systems etc. scrubbers etc. Specify all such features.							
³ Any Special Technological feature like Advanced class FA technology in Gas Turbines, etc.							
⁴ Environmental regulation related features like FG D, ESP etc.							
⁵ Coal or natural gas or naphtha or lignite etc.							
⁶ Closed circuit cooling, once through cooling, sea cooling etc.							
⁷ Motor driven, Steam turbine driven etc.							
						PETITIONER	

							FORM-B
Normative parameters considered for tariff computations							
Name of the Company							
Name of the Power Station							
		Year Ending March					
Particulars	Unit	As Existing	As Notified by CERC				
		1ST YEAR	2ND YEAR	3RD YEAR	4TH YEAR	5TH YEAR	6TH YEAR
(1)		(2)	(3)	(4)	(5)	(6)	(7)
Rate of Return on Equity	%						
Target Availability	%						
Target PLF	%						
Auxiliary Energy Consumption	%						
Gross Station Heat Rate	kCal/kWh						
Specific Fuel Oil Consumption	ml/kWh						
O&M Cost	Rs.Lakh/MW						
Cost of Fuel for WC	in Months						
O & M Expenses for WC	in Months						
Primary Fuel Stock for WC	in Months						
Secondary Fuel Oil or Secondary/Alternate liquid fuel stock for WC	in Months						
Spares stock as % of Plant & Equipment Cost on 1.4.2004 for WC	%						
Receivables for WC	in Months						
Prime lending Rate of SBI as on _____.	%						
Incentive Rate	Paise.kWh						
							PETITIONER

SALIENT FEATURES OF HYDROELECTRIC PROJECT			
NAME OF COMPANY:			
NAME OF POWER STATION:			
1. Location			
State/Distt.			
River			
2. Diversion Tunnel			
Size, shape			
Length			
3. Dam			
Type			
Maximum dam height			
4. Spillway			
Type			
Crest level of spillway			
5. Reservoir			
Full Reservoir Level (FRL)			
Minimum Draw Down Level (MDDL)			
Live storage (MCM)			
6. Desilting Arrangement			
Type			
Number and Size			
Particle size to be removed(mm)			
7. Head Race Tunnel			
Size and type			
Length			
Design discharge(Cumecs)			
8. Surge Shaft			
Type			
Diameter			
Height			
9. Penstock/Pressure shafts			
Type			
Diameter & Length			
10. Power House			
Type			
Installed capacity (No of units x MW)			
Peaking capacity during lean period (MW)			
Type of turbine			
Rated Head(M)			
Rated Discharge(Cumecs)			

11. Tail Race Tunnel			
Diameter, shape			
Length			
Minimum tail water level			
12. Switchyard			
Type of Switch gear			
No. of generator bays			
No. of Bus coupler bays			
No. of line bays			
Note: Indicate the limitation on generation during specific time period on account of restriction(s) on water use due to irrigation, drinking water, industrial, environmental considerations etc.			

APPENDIX - 7
FUEL SURCHARGE ADJUSTMENT
(See Regulation 60)

FUEL SURCHARGE:

1. Under Sec. 62 of the Electricity Act, 2003, the licensee may submit to the Commission an application for Fuel Surcharge in accordance with the formula prescribed by the Commission. Moreover any proposal or application in this regard after 31st of October of any year may be submitted along with the filing contemplated under Sec. 62 of the Electricity Act, 2003.
2. Within 15 days of submittal by the licensee of full particulars with reference to the aforesaid application, the Commission shall review the application and may issue an order modifying or rejecting the application, with reasons for such decision by Commission, and details of amendments required if any.
3. The licensee shall publish the Fuel Surcharge approved by the Commission in two consecutive issues of one English and one Oriya daily newspaper with circulation in the Area of Supply, for general information of the consumers, and shall make available copies of the Fuel Surcharge to the public on request, at a reasonable cost.
4. The Fuel Surcharge shall be effected only after 7 days of such publication.

FUEL SURCHARGE FORMULA FOR DISTRIBUTION AND RETAIL SUPPLY LICENSEES

In pursuance of Sub- Section 62 (4) of the Electricity Act, 2003, the Fuel Surcharge formula is specified below to insulate the licensee from the risk of increase in the power purchase costs solely due to increase in price of fuel and fuel related cost. The provision will enable the licensee to recover variations in the cost of power due to variation in fuel price.

5. The formula reflects the following principles:
 - i) The base (volume of power purchase) on which fuel price adjustment will be considered will be the same as approved by the Commission. This implies that the fuel price adjustment on any excess power purchased, either due to sale or T&D loss being actually higher than allowed by the Commission, will not be recoverable.
 - ii) Borrowing of funds for working capital needed during the time lag between increased cost of fuel in power purchase and recovery of the increased cost from the consumers must be prudent in terms of interest liability.
 - iii) There must be a floor below which changes in fuel cost will not be passed through till the accumulated variation has exceeded this floor. This is necessary to avoid frequent changes in the price paid by consumers.
 - iv) There must be a ceiling above which changes in power purchase cost will not be immediately passed through to the consumers but instead will be temporarily adjusted by the licensee against its own cash flow and passed through with interest at a later date to the consumers.

6. Formula for Fuel Surcharge :

The adjustment on account of fuel price, including the interest costs shall be according to the following formula.

$$\text{Fuel Surcharge (A)} = C + \frac{I}{Q_s}$$

If $5\% < A < 25\%$ of CC

$A = 0$, if $A < 5\%$ of CC, the increase to be accumulated till the next adjustment.

$A = 0.25 * CC$, if $A > 25\%$ of CC, the rest to be accumulated till the next adjustment.

Where

A = Fuel surcharge per unit of sale (Paise per unit)

C = Additional fuel related cost in paise per unit.

Q_t = Sale approved by the OERC

Q_s = The total actual sales of the licensee to consumers.

$N = 1$ to k , the total number of power sources.

I = Interest cost on additional power cost borne by the licensee and approved by the OERC.

CC = The average current cost of supply in Rs. Per kWh = TC/Q_t

TC = The cost of supply including return on equity as approved by the Commission.

$$\text{Additional Fuel Related Cost (C)} = \frac{\sum P_{bn} Q_n - \sum P_n Q_n}{Q_s}$$

P_{bn} = Actual fuel related cost component in the price paid by the licensee for bulk purchase of power. (Paise / Kwh)

P_n = Component of fuel related cost in the price as approved by OERC for bulk purchase of power. (Paise/Kwh)

Q_n = Quantity of power to be bought from each station as approved by the OERC

Q_t = The sales approved by the OERC in million units

Q_s = The total actual sales

◆ Interest Cost

$$I = (C * Q_s)rT/12$$

Where

T = the smaller of T_{rm} and T_{rp}

T_{rm} = time difference between the date of recovery of C from consumers and the date on which C , is measurable in months.

T_{rp} = time difference in months between the date of recovery of C and the date of payment by the licensee to TRANSCO.

r = average rate per annum of short term borrowing for the licensees for preceding year, in percent.

7. Recovery from consumers

The burden of permissible additional fuel related cost will be borne by all consumers, in the form of fuel surcharge, in proportion to the energy consumed by them (paise/Kwh). The current practice where only industrial consumers, railway traction, public waterworks and general-purpose consumers bear this cost has been changed. The change to a more non-discriminatory sharing of this burden is accepted on the basis that all consumers should at least bear their share of the increase in the average variable cost of power supply.

FUEL SURCHARGE FORMULA FOR BULK SUPPLY LICENSEE

In pursuance of Sub- Section 62 (4) of the Electricity Act, 2003, the Fuel Surcharge formula is specified below to insulate the licensee from the risk of increase in the power purchase costs solely due to increase in price of fuel and fuel related cost. The provision will enable the licensee to recover variations in the cost of power due to variation in fuel price.

8. The formula reflects the following principles:

- i) The base (volume of power purchase) on which fuel price adjustment will be considered will be the same as approved by the Commission. This implies that the fuel price adjustment on any excess power purchased, either due to sale or T&D loss being actually higher than allowed by the Commission, will not be recoverable.
- ii) Borrowing of funds for working capital needed during the time lag between increased cost of fuel in power purchase and recovery of the increased cost from the consumers must be prudent in terms of interest liability.
- iii) There must be a floor below which changes in fuel cost will not be passed through till the accumulated variation has exceeded this floor. This is necessary to avoid frequent changes in the price paid by consumers.
- iv) There must be a ceiling above which changes in power purchase cost will not be immediately passed through to the consumers but instead will be temporarily adjusted by the licensee against its own cash flow and passed through with interest at a later date to the consumers.

9. Formula for Fuel Surcharge :

The adjustment on account of fuel price, including the interest costs shall be according to the following formula.

$$\text{Fuel Surcharge (A)} = C + \frac{I}{Q_s}$$

If $5\% < A < 25\%$ of CC

$A = 0$, if $A < 5\%$ of CC, the increase to be accumulated till the next adjustment.

$A = 0.25 * CC$, if $A > 25\%$ of CC, the rest to be accumulated till the next adjustment.

Where

A = Fuel surcharge per unit of sale (Paise per unit)

C = Additional fuel related cost in paise per unit.

Q_t = Sale approved by the OERC

Q_s = The total actual sales of the licensee to consumers.

$N = 1$ to k , the total number of power sources.

I = Interest cost on additional power cost borne by the licensee and approved by the OERC.

CC = The average current cost of supply in Rs. Per kWh = TC/Q_t

TC = The cost of supply including return on equity as approved by the Commission.

$$\text{Additional Fuel Related Cost (C)} = \frac{\sum P_{bn} Q_n - \sum P_n Q_n}{Q_s}$$

P_{bn} = Actual fuel related cost component in the price paid by the licensee for bulk purchase of power from different power stations. (Paise/Kwh)

P_n = Component of fuel related cost in the price as approved by OERC for bulk purchase of power. (Paise/Kwh)

Q_n = Quantity of power to be bought from each station as approved by the OERC

Q_t = The sales approved by the OERC in million units

Q_s = The total actual sales

□ Interest Cost

$$I = (C * Q_s)rT/12$$

Where

T = the smaller of T_{rm} and T_{rp}

T_{rm} = time difference between the date of recovery of C from DISTCOs and the date on which C , is measurable in months.

T_{rp} = time difference in months between the date of recovery of C and the date of payment by the licensee to generators.

r = average rate per annum of short term borrowing for the licensees for preceding year, in percent.

APPENDIX - 8

INFORMATION TO BE MAINTAINED BY THE LICENSEE AND THE GENERATING COMPANY (See Regulation 64)

Information/Documents to be maintained by the Generating Company and Transmission Licensees

Sl. No.	Documents
1.	Plant Characteristics
2.	Details of Foreign loans
3.	Abstract of Admitted Capital Cost for the existing Projects
4.	Abstract of Capital Cost Estimates and Schedule of Commissioning for the New projects
5.	Break-up of Capital Cost for Coal/Lignite based projects
6.	Break-up of Capital Cost for Gas/Liquid fuel based Projects
7.	Break-up of Construction/Supply/Service packages
8.	Financial Package up to COD
9.	Details of Project Specific Loans
10.	Details of Allocation of corporate loans to various projects
11.	Statement of Additional Capitalisation after COD
12.	Financing of Additional Capitalisation
13.	Statement of Depreciation
14.	Calculation of Depreciation Rate
15.	Calculation of Interest on Actual Loans ¹
16.	Calculation of Advance Against Depreciation (AAD)
17.	Calculation of Interest on Working Capital
18.	Draw Down Schedule for Calculation of IDC & Financing Charges
19.	Details/Information to be Submitted in respect of Fuel for Computation of Energy Charges ¹

Other Information/ Documents

Sl. No.	Information/Document
----------------	-----------------------------

- | | |
|----|---|
| 1. | Certificate of incorporation, Certificate for Commencement of Business, Memorandum of Association, & Articles of Association (For New Station setup by a company making tariff application for the first time to OERC) |
| 2. | Station wise and Corporate audited Balance Sheet and Profit & Loss Accounts with all the Schedules & annexures on COD of the Station for the new station & for the relevant years. |
| 3. | Copies of relevant loan Agreements |
| 4. | Copies of the approval of Competent Authority for the Capital Cost and Financial package. |
| 5. | Copies of the Equity participation agreements and necessary approval for the foreign equity. |
| 6. | Copies of the BPSA/PPA with the beneficiaries, if any |
| 7. | Detailed note giving reasons of time and cost over run, if applicable. |
| 8. | Any other relevant information, (Please specify) |

Note: Electronic copy in the form of CD/Floppy disc shall also be furnished.

APPENDIX- 8A

INFORMATION/DOCUMENTS TO BE MAINTAINED BY DISTCOs

Sl.No.	SUBJECT
--------	---------

- | | |
|---|---------------------------------|
| 1 | Consumer Commercial Information |
| 2 | Information on Block Capital |
| 3 | Subsidy and Grants |
| 4 | Balance Sheet |
| 5 | Profit & Loss Account |

Note: Detailed formats in respect of aforesaid items will be provided by the Commission to the Licensees/Generating companies from time to time.

APPENDIX - 9

Applicability of provisions of Indian Penal Code and Criminal Procedure Code

(See Regulation 69)

i) **Section 193. (of Indian Penal Code)**

Punishment for false evidence:-

Whoever intentionally gives false evidence in any stage of a judicial proceeding, or fabricates false evidence for the purpose of being used in any stage of judicial proceeding, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine;

And whoever intentionally gives or fabricates false evidence in any other case, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Explanation 1. A trial before a Court-martial is a judicial proceeding.

Explanation 2. An investigation directed by law preliminary to a proceeding before a Court of Justice, is a stage of a judicial proceeding, though that investigation may not take place before a Court of Justice.

ii) **Section 219. (of Indian Penal Code)**

Public servant in judicial proceeding corruptly making report, etc., contrary to law:-

Whoever, being a public servant, corruptly or maliciously makes or pronounces in any stage of a judicial proceeding, any report, order, verdict, or decision which he knows to be contrary to law, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

iii) **Section 228. (of Indian Penal Code)**

Intentional insult or interruption to public servant sitting in judicial proceeding:-

Whoever intentionally offers any insult, or causes any interruption to any public servant, while such public servant is sitting in any stage of a judicial proceeding, shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

iv) **Section 345. (of Code of Criminal Procedure)**

Procedure in certain cases of contempt:-

- a) When any such offence as is described in Section 175, Section 178, Section 179, Section 180 or Section 228 of the Indian Penal Code (45 of 1860) is committed in the view or presence of any civil, criminal or revenue Court, the Court may cause the offender to be detained in custody and may, at any time before the rising of the Court on the same day, take cognizance of the offence and, after giving the offender a reasonable opportunity of showing cause why the should not be punished under this Section, sentence the offender to fine not exceeding two hundred rupees, and, in default of payment of fine, to simple imprisonment for a term which may extend to one month, unless such fine be sooner paid.
- b) In every such case the Commission shall record the facts constituting the offence, with the statement (if any) made by the offender, as well as the finding and sentence.
- c) If the offence is under Section 228 of the Indian Penal Code (45 of 1860), the record shall show the nature and stage of the judicial proceeding in which the Court interrupted or insulted was sitting, and the nature of the interruption or insult.

v) **Section 346. (of Code of Criminal Procedure)**

Procedure where Court considers that case should not be dealt with under Section 345:-

- a) If the Court in any case considers that a person accused of any of the offences referred to in Section 345 and committed in its view of presence should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, or such Court is for any other reason of opinion that the case should not be disposed of under Section 345, such Court, after recording the facts constituting the offence and the statement of the accused as hereinbefore provided, may forward the case to a Magistrate having jurisdiction to try the same, and may require security to be given for the appearance of such person before such Magistrate, or if sufficient security is not given shall forward such person in custody to such Magistrate.



EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO.819, CUTTACK, WEDNESDAY, JUNE 14, 2006 / JAISTHA 24, 1928

ORISSA ELECTRICITY REGULATORY COMMISSION BIDYUT NIYAMAK BHAWAN

UNIT-VIII, BHUBANESWAR-751012

ORISSA GRID CODE (OGC) REGULATIONS 2006

No. Engg. 17/2005-(Vol. III) - In exercise of the powers conferred by Sub-Section (zp) of Section 181(2) read with Sub-Section (h) of Section 86 (1) of the Act (36 of 2003), the Orissa Electricity Regulatory Commission hereby makes the following Regulations, namely:-

1. Short title, extent and commencement

- a) These Regulations may be called the Orissa Grid Code in short 'OGC'.
- b) These Regulations shall extend to the whole of the State of Orissa and for all Users who are connected with and / or utilise the State Transmission System including the Transmission Licensee(s).
- c) These Regulations shall come into force from the date of their publication in the Official Gazette.

2. Definitions

- a) In these Regulations unless the context otherwise requires, words or expressions used herein have the meanings assigned to them as defined at Section 1.19 (in Chapter 1) of these Regulations.
- b) In these Regulations, words or expressions used herein and not defined at section 1.19 (in Chapter 1), have the meanings assigned to them under the Act and the meanings commonly understood in Electrical Engineering.

CHAPTER-1

GENERAL

1.1 INTRODUCTION

Section 86(1)(h) of the Act requires the Orissa Electricity Regulatory Commission to specify a State Grid Code consistent with the provisions of Indian Electricity Grid Code prepared under Section 79(1)(h) of the Act and effective from 1st April 2006.

1.2 OBJECTIVE

The Orissa Grid Code (OGC) is a document that governs the boundary between the Transmission Licensee and other Users and establishes procedures for operations of facilities, which use the State Transmission System. It lays down both the information requirements and the procedures governing the relationship between various Users of State Transmission System as well as the State Load Despatch Centre. It should be noted that the OGC is not concerned with the detailed design and operation of generators, Power Stations, suppliers and Distribution Systems, provided that their overall compatibility with the Transmission System needs are assured.

The Transmission Licence requires that the Transmission Licensee in implementing and complying with the OGC shall neither discriminate against nor unduly prefer any one or any group of Users.

The OGC shall cover all material technical aspects relating to connections to and operation and use of the Transmission System including the operation of electric lines and electrical plant connected to the transmission system in so far as is relevant to the operation and use of the Transmission System. It shall be designed so as to permit the planning development, maintenance and operation to facilitate an efficient, co-ordinated and economical system for the transmission and supply including trading of electricity in the State.

The OGC shall provide facilitation for beneficial trading of electricity by defining a common basis of operation of the State Transmission System (STS), applicable to all the Users of the STS

1.3 SCOPE

- 1) The OGC shall be complied with by the Orissa Power Transmission Corporation Limited (OPTCL) in its capacity as a State Transmission Utility and holder of the Transmission Licence, Grid Corporation of Orissa Limited (GRIDCO) in its capacity of a trader/ bulk supplier, by generators, Central generating stations in capacity of injectors, other Transmission Licensees, other trading licensees, distribution licensees, suppliers and Bulk Power Consumers and Open Access Customers in the course of their generation, supply, utilisation of electricity and facilitation for beneficial trading of electricity.
- 2) All persons whose Utilities that connect with and / or utilise the State Transmission System (STS) of Orissa are required to abide by the principles and procedures defined in the OGC so far as they apply to that Utility.

The matters relating to State Transmission System (STS) and inter state Transmission System (ISTS) as provided in IEGC and its revisions shall be binding on the Users.

1.4 STRUCTURE OF THE OGC

This OGC contains the following Chapters:

1) **General:**

This Chapter describes general features of OGC including definitions.

2) **Role of various organisations:**

This chapter defines the functions of the various organisations as are relevant to OGC.

3) **Planning Code for STS:**

This Chapter specifies the technical and design criteria and procedures to be followed by the State transmission utility (STU) i.e. OPTCL in planning and development of the State Transmission System and by other Users connected or seeking connection to the Transmission System. This Chapter provides the policy to be adopted in the planning and development of bulk power transfer and associated State Transmission System. The Planning Code lays out the detailed information exchange required between the planning Agencies and the various participants of the Power System for load forecasting, generation availability, and Power System planning etc. for the future years under study. The Planning Code stipulates the various criteria to be adopted during the planning process

4) **Connection Conditions:**

This Chapter specifies the technical and design criteria and standards to be complied with by the Transmission Licensee and other Users connected or seeking Connection to the Transmission System, to maintain uniformity and quality across the system. This includes:

- a) Procedure for connection to the State Transmission System,
- b) Site responsibility schedule
- c) Connection Agreement

5) **Operating Code for State Grid:**

This Chapter specifies the conditions under which the Transmission Licensee shall operate the Transmission System and other Users of the Transmission System shall operate their plant and/or systems for the generation and distribution of electricity in so far as necessary to protect the security and quality of supply and safe operation of the Transmission Licensee's Transmission System under both normal and abnormal operating conditions.

a) **Operating Policy**

This Operating Policy describes the operational philosophy to maintain efficient, secure and reliable grid operation and contains the following aspects / Sections.

i) **System Security Aspects**

This Section describes the general security aspects to be followed by generating companies and all Users of the grid.

ii) **Frequency and Voltage Management**

This Section describes the method by which all Users of the Transmission System shall co-operate with the State Load Despatch Centre (SLDC) for effective control of the system frequency and managing the voltage of the Transmission System.

iii) **Demand Estimation for Operational Purposes**

This Section details with the procedures to estimate the demand by the various Beneficiaries for their systems for the day / week / month / year ahead, which shall be used for operational planning.

iv) **Demand Management**

This Section identifies the methodology to be adopted for demand control by each Beneficiary as a function of the frequency and deficit generation.

v) **Periodic Reports**

This Section provides various provisions for reporting of the operating parameters of the grid such as frequency, Voltage profile etc.

vi) **Operational Liaison**

This Section sets out the requirement for the exchange of information in relation to normal operation and/or events in the grid.

vii) **Outage Planning**

This Section contains procedure for outage planning relating to co-ordination of the outages for scheduled maintenance of the Transmission System, Generating Unit and Distribution System that will use the Transmission System.

viii) **Recovery Procedures**

This Section sets out the procedures to be adopted following a major grid disturbance, for Black Start and resynchronisation of islands, etc.

ix) **Operational Event/Accident Reporting**

This Section states the procedure by which events are reported and the information exchange etc. takes place.

6) **Scheduling & Despatch Code:**

This Chapter specifies the procedure to be adopted for scheduling and despatch of generation of the Generating companies, CGPs including Complementary Commercial Mechanisms, on a daily basis with the modality of the flow of information between the Generating companies and SLDC.

7) **Monitoring of Generation and Drawal:**

This Chapter specifies responsibilities of all Users in the monitoring of Generating Unit reliability and performance and SLDC's compliance with the scheduled drawal and injection.

8) **Cross Boundary Safety:**

This Chapter specifies safety when working across a control boundary.

9) **Protection:**

This Chapter specifies the co-ordination responsibility and minimum standards of protection that are required to be installed by Users of the Transmission System.

10) **Metering, Communication and Data Acquisition:**

This Chapter specifies the minimum operational and commercial metering to meet the regulatory requirement.

11) **Management of OGC**

This Chapter specifies the procedure for review/amendment and management of OGC.

12) **Data Registration:**

This Chapter specifies list of all data required to be provided by Users to the SLDC/ Transmission Licensee and vice versa.

13) **Miscellaneous:**

This Chapter specifies about issue of Orders and Practice Directions, power to amend this OGC, saving the inherent power of the Commission and power to remove difficulties.

1.5 INTERPRETATION

The meaning of certain terms used in the OGC shall be in accordance with the definitions listed in Section 1.19 "Definitions", of the OGC.

Words, terms and expressions occurring in this OGC and not defined herein shall bear the same meaning as in the Act and IEGC. Besides, Section 1.19 of this code has been developed on the premise that accepted engineering terms are as commonly understood in electricity industry.

The term "OGC" means any or all parts of these Regulations.

1.6 FREE GOVERNOR MODE OF OPERATION

- 1) All thermal and hydro (except with zero pondage) Generating Units: with effect from the date to be separately notified by CERC.
- 2) Any exemption from the above may be granted only by CERC for which the concerned User / Agency shall file a petition in advance.

1.7 CHARGE/PAYMENT FOR REACTIVE ENERGY EXCHANGES

The rate for charge/payment of reactive energy exchanges (according to the scheme specified in section 5.3 shall be 5.0 paise/kVArh with effect from the date to be notified by the Commission separately, and shall be escalated at 0.25 paise/KVArh per year thereafter, unless otherwise revised by the OERC.

1.8 EXEMPTIONS

Any exemption from provisions of OGC shall become effective only after approval of the Commission, for which the Agencies will have to file a petition in advance to this Commission.

1.9 IMPLEMENTATION AND OPERATION OF THE OGC

The STU / SLDC have the duty to implement the OGC. All Users are required to comply with the OGC. Users must provide the STU reasonable rights of access, service and facilities necessary to discharge its responsibilities in the Users' premises and to comply with instructions issued by the STU / SLDC, reasonably required to implement and enforce the OGC.

1.10 GENERAL REQUIREMENTS / LIMITATIONS OF OGC

The OGC contains procedures to permit equitable management of day-to-day technical situations in the Electricity Supply System (Grid), taking into account a wide range of operational conditions likely to be encountered under both normal and abnormal circumstances

Users must therefore understand and accept that the Transmission Licensee in such unforeseen circumstances may be required to act decisively to discharge its obligations under its Licence. Users shall provide such reasonable co-operation and assistance as the Transmission Licensee may request in such circumstances.

1.11 CODAL RESPONSIBILITIES

In discharging its duties under the OGC, the STU / SLDC has to rely on information, which Users supply regarding their requirements and intentions. The STU / SLDC shall not be held responsible for any consequences that arise from its reasonable and prudent actions on the basis of such information.

1.12 CONFIDENTIALITY

Under the terms of the OGC, the STU / SLDC shall receive information from Users relating to their intentions in respect of their generation or supply businesses. The STU / SLDC shall not, other than as required by the OGC, disclose such information to any other person without the prior written consent of the provider of the information.

1.13 PROCEDURES TO SETTLE DISPUTE

In the event of any dispute regarding interpretation of any part of the OGC provision between any User and the STU / SLDC, the matter may be referred to the Commission for its decision. The Commission's decision shall be final and binding.

In the event of any conflict between any provision of the OGC and any contract or agreement between the Users, the provision of the OGC shall prevail.

1.14 COMMUNICATION BETWEEN USERS

All communications between the STU and Users shall be in accordance with the provisions of the relevant provision of the OGC.

Unless otherwise specifically required by the OGC, all communications shall be in writing, save that where operation timescales require oral communication, these communications shall be confirmed in writing as soon as practicable.

1.15 PARTIAL INVALIDITY

If any provision or part of a provision of the OGC should become or be declared unlawful for any reason, the validity of all remaining provisions, or parts of provisions, of the OGC shall not be affected.

1.16 DIRECTIVE

The State Government may issue policy directives in certain matters consistent with the provisions of the Act, which the State Load Despatch Centre / Transmission Licensee shall promptly inform the Commission and all Users of the requirement of such direction. The directions will be complied with by the Users subject to Section 108 read with Section 37 of the Act

1.17 REVIEW

The Commission shall continue to review the OGC to make it compatible with the IEGC In the event of any inconsistencies; the provisions of IEGC shall prevail.

1.18 NON-COMPLIANCE

- 1) In case of a persistent non-compliance of any of the stipulations of the OGC by any User / Beneficiary (other than STU and SLDC), the matter shall be reported by any User / Beneficiary to the Member Secretary of the Grid Co-ordination Committee (GCC). The Member Secretary of the GCC shall verify and take up the matter with the defaulting User / Beneficiary for expeditious termination of the non-compliance. In case of inadequate response to the efforts made by Member Secretary of the GCC the non-compliance shall be reported to the Commission. The Commission, in turn after due process, may order the defaulting User / Beneficiary for compliance, failing which; the Commission may take appropriate action.
- 2) In case of non-compliance of any of the stipulations of the OGC by SLDC, the matter shall be reported to the Commission.
- 3) Contravention of any of the provision(s) of this OGC or direction of the Commission as stipulated above may be dealt with Section 142 of the Act.

1.19 DEFINITIONS

	Word	Meaning
1)	ABT Users	Such Users like Distribution Licensees, Trading Licensees, Generators, Open Access Customers, EHT consumers and HT consumers having Contract demand of 5MVA or more to whom Availability Based Tariff is applicable.
2)	Act	The Electricity Act, 2003
3)	Agency	A term used in the various sections of the OGC to refer to users that utilise the State Transmission System.

4)	Apparatus	Electrical Apparatus and includes all machines, fittings, accessories and appliances in which conductors are used.
5)	Annexure or Appendix	An Annexure or an Appendix to a Chapter of the Orissa Grid Code.
6)	Area Load Despatch Centre (ALDC)	The Area Load Despatch Centre, as established by SLDC to carry out the instructions of SLDC and perform all the duties assigned to it in the OGC and Distribution Code.
7)	Area of Supply	As defined in the concerned licence.
8)	Automatic Voltage Regulator (AVR)	A continuously acting automatic excitation control system to control the voltage of a Generating Unit measured at the generator terminals.
9)	Auto Transformer	Transformer connecting EHV lines/bus bars of 220 and 132 Kv voltages.
10)	Beneficiary	A person who has a share in State Generating Station and Inter State Generating Station.
11)	Black Start	The process of recovery from a total or partial blackout of the Transmission System.
12)	BIS	The Bureau of Indian Standards
13)	Bulk Power Consumer	A person to whom electricity is provided and who has a dedicated supply at ¹ [***] ² [33KV and above].
14)	Bulk Power Transmission Agreement (BPTA)	The Commercial Agreement between the Transmission Licensee and a long Term Customer for the provision of transmission service.
15)	Capacitor ¹	An electrical facility provided for generation of reactive power.
16)	Captive Generating Plant / CGP	Captive Generating Plant means a power plant set up by any person to generate electricity primarily for his own use and includes a power plant set up by any cooperative society or association of persons for generating electricity primarily for use of members of such cooperative society or association.

¹ The words “-66 kV, 132 kV or 220 kV “ deleted vide GN Dated 29th October, 2008

² Addendum vide GN Dated 29th October, 2008.

- | | |
|--|---|
| 17) CEA / Authority | The Central Electricity Authority. |
| 18) CERC
[(18) (1) Check Meter | The Central Electricity regulatory Commission. Means a meter , which shall be connected to the same core of the current Transformer (CT) and Voltage Transformer (VT) to which main meter is connected and shall be used for accounting and billing of electricity in case of failure of main meter]. |
| 19) Commercial Committee (CC) | It is a committee of the GCC as referred under Chapter-6 (Annexure-I) of the OGC. |
| 20) Commission / OERC | Orissa Electricity Regulatory Commission. |
| 21) Central Transmission Utility (CTU) | Any Government Company, which the Central Government may notify under sub-section (1) of Section 38 of the Act. |
| 22) Connection | The electric lines and electrical equipment used to effect a Connection of a User's system to the Transmission System. |
| 23) Connection Agreement | An agreement between the Transmission Licensee and a User setting out the terms relating to the connection to and/or use of the Transmission System which is referred at section 4. 5. |
| 24) Connection Conditions | The technical conditions to be complied with by any User having a connection to the State Transmission System as laid down in Chapter-4 'Connection Conditions' of the OGC. |
| 25) Connection Point | A point at which a User's plant and/or Apparatus connects to the State Transmission System. |
| 26) Contact Person | A person notified by SLDC and Distribution Company on their behalf to carry out responsibility as required under Section-5.4 (4)(d)(v). |
| 27) Control Person | A person identified as having responsibility for cross-boundary safety under Chapter-8 of the OGC. Refer Section 8.3. |

¹ Addendum vide GN Dated 17th September, 2007

- 28) Data Acquisition System (DAS) A device provided to record the sequence of operation in time, of the relays/equipments/ system parameters at a location.
- 29) Demand The demand of active power in MW and reactive power in MVAR of electricity unless otherwise stated.
- 30) Detailed Planning Data As referred to Chapter 12 regarding Data registration.
- 31) Despatch Schedule The Ex-power Plant net MW and MWH output of a generating station, scheduled to be exported to the Grid from time to time.
- 32) Directive A policy directive issued by the State Government of Orissa under Sections 37 & 108 of the Act.
- 33) Disconnect The act of physically separating User or Bulk Power Consumer's electrical equipment from the Transmission System.
- 34) Disturbance Recorder (DR) A device provided to record the behaviour of the pre-selected digital and analog values of the system parameters during an event.
- 35) Distribution Company An organisation that is licensed, or exempt from the requirements to be licensed to own and/or operate all or part of the Distribution System in the State.
- 36) Distribution Licensee A licensee authorized by the Commission to operate and maintain the Distribution System in the State for supplying electricity to the consumers in his Area of Supply.
- 37) Distribution System "Distribution System" means the system of wires and associated facilities between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers
- 38) Distribution System Operation & Control Centre (DSOCC) The Distribution System Operation and Control Centre as established by the Distribution Licensee to carry out the functions as directed by the OGC and Distribution (Planning and Operation) Code.

- 39) Drawal
The import from, or export to, State Transmission System, of electrical energy and power or both active/ reactive powers.
- 40) Drawal Schedule
The, Ex-power Plant, MW that a Beneficiary is scheduled to receive from the SGS and ISGS, including bilateral exchanges from time to time.
- 41) Eastern Region / Region
Region comprising of the States of West Bengal, Bihar, Orissa, Sikkim, Jharkhand and DVC for the integrated operation of the electricity system.
- 42) Electricity Operator
Any person who owns and/ or operates generating plant or who holds a licence under Section 14 of the Act, connected to the Transmission System and any bulk supplier.
- 43) Electricity Supply System (Grid)
The combination of the Transmission System, Distribution System and Power Stations.
- 44) Eastern Regional Power Committee (ERPC)
Eastern Regional. Power committee established under Section 2(55) of the Act by resolution by the Central Government for facilitating the integrated operation of the Power System in Eastern Region.
- ¹ [(44)(1) Energy Accounting and Audit Meters
Means meters used for accounting of the electricity to various segments of electrical system so as to carry out further analysis to determine the consumption and loss of energy therein over a specified time period.].
- 45) ERLDC
Eastern Regional Load Despatch Centre established under sub-Section (1) of Section 27 of the Act.
- 46) ¹Event
An unscheduled or unplanned occurrence on the Grid including faults, incidents and breakdowns.
- 47) Event Logger (EL)
A device provided to record the sequence of operation in time, of the relays / equipments at a location during an event.
- 48) External Interconnection/ Connection Point/ Inter Connection Point.
Electric lines and electrical equipment used for the transmission of electricity between the State Transmission System and the User's system .

¹ Addendum vide GN Dated 17th September, 2007

49)	Extra High Voltage (EHV)	Where the voltage exceeds 33,000 volts under normal conditions, subject, however, to the percentage variation allowed by the Authority.
50)	Ex-power Plant	Net MW/MWH output of a generating Station, after deducting auxiliary consumption and transformation losses.
51)	Fault Locator (FL)	A device provided at the end of a transmission line to measure/indicate the distance at which a line fault may have occurred
52)	Flexible Alternating Current Transmission (FACT) ²	Facilities that enable power flows on A.C lines to be regulated, to control loop flows, line loadings, etc.
53)	Force Majeure	<p>Any event which is beyond the control of the Agencies involved which they could not foresee or with a reasonable amount of diligence could not have foreseen or which could not be prevented and which substantially affect the performance by either Agency such as but not limited to -</p> <ul style="list-style-type: none"> a) Acts of God, natural phenomena, including but not limited to floods, droughts, earthquakes and epidemics; b) Acts of any Government domestic or foreign, including but not limited to war declared or undeclared, hostilities, priorities, quarantines, embargoes; c) Riot or civil commotion d) Grid's failure not attributable to Agencies involved
54)	Forced Outage	An outage of a Generating Unit or a transmission facility due to a fault or other reasons, which has not been planned.
55)	Generator	An organisation (including Central/ State or other generating station, in which the State has a full share) that generates electricity and who is subject to the OGC.

- 56) Generating Company. Generating Company means any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person, which owns or operates or maintains a generating station.
- 57) Generating Unit An electrical Generating Unit coupled to a turbine within a Power Station together with all plants and Apparatus at that Power Station (up to the Connection Point) which relates exclusively to the operation of that turbo-generator.
- 58) Good Utility Practices Any of the practices, methods and acts engaged in or approved by a significant portion of the electric utility industry during the relevant time period which could have been expected to accomplish the desired results at a reasonable cost consistent with good business practices, reliably, safely and with expedition.
- 59) Governor Droop. In relation to the operation of the governor of a Generating Unit, the percentage drop in system frequency which would cause the Generating Unit under free governor action to change its output from zero to full load.
- 60) Grid Standards Grid Standards specified by the Authority under sub-section (d) of Section 73 of the Act.
- 61) Grid Co-ordination Committee/ GCC The Committee formed under Chapter 11.
- 62) GRIDCO Grid Corporation of Orissa Limited registered under the Companies Act, 1956, which is a deemed licensee under the Act and is authorised to trade electricity for supplying to the Distribution Licensees. It can act as an intra State trader.
- 63) IE Rules Indian Electricity Rules, 1956 and shall be replaced by the Regulations which shall be specified by CEA under Section 53 of the Act.
- 64) ICT Transformer connecting EHV lines / bus bars of 400 and 220 Kv voltages.
- 65) IEC International Electro-Technical Commission.

66) Indian Electricity Grid Code (IEGC)	A document describing the philosophy and the responsibilities for planning and operation of Indian Power System specified by the CERC in accordance with Sub Section 1(h) of Section 79 of the Act.
67) Independent Power Producer (IPP)	A generating Company not owned / controlled by the Central / State Government
1*[(67)(1) Interface meter	Means a meter used for accounting and billing of electricity, connected at the point of interconnection between electrical systems of generating company, licensee and consumers, directly connected to the Inter-State Transmission System or Intra-State Transmission system who have to be covered under ABT and have been permitted open access by the appropriate commission].
68) Inter-State Generating Station (ISGS)	A Central and other generating station in which two or more than two States have a share and whose scheduling is to be coordinated by the RLDC.
69) Inter-State Transmission System (ISTS)	Inter-State Transmission System includes - <ul style="list-style-type: none"> i) Any system for the conveyance of electricity by means of a main transmission line from the territory of one State to another State, ii) The conveyance of energy across the territory of an intervening State as well as conveyance within the State which is incidental to such inter-State transmission of energy, and iii) The transmission of electricity within the territory of State on a system built, owned, operated, maintained or controlled by CTU.
70) Lean Period	That period when electrical demand is at its lowest.
71) Licensee	The holder of a licence in the State of Orissa who has been granted a license under Section 14 of the Act.

¹ Addendum vide GN Dated 17th September, 2007

72)	License	Any license granted by OERC under Section 14 of the Act.
73)	Load	The MW/MWH consumed by a utility /installation
74)	Long Term Customer	A person availing or intending to avail access to the STS for a period of 25 years or more and who has signed BPTA with the Transmission Licensee
75)	Maximum Continuous Rating (MCR)	The normal rated full load MW output capacity of a Generating Unit that can be sustained on a continuous basis at specified conditions.
76)	NALCO	National Aluminium Company Limited.
77)	National Grid	The entire inter-connected electric power network of the country, which would evolve after inter-connection of regional grids.
78)	Net Drawal Schedule	The Drawal Schedule of a Beneficiary after deducting the apportioned transmission losses (estimated).
79)	NTPC	National Thermal Power Corporation Limited.
80)	OHPC	Orissa Hydro Power Corporation Limited.
81)	Operation	A scheduled or planned action relating to the operation of a system.
82)	Operation Co-ordination Committee (OCC)	A committee of ERPC with members from all constituents, which decides the operational aspects of the regional grid.
83)	Open Access	Open Access means the non-discriminatory provision for the use of transmission lines or Distribution System or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with the regulations specified by the Appropriate Commission
84)	Open Access Customer	Open Access Customer means a consumer permitted by the Commission to receive 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, who has availed of or intends to avail of Open Access.

85) Operating Margin	Contingency reserve plus Operating Reserve.
86) Operating Range	The Operating Range of frequency and voltage as specified under the operating code Chapter-5 of this OGC.
87) Operating Reserve	The additional output from a generating plant, which must be realizable in real-time operation to correct any system frequency fall to an acceptable level, in the event of a loss of generation, or loss of import from an External Interconnection, or mismatch between generation and demand.
88) Power System Operational Co-ordination Committee	A committee of SLDC with members from all Agencies, which decides the operational aspects of the State grid as referred under Section 1 [***] 2 [5.8(4)(i)] of the OGC.
89) OPGC	Orissa Power Generation Corporation Limited.
90) OPTCL	Orissa Power Transmission Corporation Limited.
91) Orissa Act	The Orissa Electricity Reform Act, 1995 as referred u/s 185(3) of the Act.
92) Outage	The reduction of capacity or taking out of service of a Generating Unit, Power Station or part of the Transmission System or Distribution System.
93) Peak Period	That period in a day when electrical demand is at it's highest.
94) Power Purchase Agreement or PPA	The agreement between a generator and the licensee in which, subject to certain conditions, the licensee agrees to purchase the electrical output of the generator's Generating Unit and the generator agrees to provide services from this unit.
95) Power Grid (POWERGRID)	The Power Grid Corporation of India Limited, which has been notified as CTU.
96) Power Station ¹	An installation of one or more Generating Units (even when sited separately) owned and/or operated by the same Generator and which may reasonably be considered as being managed as a single integrated generating complex.

¹. The words “ 4.8, 5.2(8), 5.8 and 9.4 “ deleted vide GN dated 29th Oct 2009

² Addendum vide GN Dated 29th October, 2008

- 97) Power System
- Power System means all aspects of generation, transmission, distribution and supply of electricity and includes one or more of the following namely:
- a) Generating stations;
 - b) Transmission or main transmission lines;
 - c) Sub-stations;
 - d) Tie-lines;
 - e) Load despatch activities;
 - f) Mains or distribution mains;
 - g) Electric supply lines;
 - h) Overhead lines;
 - i) Service lines;
 - j) Works.
- 98) Protection Co-ordination Committee (PCC)
- It is a committee of the STU as referred under Paragraph 4.8, 5.2(8) and 9.4 of the OGC.
- 99) Reactor
- An electrical facility specifically designed to absorb Reactive Power.
- 100) Regional Transmission System
- The combination of EHV electric lines and electrical equipment owned or operated by Power Grid.
- 101) Regional Grid
- The entire synchronously connected electric power network of the concerned Region, comprising of ISTS, ISGS and intra state systems.
- 102) Regional Load Despatch Centre (RLDC)
- Regional Load Despatch Centre means the Centre established under sub-section (1) of Section 27 of the Act.
- 103) Section
- A part of any Chapter of OGC, which is, identified as covering a specific topic.
- 104) Single Line Diagram (SLD)
- Diagrams, which are a schematic representation of the HV/EHV Apparatus and the connections to all external circuits at a connection, point incorporating its numbering nomenclature and labelling.
- 105) System Operational Procedure (SOP).
- Procedure for various system operational activities as provided in the OGC.

106) Site Common Drawing	Drawings prepared for each Connection Point, which incorporates layout drawings, electrical layout drawings, common protection/control drawings and common service drawings.
107) Spinning Reserve	Part loaded generating capacity with some reserve margin that is synchronized to the system and is ready to provide increased generation at short notice pursuant to despatch instruction or instantaneously in response to a frequency drop.
108) State	The State of Orissa.
109) State Generating Station (SGS)	A generating station whose entire generation of electricity is dedicated to the State.
110) State Load Despatch Centre / SLDC	This means the centre established under Sub Section 31 of the Act
111) Standard Planning Data	As referred to in Data Registration Section under Chapter 12.
112) Standing Committee for Transmission Planning	A Committee constituted by the CEA to discuss, review and finalise the proposals for expansion or modification in the ISTS and associated intra-State systems.
113) State Transmission System	The transmission of electricity within the territory of State on a system built, owned, operated, maintained or controlled by STU / Transmission Licensee.
114) STU	State Transmission Utility notified by the State Government of Orissa under Section 39 (1) of the Act. OPTCL has been notified as the STU.
115) Static VAR Compensator (SVC)	An electrical facility designed for the purpose of generating or absorbing reactive power.
116) Supervisory Control and Data Acquisition / SCADA	The combination of transducers, communication links and data processing systems, which provides information to the SLDC on the operational State of the Transmission System and the generators' Generating Units.
117) Supplier	A person authorised to sale electricity to licensee(s) or consumer(s) under a license granted under the Act and who is subject to the OGC.

- 118) Supply
Supply in relation to electricity, means the sale of electricity to a licensee or consumer.
- 119) Technical Co-ordination Committee (TCC)
The committee set up by REB/ RPC to Coordinate the technical and commercial aspects of the operation of the regional grid.
- 120) Time Block
Block of 15 minutes each for which special energy meters record specified electrical parameters and quantities with first Time Block starting at 00.00 Hrs.
- 121) Transmission Licence
The licence granted by the Commission to transmit electricity in the State under Section 14 of the Act.
- 122) Transmission Licensee
A licensee authorised by the Commission to establish or operate transmission lines.
- 123) Transmission System
Transmission System means the system consisting of Extra High Voltage electric lines, having design voltage of 33 kV and higher owned and/or operated by the licensee for the purposes of the transportation of electricity from one Power Station to a substation or to another Power Station or between substations or to or from any External Interconnection including 33/11 kV bays/ equipment up to the interconnection with the Distribution System, any plant and Apparatus and meters owned or used in connection with transmission, and such buildings or part thereof as may be required to accommodate such plant Apparatus, other works and operating staff thereof.
- 124) User
A term utilised in various Sections of the OGC to refer to the Persons including Beneficiaries, Generating Stations, Licensees, Open Access Customers, EHT Consumers, P.G.C.I.L., other Regional and States using STS, as more particularly identified in each Section of the OGC.
- 125) Utility
The electric lines or electrical plant, including all lands, buildings, works and materials attached thereto belonging to any person acting as a generating Company or Licensee under provisions of the Act.

CHAPTER - 2

ROLE OF VARIOUS ORGANISATIONS AND THEIR LINKAGES

2.1 INTRODUCTION

In the light of the Act, it has become necessary to re-define the role of State Load Despatch Centre (SLDC), the State Transmission Utility (STU) etc. and their organisational linkage so as to facilitate development and smooth operation of State grid. This Chapter defines the function of the various organisations so far as it relates to the OGC

2.2 ROLE OF SLDC

2.2.1 As per Section 32 of the Act, the functions of the SLDC are as follows:

- 1) The SLDC shall be the apex body to ensure integrated operation of the Power System in the State.
- 2) The State Load Despatch Centre shall comply with such principles, guidelines and methodologies in respect of wheeling and optimum scheduling and despatch of electricity as may be specified in the OGC.
- 3) SLDC shall-
 - a) be responsible for optimum scheduling and despatch of electricity within the State, in accordance with the contracts entered into with the licensees or the generating companies operating in Orissa;
 - b) monitor grid operations;
 - c) keep accounts of the quantity of electricity transmitted through the State grid;
 - d) exercise supervision and control over the State Transmission System;
 - e) be responsible for carrying out real time operations for grid control and despatch of electricity within the State through secure and economic operation of the State grid in accordance with the Grid Standards and the OGC;
 - f) shall comply with the directions of the RLDC;
 - g) levy and collect such fees and charges from the generating companies and licensees using the intra State Transmission System as may be specified by the Commission;
 - h) discharge the functions assigned to it under the provisions of the Act and these Regulations in an independent and unbiased manner.

Provided that in event of a SLDC being operated by the STU, as per first proviso of sub-section (2) of Section 31 of the Act, adequate autonomy shall be provided to the SLDC in order to discharge its functions in the above mentioned manner.

- 4) The State Load Despatch Centre may give such directions and exercise such supervision and control as may be required for ensuring stability of grid operations and for achieving the maximum economy and efficiency in the operation of the power system in the region under its control.
- 5) Every licensee, generating company, generating station, substation and any other person connected with the operation of the power system shall comply with the directions issued by the State Load Despatch Centres.
- 6) All directions issued by the State Load Despatch Centres to any Transmission Licensee of the State or any other licensee of the State or State Generating Company or substation in the State and shall be duly complied with by the licensee or generating company or substation.
- 7) If any dispute arises with reference to the quality of electricity or safe, secure and integrated operation of the State grid or in relation to any direction given by the State Load Despatch Centre, it shall be referred to the Commission for decision. However, pending the decision of the Commission, the directions of the State Load Despatch Centre shall be complied with by the licensee or the Generating Company, as the case may be.

2.2.2 The following are contemplated as exclusive functions of SLDC

- 1) System operation and control including intra-state transfer of power, covering contingency analysis and operational planning on real time basis;
- 2) Scheduling / re-scheduling of generation;
- 3) System restoration following grid disturbances;
- 4) Metering and data collection;
- 5) Compiling and furnishing data pertaining to system operation;
- 6) Operation of state unscheduled interchange (UI) pool account and State reactive energy account.

2.2.3 In case of Open Access in Intra-state Transmission, the State Load Despatch Centre shall be the nodal Agency for the short-term transmission access. The procedure and modalities in regard to short-term Open Access shall be as per the Orissa Electricity Regulatory Commission (Terms and Conditions of Open Access) Regulations, 2005, as amended from time to time.

2.2.4 All complaints regarding unfair practices, delays, discrimination, lack of information, supply of wrong information or any other matter related to Open Access in intra-state transmission shall be directed to the SLDC. The SLDC shall investigate and endeavour to resolve the grievance. In case the SLDC is unable to resolve the matter, it shall be reported to the Commission for a decision.

2.2.5 SLDC shall establish Area Load Despatch Centres (ALDC) s to carryout the following functions:

- a) The ALDC shall help in focused monitoring and control of Distribution System in its local area.

- b) Receive and carryout the instructions of SLDC.
- c) Co-ordinate with Distribution System operation and control centre (DSOCC) and SLDC to streamline the operation and enhance case of operation efficiency.

2.2.6 SLDC shall, for the purpose of payment of transmission charges/ capacity charges and incentives, certify:

- 1) Availability of State Transmission System,
- 2) Availability and Plant Load Factor for SGS (Thermal),
- 3) Capacity Index for SGS (Hydro).

2.3 **ROLE OF STU**

- 1) Section-39 of the Act outlines that the functions of the STU shall be –
 - a) To undertake transmission of electricity through the State Transmission System.
 - b) To discharge all functions of planning and co-ordination relating to the State Transmission System with
 - ❖ Central Transmission Utility;
 - ❖ State Governments;
 - ❖ Generating companies;
 - ❖ Regional Power Committees;
 - ❖ Authority;
 - ❖ Licensees;
 - ❖ Any other person notified by the State Government in this behalf;
 - c) To ensure development of an efficient, co-ordinated and economical system of the State transmission lines for smooth flow of electricity from a generating station to the load centres;
 - d) To provide non-discriminatory Open Access to its Transmission System for use by -
 - i) Any licensee or generating Company on payment of the transmission charges; or
 - ii) Any consumer as and when such Open Access is provided by the Commission under sub-section (2) of Section- 42 of the Act, on payment of the transmission charges and a surcharge thereon, as may be specified by the Commission.
- 2) Until a Government company or any authority or corporation is notified by the State Government, the STU shall operate the SLDC.

2.4 **ROLE OF TRANSMISSION LICENSEE**

The functions of Transmission Licensee are as follows:

- a) Build, maintain and operate an efficient, co-ordinated and economical Transmission System.
- b) Comply with the directions of SLDC.
- c) Provide Open Access as in 2.3. (1)(d) Above

2.5 ROLE OF DISTRIBUTION LICENSEE

- 1) The functions of Distribution Licensee are as follows:
 - a) Develop and maintain an efficient, co-ordinated and economical Distribution System in his Area of Supply;
 - b) Provide non-discriminatory Open Access to its Distribution System for use by
 - i) Any licensee or generating Company on payment of the distribution charges; or
 - ii) Any consumer as and when such Open Access is provided by the Commission under sub-section (2) of Section-42 of the Act, on payment of the transmission charges and a surcharge thereon, as may be specified by the Commission.
- 2) Establish DSOCC at a strategic location near the geographical centre and load centre of the Distribution Licensees' Area of Supply, having adequate communication facilities. The DSOCC shall be manned round the clock with the required staff during emergency periods. It shall take appropriate action in response to grid warnings as decided by the Distribution Licensee and convey suitable instructions to the operating staff. It shall take timely action in response to grid warnings as per standard instructions laid down by the Distribution Licensee in this regard and if necessary issue appropriate instructions in addition, if a particular situation warrants. The SLDC / ALDC shall intimate the Distribution Licensee through DSOCC, regarding significant deviations of final schedules of State generators and CGS on overall merit order. The DSOCC shall undertake suitable load management and curtailment.

CHAPTER - 3

PLANNING CODE FOR THE STATE TRANSMISSION SYSTEM

3.1 INTRODUCTION

- 1) The Planning Code specifies the policy and procedures to be applied in planning of State Grid and the regional links.
- 2) This Chapter identifies the method for data submissions by Users to the STU for the planning and development of the Transmission System. This Chapter also specifies the technical and design criteria and procedure to be applied by the STU in the planning and development of the Transmission System.

3.2 OBJECTIVE

- 1) The provisions of this Chapter are intended to enable the STU in consultation with Users, to provide an efficient, co ordinated, secure and economical Transmission System in order to satisfy requirement of future demand. It also provides methodology and information exchange amongst Users in planning and development of the STS.
- 2) A requirement for reinforcement or extension of the Transmission System may arise for a number of reasons, including but not limited to the following.
 - a) Development on a User's system already connected to the Transmission System.
 - b) The introduction of a new Connection Point between the User's system and the Transmission System.
 - c) A general increase in system capacity to remove operating constraints and maintain standards of security.
 - d) Stability considerations.
 - e) Cumulative effect of any of the above.
- 3) Accordingly, the reinforcement or extension of the Transmission System may involve work at an entry or exit point (Connection Point) of a generator or Distribution Company or Open Access customer to the Transmission System.
- 4) Since development of all Users' systems must be planned well in advance to permit consents and way leaves to be obtained and detailed engineering design / construction work to be completed, the STU will require information from Users and vice versa. To this effect the Planning Code imposes a time scale, for exchange of necessary information between the STU and Users having regard, where appropriate, to the confidentiality of such information.

3.3 SCOPE

The Planning Code applies to STU, other Transmission Licensees, the State Generating Station and all other Users, connected to and/or using and involved in developing the State Transmission System.

3.4 PLANNING POLICY

- 1) CEA would formulate perspective transmission plan for inter-State Transmission System as well as Intra State Transmission System. These perspective transmission plans would be continuously updated to take care of the revisions in load projections and generation scenarios considering the seasonal and time of the day variations.
- 2) The STU shall carry out planning process from time to time as per the requirement for identification of major State Transmission System, including schemes in the State which shall fit in with the perspective plan developed by CEA. While planning schemes, the following shall be considered in addition to the data of authenticated nature collected from and in consultation with various Agencies/ generators/licensees by STU:
 - a) Perspective plan formulated by CEA.
 - b) Electric Power Survey of India published by the CEA.
 - c) Transmission Planning Criteria and guidelines issued by the CEA.
 - d) Reports on National Electricity Policy, issued by Govt. of India, which are relevant for development of the State Transmission System.
- 3) In addition to the major State Transmission System, the STU shall plan, from time to time, system-strengthening schemes, need of which may arise to overcome the constraints in power transfer and to improve the overall performance of the grid. The State transmission proposals including system-strengthening scheme identified on the basis of the planning studies would be discussed, reviewed and finalised by the STU in consultation with -
 - a) Central Transmission Utility,
 - b) State Government,
 - c) Generating Companies,
 - d) Regional Power Committee,
 - e) Authority,
 - f) Licensees,
 - g) Any other person notified by the State Government in this behalf.
- 4) As per OERC regulation for providing Open Access in the State transmission, the nodal Agency for arranging the long-term transmission access to the applicant shall be the STU, if its system is used and for the short-term transmission access shall be the SLDC.
- 5) In case long-term Open Access in State Transmission System cannot be allowed without system strengthening, the applicant may request STU to carry out system studies to identify strengthening requirement and its cost estimates.

Further, to provide long-term Open Access as per the terms and conditions formulated by OERC and STU from time to time, the application for long-term Open Access including system strengthening identified by STU in State Transmission System shall be discussed and finalised in consultation with other Agencies.

- 6) All Users and Agencies will supply to the STU, the desired planning data from time to time to enable to formulate and finalize its plan.
- 7) The plan reports shall contain a Chapter on additional transmission requirement, which may include not only State transmission lines but also additional equipment such as transformer, capacitors, reactors etc.
- 8) The plan report shall also indicate the action taken to fulfill the additional requirement and actual progress made on new schemes. These reports will be available to any interested party for making investment decision/connection decisions to the State Transmission System.
- 9) As voltage management plays an important role in inter/intra State transmission of energy, special attention shall be accorded to planning of capacitors, reactors, Static VAR Compensators (SVC) and Flexible Alternative Current Transmission Systems (FACTS), etc.
- 10) Based on Plans prepared by the CTU, STU shall have to plan their systems to further evacuate power from the ISTS/STS.

In case of long-term Open Access applications requiring any strengthening in the Distribution System to absorb/evacuate power beyond STS, the STU shall co-ordinate with the concerned Distribution Company(s).

- 11) The Inter-State Transmission System and associated State Transmission System are complementary and inter-dependent and planning of one affects the other's planning and performance. Therefore, the associated State Transmission System shall also be discussed and reviewed before implementation during the discussion for finalising State Transmission System proposal indicated at section 3.4 (3) above.

3.5 PLANNING CRITERION

General Policy

- 1) The planning criterion is based on the security philosophy on which the State Transmission System has been planned. The security philosophy may be as per the Transmission Planning Criteria and other guidelines as given by CEA. The general policy shall be as detailed below:
 - a) As a general rule, the State Transmission System shall be capable of withstanding and be secured against the following contingency outages without necessitating load shedding or rescheduling of generation during steady State operation:
 - ❖ Outage of a 132 kV D/C line or,
 - ❖ Outage of a 220 kV D/C line or,

- ❖ Outage of a 400 kV S/C line or,
- ❖ Outage of single Interconnecting transformer, or
- ❖ Outage of one pole of HVDC bipolar line, or
- ❖ Outage of 765 kV S/C line.

The above contingencies shall be considered assuming a pre-contingency system depletion (Planned outage) of another 220 kV D/C line or 400 kV S/C line in another corridor and not emanating from the same substation. All the Generating Units may operate within their reactive capability curves and the network voltage profile shall also be maintained within voltage limits specified.

- b) The State Transmission System shall be capable of withstanding the loss of most severe single system in feed without loss of stability.
- 2) Any one of these events defined above shall not cause:
- a) Loss of supply
 - b) Prolonged operation of the system frequency below and above specified limits.
 - c) Unacceptable high or low voltage
 - d) System instability
 - e) Unacceptable overloading of the State Transmission System element.
- 3) In all substations (132 kV and above), at least two transformers shall be provided.
- 4) STU shall carry out planning studies for reactive power compensation of the State Transmission System including reactive power compensation requirement at the SGS's switchyard.

3.6 PLANNING DATA REQUIREMENT

- 1) Under this Planning Code, the Distribution Licensees/State generating companies/ IPPs/ licensees are to supply two types of data to STU:
- a) Standard Planning Data

To enable the STU to discharge its responsibilities under the licence, to conduct system studies and prepare perspective plans for electricity demand, generation and transmission as detailed in Section 3.8 below, the Users shall furnish data to the STU from time to time as detailed under Data Registration Chapter in this OGC and categorised as Planning Data (PD).

 - i) Standard planning data consists of details, which are expected to be normally sufficient for the STU to investigate the impact on the STS due to User development.
 - ii) Standard planning data covering (a) preliminary project planning data (b) committed project planning data and (c) connected planning data should be furnished by the Distribution Licensees and Generating companies connected to the STS. This data shall be furnished to STU from time to time in the standard formats supplied by the STU.

b) Detailed Planning Data

To enable Users to co ordinate planning, design and operation of their plants and systems with the Transmission System they may seek certain salient data of Transmission System as applicable to them, which the STU shall supply from time to time as detailed under Data Registration Chapter of this OGC and categorised as Detailed System Data (Transmission).

Detailed planning data consist of additional, more detailed data not normally expected to be required by STU to assess the impact of User development on the STS. The Users of STS shall furnish this data as and when requested by STU.

3.7 IMPLEMENTATION OF TRANSMISSION PLAN

The actual program of implementation of transmission lines, interconnecting transformers, reactors/ capacitors and other transmission elements will be determined by STU in consultation with the concerned Agencies / Users. The Transmission Licensee through the concerned Agency shall ensure the completion of these works in the required time frame.

3.8 PERSPECTIVE PLAN

- 1) The STU is charged with the responsibility to prepare and submit a long-term (10 years) plan to the Commission for Transmission System expansion to meet the future demand in accordance with the Licence Conditions.
- 2) For fulfilment of the above requirement the STU shall:
 - a) Forecast the demand for power within the State in each of the succeeding five years and provide to the Commission details of the demand forecasts, data, methodology and assumptions on which the forecasts are based.
 - b) Prepare a least cost generation plan for the State to meet the ten years load demand as per the forecast, after examining the economic, technical and environmental aspects of all available alternatives taking into account the existing contracted generation resources and effects of demand side management.
 - c) Discharge all functions of planning and co-ordination relating to the State Transmission System compatible with the above load forecast and generation plan a long-term (10 years) plan for the Transmission System in accordance with Section-39 (2) (b) of the Act, compatible with the above load forecast and generation plan in consultation with CEA. Central Transmission Utility (CTU) shall have to be consulted in connection with systems to evacuate power from inter-State Transmission System.
- 3) The STU shall prepare and submit to the Commission on an annual basis, a statement showing in respect of each of the 5 succeeding financial years forecasts of circuit capacity, power flows and loading on the Transmission System under Transmission Licence General Conditions Clause-15.5 of Appendix 4B to OERC (Conduct of Business) Regulations, 2004.

3.9 PLANNING STANDARDS AND PROCEDURES

The Transmission System shall be planned in accordance with the Transmission System planning and security standards under Transmission Licence General Conditions Clause-13 of Appendix 4B to OERC (Conduct of Business) Regulations, 2004.

The generation expansion planning shall be carried out in accordance with the Power Supply Planning and Security Standards under aforesaid Clause-13.

3.10 PLANNING RESPONSIBILITY

- 1) The primary responsibility of load forecasting within its area rests with each of the Distribution Companies. The Distribution Companies shall determine peak load and energy forecasts of their respective areas for each category of loads for each of the succeeding five years and submit the same annually by 31st December to the Transmission Licensee along with details of the demand forecasts, data, methodology and assumptions on which the forecasts are based. The load forecasts shall be made for each of the External Connection Points between the STU and User and shall include annual peak load and energy projections and daily load curve. The demand forecasts shall be updated annually or whenever major changes are made in the existing forecasts or planning. While indicating requirements of single consumer with large demands (5 MW or higher) the Distribution Company shall satisfy itself as to the degree of certainty of the demand materialising.
- 2) The STU is responsible for integrating the load fore-casts submitted by each of the Distribution Companies and deter-mining the long term (10 years) load forecasts for the State within ninety days of the date on which the distribution companies furnished all the required information consistent to provisions of the OGC. In doing so the STU may apply appropriate diversity factors, and satisfy itself regarding probability of materialisation of bulk loads of consumers with demands above 5 MW in consultation with that Distribution Company concerned.
- 3) The STU may also review the methodology and assumptions used by the Distribution Company in making the load forecast, in consultation with the Distribution Company. The resulting overall load forecast will form the basis of planning for expansion of generation and the Transmission System.
- 4) In the event, Distribution Companies failed to provide all the requisite information within the time frame and in accordance with the form provided by the STU, the STU shall approach to the Commission for a directive.

CHAPTER – 4

CONNECTION CONDITIONS

4.1 INTRODUCTION

Connection Conditions specify the minimum technical and design criteria, which shall be complied with by STU/Transmission Licensee and any Agency connected to or seeking the connection to the State Transmission System. They also set out the procedures by which Transmission Licensee shall ensure compliance by any Agency with above criteria as pre-requisite for the establishment of an agreed connection.

4.2 OBJECTIVE

The objective of this Section is to ensure the following:

- 1) All Users or prospective Users are treated equitably.
- 2) Any new or modified connections, when established, shall neither suffer unacceptable effects due to its connections to the State Transmission System nor impose unacceptable effects on the system of any other connected Agency.
- 3) By specifying minimum design criteria, to assist Users in their requirement to comply with licence obligations and hence ensure that a system of acceptable quality is maintained.
- 4) The ownership and responsibility for all items of equipment is clearly specified in a schedule (Site Responsibility Schedule) for every site where a connection is made.

4.3 SCOPE

- 1) The Connection Conditions apply to all STU/SGSs and any other User/ Licensee connected to and involved in developing the State Transmission System. This Connection Code also applies to all Agencies, which are planning to generate/transmit/utilise and/or are generating / transmitting / utilising energy to/from the State Transmission System. The Connection Conditions for Generating Units embedded in the Distribution Systems, and not connected to the Transmission Systems, shall be finalised by the respective Distribution Licensees and Generators. The Generators should ensure to cater the load flow through their switchyards.
- 2) These conditions shall apply to all new connections. All the existing Users shall modify their systems for complying with this Section within two years from the date of this Code comes into effect.

4.4 PROCEDURE FOR CONNECTION TO AND/OR USE OF THE TRANSMISSION SYSTEM

- 1) Prior to an Agency being connected to the State Transmission Systems all necessary conditions outlined in the OGC in addition to other mutually agreed requirements to be complied with, must be fulfilled by the Agency. Any Agency seeking to establish new or modified arrangements for connection to and/or use of the Transmission System shall submit the following report, data and undertaking along with an application to the Transmission Licensee:

- a) Report stating purpose of proposed connection and/or modification, connection site, Transmission Licensee to whose system connection is proposed Connection Point, description of Apparatus to be connected or modification to Apparatus already connected and Beneficiaries of the proposed connection.
 - b) Data as applicable and as listed in the Data Registration Chapter in this OGC
 - c) Construction schedule and target completion date.
 - d) An undertaking that the User shall abide by the OGC, IEGC and provisions of IE Rules and various standards including Grid Connectivity Standards made pursuant to the Act for installation and operation of the Apparatus.
- 2) However in case of the existing connections between State Transmission System and State Generating Station, a relaxation of one year in respect of the Connection Conditions is allowed so that the present arrangements may continue. The process of re-negotiation of the Connection Conditions with generating station should be completed within a period of one year. In case it is determined that the compliance of Connection Conditions would be delayed further, the Commission may consider further relaxation for which a petition will have to be filed by the concerned User along with STU's recommendation/comments. The cost of modification, if any, shall be borne by the concerned User.
 - 3) The Transmission Licensee/STU shall normally make a formal offer to the User within one month of receipt of the application complete with all information as may reasonably be required, subject to provision in section 4.4(6) below.
 - 4) The offer shall specify and take into account any works required for the extension or reinforcement of the Transmission System to satisfy the requirements of the connection application and for obtaining statutory clearances, way leaves as necessary.
 - 5) In respect of offers for modification of existing connection, the terms shall take into account, the existing Connection Agreement.
 - 6) a) If the nature of complexity of the proposal is such that the prescribed time limit for making the offer is not adequate, the Transmission Licensee / STU shall make a preliminary offer within the prescribed time limit indicating the extent of further time required with the consent of the Commission for more detailed examination of the issues.
 - b) On receipt of the preliminary offer, the User shall indicate promptly whether the Transmission Licensee/STU should precede further to make a final offer within the extended time limit.
 - 7) All offers (other than preliminary offers) including revised offers shall remain valid for sixty days of issue of offer.
 - 8) The Transmission Licensee / STU shall make a revised offer, upon request by a User, if necessitated by changes in data earlier furnished by the User.

- 9) In the event of the offer becoming invalid or not being accepted by any User within the validity period, no further action shall be taken by the Transmission Licensee / STU on the connection applications.
- 10) The Transmission Licensee / STU may reject any application for connection to and/or use of Transmission System:
 - a) If such proposed connection will violate any provision(s) under clause-15.3 to Appendix-4B to OERC (Conduct of Business) Regulations, 2004.
 - b) If the proposed works stated in the application do not lie within the purview of the licence or do not conform to any provision of the OGC.
 - c) If the applicant fails to give confirmation and undertakings according to sections 4.4(1)(d) of this Chapter.

4.5 CONNECTION AGREEMENTS

A Connection Agreement shall include, as appropriate, within its terms and conditions the following:

- 1) A condition requiring both parties to comply with the OGC;
- 2) Details of connection, technical requirements with specific references to reactive power compensation/operation of Generating Units and Power Station, if any, and commercial arrangements, (in accordance with relevant provision of Indian Electricity Grid Code wherever applicable).
- 3) Details of any capital related payments arising from necessary reinforcement or extension of the system, data communication, RTU etc. and demarcation of the same between the concerned parties;
- 4) A Site Responsibility Schedule as referred at section 4.13(1);
- 5) General philosophy, guidelines etc. on protection and telemetry.

A model Connection Agreement is placed at Annexure-1 to Chapter-4.

4.6 PROCEDURE FOR SITE ACCESS, SITE OPERATIONAL ACTIVITIES AND MAINTENANCE STANDARDS

- 1) The Connection Agreement will also indicate any procedure necessary for site access, site operational activities and maintenance standard for equipment of the STU/Transmission Licensee at SGS/Licensee premises and vice-versa.
- 2) The User owning the connection site shall provide reasonable access and other required facilities to another User whose equipment is installed at the connection site for installation, operation and maintenance, etc.

4.7 SYSTEM PERFORMANCE

Transmission System Parameter variations

1) General

Within the Power System, instantaneous values of system frequency and voltage are subject to variation from their nominal value. All Agencies shall ensure that plant and Apparatus requiring service from/to the State Transmission System is of such design and construction that satisfactory operation will not be prevented by such variation.

2) Frequency variations

Rated frequency of the system shall be 50.0 Hz and shall normally be controlled within the limits as per regulations /Standards framed by the Authority subject to allowable limit as specified by the manufacturer.

3) Voltage variations

- a) The variation of voltage may not be more than the voltage range specified in the regulations /Standards framed by the Authority.
- b) The Agency engaged in sub-transmission and distribution shall not depend upon the State Transmission System for reactive support when connected. The Agency shall estimate and provide the required reactive compensation in its transmission and distribution network to meet its full reactive power requirement, unless specifically agreed to with STU/Transmission Licensee.

4) Harmonics

Total Voltage Harmonic Distortion (THD) in the Power System is required to be within the limit for various applications. (Refer IEEE Standard 519)

Voltage THD is generally defined as below:

Total Harmonic Distortion of the voltage waveform is the VTHD, which is the ratio of the root-sum-square value of the harmonic content of the voltage to the root-mean-square value of the fundamental voltage.

$$V_{THD} = \frac{\sqrt{V_2^2 + V_3^2 + V_4^2 + V_5^2 + V_6^2 + \dots}}{V_1} \times 100\%$$

The limits of harmonics shall be maintained as per the stages specified hereunder:

Stage-1: The cumulative Total Voltage Harmonic Distortion (THD_v) at the Point of Commencement of Supply for each consumer connected at 132KV and above shall be limited to 3%.

Stage-2: The cumulative Total Voltage Harmonic Distortion (THD_v) at the Point of Commencement of Supply for each consumer connected at 33KV shall be limited to 8%.

Stage-3: The cumulative Total Voltage Harmonic Distortion (THD_v) at the Point of Commencement of Supply for each consumer connected at 11KV shall be limited to 8%.

The Commission shall notify the date of effectiveness of above harmonic separately subject to CEA's notification of Grid Standards.

5) Insulation Co-ordination and Rupturing capacity of Switchgear

Insulation co-ordination of the Users' equipment shall conform to applicable Indian Standards/ Codes. Rupturing capacity of switchgear shall not be less than that notified by the Transmission Licensee / STU from time to time.

4.8 USER'S AND TRANSMISSION LICENSEE'S EQUIPMENT AT CONNECTION POINTS

1) General

All equipment connected to the State Transmission System shall be of such design and construction as to satisfy at least the requirements of the relevant Bureau of Indian Standards (BIS)/IEC/ prevailing Code of Practice.

Installation of all electrical equipment shall comply with IE Rules.

For every new connection sought, the Transmission Licensee shall specify the Connection Point and the voltage to be used, along with the metering and protection requirements as specified in the Metering and Protection Chapter.

2) Sub-Station Equipment

- a) All EHV sub-station equipments shall comply with Bureau of Indian Standards (BIS)/ IEC/prevailing Code of practice.
- b) All equipment shall be designed, manufactured and tested and certified in accordance with the quality assurance requirements as per IEC/BIS standards.
- c) Each connection between a User and State Transmission System shall be controlled by a circuit breaker capable of interrupting, at the Connection Point, the short circuit current as advised by Transmission Licensee in the specific Connection Agreement.

3) Fault Clearance Times

- a) The fault clearance time when all equipments operate correctly, for a three phase fault (close to the bus-bars) on User's equipment directly connected to State Transmission System and for a three phase fault (close to the bus-bars) on State Transmission System connected to Agencies equipment, shall not be more than:
 - i) 100 milli seconds (ms) for 800 kV & 400 kV
 - ii) 160 milli seconds (ms) for 220 kV & 132 kV
- b) Back-up protection shall be provided for required isolation/protection in the event of failure of the primary protection systems provided to meet the above fault clearance time requirements. If a Generating Unit is connected to the State Transmission System directly, it shall withstand, until clearing of the fault by back-up protection on the State Transmission System.

4) Protection

Protection systems are required to be provided by all Users connected to the State Transmission System in co-ordination with STU. In case of installation of any device, which necessitates modification/replacement of existing protection relays/ scheme in the network, owner of respective part of network shall carry out such modification/ replacement.

Protection systems are required to isolate the faulty equipments and protect the other components against all types of faults, internal/ external to them, within the specified fault clearance time with reliability, selectivity and sensitivity. All Agencies connected to the State Transmission System shall provide protection systems and metering systems as agreed in the Connection Agreement conforming to Protection and Metering Chapter of the OGC (i.e. Chapters 9&10)

Relay setting coordination shall be done at State level by the Protection Co-ordination committee of the STU as specified under Section 5.2(8) and 9.4 of the OGC.

4.9 GENERATING UNITS AND POWER STATIONS

- 1) A Generating Unit shall be capable of continuously supplying its normal rated active / reactive output within the system frequency and voltage variation range indicated at section 4.7 above, subject to the design imitations specified by the manufacturer.
- 2) A Generating Unit shall be provided with an AVR, protective and safety devices, as set out in Connection Agreements.
- 3) Each Generating Unit shall be fitted with a turbine speed governor having an overall droop characteristic within the range of 3% to 6% subject to design limitations specified by the manufacturer , which shall always be in service.
- 4) Each Generating Unit shall be capable of instantaneously increasing output by 5% when the frequency falls limited to 105% MCR. Ramping back to the previous MW level (in case the increased output level can not be sustained) shall not be faster than 1% per minute.
- 5) For existing Power Stations, the equipment for data transmission and communications shall be owned and maintained by the Licensee i.e. STU, unless alternative arrangements are mutually agreed.

For new Power Stations, the equipment for data transmission and communications shall be owned and maintained by the respective generator

4.10 REACTIVE POWER COMPENSATION

- 1) Reactive power compensation and/or other facilities, should be provided by Transmission Licensee and Distribution Licensees as far as possible in the low voltage systems close to the load points thereby avoiding the need for exchange of reactive power to/from State Transmission System and to maintain Transmission System voltage within the specified range.

- 2) Line reactors may be provided to control temporary over voltage within the limits as set out in Connection Agreements.
- 3) The additional reactive compensation to be provided by the User shall be indicated by Transmission Licensee in the Connection Agreement for implementation.

4.11 DATA COMMUNICATION FACILITIES

Reliable and efficient speech and data communication systems shall be provided to facilitate necessary communication and data exchange, and supervision/control of the grid by the SLDC, under normal and abnormal conditions. ¹ [However the S.C.A.D.A. communication facilities should be made available in every 220KV Grid S/S by OPTCL]. All Agencies including CGS who are allowed open access shall provide Systems to telemeter power system parameter such as flow, voltage and status of switches/ transformer taps etc. in line with interface requirements and other guideline made available to ²[**] ³ [the nearest SCADA interface point of the transmission licensee]: The associated communication system to facilitate data flow up to ⁴ [**] ⁵ [nearest SCADA interface point of the transmission licensee] , as the case may be, shall also be established by the concerned Agency as agreed by STU in Connection Agreement. All Agencies in coordination with STU shall provide the required facilities at their respective ends and ⁶ [**] ⁷ [to the nearest SCADA interface point of the transmission licensee] as agreed in the Connection Agreement. ⁸ [However, the SCADA communication facilities should be made available in every 220 KV Grid S/S by OPTCL.]¹

4.12 SYSTEM RECORDING INSTRUMENTS

Recording instruments such as Data Acquisition System / Disturbance Recorder/ Event Logger / Fault Locator (including time synchronization equipment) shall be provided in the State Transmission System for recording of dynamic performance of the system. Users shall provide the entire requisite recording instruments as stated in the Connection Agreement according to the agreed time schedule.

4.13 RESPONSIBILITIES FOR OPERATIONAL SAFETY

1) Site Responsibility Schedule

STU / Transmission Licensee and other Users concerned shall be responsible for safety as indicated in Site Responsibility Schedules for each Connection Point.

- a) For every connection to the Transmission System for which a Connection Agreement is required, a schedule of equipment shall be prepared by the Transmission Licensee with information supplied by the respective Users. This schedule, called a Site Responsibility Schedule, shall state the following for each item of equipment installed at the connection site:
 - i) The ownership of Plant/Apparatus
 - ii) The responsibility for control of Plant/Apparatus.
 - iii) The responsibility for maintenance of Plant/Apparatus.

1. Addendum Vide GN Dated 29th October 2008, 2 The word "SLDC" deleted vide GN dated 29th Oct 2008
 3. Addendum vide GN Dated 29th October 2008 4. The word "SLDC" deleted vide GN dated 29th Oct 2008
 5. Addendum vide GN Dated 29th October 2008 6 The word "SLDC" deleted vide GN dated 29th Oct 2008
 7. Addendum Vide GN Dated 29th October 2008. 8. Addendum Vide GN Dated 29th October 2008

- v) The responsibility for operation of Plant/Apparatus
- vi) The manager of the site.
- vii) The responsibility for all matters relating to safety of persons at site.

An illustrative Site Responsibility Schedule is provided at Appendix-II to Chapter-4.

- b) The User owning the connection site shall provide reasonable access and other required facilities to another User whose equipment is installed at the connection site for installation, operation and maintenance, etc.
- c) The format, principles and basic procedure to be used in the preparation of Site Responsibility Schedules shall be formulated by STU and shall be provided to each Agency/regional constituents for compliance.
- d) All Agencies connected to or planning to connect to STS would ensure providing of RTU and other communication equipment, as specified by ¹ [**] ² [STU], for sending real-time data to ³ [**] ⁴ [nearest SCADA interface point of the transmission licensee] at least before date of commercial operation of the generating stations or sub-station/ line being connected to STS.

2) Single Line Diagrams

- a) Single Line Diagram shall be furnished for each Connection Point by the connected Users to SLDC. These diagrams shall include all HV/EHV connected equipment and the connections to all external circuits and incorporate numbering, nomenclature and labelling, etc. The diagram is intended to provide an accurate record of the layout and circuit connections, rating, numbering and nomenclature of HV/EHV Apparatus and related plant.¹
- b) Whenever any equipment has been proposed to be changed, then concerned User shall intimate the necessary changes to Transmission Licensee and to all concerned. When the changes are implemented, changed Single Line Diagram shall be circulated by the User to SLDC / STU / Transmission Licensee.

3) Site Common Drawings

- a) Site Common Drawing will be prepared for each Connection Point and will include site layout, electrical layout, details of protection and common services drawings. Necessary details shall be provided by the User to STU / Transmission Licensee.
- b) The detailed drawings for the portion of the Agency and STU / Transmission Licensee at each Connection Point shall be prepared individually and copies shall be handed over to other party.
- c) If any change in the drawing is found necessary, the details will be furnished to other party as soon as possible.

1. The word " SLDC" deleted vide GN Dated 29th Oct 2008 2. Addendum vide GN dated 29th Oct 2008

3. The word " SLDC" deleted vide GN Dated 29th Oct 2008 4. Addendum vide GN Dated 29th Oct 2008

4.14 SCHEDULE OF ASSETS OF STATE GRID

STU / Transmission Licensee shall submit annually to OERC by 30th September each year a schedule of transmission assets, which constitute the State grid as on 31st March of that year indicating ownership on which SLDC has operational control and responsibility.

4.15 CONNECTION POINT

1) Generator ¹ [(Including CGP)]

Voltage may be ² [**] ³ [33KV and above].. ⁴ [The connectivity of user (consumer) or Generator including CGP at 33 KV or at any higher voltage level should be decided mutually on Techno-commercial analysis and system study. The connectivity at 33 KV may normally be allowed for any generator including CGP up to 25 MW for dedicated line (tie line) and up to 15 MW in case on non-dedicated (non-tie) line.] Unless specifically agreed with the Transmission Licensee the Connection Point shall be the outgoing feeder gantry of Power Station switchyard. Metering point shall be at the outgoing feeder. All the terminal communication, protection and metering equipment owned by the generator within the perimeter of the generator's site should be maintained by the generator. The respective Users shall maintain other Users' equipment. From the outgoing feeder gantry onwards, the Transmission Licensee shall maintain all electrical equipment.

2) Distribution Company

Voltage may be 33/11 kV or as agreed with the Transmission Licensee. The Connection Point shall be the outgoing feeder gantry of the Transmission Licensee's sub-station. The metering point shall be at the outgoing feeder. The Transmission Licensee shall maintain all the terminal, communication, protection and metering equipment within the premises of the Transmission Licensee. From the outgoing feeder gantry onwards, the respective Distribution Company shall maintain all electrical equipment.

3) Eastern Regional Transmission System³¹.

For the Eastern Regional Transmission System, the connection, protection scheme, metering scheme, metering point and the voltage shall be in accordance with the mutual agreement between Power Grid and the State Transmission Licensee.

4.15 4) ⁵ Bulk Power Consumers

Voltage may be 220/132/33 kV or as agreed with the Transmission Licensee. CGPs and Bulk Power Consumers own sub-stations. The Connection Point shall be the feeder gantry on their premises. The metering point shall be at the Transmission Licensee's sub-station or as agreed with the Transmission Licensee.

4.16 DATA REQUIREMENTS

Users shall provide the Transmission Licensee with data for this Chapter as specified in the Data Registration Chapter.

4.17 APPENDIX OF CHAPTER-4

Model Connection Agreement- Annexure-I to Chapter-4

General format for Site Responsibility Schedule- Annexure-II to Chapter-4

¹. Addendum Vide GN Dated 17th Sept,2007 ². The words "400/220/132 kV or as agreed with the Transmission Licensee" Deleted Vide GN dated 29th October,2008

³. Addendum Vide GN dated 29th Oct 2008 ⁴. Addendum vide GN dated 7th October 2009 ⁵. The word "CGP &" deleted vide GN dated 17th September 2007.

ANNEXURE - I TO CHAPTER - 4

CONNECTION AGREEMENT

(Refer Section-4.5)

THIS AGREEMENT for connection to and use of Transmission System of _____ (Name of the Transmission Licensee) is made this day of month of year.

BETWEEN

[1] _____
_____(Name of the Transmission Licensee) whose registered office is at _____

_____, AND

[2] (Name of the company) whose registered office is at
..... (detailed address) therein after called "User"

WHEREAS

[A] _____

_____(Name and address of the Transmission Licensee) is a Transmission Licensee granted by the OERC as per the provision of the Electricity Act, 2003 (here after called as the 'Act') agreed to execute a Connection Agreement for the purpose export/import of power at 220 kV/132 kV to _____
_____ (name of the User)

[B](Name of the Distribution Company (the User) is the holder of the Orissa Distribution Licence, (No.....) issued by OERC vide order dated_____.¹

[C] (Name of the User i.e. Generator / CGP / Bulk Consumer) is the holder of the authorization issued by the State Government / Central Government / CERC / OERC vide order No..... dated.

¹ The words " CGPs &" deleted vide GN Dated 17th Sept 2007

NOW IS HEREBY AGREED AS FOLLOWS

i) Grid Code Compliance

*It is agreed that the User and _____
_____(the Transmission Licensee) will abide by the provisions of the Orissa Grid Code (OGC)/
Indian Electricity Grid Code (IEGC) in force for the purpose of availing / evacuating power from
/to _____(the Transmission Licensee) and to maintain
a connectivity with the Transmission System network of _____
_____(the Transmission Licensee).*

ii) Terms of agreement

- a) This agreement shall be deemed to have commenced from. and shall continue until it is terminated. In case of any differences or disagreements between the Transmission Licensee and the User in regard to any changes required from time to time to the terms of this agreement the same shall be resolved amicably failing which the matters shall be referred to the OERC and the Commission's decision shall be final and binding.
- b) The term of this Agreement shall stand modified or terminated automatically as per the Regulations which OERC may issue from time to time in accordance with the functions and powers of the Commission under the Act. As soon as practicable following any Regulation of the Commission which has the effect of modifying the terms of this Agreement, the Transmission Licensee shall prepare a revised version of this agreement, incorporating the modified term and following Agreement between the Transmission Licensee and User that the revised version accurately reflects the relevant Regulation, the User shall execute the revised version.
- c) No User shall assign the Agreement or transfer or part with the benefits under the Agreement in favour of any other person/User without the express consent or approval of the Transmission Licensee.
- d) Any connection, which has been unauthorisedly transferred or parted with, shall be liable for disconnection after expiry of a seven days notice calling for explanation and considering the explanation submitted by him.
- e) The User agrees to bear the cost of stamp duty and all cost incidental to the execution of this agreement in full.

iii) Details of Connection

- a) System of supply voltage:
- b) Total contract demand:
- c) Phasing of the contract demand:
- d) Connection details:

(LILO arrangement of transmission line with a switching station/from a bay of an existing grid substation of the Transmission Licensee) (Details to be mentioned)

- e) Details of reactive power compensation arrangement:
- f) Details of the scheme of the switching station/bay
- i) Bus-bar arrangement: Three bus system/Two bus system/main and transfer bus system, Bus-bar type
 - ii) Provision for future expansion
- g) Captive Generating Plant:
- i. Rated capacity:
 - ii. Rated voltage level of generation:
 - iii. Quantum of surplus power to be evacuated:
 - iv. Details of the connectivity with the Transmission Licensee's network:
 - v. Mode of communication connectivity with ¹[**] ² [nearest SCADA interface point of the transmission licensee: Telephone/Fax/ Carrier communication/Broadband communication/Internet / Other developed mode of communication Transmission licensee shall provide SCADA interface in every 220KV Grid Substation].
- h) Communication arrangement: The User shall be required to provide voice and other communication facility as decided by SLDC.
- i) Metering Arrangement: The User shall provide meters for accounting and audit purposes as per the standard specified by CEA.
- [Details of operational/commercial (tariff) metering scheme to be provided.] Detail data are to be provided as per Chapter-12 (DATA REGISTRATION) of the State Grid Code (OGC).
- j) Other Charges:
- The operation and maintenance charges of the transmission line details to be indicated, 220 kV/132 kV feeder bay (nos. of bays and location of grid substation to be indicated), 220 kV/132 kV switching station (details of bays etc. to be indicated) shall be governed by the provisions contained in Chapter-12.
- i. Entry Charges and Exit Charges as fixed by the Transmission Licensee & approved by OERC to be paid where appropriate.
 - ii. Capital related payment arising from necessary reinforcement or extension of the System is to be paid.
- k) Site Responsibility Schedule:
- The site responsibility schedule is annexed at Annexure-II to Chapter-4, of the State Grid Code (OGC):
- l) Protection Scheme:
- Protection scheme shall be provided in the User's system to protect the grid from the faults originating in their system and so also for safeguarding their system from the fault originating from the Transmission System. The protection scheme of the User's system shall have the approval of OPTCL.

¹ The word "with SLDC: Telephone/Fax/Carrier communication" deleted vide GN dated 29th Oct 08

².Addendum vide GN Dated 29th October,2008

- i. Transmission line protection scheme: (please indicate the general philosophy of the scheme)
 - ii. 220 kV / 132 kV feeder bay protection scheme: (please indicate the general philosophy of the scheme)
 - iii. General protection scheme adopted for the switching station: (please indicate the general philosophy of the scheme).
 - iv. Any other protection scheme provided:²¹
- m) Documents forming part of this agreement:
- i. Annexure-I: Data to be provided as per Chapter-12 of the OGC
 - ii. Annexure-II: Attested copies of the Transmission Licensee permission letter no _____, date _____
 - iii. Annexure-II (to Chapter-4): Site Responsibility Schedule.
 - iv. Detail of procedure necessary for Site Access, Site Operational Activities and maintenance Standards for equipments of the STU/Transmission Licensee at STU/ Transmission Licensee premises and vice versa as Annexure-III

AS WITNESS the hands of the Parties hereto or their duly authorized representative on this day of month of Year

SIGNED BY

SIGNED BY

**For & on behalf of
User**

**For & on behalf of
the Transmission Licensee**

WITNESSES:1)
2)

1)
2)

Bhubaneswar

Date: The Day ofMonth of Year

ANNEXURE-II TO CHAPTER - 4
Ref: Section-4.13 (1)(a)

CONNECTION CONDITIONS

SITE RESPONSIBILITY SCHEDULE

Name of Power Station/Sub-station: Site Owner:
 Tel. Number: Tel. Number:
 Fax Number : Fax Number :

Item of Plant/Apparatus	Plant Owner	Safety Responsibility	Control Responsibility	Operation Responsibility	Maintenance Responsibility	Remarks
1	2	3	4	5	6	7
..... KV Switchyard All equipment including bus bars Feeders						
Generating Units						

CHAPTER- 5

OPERATING CODE FOR STATE GRID

5.1 OPERATING POLICY

- 1) The primary objective of integrated operation of the State grid is to enhance the overall operational economy and reliability of the entire electric power network spread over the geographical area of the State. Users shall cooperate with each other and adopt good utility practice at all times for satisfactory and beneficial operation of the State grid.
- 2) Overall operation of the State grid shall be supervised from the SLDC. The role of SLDC, STU/Transmission Licensee and Distribution Licensees shall be in accordance with the provisions made in Chapter-2 of the OGC.
- 3) All Users shall comply with this Operating Code, for deriving maximum benefits from the integrated operation and for equitable sharing of obligations.
- 4) A set of detailed internal System Operational Procedures for State grid shall be developed and maintained by the SLDC in consultation with the Users and shall be consistent with OGC to enable compliance with the requirement of this OGC.
- 5) The control rooms of the SLDC, power plants, substation of 132 kV and above, and any other control centres of all Users shall be manned round the clock by qualified and adequately trained personnel.

5.2 SYSTEM SECURITY ASPECTS

- 1) All Users shall endeavour to operate their respective Power Systems and Power Stations in synchronism with each other at all times, such that the entire system within the State operates as one synchronized system.
- 2) No part of the grid shall be deliberately isolated from the rest of the State grid, except
 - a) Under an emergency, and conditions in which such isolation would prevent a total grid collapse and/or would enable early restoration of power supply,
 - b) When serious damage to a costly equipment is imminent and such isolation would prevent it,
 - c) When such isolation is specifically instructed by SLDC. Complete synchronization of grid shall be restored as soon as the conditions again permit it. The restoration process shall be supervised by SLDC, as per operating procedures separately formulated.
- 3) No important element of the State grid shall be deliberately opened or removed from service at any time, except when specifically instructed by SLDC or with specific and prior clearance

of SLDC. The list of such important grid elements on which the above stipulations apply shall be prepared by the SLDC in consultation with the Users, and be available at SLDC. This list shall have to be notified by SLDC from time to time specifying the scheduled power flow and operational security margin. In case of opening / removal of any important element of the grid under an emergency situation, the same shall be communicated to SLDC at the earliest possible time after the event.

- 4) Any tripping, whether manual or automatic, of any of the above elements of State grid shall be precisely intimated by the Users to SLDC as soon as possible, say within ten minutes of the event. The reason (to the extent determined) and the likely time of restoration shall also be intimated. All reasonable attempts shall be made for the elements' restoration as soon as possible.
- 5) All Generating Units, which are synchronized with the grid, irrespective of their ownership, type and size, shall have their governors in normal operation at all times except the case of non-operative zone of operation as per manufacturers guidelines. If any Generating Unit of over fifty (50) MW size is required to be operated without its governor in normal operation, the SLDC shall be immediately advised about the reason and duration of such operation. All governors shall have a droop of between 3% and 6% subject to design limitations specified by the manufacturer.
- 6) Facilities available with/in load limiters, Automatic Turbine Run-up System (ATRS), turbine supervisory control, coordinated control system, etc., shall not be used to suppress the normal governor action in any manner. No dead bands and/or time delays shall be deliberately introduced.
- 7) All Generating Units, operating at or up to 100% of their Maximum Continuous Rating (MCR) shall normally be capable of (and shall not in any way be prevented from) instantaneously picking up five per cent (5%) extra load when frequency falls due to a system contingency. The Generating Units operating at above 100% of their MCR shall be capable of (and shall not be prevented from) going at least up to 105% of their MCR when frequency falls suddenly. After an increase in generation as above, a Generating Unit may ramp back to the original level at a rate of about one percent (1%) per minute, in case continued operation at the increased level is not sustainable. Any Generating Unit of over fifty (50) MW size not complying with the above requirements shall be kept in operation (synchronized with the State grid) only after obtaining the permission of SLDC. However, SLDC can make up the corresponding short fall in spinning reserve by maintaining an extra spinning reserve on the other Generating Units of the State.
- 8) Provision of protections and relay settings shall be coordinated periodically throughout the State grid, as per a plan to be separately finalized by the ¹[***]Protection Co-ordination Committee of the STU.¹

¹. The words "Operational and" deleted vide GN dated 29th October 2008

- 9) All Users shall also facilitate identification, installation and commissioning of System Protection Schemes (including inter-tripping and run-back) in the power system to protect against situations such as voltage collapse and ¹[cascade tripping]. Such schemes would be finalized by the ²[***] Protection Co-ordination Committee of the STU, and shall be kept in service. SLDC shall be promptly informed in case any of these are taken out of service.
- 10) Procedures shall be developed to recover from partial/total collapse of the grid and periodically updated in accordance with the requirements given under section 5.9. These procedures shall be followed by all the Users to ensure consistent, reliable and quick restoration.
- 11) STU shall provide adequate and reliable communication facility internally and with other Generators/Distribution Licensees/Users to ensure exchange of data/information necessary to maintain reliability and security of the grid. Wherever possible, redundancy and alternate path shall be maintained for communication along important routes i.e. SLDC to STU / ALDC / DSOCC.
- 12) The Users shall send information/data including Disturbance Recorder /sequential event recorder output etc., to SLDC for purpose of analysis of any grid disturbance/event. No Users shall block any data/information required by the SLDC for maintaining reliability and security of the grid and for analysis of an event.

5.3 FREQUENCIES AND VOLTAGE MANAGEMENT AND REACTIVE POWER PRICING

1) Introduction

Section-5.3 describes the method by which all Users of the Transmission System shall co-operate with the Transmission Licensee in contributing towards effective control of the system frequency and managing the voltage of the Transmission System.

The Transmission Licensee's system normally operates in synchronism with the Central Synchronous Power System (in which Western Region, Eastern Region and North East Region are connected) ERLDC is the Apex Body for operation of Eastern Regional Grid. The constituents of the Eastern Region are required to follow the instructions of ERLDC for safe and secure operation of the Regional Grid. SLDC shall accordingly instruct *State* Generating Units and CGPs to regulate generation/export and hold reserves of active and reactive power, within their respective declared parameters. SLDC shall also regulate load and bilateral exchange as may be necessary to meet this objective. ²

Transmission System voltage levels can be affected by regional operation. High voltages generally occur during high frequency and vice versa, therefore system frequency regulation must be recognised as an important method of voltage control. The Transmission Licensee shall optimise voltage management by adjusting transformer taps to the extent available and switching of circuits/reactors and other operational steps. SLDC will instruct Generating

¹. The words "cascading" substituted by "cascade tripping" vide GN dated 29th October 2008

². The words "Operational and" deleted vide GN dated 29th October 2008

Units and CGPs to regulate MVAR generation within their³declared parameters. SLDC shall also instruct Distribution Companies to regulate demand if necessary.

2) Objective

The objectives of this Section are as below-

- i) to define the responsibilities of all Users in contributing to frequency management.
- ii) to define the actions required enabling the Transmission Licensee to maintain Transmission System voltages and frequency within acceptable levels in accordance with IEGC, CEA guidelines, and Transmission Planning and Security Standards, as appropriate.

3) Frequency Management

- a) i) SLDC in co-ordination with ERLDC shall make all possible efforts to ensure that the grid frequency always remains within the 49.0 to 50.5 Hz band, the frequency range within which steam turbines conforming to the IEC specifications can safely operate. It shall however be the objective to maintain operational frequency within the limits as specified in Connection Conditions. Any frequency deviation beyond the normal range shall be jointly identified by SLDC and ERLDC and appropriate action taken.
- ii) SLDC shall always endeavour to restrict net drawal to within the Drawal Schedule whenever system frequency is below 49.5 Hz. When frequency falls below 49.0 Hz, SLDC shall explore and utilize internal generation capacity and then requisite load shedding as agreed with distribution companies, shall be carried out in the State by SLDC to curtail the over-drawal.
- iii) The recommended rate for changing the governor setting, i.e., supplementary control for increasing or decreasing the output (generation level) for all Generating Units, irrespective of their type and size, would be one (1.0) per cent per minute or as per manufacturer's limits. However, if frequency falls below 49.5 Hz, all partly loaded Generating Units shall pick up additional load at a faster rate, according to their capability.
- iv) Except under an emergency, or to prevent an imminent damage to costly equipment, no User shall suddenly reduce his Generating Unit output by more than one hundred (100) MW without prior intimation to and consent of the State Load Despatch Centre, particularly when frequency is falling or is below 49.0Hz. Similarly, no User shall cause a sudden increase in its load by more than one hundred (100 MW) without prior intimation to and consent of the State Load Despatch Centre.

b) Responsibilities

SLDC shall monitor actual Drawal against scheduled Drawal and regulate internal generation/ demand to maintain this schedule. Generators, CGPs and bilateral Agencies shall follow the despatch instructions issued by SLDC. Distribution companies and bilateral Agencies shall co-operate with SLDC in managing load on instruction from SLDC as required.

c) **Falling frequency**

- i) Whenever system frequency is below 49.5 Hz, Gridco through SLDC shall endeavour to restrict its net drawal from the regional grid within its Drawal Schedules. The generation at all SGS /CGPs (except those on peaking duty) shall be maximized, at least up to the level which can be sustained, without waiting for an advise from SLDC. When the system frequency is below 49.0 Hz. requisite load shedding shall be carried out by SLDC by instructing distribution companies as per prearranged schedules.
- ii) All Users shall provide automatic under-frequency and df/dt load shedding in their respective systems, to arrest frequency decline that could result in a collapse/disintegration of the grid, as per the plan separately finalised by the ¹ [***]-Protection Co-ordination Committee of the STU, and shall ensure its effective application to prevent cascade tripping of Generating Units in case of any contingency. All Users shall ensure that the above under frequency and df/dt load shedding/islanding schemes are functional. However, in case of extreme contingencies, these relays may be temporarily kept out of service with prior consent of SLDC, which shall independently check and keep a record of its findings.

d) **Rising frequency**

Under rising frequency conditions, SLDC shall take appropriate action to issue instructions to generators/ CGPs, in co-ordination with ERLDC, to arrest the rising frequency and restore frequency within normal range.

When the frequency is higher than 50.5 Hz, the actual net injection shall not exceed the scheduled despatch for that block. Also, while the frequency is above 50.5 Hz, the Generating Companies may (at their discretion) back down without waiting for an advice from SLDC to restrict the frequency rise.

4) Frequency Linked Pricing Operation⁴

All Users have to operate the system according to the standing frequency linked load despatch guidelines as specified at Clause 6.4 of this OGC.

5) Voltage Management

- i) The Transmission Licensee shall carry out load flow studies from time to time to predict where voltage problems may be encountered and to identify appropriate measures to ensure that voltages remain within the defined limits. On the basis of these studies SLDC shall instruct generators and CGPs to maintain specified voltage levels at interconnecting points.
- ii) The Transmission Licensee shall co-ordinate with the distribution companies to determine voltage levels at the External Inter Connection Points with distribution companies. Distribution companies shall participate in voltage management by regulating their Drawal as may be required. The Distribution Company shall endeavour to minimize the VAr drawal at an External Inter Connection Point.

¹ The words "Operational and" deleted vide GN dated 29th Oct 2008

- iii) SLDC shall continuously monitor 400/220/132 kV voltage levels at strategic sub-stations. SLDC in consultation with RLDC may issue directions for Switching in/out of all 400 kV bus and line Reactors throughout the grid / tap changing on all 400/220 Kv ICTs shall also be done as per RLDC conveyed through SLDC's . In case of persistent voltage problem SLDC will interact with RLDC for remedial measure.
- iv) SLDC shall, in co-ordination with ERLDC, regulate voltage levels so that there is minimal reactive drawal from regional Transmission System.
- v) In general, the Beneficiaries shall endeavour to minimize the VAr drawal at an interchange point when the voltage at that point is below 95% of rated, and shall not return VAr when the voltage is above 105%. Auto Transformer taps at the respective drawal points may be changed to control the VAr interchange as per a Beneficiaries' request to the SLDC, but only at reasonable intervals.
- vi) The SLDC shall take appropriate measures to control Transmission System voltages, which may include but not be limited to transformer tap changing and use of MVAR reserves with Generating Units and CGPs within technical limits agreed to between the Transmission Licensee and Generating Units/CGPs.
- vii) Generators and CGPs shall inform SLDC of their reactive reserve capability promptly on request.
- viii) Generators shall make available to SLDC the up-to-date capability curves for all Generating Units, as detailed in Chapter-4, indicating any restrictions, to allow accurate system studies and effective operation of the Transmission System. CGPs shall similarly furnish the net reactive capability that will be available for export to/ import from Transmission System.
- ix) All Generating Units shall normally have their Automatic Voltage Regulators (AVRs) in operation, with appropriate settings. In particular, if a Generating Unit of over fifty (50) MW size is required to be operated without its AVR in service, the SLDC shall be immediately intimated about the reason and duration, and its permission obtained. Power System Stabilizers (PSS) in AVRs of Generating Units (wherever provided), shall be got properly tuned by the respective Generating Unit owner as per a plan prepared for the purpose by the STU from time to time. STU will be allowed to carry out checking of PSS and further tuning it, wherever considered necessary.
- x) All Users shall make all possible efforts to ensure that the grid voltage always remains within the following Operating Range.

VOLTAGE – (KV rms)

Nominal	Maximum	Minimum
400	420	360
220	245	200
132	145	120

- xi) All Users shall also facilitate identification, installation and commissioning of system protection schemes in the Power System to protect against situations such as voltage collapse and cascading. Such schemes would be finalized by the STU.

6) Reactive Power Pricing Policy

- i) Reactive power compensation should ideally be provided locally, by generating reactive power as close to the reactive power consumption as possible. The Beneficiaries are therefore expected to provide local VAR compensation/ generation such that they do not draw VARs from the EHV grid, particularly under low-voltage condition. However, considering the present limitations, this is not being insisted upon. Instead, to discourage VAR draws by Beneficiaries, VAR exchanges with State Transmission System shall be priced as follows:

- The Beneficiary pays for VAR drawal when voltage at the metering point is below 97%
- The Beneficiary gets paid for VAR return (when voltage is below 97%
- The Beneficiary gets paid for VAR drawal when voltage is above 103%
- The Beneficiary pays for VAR return when voltage is above 103%

Provided that there should be no charge /payment for VAR drawal / return by a Beneficiary on its own line emanating directly from a SGS.

- ii) The charge/payment for VARs, shall be at a nominal paise / kVARh rate as may be specified by OERC from time to time, and will be between the Beneficiary and the State pool account for VAR interchanges.
- iii) Notwithstanding the above, SLDC may direct a Beneficiary to curtail its VAR drawal / injection in case the security of grid or safety of any equipment is endangered.
- iv) The SGS shall generate/absorb reactive power as per instructions of SLDC, within capability limits of the respective Generating Units, that is without sacrificing on the active generation required at that time. No payments shall be made to the generating companies for such VAR generation/absorption.
- v) VAR exchange directly between two Beneficiaries on the interconnecting lines owned by them (singly or jointly) generally address or cause a local voltage problem, and generally do not have an impact on the voltage profile of the State grid. Accordingly, the management/ control and commercial handling of the VAR exchanges on such lines shall be as per following provisions, on case-by-case basis:

- a) The two concerned Beneficiaries may mutually agree not to have any charge / payment for VAr exchanges between them on an interconnecting line.
- b) The two concerned Beneficiaries may mutually agree to adopt a payment rate/scheme for VAr exchanges between them identical to or at variance from that specified by OERC for VAr exchanges with STS. If the agreed scheme requires any additional metering, the same shall be arranged by the concerned Beneficiaries.
- c) In case of a disagreement between the concerned Beneficiaries (e.g. one party wanting to have the charge/payment for VAr exchanges, and the other party refusing to have the scheme), the scheme as specified in Annexure-I to Chapter-5 shall be applied. The per KVARh rate shall be as specified by OERC for VAr exchanges with State Transmission System.
- d) The computation and payments for such VAr exchanges shall be affected as mutually agreed between the two Beneficiaries.

7) General

Close co-ordination between Users and the SLDC shall exist at all times for the purposes of effective frequency and voltage management.

5.4 DEMAND ESTIMATION FOR OPERATIONAL PURPOSES

1) Introduction

- a) This Section describes the procedures/responsibilities of the SLDC for demand estimation for both Active Power and Reactive Power.
- b) The demand estimation is to be done on daily/weekly/monthly basis for current year.
(Please refer Annexure II, III, IV and V to Chapter-5)
- c) Each SLDC shall carry out its own demand estimation from the historical data.
- d) While the demand estimation for operational purposes is to be done on a daily/ weekly/ monthly basis initially, mechanisms and facilities at SLDC shall be created at the earliest to facilitate on-line estimation for daily operational use.

2) Objective

- a) The objective of this procedure is to enable the SLDC to estimate their demand over a particular period.
- b) The demand estimates are to enable the SLDC to conduct system studies for Operational Planning purposes.

3) Procedure

The SLDC shall develop methodologies/mechanisms for daily / weekly / monthly / yearly demand estimation (MW, MVAR and MWh) for operational purposes. The data for the estimation shall also include load shedding, power cuts, etc. SLDC shall also maintain historical database for demand estimation.

4) Demand Estimation

- a) Demand estimation is necessary both in the long time scale to ensure adequate system plant margins and ratings and in the shorter time scale to assist with frequency control (see Scheduling and Despatch Code Chapter).
- b) Distribution companies and other Agencies involved in bilateral exchanges shall provide to the SLDC their estimates of demand/export for Active power (MW), Reactive power (MVAR) and Energy consumption (MU) at each connection / External Interconnection Point on daily / weekly / monthly basis (Formats as per Annexures II, III, IV and V respectively). The distribution companies shall intimate to the SLDC the methodology used in producing their forecasts.
- c) The SLDC shall use this data
 - i) to assist in determination of the generation schedule for next day;
 - ii) to determine the most onerous conditions affecting constraints and voltage performance for next week;
 - iii) to check outage Plan viability for peak and Lean Periods for next month.
- d)
 - i) The data shall be in the form of 96 blocks (15 minutes) period averaged demand figure for that day, the weekly / monthly data shall be in the form of 24 hourly averaged demand figures for that week/month and yearly data shall be in the form of month wise energy requirement for the year. All the above data shall be in respect of each inter connection point.
 - ii) The demand /export estimates provided by the distribution companies and other Users involved in bilateral exchanges shall be updated as necessary and sent each month to the SLDC 15 days ahead on same daily / weekly / monthly basis.
 - iii) The demand estimates shall be further updated and sent to SLDC in accordance with the provision of Chapter- 6, Scheduling and Despatch.
 - iv) The SLDC shall make its own demand forecast using hourly demand summation of each sub-station and CGP import / export figures provided under Chapter-7 or by using suitable computer program, to compare with demand estimates provided by Users.
 - v) SLDC shall notify a Contact Person who shall be responsible for day ahead demand forecast. The official and residential telephone numbers of the Contact Person shall be intimated to all the distribution companies. Similarly all the distribution companies shall notify the Contact Person with telephone numbers and intimate SLDC. In case of change of Contact Person, it should be intimated to SLDC and vice versa.
 - vi) Distribution companies shall provide to SLDC estimates of load that may be shed, when required, in discrete blocks with the details of the arrangements of such load shedding.

- vii) While the demand estimation for operational purposes is to be done on a daily/weekly/monthly basis initially, mechanisms and facilities at SLDC shall be created at the earliest to facilitate on-line estimation for daily operational use.
- viii) All data shall be collected in accordance with procedures agreed between the SLDC and each User.
- ix) SLDC shall maintain a database of State demand on a fifteen minutes basis.

5.5 DEMAND MANAGEMENT

1) Introduction

This Section is concerned with the provisions to be made by SLDC to effect a reduction of demand in the event of insufficient generating capacity, and transfers from External Interconnections being not available to meet demand, or in the event of breakdown or operating problems (such as frequency, voltage levels or thermal overloads) on any part of the grid.

2) Manual Demand Disconnection

- a) As mentioned elsewhere, the Distribution Licensees and other Users shall endeavour to restrict their net drawal from the grid to within their respective Drawal Schedules whenever the system frequency is below 49.5 Hz. When the frequency falls below 49.0 Hz, requisite load shedding (manual) shall be carried out to curtail the over-drawal.
- b) Further, in case of certain contingencies and/or threat to system security, the SLDC may direct a User to decrease its drawal by a certain quantum. Such directions shall immediately be acted upon.
- c) Each User shall make arrangements that will enable manual demand disconnection to take place, as instructed by the SLDC, under normal and/or contingent conditions.
- d) The measures taken to reduce the Users drawal from the grid shall not be withdrawn as long as the frequency/voltage remains at a low level, unless specifically permitted by the SLDC.

5.6 PERIODIC REPORTS

1) Weekly Reports

A weekly report shall be issued by SLDC to all Users, which shall cover the performance of the State grid for the previous week. Such weekly report shall also be available on the website of the SLDC for at least 12 weeks. The weekly report shall contain the following:

- a) Frequency profile
- b) Voltage profile of selected substations
- c) Major Generation and Transmission Outages
- d) Transmission Constraints
- e) Instances of persistent/significant non-compliance of OGC.

2) Other Reports

- a) The SLDC shall prepare a quarterly report and shall issue to all the Users, which shall bring out the system constraints, reasons for not meeting the requirements, if any, of security standards and quality of service, along with details of Various actions taken by different Users, and the Users responsible for causing the constraints.
- b) The SLDC shall also provide information/report, which can be called for by Users in the interest of smooth operation of the State Transmission System.

5.7 OPERATIONAL LIAISON

1) Introduction

- a) This Section sets out the requirements for the exchange of information in relation to operations and/or events on the total grid system, which have had or will have an effect on:
 - ❖ The State Transmission System
 - ❖ The State Generating Stations
 - ❖ The system of an User

The above generally relates to notifying of what is expected to happen or what has happened and not the reasons why.
- b) The operational liaison function is a mandatory built-in hierarchical function of the SLDC and Users, to facilitate quick transfer of information to operational staff. It will correlate the required inputs for optimisation of decision-making and actions.

2) Procedure for Operational Liaison

- a) **Operations and events on the State Grid**
 - i) Before any operation is carried out on State grid, the SLDC will inform each User, whose system may, or will, experience an operational effect, and give details of the operation to be carried out.
 - ii) Immediately following an event on State grid, the SLDC will inform each User, whose system may, or will, experience an operational effect following the event, and give details of what has happened in the event but not the reasons why.
- b) **Operations and events on a User's system.**
 - i) Before any operation is carried out on a User's system, the User will inform the SLDC, in case the State grid may, or will, experience an operational effect, and give details of the operation to be carried out.
 - ii) Immediately following an event on an User's system, the User will inform the LDC, in case the State Grid may, or will, experience an operational effect following the event, and give details of what has happened in the event but not the reasons why.

5.8 OUTAGE PLANNING

1) Introduction

This Section describes the process by which the Transmission Licensee carries out the planning of Transmission System outages, including interface co-ordination with Users.

- a) This also sets out the procedure for preparation of outage schedule for the element of the State grid in a coordinated and optimal manner keeping in view the State system operating conditions and the balance of generation and demand. (list of elements of grid covered under these stipulations shall be prepared and be available with SLDC).
- b) The generation out put and Transmission System should be adequate after taking into account the outages to achieve the Security Standards.
- c) Annual outage plan shall be prepared in advance for the financial year by the SLDC and reviewed during the year on quarterly and monthly basis.

2) Objective

- a) To produce a coordinated generation outage programme for the State Grid considering all the available resources and taking into account transmission constraints, as well as, irrigational requirements.
- b) To minimise surplus or deficits, if any, in the system requirement of power and energy and help operate system within Security Standards.
- c) To optimise the transmission outages of the elements of the State Grid without adversely affecting the grid operation but taking into account the Generation Outage Schedule, outages of Distribution Licensees /STU systems and maintaining system security standards.

3) Scope

This Section is applicable to all Users including SLDC, Distribution Licensees, STU, other transmission Licensees and SGS.

4) Outage planning Process

- a) The SLDC shall be responsible for analysing the outage schedule given by all Users, preparing a draft annual outage schedule and finalization of the annual outage plan for the following financial year by 31st January of each year.
- b) All Distribution Licensees / STU, SGS shall provide SLDC their proposed outage programmes in writing for the next financial year by 1st August of each year. These shall contain identification of each Generating Unit/line/ICT, the preferred date for each outage and its duration and where there is flexibility, the earliest start date and latest finishing date.
- c) SLDC shall then come out with a draft outage programme for the next financial year before 30th November of each year for the State grid taking into account the available

resources in an optimal manner and to maintain security standards. This will be done after carrying out necessary system studies and, if necessary, the outage programmes shall be rescheduled. Adequate balance between generation and load requirement shall be ensured while finalising outage programmes.

- d) SLDC shall inform this draft outage programme to ERPC in writing by 30th November for each financial year.
- e) ERPC will then come out with a draft outage programme for the next financial year by 31st December of each year for the regional grid.
- f) The final outage plan shall be intimated to all regional constituents and RLDC for implementation latest by 31st January of each year as mutually decided in REB/RPC forum.
- g) SLDC shall interact with all Users as necessary to review and optimise the draft plan, agree to any changes and produce an acceptable co-ordinated generation and transmission outage plan by 1st February each year.
- h) SLDC shall release the finally agreed transmission outage plan, which takes account of regional and User requirements, to all Users by 1st March each year.
- i) The above annual outage plan shall be reviewed by SLDC on quarterly and monthly basis in consultation with ERLDC and Users who shall be informed by SLDC any proposed changes. SLDC shall review the monthly outage plan, generation schedule and other operational aspects related to system operation in the monthly Power System Operational Co-ordination committee meeting to be held by SLDC.
- j) In case of emergency in the system, viz., loss of generation, break down of transmission line affecting the system, grid disturbances; system isolation SLDC may conduct studies again before clearance of the planned outage.
- k) SLDC is authorized to defer the planned outage in case of any of the following, taking into account the statutory requirements:
 - ❖ Major grid disturbances (Total black out in State)
 - ❖ System isolation
 - ❖ Partial Black out in the State.
 - ❖ Any other event in the system that may have an adverse impact on the system security by the proposed outage.
- l) The detailed generation and transmission outage programmes shall be based on the latest annual outage plan (with all adjustments made to date).
- m) Users' requests for additional Outages will be considered by SLDC and accommodated to the extent possible.
- n) SLDC shall inform Users promptly of any changes that affect them.
- o) Each STU/SGS/Distribution Licensee shall obtain the final approval from SLDC prior to availing an outage.

5) Release of Circuit and Generation Units included in Outage Plan.

Notwithstanding provision in any approved outage plan, no cross boundary circuits or Generating Unit of a generator shall be removed from service without specific release from SLDC. This restriction shall not be applicable to individual Generating Unit of a CGP.

Once an outage has commenced, if any delay in restoration is apprehended, SLDC or User concerned shall inform the other party promptly together with revised estimation of restoration time.

6) Data Requirements

Users shall provide SLDC with data for this Section as specified in the Data Registration Chapter- 12 of this OGC.

5.9 RECOVERY PROCEDURES

- 1) Detailed plans and procedures for restoration of the State grid under partial/total blackout shall be developed by SLDC in consultation with all Users and shall be reviewed / updated annually.
- 2) Detailed plans and procedures for restoration after partial / total blackout of Transmission System will be finalised by the STU in coordination with the SLDC. The procedure will be reviewed, confirmed and/or revised once every subsequent year. Mock trial runs of the procedure for different sub-systems shall be carried out by the STU at least once every six months under intimation to the SLDC.
- 3) List of Generating Stations with Black Start facility, synchronizing points and essential loads to be restored on priority, shall be prepared and be available with SLDC.
- 4) The SLDC is authorized during the restoration process following a black out; to operate with reduced security standards for voltage and frequency as necessary in order to achieve the fastest possible recovery of the grid.
- 5) All communication channels required for restoration process shall be used for operational communication only, till grid normalcy is restored.

5.10 EVENT INFORMATION

1) Introduction

This Section deals with reporting procedures in writing of reportable events in the system to all Users and SLDC.

2) Objective

The objective of this section is to define the incidents to be reported, the reporting route to be followed and the information to be supplied to ensure a consistent approach to the reporting of incidents /events.

3) Scope

This Section covers all Users and SLDC.

4) Responsibility

- a) The SLDC shall be responsible for reporting events to the Users.
- b) SLDC shall be responsible for collection and reporting of all necessary data to Users for monitoring, reporting and event analysis.

5) Reportable Events

- a) Any of the following events require reporting by SLDC / STU/ Users:
 - i) Violation of security standards.
 - ii) Grid indiscipline.
 - iii) Non-compliance of SLDC's instructions.
 - iv) System islanding/system split
 - v) State black out/partial system black out
 - vi) Protection failure on any element of the State systems.
 - iv) Power System instability
 - v) Tripping of any element of the Regional grid.
- b) Typical examples of reportable incidents that could affect the state Transmission System are the following:
 - i) Exceptionally high/low system voltage or frequency.
 - ii) Serious equipment problem, e.g. major circuit, transformer or bus bar.
 - iii) Loss of major Generating Unit.
 - iv) Transmission System breakaway or Black Start.
 - v) Major fire incidents.
 - vi) Equipment and transmission line overload.
 - vii) Excessive Drawal deviations.
 - viii) Minor equipment alarms.

The last two reportable incidents are typical examples of those, which are of lesser consequence, but which still affect the Transmission System and can be reasonably classed as minor. They will require corrective action but may not warrant management reporting until a later, more reasonable time.

6) Reporting Procedure

- a) All reportable incidents occurring in lines and equipment of 11 kV and above at grid sub-stations shall promptly be reported orally by the User whose equipment has experienced the incident (The Reporting User) to any other significantly affected Users and to SLDC.
- b) Within 1 (one) hour of being informed by the Reporting User, SLDC may ask for a written report on any incident.

- c) If the reporting incident cannot be classed as minor then the Reporting User shall submit an initial written report within two hours of asking for a written report by SLDC. This has to be further followed up by the submission of a comprehensive report within 48 hours of the submission of the initial written report.

In other cases the Reporting User shall submit a report within 5 (five) working days to SLDC.

- d) In the case of an event occurring in EHV system and generating equipment which was initially reported by STU / Transmission Licensee/ State Generator, SLDC will give a written report to ERLDC as stipulated in IEGC.
- e) SLDC may call for a report from any User on any reportable incident affecting other Users and the licensee in case the same is not reported by such User whose equipment might have been source of the reportable incident.

The above shall not relieve any User from the obligation to report events in accordance with the IE Rules.

7) Form of Written Reports:

A written report shall be sent to SLDC, and will confirm the oral notification together with the following details of the event:

- ❖ Time and date of event
- ❖ Location
- ❖ Plant and/or Equipment directly involved
- ❖ Description and cause of event
- ❖ Antecedent conditions
- ❖ Demand and/or Generation (in MW) interrupted and duration of interruption
- ❖ All Relevant system data including copies of records of all recording instruments including Disturbance Recorder, Event Logger, DAS etc.
- ❖ Sequence of tripping with time.
- ❖ Details of Relay Flags.
- ❖ Remedial measures.
- ❖ Estimate of time to return to service.
- ❖ Name of originator.

The standard reporting form other than for accidents shall be as per the Annexure-VI to Chapter- 5 of the OGC.

8) Major Failure

Following a major failure, the Transmission Licensee and other Users shall co-operate to inquire and establish the cause of such failure and produce appropriate recommendations. The Transmission Licensee shall report the major failure to the Commission immediately for information and shall submit the enquiry report to the Commission within 2(two) months of the incident.

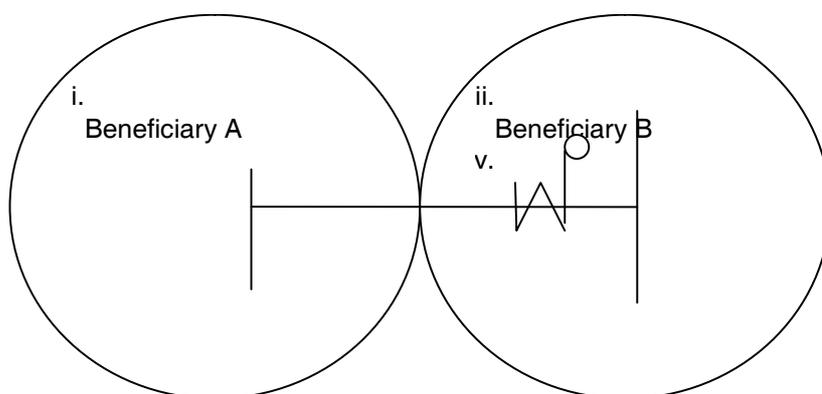
9) Accident Reporting

Reporting of accidents shall be in accordance with the IE Rules, 1956, Rule 44-A. In both fatal and non-fatal accidents, the report shall be sent to the Electrical Inspector in the prescribed form.

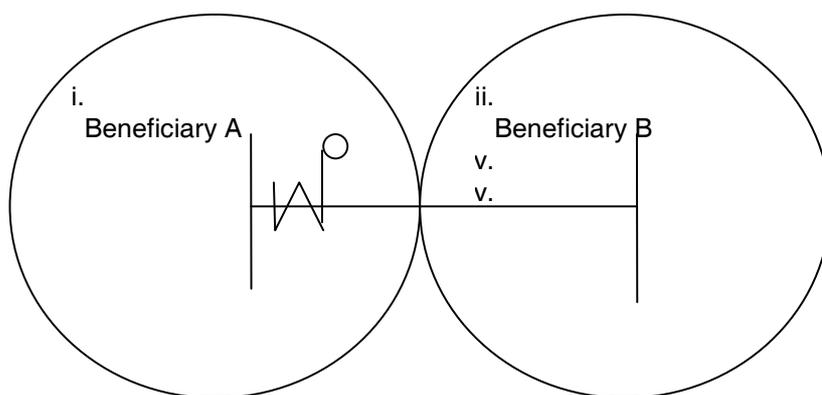
Annexure - I
[Refer section 5.3(6)]

**PAYMENT FOR REACTIVE ENERGY EXCHANGES
ON BENEFICIARY OWNED LINES**

Case – 1: Interconnecting line owned by Beneficiary - A
Metering Point: Substation of Beneficiary- B



Case - 2: Interconnecting line owned by Beneficiary - B
Metering point: Substation of Beneficiary-A



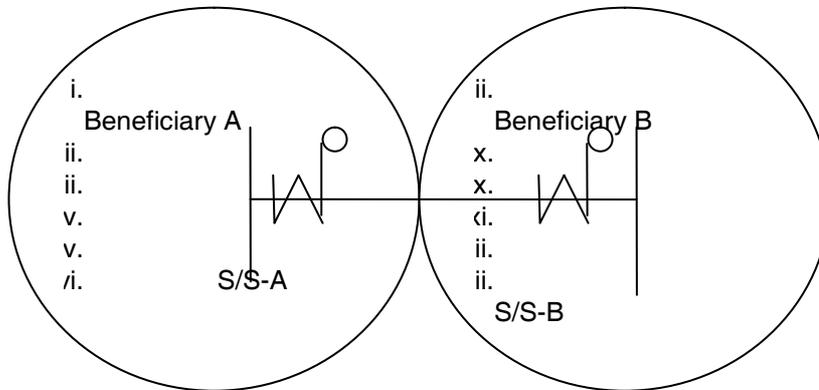
Beneficiary -B pays to Beneficiary -A for

- i) Net VARh received from Beneficiary -A while voltage is below 97%,
- and
- ii) Net VARh supplied to Beneficiary -A while voltage is above 103%

Note: Net VARh and net payment may be positive or negative

Case - 3: Interconnecting line is jointly owned by Beneficiary-A and-B.

Metering points: Substations of Beneficiary-A and Beneficiary-B



Net VARh exported from S/S-A, while voltage < 97% = X1

Net VARh exported from S/S-A, while voltage > 103% = X2

Net VARh imported at S/S-B, while voltage < 97% = X3

Net VARh imported at S/S-B, while voltage > 103% = X4

- i) Beneficiary-B pays to Beneficiary-A for X1 or X3, whichever is smaller in magnitude, and
- ii) Beneficiary-A pays to Beneficiary-B for X2 or X4, whichever is smaller in magnitude.

Note:

1. Net VARh and net payment may be positive or negative.
2. In case X1 is positive and X3 is negative, or vice-versa, there would be no payment under (i) above.
3. In case X2 is positive and X4 is negative, or vice-versa, there would be no payment under(ii) above.

ANNEXURE-III TO CHAPTER-5

Weekly a head forecast of demand at inter connection points for the next week (Monday to Sunday)

To be furnished by Friday of each week

Sl. NO.	Name of S/S ----> Hr	{Ref-Section 5.4(1) and (4)}																									
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total	
1	MW																										
2	MVAr																										
3	MW																										
4	MVAr																										
5	MW																										
6	MVAr																										
7	MW																										
8	MVAr																										
9	MW																										
	MVAr																										
	MW																										
	MVAr																										
	MW																										
	MVAr																										
	MW																										
	MVAr																										
N	MW																										
	MVAr																										

Signature of Authorised signatory of
the Licensee

ANNEXURE-IV TO CHAPTER-5

Month ahead forecast of demand at inter-connection points for the next month

To be furnished by 15th of current month

Sl. NO.	Name of SIS ---> Hr	{Ref-Section 5.4(1) and (4)}																									
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total	
1	MW																										
	MVAR																										
2	MW																										
	MVAR																										
3	MW																										
	MVAR																										
4	MW																										
	MVAR																										
5	MW																										
	MVAR																										
6	MW																										
	MVAR																										
7	MW																										
	MVAR																										
8	MW																										
	MVAR																										
9	MW																										
	MVAR																										
	MW																										
	MVAR																										
N	MW																										
	MVAR																										
Total	MW																										
	MVAR																										

Signature of Authorised signatory of
the Licensee

Annexure VI to Chapter-5
[Ref: Regulation 5.9(7)]

INCIDENT REPORTING

FIRST REPORT _____

Date:

Time:

1. Date and time of incident:
2. Location of incident:
3. Type of incident:
4. System parameters before the incident:
(Voltage, Frequency, Flows, Generation, etc.)
5. System parameters after the incident:
6. Network configuration before the incident:
7. Relay indications received and performance of protection :
8. Damage to equipment :
9. Supplies interrupted and duration, if applicable :
10. Amount of Generation lost, if applicable :
11. Estimate of time to return to service :
12. Cause of incident :
13. Any other relevant information :
14. Recommendations for future improvement/ repeat incident :
15. Name of the Organisation :

CHAPTER - 6

SCHEDULING AND DESPATCH CODE

6.1 INTRODUCTION

This Chapter specifies the procedure to be adopted for the scheduling and despatch of Generating Units to meet demand and drawal allocation requirements.

It further sets down the procedures to be followed by Users so that the SLDC can meet its daily Drawal Schedule whilst ensuring that reactive power drawals/ returns are minimised.

This Chapter sets out the

- a) Demarcation of responsibilities between Various Users and SLDC in scheduling and despatch
- b) Procedure for scheduling and despatch
- c) Complementary Commercial Mechanism (Annexure-1 to Chapter 6)

6.2 OBJECTIVE

This code deals with the procedures to be adopted for scheduling of the State Generating Stations (SGS) including ISGS so far as injection to grid and net Drawals of concerned Users on a daily basis with the modality of the flow of information between the SGS / SLDC/Beneficiaries of the State grid. The procedure for submission of capability declaration by each SGS and submission of Drawal Schedule by each Beneficiary is intended to enable SLDC to prepare the Despatch Schedule for each SGS and Drawal Schedule for each Beneficiary. It also provides methodology of issuing real time despatch/ drawal instructions and rescheduling, if required, to SGS and Beneficiaries along with the commercial arrangement for the deviations from schedules, as well as, mechanism for reactive power pricing. The provisions contained in this chapter are without prejudice to the powers conferred on SLDC under section 32 and 33 of the Act.

6.3 SCOPE

This Section will be applicable to SLDC, SGS, Distribution Licensees /STUs and other Beneficiaries in the State grid including CGPs and Open Access Customers.

6.4 DEMARCATION OF RESPONSIBILITIES

- 1) The Regional grids shall be operated as loose power pools (with decentralized scheduling and despatch), in which the State shall have full operational autonomy, and SLDC shall have the total responsibility as per following guidelines for (i) scheduling / despatching State's own generation (including generation of its embedded licensees), (ii) regulating the demand of its customers, (iii) scheduling its drawal from the ISGS (within its share in the respective plant's expected capability), (iv) arranging any bilateral interchanges, and (v) regulating its net drawal from the regional grid.

- 2) The system of the State shall be treated and operated as a notional control area. The algebraic summation of scheduled drawal from ISGS/SGS/CGP and any bilateral interchange shall provide the Drawal Schedule of the State, and this shall be determined in advance on daily basis. While the State would generally be expected to regulate its generation and/or consumers' load so as to maintain its actual drawal from the regional grid close to the above schedule, a tight control is not mandated. The States may, at its discretion, deviate from the Drawal Schedule, as long as such deviations do not cause system parameters to deteriorate beyond permissible limits and/or do not lead to unacceptable line loading.
- 3) The above flexibility has been proposed in view of the fact that the State does not have all requisite facilities for minute-to-minute on-line regulation of the actual net drawal from the regional grid. Deviations from net Drawal Schedule are however, to be appropriately priced through the Unscheduled Interchange (UI) mechanism.
- 4) Provided that the State, through its SLDC, shall always endeavour to restrict its net drawal from the grid to within its Drawal Schedules as specified at Sections 5.3(3) (a)(ii) and 5.3(3) (c)(i) of Chapter-5 of the OGC.
- 5) The SLDC/STU shall regularly carry out the necessary exercises regarding short-term and long-term demand estimation for the State grid, to enable them to plan in advance as to how they would meet their consumers' load without overdrawing from the grid.
- 6) The SGS/CGP shall be responsible for power generation /injection generally according to the daily schedules advised to them by the SLDC on the basis of the requisitions received from the Distribution Licensees and Beneficiaries, and for proper operation and maintenance of their generating stations, such that these stations achieve the best possible long-term availability and economy.
- 7) While the SGS and CGP would normally be expected to generate power according to the daily schedules advised to them, it would not be mandatory to follow the schedules tightly. The SGS and CGP may also deviate from the given schedules depending on the plant and system conditions. In particular, they would be allowed/encouraged to generate beyond the given schedule under deficit conditions. Deviations from the Ex-power Plant generation injection schedules shall, however, be appropriately priced through the UI mechanism.
- 8) Provided that when the frequency is higher than 50.5 Hz or falls below 49.5 Hz, the actual net injection and the scheduled despatch for that hour shall be regulated as specified at Section 5.3 (3) of the OGC.
- 9) However, notwithstanding the above, the SLDC may direct the Distribution Licensees / Trading Licensees / Bulk Consumers/SGS/CGP to increase/decrease their drawal/generation in case of contingencies e.g. overloading of lines/transformers, abnormal voltages and threat to system security. Such directions shall immediately be acted upon. In case the situation does not call for very urgent action, and SLDC has some time for analysis, it shall be checked whether the situation has arisen due to deviations from schedules, or due to any power flows pursuant to short-term Open Access. These shall be got terminated first in above sequence, before an action, which would affect the scheduled supplies from SGS/CGP to the Long Term Customers is initiated.

- 10) For all outages of generation and Transmission System, which may have an effect on the State grid, all Users shall co-operate with each other and co-ordinate their actions through Power System Operational ¹[***] Coordination Committee of the SLDC for outages foreseen sufficiently in advance and through SLDC (in all other cases), as per procedures finalized separately by this Committee. In particular, outages requiring restriction of ISGS/SGS/CGP generation and/or restriction of ISGS share which a Beneficiary can receive (and which may have a commercial implication) shall be planned carefully to achieve the best optimisation.
- 11) All ABT Users should abide by the concept of frequency-linked load despatch and pricing of deviations from schedule, i.e., unscheduled interchanges. All Generating Units and the licensees should normally be operated according to the standing frequency-linked load despatch guidelines issued by the RLDC, to the extent possible, unless otherwise advised by the RLDC/SLDC.
- 12) It shall be incumbent upon the SGS/ISGS to declare the plant capabilities faithfully, i.e., according to their best assessment. In case, it is suspected that they have deliberately over/under declared the plant capability contemplating to deviate from the schedules given on the basis of their capability declarations (and thus make money either as undue capacity charge or as the charge for deviations from schedule), the SLDC may ask the SGS/ISGS to explain the situation with necessary backup data.
- 13) The STU shall install special energy meters on all inter connections between the Users/Beneficiaries and other identified points for recording of actual net MWh interchanges and MVarh drawals ²[as per relevant CEA regulation on metering]. The type of meters to be installed, metering scheme, metering capability, testing and calibration requirements and the scheme for collection and dissemination of metered data are detailed in Chapter-10. All concerned entities (in whose premises the special energy meters are installed) shall fully co-operate with the STU/SLDC and extend the necessary assistance for taking weekly meter readings by STU and transmitting them to the SLDC.¹
- 14) The SLDC shall be responsible for computation of actual net MWh injection of each SGS/CGP /ISGS and actual net drawal of each Beneficiary, 15 minute-wise, based on the above meter readings. The data shall be processed by SLDC to prepare monthly energy account, weekly UI account & reactive energy account. The processed statement shall be forwarded to GRIDCO / STU to prepare and issue the relevant invoice. All computations carried out by SLDC/GRIDCO/STU shall be open to all Users/Beneficiaries for checking / verifications for a period of 15 days. In case any mistake/omission is detected, the SLDC shall forthwith make a complete check and rectify the same.
- 15) SLDC shall periodically review the actual deviation from the despatch and net Drawal Schedules being issued, to check whether any of the Beneficiaries / ISGS / SGS who are

¹. The words “ and protection “ deleted vide GN dated 29th October 2008

². Addendum vide GN dated 29th October 2008

allowed open access are indulging in unfair gaming or collusion. In case any such practice is detected, the matter shall be reported ¹[***] ²[by the SLDC to the Member-Secretary, OGC] for further investigation / action.

6.5 SCHEDULING AND DESPATCH PROCEDURE

1) GENERATION SCHEDULING

All Generators shall provide the fifteen minutes block MW / MVar availability (00.00 - 24.00 hours) of all Generating Units, to SLDC on the day ahead basis by 10.00 hours. CGPs shall provide the fifteen minutes block import/export figures on the day ahead basis by 10.00 hours. In working out the MW / MVar availability, Hydro Power Stations shall take into account their respective reservoir levels and any other restrictions and shall report the same to SLDC.

SLDC shall obtain from ERLDC, capabilities and fifteen minutes block MW and MWh entitlements from ISGS and fifteen minutes block MW and MWh in the case of Chukha Hydro Power Station, by 10 AM on a day ahead basis. The SLDC shall review it vis-à-vis its foreseen load pattern and *State's* own generating capability including bilateral exchanges, if any, and advise the RLDC by 3 PM its Drawal Schedule for each of the ISGS and Chukha Hydro Power Station in which the State has shares, long-term bilateral interchanges, approved short-term bilateral interchanges and composite request for day-ahead open access and scheduling of bilateral interchanges. In preparation of the schedule, SLDC shall take into account of the relative commercial costs to the licensee of the operation of Generation units.

SLDC will receive fifteen minutes block "Net Drawal Schedule" in MW from ERLDC by 17.00 hours for the next day (00.00 hours to 24.00 hours) as summation of the station-wise Ex-power Plant Drawal Schedules for all ISGS and Chukha, after deduction of apportioned transmission losses (estimated).

SLDC shall intimate the generation schedule / import schedule for the following day to all State's generators/CGPs by 18.00 hours.²

Generators shall promptly report to SLDC, changes of Generating Unit availability or capability, or any unexpected situation, which could affect its operation. All CGPs shall similarly report regarding their export to the State grid. SLDC may inform any modification/ changes to be made station wise Drawal Schedule and bilateral interchanges/foreseen capabilities, if any, to ERLDC by 22.00 hours.

SLDC shall advise Users as soon as possible of any necessary rescheduling.

SLDC shall receive final Drawal Schedule from ERLDC by 23.00 hours.

SLDC shall prepare the day ahead generation schedule keeping in view the followings:

- i) Transmission System constraints from time to time.

¹ 1. The words " to the SLDC " deleted vide GN Dated 7th October 2009

² 2. Addendum vide GN Dated 7th October 2009

- ii) Fifteen minutes block load requirements as estimated by SLDC.
- iii) The need to provide Operating Margins and reserves required to be maintained.
- iv) The availability of generation from State Generators, ISGS and CGPs together with constraints, if any, in each case.
- v) Overall economy to the licensee and customers.

SLDC shall instruct generators to hold capacity reserves (spinning and /or stand by) to the agreed ERLDC guidelines or as determined for Local conditions (with due consideration of wastage of water / fuel as the case may be).

SLDC may also require the generators / CGPs to generate MVAR within their respective capability limit, i.e. without sacrificing the active generation, to hold station bus bar voltage at specified levels.

2) GENERATION DESPATCH

All generators shall regulate generation and CGPs regulate their export according to the daily generation schedule.

All Generating Units, other than those in a CGP, will be subject to central despatch instructions. CGPs will be subject to these instructions as applicable to their respective exports to the licensee.

SLDC will despatch by instruction all generation and imports from CGPs according to the fifteen minutes block day ahead generation schedule, unless rescheduling is required due to unforeseen circumstances.

On the day of operation (00.00 to 24.00 hours), in the event of a contingency, SLDC may revise their Drawal Schedule from any / all ISGS and Chukha Hydro Power Station within entitlement. ERLDC will revise and issue Drawal Schedule in consultation with SLDC. All such revisions shall be effective one hour after first advice given to ERLDC.

In absence of any despatch instructions by SLDC, State Generators and CGPs shall generate/ export according to the day ahead generation schedule.

Despatch instructions shall be in standard format. These instructions will recognise declared availability and other parameters, which have been made available by the State Generator to SLDC. These instructions shall include time, Power Station, Generating Units (total export in the case of CGP), name of operators sending and receiving the same.

Despatch instructions may include:

- i) To switch a generator into or out of service.
- ii) Details of reserve to be carried on a unit.
- iii) To increase or decrease MVAR generation to assist with voltage profile.
- iv) To begin pre-planned Black Start procedures.
- v) To hold spinning reserve.
- vi) To hold Generating Units on standby.

3) COMMUNICATION WITH GENERATORS

Despatch instructions shall be issued by e-mail/telephone, confirmed by exchange of names of operators sending and receiving the same and logging the same at each end. All such oral instructions shall be complied with forthwith and written confirmation shall be issued promptly by Fax, Teleprinter or otherwise.

6.6 ACTION REQUIRED BY GENERATORS

All generators and CGPs shall comply promptly with a despatch instruction issued by SLDC unless this action would compromise the safety of plant or personnel.

The Generators and CGPs are required to abide by Sections 5.3 and 5.2 regarding operation of governors and AVRs respectively.

The generator and CGPs shall promptly inform SLDC in the event of any unforeseen difficulties in carrying out an instruction.

Generators shall immediately inform SLDC by telephone of any loss or change (temporary or otherwise) to the operational capability of any Generating Unit which is synchronised to the system or which is being used to maintain system reserve. Generators shall inform SLDC any removal of AVR and/or governor from service with reasons.

CGPs shall similarly inform any change in status affecting their ability in complying with despatch instructions.

Generators shall not de-synchronise Generating Units, other than in respect of CGPs, without instruction from SLDC except on the grounds of safety to plant or personnel, which shall be promptly reported to SLDC.

Generators and CGPs shall report any abnormal voltage and frequency related operation of Generating Units / feeders promptly to SLDC.

Generators shall not synchronise Generating Units, other than in respect of CGPs, without instruction from SLDC. In emergency situations, the generator may synchronise Units with the grid without prior intimation in the interest of the operation of the grid following standing institutions developed for such purpose under "Contingency Planning".

Should a generator fail to comply with any of the above provisions, it shall inform SLDC promptly of this failure.

6.7 ENHANCEMENT OF SCHEDULE AND DESPATCH PROCEDURE

Schedule and despatch procedures shall be suitably enhanced to cater to tariff agreements as soon as any such agreement is reached with generators, IPPs, and CGPs.

6.8 DATA REQUIREMENTS

Users shall provide SLDC with data for this Section as specified in the Data Registration Chapter.

Annexure-1 to Chapter- 6

{Refer Clause 6.1 (c)}

COMPLEMENTARY COMMERCIAL MECHANISMS

1. All Beneficiaries shall pay to the SGS Capacity charges corresponding to plant availability and Energy charges for the scheduled despatch, as per the relevant notifications and orders of OERC. The bills for these charges shall be issued by the respective SGS to each Beneficiary on monthly basis.
2. The sum of the above two charges from all Beneficiaries shall fully reimburse the SGS for generation according to the given Despatch Schedule. In case of a deviation from the Despatch Schedule, the concerned SGS shall be additionally paid for excess generation through the UI mechanism approved by OERC. In case of actual generation falling below the given Despatch Schedule, the concerned SGS shall pay back through the UI mechanism for the shortfall in generation. In case of ISGS who are allowed Open Access, the deviation from despatch schedule shall be governed by UI mechanism.
3. The summation of station-wise Ex-power Plant Despatch Schedules from each SGS and drawal from each ISGS shall be adjusted for export to other states and transmission losses. The net drawal so calculated shall be treated as total drawal of the State. In case of excess drawal to the scheduled load, the Distribution Licensee shall be required to pay through the UI mechanism for the excess energy. In case of under-drawal, the Beneficiary shall be paid back through the UI mechanism, for the energy not drawn.
4. Energy Accounts shall be prepared on monthly basis and the statement of UI charges and Reactive Energy Charges shall be prepared by the SLDC on a weekly basis based on the data provided by the SLDC as per provisions under Section 6.4. (14) and these shall be issued to all Beneficiaries by Tuesday for the seven-day period ending on the previous Sunday mid-night. Payment of UI charges shall have a high priority and the concerned Beneficiary shall pay the indicated amounts within 10 (ten) days of the statement issue into a State UI pool account operated by the SLDC. The Agencies who have to receive the money on account of UI charges would then be paid out from the State UI pool account, within three (3) working days.
5. The SLDC shall also issue the weekly statement for VAr charges, to all Beneficiary who have a net drawal/injection of reactive energy under low/high voltage conditions. These payments shall also have a high priority and the concerned Agencies shall pay the indicated amounts into State reactive account operated by the SLDC within 10 (ten) days of statement issue. The Agency who has to receive the money on account of VAr charges would then be paid out from the state reactive account, within three (3) working days.
6. If payments against the above UI and VAr charges are delayed by more than two days, i.e., beyond twelve (12) days from statement issue, the defaulting Agency shall have to pay simple

interest @ 0.04% for each day of delay. The interest so collected shall be paid to the Agency who had to receive the amount, payment of which got delayed. Persistent payment defaults, if any, shall be reported by the SLDC to the Member Secretary, GCC, for initiating remedial action.

7. The money remaining in the state reactive account after pay-out of all VAr charges up to 31st March of every year shall be utilized for training of the SLDC/ALDC operators, and other similar purposes which would help in improving / streamlining the operation of the state grid, as decided by GCC from time to time.
8. In case the voltage profile of the State grid improves to an extent that the total pay-out from the state VAr charges account for a week exceeds the total amount being paid-in for that week, and if the State reactive account has no balance to meet the deficit, the pay-outs shall be proportionately reduced according to the total money available in the above account.
9. The SLDC shall table the complete statement of the state UI account and the state Reactive Energy account in the GCC's Commercial Committee meeting, on a quarterly basis, for audit by the latter.
10. All Accounting Calculations carried out by SLDC shall be open to all Agencies for any checking/ verification, for a period of 15 days. In case any mistake is detected, SLDC shall forthwith make a complete check and notify the mistakes.

CHAPTER - 7

MONITORING OF GENERATION AND DRAWAL

7.1 INTRODUCTION

The monitoring by SLDC of Generating Unit output, and active and reactive reserve capacity is important to evaluate the performance of plant.

The monitoring of scheduled drawal is important to ensure that the licensee contributes towards improving regional performance, and observes grid discipline.

7.2 OBJECTIVE

The objective of this Chapter is to define the responsibilities of all Users in the monitoring of Generating Unit reliability and performance, and the licensee's compliance with the scheduled drawal.

7.3 MONITORING PROCEDURE

- 1) For effective operation of the Transmission System, it is important that a generator's declared availability is realistic and that any departures are continually fed back to the generator to help effect improvement.

SLDC shall continuously monitor Generating Unit outputs and bus voltages. More stringent monitoring may be performed at any time when there is reason to believe that a generator's declared availability may not match the actual availability or declared output does not match the actual output.

SLDC shall inform a generator, in writing, if the continual monitoring demonstrates an apparent persistent or material mismatch between the despatch instructions and the Generating Unit output or breach of the Connection Conditions. This more stringent monitoring may be carried out by SLDC, if agreement is not reached on the Generating Unit performance. The results of the stringent monitoring will be reported by SLDC to the generator. Continual discrepancies shall be resolved at appropriate level {ref- Sections 1.18 and 6.4(15)} with a view to either improving performance, providing more realistic declarations or correcting any breach of Connection Conditions.

Generators shall provide to SLDC block wise generation summation outputs where no automatically transmitted metering or SCADA equipment exists. CGPs shall provide to SLDC hourly export/import MW and MVAR.

The generator shall provide other logged readings, that SLDC may reasonably require, for monitoring purposes where SCADA data is not available.

2) Generating Unit Tripping

Generators shall promptly inform the tripping of a Generating Unit, with reasons, to SLDC in accordance with the Operational Event/Accident Reporting Section. SLDC shall keep a written log of all such tripping, including the reasons with a view to demonstrating the effect on system performance and identifying the need for remedial measures.

Generators shall submit a more detailed report of Generating Unit tripping to SLDC monthly.

3) Monitoring of Drawal

SLDC shall continuously monitor actual MW drawal against that scheduled, by use of SCADA equipment where available, or otherwise using available metering. SLDC shall request ERLDC and adjacent States as appropriate to provide any additional data required to enable this monitoring to be carried out.

SLDC shall continuously monitor the actual MVAR drawal to the extent possible. This will be used to assist in Transmission System voltage management.

4) Data Requirements

Generators and CGPs shall submit data to SLDC as listed in Data Registration Chapter-12, termed as Monitoring of Generation.

CHAPTER - 8

CROSS BOUNDARY SAFETY

8.1 INTRODUCTION

This Chapter sets down the requirements for maintaining safe-working practices associated with cross boundary operations. It lays down the procedure to be followed when work is required to be carried out on electrical equipment that is connected to another User's system.

8.2 OBJECTIVE

The objective of this Chapter is to achieve agreement and consistency on the principles of safety as prescribed in the IE Rules / Regulations under Section 53 of the Act when working across a control boundary between the Transmission Licensee and another User.

8.3 CONTROL PERSONS

The Transmission Licensee and all Users shall nominate suitably authorised persons to be responsible for the co-ordination of safety across that company boundary. These persons shall be referred to as Control Persons.

8.4 PROCEDURE

The Transmission Licensee shall issue a list of Control Persons (names, designations and telephone numbers) to all Users who have a direct control boundary with the Transmission Licensee. This list shall be updated promptly whenever there is change of name, designation or telephone number.

All Users with a direct control boundary with the Transmission Licensee shall issue a similar list of their Control Persons to the Transmission Licensee, which shall be updated promptly whenever there is a change to the Control Persons list.

Whenever work across a control boundary is to be carried out, the Control Person, of the User (which may be the Transmission Licensee), wishing to carry out work shall directly contact the other relevant Control Person. Code words will be agreed at the time of work to ensure correct identification of both parties.

Contact between the Control Persons shall normally be by direct telephone. Should the work extend over more than one shift the Control Person shall ensure that the relief Control Person is fully briefed on the nature of the work and the code words in operation.

The Control Persons shall co-operate to establish and maintain the precautions necessary for the required work to be carried out in a safe manner. Both the established isolation and the established earth shall be locked in position, where such facilities exist, and shall be clearly identified.

Work shall not commence until the Control Person, of the User (which may be the Transmission Licensee), wishing to carry out the work, is satisfied that all the safety precautions have been established. This Control Person shall issue agreed safety documentation to the working party to allow work to commence.

When work is completed and safety precautions are no longer required, the Control Person who has been responsible for the work being carried out shall make direct contact with the other Control Person to request removal of those safety precautions.

The equipment shall only be considered as suitable for return to service when all safety precautions are confirmed as removed, by direct communication using code word contact between the two Control Persons, and return of agreed safety documentation from the working party has taken place.

The Transmission Licensee shall develop an agreed written procedure for cross boundary safety and continually update it.

Any dispute concerning Cross Boundary Safety shall be resolved in the Protection Co-ordination Committee.

8.5 SPECIAL CONSIDERATIONS

For cross boundary circuits all Users shall comply with the agreed safety rules, which must be in accordance with IE Rules / Regulations under Section 53 of the Act.

All equipment on cross boundary circuits which may be used for the purpose of safety co-ordination and establishment of isolation and earthing, shall be permanently and clearly marked with an identification number or name, that number or name being unique in that sub-station. This equipment shall be regularly inspected and maintained in accordance with manufacturer's specification.

Each Control Person shall maintain a legibly written safety log, in chronological order, of all operations and messages relating to safety co-ordination sent and received by himself. All safety logs shall be retained for a period of not less than 5 (five) years.

CHAPTER - 9

PROTECTION

9.1 INTRODUCTION

In order to safeguard a User's system from faults, which may occur on another User's system, it is essential that certain minimum standards of protection are adopted. This Section describes these minimum standards.

9.2 OBJECTIVE

The objective of this Chapter is to define the minimum protection requirements for any equipment connected to the Transmission System and thereby minimise disruption due to faults.

9.3 GENERAL PRINCIPLES

No item of electrical equipment shall be allowed to remain connected to the Transmission System unless it is covered by appropriate protection aimed at reliability, selectivity, speed and sensitivity. Guidelines mentioned in protection manuals of Central Bureau of Irrigation & Power (CBI & P) may be kept in view.

All Users shall co-operate with the Transmission Licensee to ensure correct and appropriate settings of protection to achieve effective, discriminator removal of faulty equipment within the time for target clearance specified in this Chapter.

Protection settings shall not be altered, or protection bypassed and/or disconnected without consultation and agreement of all affected Users. In the case where protection is bypassed and / or disconnected, by agreement, then the cause must be rectified and the protection restored to normal condition as quickly as possible. If agreement has not been reached the electrical equipment will be removed from service forthwith.

¹ [There shall be provision of distance protection schemes with carrier inter tripping between the grid S/S of the STU/Transmission licensee and the users capable of injecting power to the transmission system. This should be used in case of Captive Generating Plants connected to the grid and for those users connected to the STU/Transmission System through multiple feeders.

In case of users as indicated above distance protection schemes as per the guidelines of Indian Standard Specification (ISS/IEC) shall have to be provided both at the grid end as well as at the users end.

In case of all CGP/IPPs connected to the grid substation of the transmission licensee, Users capable of injecting power to the transmission system at 33 KV and above (at STU's grid substation) shall provide Reverse Power Relays at the point of inter connection.]

9.4 PROTECTION CO-ORDINATION

The STU's Protection Co-ordination committee shall be responsible for arranging periodical meetings between all Users to discuss co-ordination of protection. The STU shall investigate

¹ 1. Addendum Vide GN dated 29th October 2008

any mal-function of protection or other unsatisfactory protection issues. Users shall take prompt action to correct any protection mal-function or issue as discussed and agreed to in these periodical meetings.

Relay setting coordination shall be done at Regional level by ERPC.¹

9.5 FAULT CLEARANCE TIMES

From a stability consideration the maximum fault clearance times for faults on any User's system directly connected to the Transmission System, or any faults on the Transmission System itself, are as referred at Section 4.8(3) of Chapter-4.

Slower fault clearance times for faults on a Users system may be agreed to but only if, in the Transmission Licensee's opinion, system conditions allow this.

9.6 GENERATOR REQUIREMENTS

All Generating Units and all associated electrical equipment of the generator connected to the Transmission System shall be protected by adequate protection so that the Transmission System does not suffer due to any disturbance originating from the Generating Unit.

9.7 TRANSMISSION LINE REQUIREMENTS

1) Every EHV line taking off from a Power Station or a sub-station shall have distance protection and back up protection as mentioned below. The Transmission Licensee shall notify Users of any changes in its policy on protection from time to time.

a) 400 kV Lines

Three zone static non switched distance protection with permissive inter trip for accelerating tripping at remote end in case of a zone 2 fault as main-1 protection shall be provided. Main-2 protection shall be similar fast protection using direction comparison or phase comparison carrier relaying scheme. In addition to the above, single pole tripping and single shot single pole auto-reclosing after an adjustable dead time shall be provided. There need be no other back up protection.

b) 220 kV Line

Three zone static non switched distance protection with permissive inter trip for accelerating tripping at remote end in case of zone 2 fault as main protection is to be provided. The back up will be three phase directional over current and earth fault protection. One pole tripping and single shot single pole auto reclosing with adjustable dead time shall be provided.

c) 132 kV Line

Three-zone static or electro magnetic distance protection with permissive inter-trip for accelerating tripping at remote end in case of a zone 2 fault shall be provided as main protection. The backup will be directional three poles over current and earth fault protection.

- 1) General: - For short transmission lines alternative appropriate protection schemes may be adopted. Relay Panels for the protection of lines of the Transmission Licensee taking off from a Power Station shall be owned and maintained by the Transmission Licensee. Generators shall provide space, connection facility, and access to the Transmission Licensee, for such purpose.
- 2) Review of protection system for accommodating technological up gradation shall be carried out if it would result in efficient operation of the Power System and decision taken shall be implemented with information to the Commission.
- 3) In case of EHT consumers connected through single circuits by radial feeders there is no scope of back feeding to the system. Hence, there is no utility of a distance protection relay in respect of such consumers at the consumer end. However, there is need of distance protection scheme for all EHT feeders including radial feeders emanating from the grid substations at the grid S/S end.
- 4) The distance relay can be applied for the protection of short lines, Transformer feeders, to Tee lines, double circuit lines as well as it can be applied for single pole and triple pole auto reclosing.
- 5) The distance relay can be applied for 66/33 KV network also.]

9.8 DISTRIBUTION LINE REQUIREMENTS

All 33 kV and 11 kV lines at Connection Points shall be provided with breakers having a minimum of over current and earth fault protection with or without directional features so that fault occurred at their end will not be reflected to wards grid sub-station end. The features are given below.

1) Non-Parallel Radial Feeders

Non directional time lag over current and earth fault relay with suitable settings to obtain discrimination between adjacent relay stations.

2) Parallel Feeders/ Ring Feeders

Directional time lag over current and earth fault relays.

3) Long Feeders/Transformer Feeders

For long feeders or transformer feeders, the relays should incorporate a high set instantaneous element.²

9.9 TRANSFORMER REQUIREMENTS

1) Generating Station/ Transmission System

All windings of autotransformers and power transformers of EHV class shall be protected by differential relays and REF relays. In addition there shall be back up time lag over current and earth fault protection. For parallel operation such back up protection shall have directional feature. For protection against heavy short circuits, the over current relays should incorporate a high set instantaneous element. In addition to electrical protection, gas operated relays, winding temperature protection and oil temperature protection shall be provided.

¹: Addendum Vide GN Dated 29th October 2008

2) Distribution System

For transformers of HV class on the Distribution System differential protection shall be provided for 5 MVA and above along with back up time lag over current and earth fault protection (with directional feature for parallel operations). Transformers 1.6 MVA and above and less than 5 MVA shall be protected by time lag over current, earth fault and instantaneous REF relays. In addition all transformers 1.6 MVA and above shall be provided with gas operated relays, temperature protection and winding temperature protection and oil temperature protection.

9.10 SUB STATION BUS BAR AND FIRE PROTECTION

- 1) All Users shall provide adequate bus zone protection for sub-station bus bars in all 400 kV and 220 kV class sub-stations.
- 2) Adequate precautions shall be taken and protection shall be provided against fire hazards to all Apparatus of the Users conforming to relevant Indian Standard Specification and / or provisions in IE Rules.

9.11 DATA REQUIREMENTS

Users shall provide the Transmission Licensee with data for this Section as specified in the Data Registration Chapter.

CHAPTER - 10

METERING AND COMMUNICATION AND DATA ACQUISITION

10.1 INTRODUCTION

This Chapter specifies the minimum operational and commercial metering, communication and data acquisition requirements to be provided by each User at the inter-Connection Points and also at the cross boundary circuits.

¹ [The special Energy Meters addressed at 10.6 below covers following meters of CEA (installation and operation of Meters) Regulation, 2006

i) Interface meters are –

- a) the meters installed at the point of interconnection with inter/intra State Transmission system for purpose of electricity accounting and billing.
- b) the meter installed at the point of interconnection between the two licensees for purpose of electricity accounting and billing.
- c) the meters installed at the point of interconnection with inter/intra State Transmission for a consumer who has been permitted open access by the appropriate commission for purpose of electricity accounting and billing.
- d) the meters installed at the point of interconnection with Distribution System for a consumer who has been permitted open access by the Appropriate commission for purpose of electricity accounting and billing.

ii) Energy Accounting and auditing meters-

These are the meters installed to account for energy generated, transmitted, distributed and consumed in various segments of the power system and the energy loss”]

10.2 OBJECTIVE

The objective of this Chapter is to define the minimum acceptable metering and communication and data acquisition requirements to enable the Transmission Licensee to manage the Transmission System in a safe and economic manner consistent with licence requirements.

10.3 GENERATION OPERATIONAL METERING

- 1) This Section specifies the facilities that shall be provided, certain practices that shall be employed for monitoring output and response of Power Stations and Generating Units and shall not apply to ² [any Generator including CGP up to 25 MW for dedicated line (tie line) and up to 15 MW in case of non-dedicated (non-tie) line] ³ [***.]

¹. Addendum vide GN dated 17th Sept 2007

². Addendum vide GN Dated 7th October 2009

³.The words “Power Stations with a capacity below 5 MW” deleted vide GN dated 7th Oct 2009

- 2) The generator shall install operational metering to the STU specification so as to provide operational information for both real time and recording purposes in relation to each Generating Unit at each Power Station in respect of:
 - i) Bus Voltage
 - ii) Frequency
 - iii) MW
 - iv) MVArand any other additional data as agreed between the Transmission Licensee and generator.
- 3) All current transformers and voltage transformers used in conjunction with operational metering shall conform to relevant Indian Standard Specifications or the relevant IEC, of accuracy class 0.5 and of suitable rating to cater to the meters and the lead wire burdens.
- 4) Metering shall be calibrated, so as to achieve overall accuracy of operational metering in the limits as agreed between the licensee and generator. Records of calibration shall be maintained for reference and shall be made available to the licensee upon request.
- 5) Generators shall furnish recorded data of all electrical measurements and events recorded by the operational metering to the licensee at least once in a week or more often if required.

10.4 TRANSMISSION SYSTEM OPERATIONAL METERING

- 1) This Section specifies the facilities that shall be provided, certain practices that shall be employed for monitoring electrical supply and load characteristic at each sub station.
- 2) The licensee shall install operational metering so as to provide operational information for both real time and recording purposes in relation to each feeder, transformer and compensation device at each sub station in respect of:
 - i) Bus Voltage
 - ii) Frequency
 - iii) MW
 - iv) MVAr
 - v) Power Factor
 - vi) Current.

10.5 SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA)

- 1) The Licensee shall install and make operative an operational metering data collection system under SCADA for storage, display and processing of operational metering data. All Users shall make available outputs of their respective operational meters to the SCADA interface equipment.

- 2) The data collection, storage and display centre ¹ [of the] STU shall be the State Load Despatch Centre at Bhubaneswar.

10.6 REGULATORY REQUIREMENTS OF SPECIAL ENERGY METERS

- 1) Special energy meters (i.e. including export/import meters for CGPs and meters for the start up power exchange for the generators) of a uniform technical specification shall be provided on the electrical periphery of each Beneficiary, to determine its actual net interchange with the State grid. Each interconnection shall have one (1) Main meter. In addition, Standby/check meters shall be provided such that correct computation of net interchange of a Beneficiary is possible even when a Main meter, a CT or a VT has a problem.
- 2) The Special energy meters shall be static type, composite meters, installed circuit-wise, as self-contained devices for measurement of active and reactive energy, and certain other parameters as described in the following sections. The meters shall be suitable for being connected directly to voltage transformers (VTs) having a rated secondary line-to-line voltage of 110 V, and to current transformers (CTs) having a rated secondary current of 1A (model-A: 3 element 4 wires or Model C: 2 element, 3 wire) or 5A (model-B : 3 element, 4 wire or Model D : 2 element 3 wire). The reference frequency shall be 50 Hz.
- 3) The meters shall have a non-volatile memory in which the following shall be automatically stored:
 - i) Average frequency for each successive 15-minute block, as a two-digit code (00 to 99 for frequency from 49.0 to 51.0 Hz).
 - ii) Net Wh transmitted during each successive 15-minute block, up to second decimal, with plus/minus sign.
 - iii) Cumulative Wh transmittal at each midnight, in six digits including one decimal.
 - iv) Cumulative VARh transmittal for voltage high condition, at each midnight, in six digits including one decimal.
 - v) Cumulative VARh transmittal for voltage low condition, at each midnight, in six digits including one decimal.
 - vi) Date and Time Blocks of failure of VT supply on any phase, as a star (*) mark.
- 4) The meters shall store all the above listed data in their memories for a period of ten (10) days. The data older than (10) days shall get erased automatically. Each meter shall have an optical port on its front for tapping all data stored in its memory using a hand held data collection device. The meter shall be suitable for transmitting the data to remote location using appropriate communication medium.

1.Addendum vide GN dated 24th March 2007

- 5) The active energy (Wh) measurement shall be carried out on 3-phase, 4-wire principle, with an accuracy as per class 0.2 S of IEC-687/IEC-62053-22. In model-A and C, the energy shall be computed directly in CT and VT secondary quantities, and indicated in watt-hours. In model-B and model D, the energy display and recording shall be one fifth of the Wh computed in CT and VT secondary quantities.
- 6) The VAR and reactive energy measurement shall also be on 3-phase, 4-wire principle, with accuracy as per class 2 of IEC-62053-23 or better. In model-A or model C, the VAR and VARh computation shall be directly in CT and VT secondary quantities. In model-B or model D, the above quantities shall be displayed and recorded as one-fifth of those computed in CT and VT secondary quantities. There shall be two reactive energy registers, one for the period when average RMS voltage is above 103% and the other for the period the voltage is below 97%.
- 7) The 15-minute Wh shall have a +ve sign when there is a net Wh export from substation busbars, and a -ve sign when there is a net Wh import. The integrating (cumulative) registers for Wh and VARh shall move forward when there is Wh/VARh export from substation bus bars, and backward when there is an import.
- 8) The meters shall also display (on demand), by turn, the following parameters:
 - i) Unique identification number of the meter
 - ii) Date
 - iii) Time
 - iv) Cumulative Wh register reading
 - v) Average frequency of the previous 15-minute block
 - vi) Net Wh transmittal in the previous 15-minute block, with +/- sign
 - vii) Average percentage voltage
 - viii) Reactive power, with +/- sign
 - ix) Voltage-high VARh register reading
 - x) Voltage-low VARh register reading
- 9) The three line-to-neutral voltages shall be continuously monitored, and in case any of these falls below 70%, the condition shall be suitably indicated and recorded. The meters shall operate with the power drawn from the VT secondary circuits, without the need for any auxiliary power supply. Each meter shall have a built-in calendar and clock, having an accuracy of 30 seconds per month or better.
- 10) The meters shall be totally sealed and tamper-proof, with no possibility of any adjustment at site, except for a restricted clock correction. The harmonics shall preferably be filtered out while measuring Wh, VAR and VARh, and only fundamental frequency quantities shall be measured/ computed.

- 11) The Main Meter and Check meter shall be connected to same core of CTs and VTs.
- 12) All metering equipment shall be of proven quality, fully type-tested, individually tested and accepted by the STU before despatch from manufacturer's work.
- 13) In-situ functional checking and rough testing of accuracy shall be carried out for all meters once a year by the STU, with portable test equipment complying with IEC-60736, for type and acceptance testing of energy meters of 1.0 class.
- 14) The current and voltage transformers to which the above special energy meters are connected shall have a measurement accuracy class of 0.5 or better. Main and Standby/ check meters shall be connected to different sets of CTs and VTs, wherever available.
- 15) Only functional requirements from regulatory perspective are given in this code. Detailed specifications for the meters, their accessories and testing, and procedures for collecting their weekly readings shall be finalized by the STU.
- 16) Meters shall be tested and calibrated at such interval as specified in the CEA (Installation and Operation of Meters) Regulations, 2006 or such period as mutually agreed between generator and the licensee according to guidelines provided in relevant Indian Standard Specification or relevant IEC as applicable. Records of meter calibration test shall be maintained for future reference.
- 17) A procedure shall be drawn up between the licensee and generators, and between the licensee and Power Grid covering summation, collection, processing of tariff meter readings, at various connection sites. This may be revised from time to time as necessary.
- 18) The ownership and responsibility of maintenance and testing of meters shall be as mutually agreed between the Users and the licensees.
- 19) CEA (Installation and Operation of Meters) Regulations, 2006 may please be referred and adopted which provide for type, standards, ownership, location, accuracy class, installation, operation, testing and maintenance, access, sealing, safety, meter reading and recording, meter failure or discrepancies, anti-tampering features, quality assurance, calibration and periodical testing of meters, additional meters and adoption of new technologies in respect of interface meters for correct accounting, billing and audit of electricity.

10.7 COMMUNICATION

Independent dedicated communication links for voice communication, for written communication and for data acquisition shall be installed by the licensee between all Power Stations, Transmission System sub stations and SLDC. In addition, similar links between adjacent Transmission System sub stations shall be established. Communication shall be available by dialling discrete numbers and also through Hot line by lifting the telephone hand set. Hot line links shall be established by the Transmission Licensee between Power Station / important sub station and SLDC.

10.8 DATA ACQUISITION

- 1) For effective control of the Transmission System, the SLDC needs real time data as follows:
 - i) MW generated in each Power Station.
 - ii) MW draw from External Interconnection.
 - iii) MVA_r generated or absorbed in each Power Station.
 - iv) MVA_r imported or exported from External Interconnection.
 - v) Voltage in all system buses.
 - vi) Frequency in Transmission System.
 - vii) MW & MVA_r flow in each transmission line.
- 2) Generators shall provide necessary transducers for the transmission of the above data to SLDC.
- 3) The Transmission Licensee shall similarly provide necessary transducers in their system for the transmission of the above data to SLDC.
- 4) The SLDC shall establish a suitable data transfer link between SLDC and ERLDC for the exchange of operational data.

10.9 AGREED PROCEDURE FOR COMMUNICATION AND DATA TRANSMISSION

Mutually agreed procedures shall be drawn up between the licensee and other Users outlining inter responsibility, accountability and recording of day-to-day communication and data transmission on operational matters.

Data Requirement

The licensee and Users shall furnish metering data to each other, as applicable and as detailed in Data Registration Chapter.

¹ [10.10 Application of CEA Regulations -

The provisions of the Regulations framed by Central Electricity Authority (CEA) under section 55(1), 73(e) and 177(2)© of the Electricity Act 2003 as amended from time to time , shall be applicable with regard to installation and operation of meters . In case there is any inconsistency between CEA Regulations and this code, the former shall prevail.”]

1. Addendum vide GN dated 17th September 2007

CHAPTER - 11

MANAGEMENT OF THE ORISSA GRID CODE

11.1 MANAGEMENT OF OGC

The OGC shall be specified by the OERC as per section 86 (1) (h) of the Act. Any amendments to OGC shall also be specified by OERC only.

- 1) The OGC and its amendments shall be finalized and notified adopting the prescribed procedure followed for regulations issued by OERC.
- 2) The requests for amendments to / modifications in the OGC and for removal of difficulties shall be addressed to Secretary, OGC, for periodic consideration, consultation and disposal. Such amendments/modifications suggested shall be finalized after obtaining opinions from all Users of the State Grid. ¹
- 3) Any dispute or query regarding interpretation of OGC may be addressed to Secretary, OERC and clarification issued by the OERC shall be taken as final and binding on all concerned.
- 4) The OERC shall specify the OGC for operation of the State Transmission System as per section 86 (1) (h) of the Act, ensuring that they are consistent with the IEGC.

11.2 GRID COORDINATION COMMITTEE (GCC)

- 1) A Grid Coordination Committee shall be constituted by the STU within 30 (thirty) days from the date of notification of these Regulations.
- 2) The Grid Coordination Committee shall be responsible for the following matters, namely-
 - i) Facilitating the implementation of these Regulations and the rules and procedures developed under the provisions of these Regulations;
 - ii) Assessing and recommending remedial measures for issues that might arise during the course of implementation of provisions of these Regulations and the rules and procedures developed under the provisions of these Regulations;
 - iii) Periodical review of the OGC, in accordance with the provisions of the Act and these Regulations;
 - iv) Analyse any major grid disturbance soon after its occurrence,
 - v) Examining problems raised by the Users, and
 - vi) Investigate / take action in case any Beneficiary is indulging in unfair gaming or collusion after getting reported from SLDC.
 - vii) Initiate remedial action against persistent default payment of UI and VAr charges reported by SLDC.

- viii) Decide utilisation of money remaining in the State reactive account (Refer Clause 7 of Complementary Commercial Mechanisms)
 - ix) Audit the complete statement of the State UI and the State Reactive Energy account tabled by SLDC by its Commercial Committee (a sub-committee of GCC).
 - x) Such other matters as may be directed by the Commission from time to time.
- 3) The Grid Coordination Committee shall comprise of the following members:
- i) One member of the SLDC;
 - ii) One member from State Transmission Utility i.e. OPTCL;
 - iii) One member to represent the each of the generating companies in the State namely OHPC, OPGC and NTPC (TTPS);
 - iv) One member to represent the Transmission Licensees in the State, other than the STU;
 - v) One member to represent each of the Distribution Licensees in the State;
 - vi) One member to represent GRIDCO;
 - vii) One member to represent the Trading Licensees in the state, (other than GRIDCO);
 - viii) One representative of Captive Generating Plants from the State having installed capacity more than 100 MW;
 - ix) One representative of PGCIL;
 - x) One representative from ERLDC;
 - xi) One representative from OERC as an observer, and
 - xii) Such other persons as may be nominated by the Commission.
- 4) The Members of the Committee shall elect a Chairman from among themselves for a period of one year after which a new Chairman will be elected for next year.

Provided that the STU shall nominate some of its senior officers as Member Secretary.

Provided further that the STU shall, in coordination with SLDC, facilitate and manage the functioning of the (GCC).

- 5) The members of the (GCC); shall be selected as follows:
- i) The concerned Director of STU, having the responsibility of looking after technical activities of STU shall be the member referred to in Section ¹[11.2(3) (ii)]above;
 - ii) the member referred to in Section ² [11.2(3)(i)] above, shall be the head of SLDC;
 - iii) the members referred to in clauses (iii), (iv), (v), (vi) and (vii) of Section 11.2 (3) above shall be nominated by their respective organizations;
 - iv) Organizations referred under Sections ³ [11.2(3)(iv),(vii) &(viii)] will be selected in rotation from among all such organizations in the State. The term of each such member, selected in rotation, shall be one (1) year.

Provided that the members nominated by each of the organisation to the above Committee shall be holding a senior position in their respective organisations.

- 6) As SLDC would be represented as one of the member of the Committee, the decisions of the Committee arrived by consensus regarding operation of the State Grid and scheduling and dispatch of electricity will be followed by SLDC subject to direction of the Commission, if any.
- 7) The Committee shall have a secretariat of its own which will be headed by the Member Secretary of the Committee. The Member Secretary as well as other staff for the secretariat shall be provided by the STU in the manner as decided by the Committee.²¹.
- 8) The Committee will frame its own rules of business for the conduct of its meeting and other related matters.
- 9) The Committee may constitute its sub-committees as deemed necessary for efficient functioning. It may also set up, if required, Groups/Committees of eminent experts to advise on issues of specific nature.
- 10) The Committee shall meet at least once in a quarter and at such other time as may be considered necessary.

¹ The words "11.2 (3).(i)" -deleted vide GN Dated 17th Sept 2007

² The words "11.2 (3).(ii)" -deleted vide GN Dated 17th Sept 2007

³ The words "11.2 (3).(iii) & (iv)" deleted vide GN Dated 17th Sept 2007

CHAPTER -12

DATA REGISTRATION

12.1 INTRODUCTION

This Chapter contains a list of all data required by the Transmission Licensee which is to be provided by Users and data required by Users to be provided by the Transmission Licensee at times specified in the OGC. Other Chapters of the OGC contain the obligation to submit the data and defines the times when data is to be supplied by Users.

12.2 OBJECTIVE

The objective of this Chapter is to list all the data required to be provided by Users to the Transmission Licensee and vice versa, in accordance with the provisions of the OGC.

12.3 RESPONSIBILITIES

All Users are responsible for submitting up-to-date data to the Transmission Licensee in accordance with the provisions of the OGC.

All Users shall provide the Transmission Licensee with the name, address and telephone number of the person responsible for sending the data.

The Transmission Licensee shall inform all Users of the name, address and telephone number of the person responsible for receiving data.

The Transmission Licensee shall provide up-to-date data to Users as provided in the relevant schedule of the OGC.

Responsibility for the correctness of data rests with the concerned Users providing the data.

12.4 DATA CATEGORIES AND STAGES IN REGISTRATION

Data as required to be exchanged have been listed in the Appendices (see Section 12.8) of this chapter under various categories with cross- reference to the concerned chapter.

12.5 CHANGES TO USERS DATA

Whenever any User becomes aware of a change to any items of data, which is registered with the Transmission Licensee, the User must promptly notify the Transmission Licensee of the changes. The Transmission Licensee on receipt of intimation of the changes shall promptly correct the database accordingly. This shall also apply to any data compiled by the Transmission Licensee regarding to its own system.

12.6 DATA NOT SUPPLIED

Users are obliged to supply data as referred to in the individual chapter of the OGC and listed out in the Data Registration Chapter Appendices. In case any data is missing and not supplied by any User, the Transmission Licensee may, acting reasonably, if and when necessary,

estimates such data depending upon the urgency of the situation. Similarly in case any data is missing and not supplied by the Transmission Licensee, the concerned User may, acting reasonably, if and when necessary, estimates such data depending upon urgency of the situation. Such estimates will in each case, be based upon corresponding data for similar plant or Apparatus or upon such other information, the User or the Transmission Licensee, as the case may be, deems appropriate.

12.7 SPECIAL CONSIDERATIONS

The Transmission Licensee and any other User may at any time make reasonable request for extra data as necessary.

12.8 APPENDICES

APPENDIX	SUBJECT	PAGE
A	STANDARD PLANNING DATA	86
B	DETAILED PLANNING DATA	90
C	OPERATIONAL PLANNING DATA	98
D	PROTECTION DATA	101
E	METERING DATA	101

**DATA REGISTRATION
STANDARD PLANNING DATA**

REFERENCE TO:

CHAPTER 3 SYSTEM PLANNING

CHAPTER-4 CONNECTION CONDITION

A.1 STANDARD PLANNING DATA (GENERATION)

A.1.1 THERMAL (COAL / FUEL LINKED)

A.1.1.1 GENERAL

- | | |
|---|--|
| i. Site | Give location map to scale showing roads, railway lines, transmission lines, rivers and reservoirs if any. |
| ii. Coal linkage/ Fuel (Like Liquid Natural Gas, Naptha etc.) linkage | Give information on means of coal transport from coalmines in case of pithead stations or means of coal carriage if coal is to be brought from (distance). In case of other fuels, give details of source of fuel and their transport. |
| iii. Water Sources | Give information on availability of water for operation of the Power Station. |
| iv. Environmental | State whether forest, lands mining clearance areas are affected. |
| v. Site map (To Scale) | Showing area required for Power Station coal linkage, coal yard, water pipe line, ash disposal area, colony etc. |
| vi. Approximate period of construction. | |

A.1.1.2 CONNECTION

- | | |
|---|--|
| i Point of Connection | Give Single Line Diagram of the proposed Connection with the system. |
| ii Step up voltage for connection in kV | |

A.1.1.3 STATION CAPACITY

- | | |
|--------------------------------------|--|
| i. Total Power Station capacity (MW) | State whether development will be carried out in phase and if so, furnish details. |
| ii. No. of units & unit size | MW |

A.1.1.4 GENERATING UNIT DATA

- i. Steam Generating Unit State type, capacity, steam pressure, steam temperature etc.
- ii. Steam turbine State type, and capacity.
- iii. Generator
 - a. Type
 - b. Rating (MVA)
 - c. Terminal voltage (kV)
 - d. Rated Power Factor
 - e. Reactive Power Capability (MVA_r) in the range 0.95 of leading and 0.85 lagging
 - f. Short Circuit Ratio
 - g. Direct axis transient reactance (% on MVA rating)
 - h. Direct axis sub transient reactance (% on MVA rating)
 - i. Auxiliary Power Requirement (MW)
- iv. Generator Transformer
 - a. Type
 - b. Rated capacity (MVA)
 - c. Voltage Ratio (HV/LV)
 - d. Tap change Range (+ % to %)

Percentage Impedance (Positive Sequence at Full load)

A.1.2 HYDRO ELECTRICAL

A.1.2.1 GENERAL

- i. Site Give location map to scale showing roads, railway lines, and transmission lines.
- ii. Site map (To scale) Showing proposed dam, reservoir area, water conductor system, fore bay, power house etc.
- iii. Submerged Area Give information on area submerged, villages submerged, submerged forest land, agricultural land etc.
- iv. Approximate period of construction.

A.1.2.2 CONNECTION

- i. Point of Connection Give Single Line Diagram proposed connection with the Transmission System.
- ii. Step up voltage for Connection kV

A.1.2.3 STATION CAPACITY

- i. Total Power Station capacity (MW) State whether development is carried out in phases and if so furnish details.
- ii. No of units & unit size MW

A.1.2.4 GENERATING UNIT DATA

- i. Operating Head (in Mtr.)
 - a. Maximum
 - b. Minimum
 - c. Average.
- ii. Turbine. State Type and capacity
- iii. Generator
 - a. Type
 - b. Rating (MVA)
 - c. Terminal voltage (kV)
 - d. Rated Power Factor
 - e. Reactive Power Capability (MVA_r) in the range 0.95 of leading and 0.85 of lagging
 - f. Short Circuit Ratio
 - g. Direct axis transient reactance (% on rated MVA)
 - h. Direct axis sub transient reactance (% on rated MVA)
 - i. Auxiliary Power Requirement (MW)
- iv. Generator Transformer
 - a. Type
 - b. Rated Capacity (MVA)
 - c. Voltage Ratio HV/LV
 - d. Tap change Range (+% to %)
 - e. Percentage Impedance (Positive sequence at full load).

A.2 STANDARD PLANNING DATA (TRANSMISSION)

Note: The compilation of the data is the internal matter of the Transmission Licensee, and as such the Transmission Licensee shall make arrangements for getting the required data from different departments of the Transmission Licensee to update its Standard Planning Data in the format given below:

- i. Name of line (Indicating Power Stations and sub-stations to be connected).
- ii. Voltage of line (kV).
- iii. No. of circuits.
- iv. Route length (km).
- v. Conductor sizes.

- vi. Line parameters (pu values).
 - a. Resistance/km.
 - b. Inductance/km.
 - c. Susceptance/km (B/2).
- vii. Approximate power flow expected MW & MVA.
- viii. Terrain of route - Give information regarding nature of terrain i.e. forest land, fallow land, agricultural and river basin, hill slope etc.
- ix. Route map (to Scale) - Furnish topographical map showing the proposed route showing existing power lines and telecommunication lines.
- x. Purpose of Connection - Reference to scheme, wheeling to other States etc.
- xi. Approximate period of Construction.

A.3 STANDARD PLANNING DATA DISTRIBUTION

A.3.1 GENERAL

- i. Area map (to scale)- Marking the area in the map of Orissa for which distribution licence is applied for.
- ii. Consumer Data- Furnish categories of consumers, their numbers and connected loads.
- iii. Reference to Electrical Divisions presently in charge of the distribution.

A.3.2 CONNECTION

- i. Points of Connection- Furnish Single Line Diagram showing points of connection.
- ii. Voltage of supply at points of connection
- iii. Names of grid sub station feeding the points of connection

A.3.3 LINES AND SUBSTATIONS

- i. Line data- Furnish lengths of line and voltages within the Area.
- ii. Sub station data- Furnish details of 33 / 11 kV sub stations, 11 / 0.4 kV sub stations, capacitor installations.

A.3.4 LOADS

- i. Loads drawn at points of connection.
- ii. Details of loads fed at EHV, if any. Give name of consumer, voltage of supply, contract demand and name of Grid Sub-station from which line is drawn, length of EHV line from Grid Sub-station to consumer's premises.

A.3.5 DEMAND DATA (FOR ALL LOADS 5 MW AND ABOVE)

- i. Type of load- State whether furnace loads, rolling mills, traction loads, other industrial loads, pumping loads etc.
- ii. Rated voltage and phase.
- iii. Electrical loading of equipment- State number and size of motors, types of drive and control arrangements.
- iv. Sensitivity of load to voltage and frequency of supply.
- v. Maximum Harmonic content of load.
- vi. Average and maximum phase unbalance of load.
- vii. Nearest sub station from which load is to be fed.
- viii. Location map (to scale)- Showing location of load with reference to lines and sub stations in the vicinity.

A.3.6 LOAD FORECAST DATA

- i. Peak load and energy forecast for each category of loads for each of the succeeding 10 years.
- ii. Details of methodology and assumptions on which forecasts are based.
- iii. If supply is received from more than one Sub-station, the sub station wise break up of peak load and energy projections for each category of loads for each of the succeeding 10 years along with estimated daily load curve.
- iv. Details of loads 5 MW and above.
 - a. Name of prospective consumer.
 - b. Location and nature of load/complex.

DETAILED PLANNING DATA

REFERENCE TO:

CHAPTER-3 SYSTEM PLANNING

CHAPTER-4 CONNECTION CONDITIONS

B.1 DETAILED PLANNING DATA (GENERATION)

PART 1. FOR ROUTINE SUBMISSION

B.1.1 THERMAL POWER STATIONS (COAL BASED)

B.1.1.1 GENERAL

- i. Name of Power Station.
- ii. Number and capacity of Generating Sets (MVA).
- iii. Ratings of all major equipments (boilers and major accessories, turbines, alternators, Generating Unit transformers etc.).
- iv. Single Line Diagram of Power Station and switchyard.
- v. Relaying and metering diagram.
- vi. Neutral grounding of Generating Units.
- vii. Excitation control (What type is used ? e.g. Thyristor, Fast Brush less ?).
- viii. Earthing arrangements with earth resistance values.

B.1.1.2 PROTECTION AND METERING

- i. Full description including settings for all relays and protection systems installed on the Generating Unit, Generating Unit transformer, auxiliary transformer and electrical motor of major equipment listed, but not limited to, under SI.3 (General).
- ii. Full description including settings for all relays installed on all outgoing feeders from Power Station switchyard, tie circuit breakers, incoming circuit breakers.
- iii. Full description of inter tripping of circuit breakers at the point or points of Connection with the Transmission System.
- iv. Most probable fault clearance time for electrical faults on the User's system.
- v. Full description of operational and commercial metering schemes.

B.1.1.3 SWITCHYARD

In relation to interconnecting transformers:

- i. Rated MVA.
- ii. Voltage Ratio.
- iii. Vector Group.
- iv. Positive sequence reactance for maximum, minimum, normal Tap. (% on MVA).
- v. Positive sequence resistance for maximum, minimum, normal Tap. (% on MVA).
- vi. Zero sequence reactance. (% on MVA).
- vii. Tap changer Range (+% to -%) and steps.
- viii. Type of Tap changer. (OFF/ON).

In relation to switchgear including circuit breakers, isolators on all circuits connected to the points of Connection:

- i. Rated voltage (kV).
- ii. Type of circuit breaker (MOCB/ABCB/SF6).
- iii. Rated short circuit breaking current (kA) 3 phase.
- iv. Rated short circuit breaking current (kA) 1 phase.
- v. Rated short circuit making current (kA) 3 phase.
- vi. Rated short circuit making current (kA) 1 phase.
- vii. Provisions of auto reclosing with details.

Lightning Arresters-

Technical data.

Communication-

Details of equipment installed at points of Connections.

Basic Insulation Level (kV)-

- i. Bus bar.
- ii. Switchgear.
- iii. Transformer bushings.
- iv. Transformer windings.

B.1.1.4 GENERATING UNITS

a) Parameters of Generating Units:

- i. Rated terminal voltage (kV).
- ii. Rated MVA.
- iii. Rated MW.
- iv. Inertia constant (MW Sec./MVA) H .
- v. Short circuit ratio.
- vi. Direct axis synchronous reactance (% on MVA) X_d
- vii. Direct axis transient reactance (% on MVA) X'_d
- viii. Direct axis sub transient reactance (% on MVA) X''_d
- ix. Quadrature axis synchronous reactance (% on MVA) X_q
- x. Quadrature axis transient reactance (% on MVA) X'_q
- xi. Quadrature axis sub transient reactance (% on MVA) X''_q
- xii. Direct axis transient open circuit time constant (Sec) T'_{do}
- xiii. Direct axis sub transient open circuit time constant (Sec) T''_{do}
- xiv. Quadrature axis transient open circuit time constant (Sec) T'_{qo}
- xv. Quadrature axis sub transient open circuit time constant (Sec) T''_{qo}
- xvi. Stator resistance (Ohm) R_a
- xvii. Stator leakage reactance (Ohm) X_l
- xviii. Stator time constant (Sec).
- xix. Rated field current (A).
- xx. Open circuit saturation characteristic for various terminals giving the compounding current to achieve the same.

b) Parameters of Excitation Control System:

- i. Type of excitation.
- ii. Maximum field voltage.
- iii. Minimum field voltage.
- iv. Rated field voltage.
- v. Details of excitation loop in block diagrams showing transfer functions of individual elements using IEEE symbols.
- vi. Dynamic characteristics of over excitation limiter.
- vii. Dynamic characteristics of under excitation limiter.

- c) Parameters of Governor:
 - i. Governor average gain (MW/Hz).
 - ii. Speeder motor setting range.
 - iii. Time constant of steam or fuel governor valve.
 - iv. Governor valve opening limits.
 - v. Governor valve rate limits.
 - vi. Time constant of turbine.
 - vii. Governor block diagram showing transfer functions of individual elements using IEEE symbols.
- d) Operational Parameters:
 - i. Minimum notice required synchronising a Generating Unit from de synchronisation.
 - ii. Minimum time between synchronising different Generating Units in a Power Station.
 - iii. The minimum block load requirements on synchronising.
 - iv. Time required for synchronising a Generating Unit for the following conditions:
 - a. Hot
 - b. Warm
 - c. Cold
 - v. Maximum Generating Unit loading rates for the following conditions:
 - a. Hot
 - b. Warm
 - c. Cold
 - vi. Minimum load without oil support (MW)

B.1.2 HYDROELECTRIC STATIONS

B.1.2.1 GENERAL

- i. Name of Power Station.
- ii. No. and capacity of units. (MVA)
- iii. Ratings of all major equipment.
 - a. Turbines (HP).
 - b. Generators (MVA).
 - c. Generator Transformers (MVA).
 - d. Auxiliary Transformers (MVA).

- iv. Single Line Diagram of Power Station and switchyard.
- v. Relaying and metering diagram.
- vi. Neutral grounding of generator.
- vii. Excitation control.
- viii. Earthing arrangements with earth resistance values.
- ix. Reservoir Data.
 - a. Salient features
 - b. Type of Reservoir
 - i) Multipurpose
 - ii) For Power
 - c. Operating Table with]
 - i) Area capacity curves, and
 - ii) Unit capability at different net heads

B.1.2.2 PROTECTION

- i. Full description including settings for all relays and protection systems installed on the Generating Unit, generator transformer, auxiliary transformer and electrical motor of major equipment included, but not limited to those listed], under SI.3 (General).
- ii. Full description including settings for all relays installed on all outgoing feeders from Power Station switchyard, tie breakers, incoming breakers.
- iii. Full description of inter tripping of breakers at the point or points of connection with the Transmission System.
- iv. Most probable fault clearance time for electrical faults on the User's system.

B.1.2.3 SWITCHYARD

- a) Interconnecting Transformers:
 - i. Rated MVA.
 - ii. Voltage ratio.
 - iii. Vector group.
 - iv. Positive sequence reactance for maximum, minimum and normal tap. (% on MVA).
 - v. Positive sequence resistance for maximum, minimum and normal Tap (% on MVA).
 - vi. Zero sequence reactance (% on MVA).
 - vii. Tap changer range (+% to %) and steps.
 - viii. Type of tap changer. (OFF/ON).

- b) Switchgear (including circuit breakers, isolators on all circuits connected to the points of Connection.)
 - i. Rated voltage (kV).
 - ii. Type of Breaker (MOCB/ABCB/SF6).
 - iii. Rated short circuit breaking current (kA) 3 phases.
- c) Lightning Arresters:
 - Technical data.
- d) Communications:
 - Details of communications equipment installed at points of Connections.
- e) Basic Insulation Level (kV):
 - i. Bus bar.
 - ii. Switchgear.
 - iii. Transformer bushings.
 - iv. Transformer windings.

B.1.2.4 GENERATING UNITS

- a) Parameters of generator
 - i. Rated terminal voltage (kV).
 - ii. Rated MVA.
 - iii. Rated MW.
 - iv. Inertia constant (MW sec/MVA) H.
 - v. Short circuit ratio.
 - vi. Direct axis synchronous reactance. (% On MVA) X_d .
 - vii. Direct axis transient reactance (% on MVA) X'_d .
 - viii. Direct axis sub transient reactance (% on MVA) X''_d .
 - ix. Quadrature axis synchronous reactance (% on MVA) X_q
 - x. Quadrature axis transient reactance (% on MVA) X'_q
 - xi. Quadrature axis sub transient reactance (% on MVA) X''_q
 - xii. Direct axis transient open circuit time constant (Sec) T'_{do}
 - xiii. Direct axis sub transient open circuit time constant (Sec) T''_{do}
 - xiv. Quadrature axis transient open circuit time constant (Sec) T'_{qo}
 - xv. Quadrature axis sub transient open circuit time constant (Sec) T''_{qo}
 - xvi. Stator Resistance (Ohm) R_a
 - xvii. Stator leakage reactance (Ohm) X_l
 - xviii. Stator time constant (Sec).
 - xix. Rated Field current (A).

- xx. Open Circuit saturation characteristics of the generator for Various terminal voltages giving the compounding current to achieve this.
- xxi. Type of Turbine.
- xxii. Operating Head (Mtr.).
- xxiii. Discharge with Full Gate Opening (cumecs).
- xxiv. Speed Rise on total Load thrown off (%).
- b) Parameters of Excitation Control System:
As applicable to thermal Power Stations.
- c) Parameters of Governor:
As applicable to thermal Power Stations.
- d) Operational Parameter:
 - i. Minimum notice required synchronising a Generating Unit from de synchronisation.
 - ii. Minimum time between synchronising different Generating Units in a Power Station.
 - iii. Minimum block load requirements on synchronising.

PART 2. FOR SUBMISSION ON REQUEST BY TRANSMISSION LICENSEE

B.1.3 THERMAL POWER STATIONS

B.1.3.1 GENERAL

- i. Detailed Project report.
- ii. Status Report.
 - a. Land.
 - b. Coal.
 - c. Water.
 - d. Environmental clearance.
 - e. Rehabilitation of displaced persons.
- iii. Techno economic approval by CEA.
- iv. Approval of State Government/Government of India
- v. Financial Tie up.

B.1.3.2 CONNECTION

- i. Reports of studies for parallel operation with the Transmission System:
 - a. Short circuit studies.
 - b. Stability studies.
 - c. Load flow studies.
- ii. Proposed connection with Transmission System:
 - a. Voltage.
 - b. Number of circuits.
 - c. Point of contact

B.1.4 HYDROELECTRIC POWER STATIONS

B.1.4.1 GENERAL

- i. Detailed Project Report.
- ii. Status Report.
 - a. Topographical survey.
 - b. Geological survey.
 - c. Land.
 - d. Environmental clearance.
 - e. Rehabilitation of displaced persons.
- iii. Techno economic approval by CEA.
- iv. Approval of State Government/Government of India.
- v. Financial Tie up.

B.1.4.2. CONNECTION

- i. Reports of Studies for parallel operation with the Transmission System:
 - a. Short circuit studies.
 - b. Stability studies.
 - c. Load flow studies.
- ii. Proposed connection with Transmission System:
 - a. Voltage.
 - b. Number of circuits.
 - c. Point of Connection.

B.2 DETAILED SYSTEM DATA, TRANSMISSION

B.2.1 GENERAL

- i. Single Line Diagram of the Transmission System down to 33 kV bus at grid Sub-station detailing:
 - a. Name of Sub-station.
 - b. Power Station, connected.
 - c. Number and length of circuits.
 - d. Interconnecting transformers.
 - e. Sub-station bus layouts.
 - f. Power transformers.
Reactive compensation equipment.
- ii. Sub-station layout diagrams showing:
 - a. Bus bar layouts.
 - b. Electrical circuitry, lines, cables, transformers, switchgear etc.

- c. Phasing arrangements.
- d. Earthing arrangements.
- e. Switching facilities and interlocking arrangements.
- f. Operating voltages.
- g. Numbering and nomenclature:
 - i) Transformers.
 - ii) Circuits.
 - iii) Circuit breakers.
 - iv) Isolating switches.

B.2.2 LINE PARAMETERS (For all circuits)

- i. Designation of Line.
- ii. Length of line (km)
- iii. Number of circuits.
- iv. Per Circuit values.
 - a. Operating voltage (kV).
 - b. Positive Phase sequence reactance (pu on 100 MVA) X_1
 - c. Positive Phase sequence resistance (pu on 100 MVA) R_1
 - d. Positive Phase sequence susceptance (pu on 100 MVA) B_1
 - e. Zero Phase sequence reactance (pu on 100 MVA) X_0
 - f. Zero Phase sequence resistance (pu on 100 MVA) R_0
 - g. Zero Phase sequence susceptance (pu on 100 MVA) B_0

B.2.3 TRANSFORMER PARAMETERS (For all transformers)

- i. Rated MVA.
- ii. Voltage Ratio.
- iii. Vector Group.
- iv. Positive sequence reactance, maximum, minimum and normal (pu on 100 MVA) X_1
- v. Positive sequence, resistance maximum, minimum and normal (pu on 100 MVA) R_1
- vi. Zero sequence reactance (pu on 100 MVA).
- vii. Tap change range (+% to %) and steps.
- viii. Details of Tap changer (OFF/ON).

B.2.4 EQUIPMENT DETAILS (For all Sub-stations)

- i. Circuit Breakers
- ii. Isolating switches
- iii. Current Transformers
- iv. Potential Transformers

B.2.5 RELAYING AND METERING

- i. Relay protection installed for all transformers and feeders along with their settings and level of coordination with other Users.
- ii. Metering details.

B.2.6 SYSTEM STUDIES

- i. Load flow studies (peak and lean load for maximum hydro and maximum thermal generation).
- ii. Transient stability studies for three-phase fault in critical lines.
- iii. Dynamic Stability Studies
- iv. Short circuit studies (three phase and single phase to earth)
- v. Transmission and distribution losses in the system.

B.2.7 DEMAND DATA (For all Sub-stations)

- i. Demand Profile (Peak and lean load)

B.2.8 REACTIVE COMPENSATION EQUIPMENT

- i. Type of equipment (fixed or variable).
- ii. Capacities and/or inductive rating or its Operating Range in MVar.
- iii. Details of control.
- iv. Point of connection to the system.

B.3 DETAILED PLANNING DATA, DISTRIBUTION

B.3.1 GENERAL

- i. Distribution map (To scale) showing all lines up to 11 kV and sub-stations belonging to the Supplier.
- ii. Single Line Diagram of Distribution System (showing distribution lines from points of connection with the Transmission System, 33/11 kV sub-stations, 11/0.4 kV sub-stations, consumer bus if fed directly from the Transmission System).
- iii. Numbering and nomenclature of lines and sub-stations (Identified with feeding grid sub-stations of the Transmission System and concerned 33/11 kV sub-station of Supplier).

B.3.2 CONNECTION

- i. Points of connection (Furnish details of existing arrangement of connection).
- ii. Details of metering points of connection.

B.3.3 LOADS

- i. Connected load - Furnish consumer details, Numbers of consumers category wise, details of loads 1 MW and above.
- ii. Information on diversity of load and coincidence factor.
- iii. Daily demand profile (current and forecast) on each 33/11 kV sub-station.
- iv. Cumulative demand profile of Distribution System (current and forecast).

APPENDIX- C

C. OPERATIONAL PLANNING DATA

C.1 OUTAGE PLANNING DATA

REFERENCE TO: CHAPTER-5 OUTAGE PLANNING

C.1.1 DEMAND ESTIMATES

Item	To be Submitted By
i. Estimated consumption of energy in million units at each Connection / External Interconnection Point on monthly basis and peak and lean demand in MW & MVAR at each Connection / External Interconnection Point on weekly basis for the period from April of next calendar year to March of following calendar year.	31st December of current calendar year.
ii. Estimated consumption of energy in MU at each connection / External Interconnection Point on daily basis for month ahead and 24 hourly averaged demand estimates in MW & MVAR at each connection / External Interconnection Point for each day of the month ahead. (31 daily data items for MU for each Connection Point, 31 x 24 hourly data items for MW and 31 x 24 hourly data items for MVAR for each Connection Point).	15th of current month
iii. Fifteen minutes block averaged demand estimates in MW & MVAR at each connection / External Interconnection Point for the day ahead. (96 data items for MW and 96 data items for MVAR at each connection / External Interconnection Point.)	10.00 Hours every day

C.1.2 ESTIMATES OF LOAD SHEDDING

Item	To be Submitted By
i. Details of discrete load blocks that may be shed to comply with instructions issued by SLDC when required, from each Connection Point.	Soon after connection is made.

C.1.3 YEAR AHEAD OUTAGE PROGRAMME

(For the period April to March)

C.1.3.1 GENERATORS OUTAGE PROGRAMME

Item	To be Submitted By
i. Identification of Generating Unit.	1st August each year
ii. MW, which will not be available as a result of outage.	1st August each year
iii. Preferred start date and start time or range of start dates and start times and period of outage.	1st August each year
iv. If outages are required to meet statutory requirements, then the latest date by which outage must be taken.	1st August each year

C.1.3.2 YEAR AHEAD ERLDC'S OUTAGE PROGRAMME

Item	To be Submitted By
i. MW, which will not be available as a result of outage from Imports through external connections.	31st December each year
ii. Start date and start time and period of outage.	31st December each year

C.1.3.3 YEAR AHEAD CGP'S OUTAGE PROGRAMME

C.1.3.4 YEAR AHEAD DISTRIBUTION COMPANY'S OUTAGE PROGRAMME

Item	To be Submitted By
i. MW, which will not be available as a result of outage.	1st August each year
ii. Start date and start time and period of outage.	1st August each year

Item	To be Submitted By
i. Loads in MW not available from any Connection Point.	1st August each year
ii. Identification of Connection Point.	1st August each year
iii. Period of suspension of drawal with start date and start time.	1st August each year

C.1.3.5 THE TRANSMISSION LICENSEE'S OVERALL OUTAGE PROGRAMME

Item	To be Submitted By
i. Report on proposed outage programme to ERLDC.	30th November each year
ii. Release of finally agreed outage plan.	1st March each year

C.2 GENERATION SCHEDULING DATA

REFERENCE TO:

CHAPTER-6 SCHEDULE AND DESPATCH

Item	To be Submitted By
i. Day ahead fifteen minutes block] MW & MVA _r availability (00.00 24.00 Hours) of all generator units.	10.00 Hours every day.
ii. Day ahead fifteen minutes block] MW import/export from CGP's.	10.00 Hours every day.
iii. Status of Generating Unit excitation AVR in service (Yes/No).	10.00 Hours every day.
iv. Status of Generating Unit speed control system. Governor in service (Yes/No).	10.00 Hours every day.
v. Spinning reserve capability (MW)	10.00 Hours every day.
vi. Backing down capability with/without oil support (MW)	10.00 Hours every day.
vii. Hydro reservoir levels and restrictions	10.00 Hours every day.
viii. Generating Units hourly summation outputs (MW)	10.00 Hours every day.
ix. Day ahead fifteen minutes block MW entitlements from Central sector generation and Chukha Hydro Power Station from ERLDC	11.00 Hours every day.

C.3 CAPABILITY DATA

REFERENCE TO: CHAPTER-5 FREQUENCY AND VOLTAGE MANAGEMENT

Item	To be Submitted By
i. Generators shall submit to the SLDC up-to-date capability curves for all Generating Units.	On receipt of request by the SLDC.
ii. CGPs shall submit to the licensee/SLDC net return capability that shall be available for export/import from Transmission System.	On receipt of request by the licensee/SLDC.

C.4 RESPONSE TO FREQUENCY CHANGE

REFERENCE TO: CHAPTER-5 FREQUENCY AND VOLTAGE MANAGEMENT

- i. Primary response in MW at different levels of loads ranging from minimum generation to registered capacity for frequency changes resulting in fully opening of governor valve.
- ii. Secondary response in MW to frequency changes.

C.5 MONITORING OF GENERATION

REFERENCE TO ¹[***]²[CHAPTER-7]-MONITORING OF GENERATION AND DRAWAL ³[***] ⁴[ABOVE 25 MW FOR DEDICATED LINE (TIE LINE) AND ABOVE 15 MW IN CASE OF NON-DEDICATED (NON-TIE LINE).]

Item	To be Submitted By
i. Generators shall provide hourly generation summation to SLDC.	To be submitted by real time basis
ii. CGPs shall provide hourly export/ import MW to SLDC.	To be submitted by real time basis
iii. Logged readings of generators to SLDC.	As required
iv. Detailed report of Generating Unit trippings on monthly basis.	In the first week of the succeeding month

C.6 ESSENTIAL AND NON ESSENTIAL LOAD DATA

REFERENCE TO: CHAPTER-5 CONTINGENCY PLANNING

Item	To be Submitted By
i. Schedule of essential and non essential loads on each discrete load block for purposes of load shedding.	As soon as possible after connection

1. The words "SECTION 9" deleted- vide GN dated 29th October 2008

2. Addendum vide GN dated 29th October 2008

3. The words "OF POWER STATIONS OF 5MW AND ABOVE" added vide GN dated 29th October 2008 & deleted vide GN dated 7th October 2009.

4. Addendum vide GN dated 7th October 2009.

APPENDIX- D

D. PROTECTION DATA

REFERENCE TO:

CHAPTER-9 PROTECTION

Item	To be Submitted By
i. Generators/CGPs shall submit details of protection requirement and schemes installed by them as referred to in B.1. Detailed Planning Data under sub-Section "Protection and Metering".	As applicable to Detailed Planning Data
ii. The licensee shall submit details of protection equipment and schemes installed by them as referred to in B.2. Detailed System Data, Transmission under sub-Section "Relaying and Metering" in relation to connection with any User.	As applicable to Detailed Planning Data

APPENDIX- E

E. METERING DATA

REFERENCE TO: CHAPTER-10 METERING

Item	To be Submitted By
i. Generators/CGPs shall submit details of metering equipment and schemes installed by them as referred in B.1. Detailed Planning Data under sub-Section "Protection and Metering".	As applicable to Detailed Planning Data
ii. The transmission licensee shall submit details of metering equipment and schemes installed by them as referred in B.2. Detailed System Data, Transmission under sub-Section "Relaying and Metering" in relation to connection with any User.	As applicable to Detailed Planning Data

CHAPTER - 13

PERIODIC REPORT

A weekly report shall be prepared and issued by SLDC to all the Users. The weekly report shall contain the following.

- a) Frequency profile
- b) Voltage profile
- c) Major outage of Generating Unit
- d) Major outage of transmission line
- e) Grid disturbance

CHAPTER - 14

MISCELLANEOUS

14.1 Issue of Orders and Practice Directions

Subject to the provisions of the Electricity Act, 2003, Indian Electricity Grid Code, and these Regulations, the Commission may from time to time issue orders and practice directions with regard to the implementation of these Regulations and procedure to be followed on Various matters, which the Commission has been empowered by these Regulations to determine and direct, and matters incidental or ancillary thereto.

14.2 Saving of inherent power of the Commission

- i) Subject to the provisions of the Act, Rules and regulations, the Commission, in special and extraordinary circumstances by recording the reasons in writing and in public interest may make such orders as may be necessary to meet the ends of justice.
- ii) Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters.
- iii) Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

14.3 Powers to Remove Difficulties

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, Indian Electricity Grid Code, these Regulations, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

14.4 Power to Amend

The Commission may, at any time, add, vary, alter and modify the provisions of these Regulations through amendments.

By order of the Commission

(M.R. Hazra)
SECRETARY

The Orissa



Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO.796, CUTTACK, THURSDAY, JUNE 10, 2004/JAISTHA 20, 1926

ORISSA ELECTRICITY REGULATORY COMMISSION
UNIT – VIII, BHUBANESWAR – 751012

NOTIFICATION

The 9th June , 2004

No. JD(T-ENGG)-226/2004- In exercise of powers conferred by Sections 61 and 62 of the Electricity Act, 2003 (Act 36 of 2003) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby makes the following Regulations, namely:

CHAPTER – I

(GENERAL)

1. Short Title, Commencement and interpretation:-

- a) These Regulations may be called the Orissa Electricity Regulatory Commission (Terms and conditions for determination of tariff) Regulations, 2004.
- b) They extend to the State of Orissa.
- c) These regulations shall come into force from the date of their publication in the official gazette.
- d) The Orissa General Clauses Act, 1937 shall apply to the interpretation of these Regulations.

2. Definitions:-

In these Regulations, unless the context otherwise requires :-

- a) 'Act' means the Electricity Act, 2003.
- b) 'Commission' means the Orissa Electricity Regulatory Commission.
- c) Words and expressions used and not defined in these Regulations but defined in the Electricity Act, 2003, shall have the meanings assigned to them in the said Act.

CHAPTER - II

Principles of determination of tariff under Section 62(1) for (A) Supply of power from a generating company to a distribution company, (B) Transmission of electricity & (C) Wheeling of electricity.

3. a) The Commission shall be guided by nine principles as laid down in section 61(a) to 61 (i) of the Act, while determining the tariff for (a) supply of electricity by generating company to the distribution licensee; (b) transmission of electricity.
- b) With regard to determination of tariff for wheeling of electricity in a transmission system, the principles as enumerated in para 7 (d) of these Regulations for determination of wheeling charges in respect of a distribution system shall be made applicable in addition to the nine principles as laid down in Section 61(a) to 61(i) of the Act.

CHAPTER – III

Principles of determination of tariff under Section 62(1)(d) for retail sale of electricity.

4. The Commission shall be guided by the nine principles as laid down in section 61(a) to 61(i) of the Act, while determining the tariff for retail sale of electricity.
 - a) The tariff for retail sale of electricity shall include cost of generation, transmission, distribution and supply of electricity.
 - b) Where tariff has been determined through the process of bidding in accordance with the guidelines issued by the Central Government, the Commission shall adopt such tariff in accordance with the provisions of the Act.
5. **General principles**
 - 1)
 - a) The licensee shall make all filings for Annual Revenue Requirement (ARR) as per annual schedule, by November 30th of every year.
 - b) The licensee in the ARR filing for the ensuing financial year shall indicate the manner in which the gap, if any, between the charges which it is permitted to recover and the expected revenue calculated shall be filled up.
 - c) A Tariff Order shall continue to be in force for such period as may be indicated in the said order unless amended or revoked earlier.
 - d) The Commission may broadly classify costs incurred by licensee as controllable and non-controllable. For all controllable costs, the Commission may set the targets for each year under review. These targets shall be used for computing revenue requirement. If required, certain controllable costs can be indexed to appropriate indices/rates like Consumer Price Index (CPI), Wholesale Price Index (WPI), Prime Lending Rate (PLR), etc.
 - e) All non-controllable costs as checked and certified by a registered Chartered Accountant with due diligence and prudence as accepted by the Commission shall be treated as pass-through.
 - f) The Commission may require a long-term business plan from each licensee for adopting the multi-year tariff regime, which the licensee shall scrupulously comply.
 - g) The Accounting Policy and Chart of Accounts shall be followed by the licensee, as determined by the Commission from time to time.
 - 2) **Sales forecast**
 - a) The licensee shall forecast energy sales, the number of consumers and load profile for each consumer category and for each slab for the period under consideration. The

Commission shall examine the sales forecasts of the licensee for reasonableness, consistency of principles across all licensees, past trend etc., before accepting and adopting it. The licensee shall develop a robust database of all consumers with desired particulars regarding their demand to facilitate the forecasting process in accordance with the direction given by the Commission.

b) This sales forecast shall be applied in estimating the revenue accruals.

3) Distribution Loss

a) To set the base line of distribution loss estimate, the Commission may either require the licensee to carry out proper loss estimation studies under its supervision, or initiate a study itself.

b) The Commission shall approve a realistic and achievable loss target for the year under review based on the opening loss levels, licensee's filings, submissions and objections raised by the stakeholders. This approved loss target will be used for computing sale of power to consumers for that year.

c) The licensee will have to share with the consumers part of the financial gains arising from achieving higher loss reduction vis-à-vis the target. Losses on account of under achievement of loss reduction target will be entirely borne by the licensee.

4) Power Purchase

a) The quantum of power purchase for the ensuing financial year shall be estimated on the basis of actual purchase made during the previous financial year(s), actuals to the extent available for the current year and any projections for the balance period of the current year with appropriate adjustments for any abnormal variations during the period. The licensee through appropriate documentation shall justify all the abnormal deviations. This quantity will be evaluated at the price based on the power purchase agreements, bulk supply agreements etc. consented by the Commission.

b) The Commission will not ordinarily consider the additional power purchases beyond the approved level of power purchases. However, if the variation in the actual purchase vis-à-vis the quantum of power as ordered by the Commission is on account of events beyond the reasonable control of the Licensee, as established to the satisfaction of the Commission, the resultant effect will be taken in to account in subsequent accounting years. To meet this additional requirement of power, the licensee shall follow the least cost combination of power procurement.

c) In the regime of Availability Based Tariff (ABT), the licensee shall be allowed to retain incentive of overdrawl of power under higher frequency and likewise absorb the loss for drawl of power under lower frequency as and when decided by the Commission.

d) In case of direct procurement of power by the distribution licensees from generators/ other sources in order to optimise the cost of power procured by utilities, the Commission

may lay down guidelines for power purchase mainly based on merit order dispatch. While devising these guidelines, the Commission may consider the following:

- i) Load profiles during various seasons
 - ii) Technical constraints
 - iii) Avoidable costs (whether from own generation or power purchase) after giving due consideration to valid contractual obligations.
- e) The power purchase expenses as determined through such optimal merit order dispatch after due consideration for contractual obligations and technical constraints, shall be considered for pass through in the Revenue Requirement.
- f) An automatic fuel cost revision provision may be provided, and the licensee shall be required to compute changes in the fuel costs, and appropriately claim or refund the same in tariffs, on quarterly basis according to an automatic fuel cost revision provision. The fuel cost revision shall include fuel related expenses including variations in mix of power purchases.

5) Capital Base and Cost of Capital

A) Capital Investments

- a) Capital investments cover spending on capital equipment that augments fixed assets, and capitalisation of corresponding interest and expenses determined as per the applicable accounting policies and guidelines. Capital investments may address a variety of needs such as, meeting load growth, refurbishment and replacement of equipment, reduction of losses, improvement of voltage profile, improvement of quality of supply and system reliability, metering, communication, computerisation, etc.
- b) The licensee shall propose in its filing a detailed capital investment plan. The plan must separately show ongoing projects that will spill into the year under review, and new projects that will commence but may be completed within or beyond the tariff period. For the new projects, the filing must provide the justification as stipulated under relevant investment guidelines of the Commission.
- c) The Commission shall review the licensee's investment plan for approval, and for this purpose may require the licensee to provide relevant technical and commercial details. The costs corresponding to the approved investment plan of a licensee for a given year will, normally be considered for its revenue requirement
- d) In addition to the approved capital investment plan, the licensee can seek provision for additional capital expenditure anytime during the tariff year to meet natural calamities involving substantial investments. The Commission shall examine and if satisfied shall approve the corresponding costs for inclusion in revenue requirement in the next period.
- e) In presenting the justification for new projects, the licensee shall detail the specific nature of the works, and outcome sought to be achieved. The detail must be shown in the form of

physical parameters, e.g., new capacity added, to be added, meters replaced, customer service centres set up etc, so that it is amenable for physical verification. This is necessary to ensure that the approved investment plans are implemented and the licensee does not derive improper financial benefit by delaying or neglecting to make the proposed investment.

In case of any significant shortfall in physical implementation, the Commission shall require the licensee to explain the reasons, and may proportionately reduce the provision, including the interest and the return component, made towards revenue requirement, in the next period.

B) Financing Costs

- a) The costs corresponding to the approved investment plan of a licensee for a given year will, normally, be considered for its revenue requirement. For the past investments, actual values will be considered. Depreciation reserves to the extent available shall be utilised for financing the investments. The licensee shall not earn return from the assets created through this depreciation reserve.
- b) In case of all new projects, debt-equity ratio shall be 70:30 for determination of tariff. Where equity employed is more than 30%, the amount of equity for the purpose of tariff shall be limited to 30% and the balance amount shall be considered as the normative loan.

Provided that in case of the projects where actual equity employed is less than 30%, the actual debt and equity shall be considered for determination of tariff.

- c) The licensee shall demonstrate that financing and investment requirements match. Thus, financing cost considered for revenue requirement is matched with what is needed for the approved level of capital expenditure and working capital.
- d) For loans outstanding at the beginning of the year on the revenue account, the licensee shall indicate in its filing the expected interest outgo for each year. This will be considered towards revenue requirement of the licensee for such years. The licensee shall make efforts to reduce the cost of the outstanding loans, in case of declining interest rates, by way of swapping. The licensee, till the next tariff review, may retain the benefit of such savings, when the actual cost of interest will be considered as the base for subsequent years.
- e) For all loans, the permitted interest cost will be linked to the Prime Lending Rate of a Scheduled Bank plus a predetermined margin that realistically reflects the rate at which the licensee can raise debt from the market.
- f) In its filing, licensee may individually propose its choice of PLR reference (Indian Loans) and the margin, for the Commission's approval. In proposing this, the licensee must keep in view the suitability of PLR reference to its business, prevailing market conditions, its financial position, etc. To ensure consistency, the Commission will use one single benchmark PLR, which may be of a bank that is commonly acceptable.

C) Rate Base

- a) The Commission may determine appropriate rate base for computing returns either considering debt and equity separately for the present and may adopt the principle of return on capital employed at appropriate time.
- b) The Commission shall provide a reasonable return to the investors to attract capital. In case of foreign currency brought as capital, the Commission may consider a separate rate of return if foreign exchange variation is allowed as a pass through.
- c) The return on equity may be linked to the RBI Bank Rate plus a margin for the investment risk in the power sector. The Commission may allow a fixed rate of return on capital base to be decided by it. The Commission may provide post tax returns and shall ensure that tax only to the extent of the tax on return is provided as pass through.

D) Working Capital

Working capital shall include

- a) Operation and maintenance expenses for one month;
- b) Amount equivalent to one sixth of approved Annual Revenue Requirement.

E) O&M Expenditure

This component of the revenue requirement consists of employee costs, administration and general expenses, repair and maintenance expenses and other miscellaneous expenses. These costs shall be recognised at actual or as allowed by the Commission, whichever is lower, for the first period of review and shall be taken as base values. The Commission may endeavour to fix these costs on normative basis.

These approved base values may be indexed to pre-determined indices viz. Consumer Price Index, Wholesale Price Index or a combination of both the indices for the subsequent years. For example, the base value of O&M can be indexed to CPI and WPI.

F) Provision for bad debts

The Commission shall allow a provision for bad debts as a prudent commercial practice in the revenue requirement of the licensee. This provision for bad debts will be established as a percentage of sales revenue. Before establishing a provision for bad debts, the Commission may direct the licensee to audit the receivables so that there will be no financial burden on genuine consumers due to inappropriate provision.

G) Depreciation

For the purpose of tariff determination, the rate of depreciation will be linked to the useful life of the asset, calculated on straight-line method. However, a higher rate of depreciation may be permitted by the Commission, in case of inadequacy of cash for debt repayment. The Commission may also consider allowing advance against depreciation subject to the following constraints:

- a) In any year, the Advance against depreciation and depreciation together do not exceed 1/12th of the original loan amount.
- b) Total depreciation allowed during the life of the project shall not exceed 90% of the original project cost.

H) **Profit Sharing**

- a) The licensee will be provided with an approved return at the beginning of the period under review.
- b) However, the licensee, if it makes more profit than the approved return on account of improved performance, the Commission shall treat the profit beyond the approved return in the following manner:
 - i) In case, one-third amount to be declared by the licensee as dividends to the shareholders, is not paid out as dividend, it shall be eligible to be treated as part of equity to that extent and earn returns on the same. Any future declaration of dividend from this shall lead to commensurate decrease in the equity base for the purpose of returns.
 - ii) One-third amount to be returned back to consumers by way of reduction in the consumer bills as rebate.
 - iii) One-third amount shall be kept as tariff balancing reserve, which shall be used to reduce sharp rise in ARR in future years. The Commission may allow a part of the total reserve to be returned back to the consumers every 3 years by way of reduction in ARR. The amount in tariff balancing reserve shall not be eligible to be treated as part of equity and would not earn any return for the shareholders. Any return earned on this reserve shall be added back to this reserve.

I) **Regulatory Asset**

Depending on the amount of Regulatory Asset submitted by the licensee and accepted by the Commission, the Commission shall stipulate the amortisation and financing rules of such assets. Creation of Regulatory Asset only for the purposes of avoiding tariff increase should not be allowed and it shall only be created to take care of force majeure or cost variations due to uncontrollable factors or major tariff shocks because of these reasons. The Commission shall have the discretion of providing regulatory assets.

6. **QUALITY OF SERVICES**

The Commission has laid down Overall Standards of Performance of licensee by way of separate Regulations. Depending on the performance of the licensee, the Commission may allow either incentive or disincentive.

7. Tariff Principles

a) Peak and Off-peak Tariff

- i) A differential tariff for peak and off-peak hours is necessary to promote demand side management. The Commission may encourage the distribution licensees to move towards separate peak and off-peak tariffs.
- ii) The Commission shall stipulate the broad classification of consumers and time frame for implementation. While stipulating differential tariffs, the Commission may also indicate the periods for peak, off-peak and normal consumption.

b) Power Factor and Load Factor Related Tariff

The Commission may provide rebates to the consumers for maintaining high power factor and load factor to promote efficiency of operation and optimum capacity utilisation. To achieve this, the Commission may at a future date consider switching over to kVAh tariff from kWh tariff for consumers having appropriate meters. However, even after switching to kVAh tariff demand charges shall continue to apply. This will take care of incentive for better power factor as well as curb the tendency of not improving the power factor beyond a point determined for penalty, to avail of the rebate for high load factor.

c) Surcharge

- i) Surcharge to be levied on wheeling consumers shall be determined by the Commission keeping in view the loss of cross-subsidy from the consumers or category of consumers who have opted for open access to take supply from a person other than the incumbent distribution licensee.
- ii) The Commission may adopt requisite principle for computing surcharge, which shall compensate for the entire loss of cross subsidy for any given consumer category for which supply is given, as the Act clearly states that such surcharges shall be utilised to meet the requirements of current level of cross-subsidy. The entire amount of cross-subsidy lost by the incumbent licensee needs to be compensated.
- iii) For the purpose of computing Cross-subsidy payable by a certain category of consumer, the difference between average cost-to-serve of all consumers of the State taken together and average tariff applicable to such consumers shall be considered.

d) Wheeling

- i) The licensee shall provide non-discriminatory open access to the consumers within the period as stipulated by the Commission. For the purpose of tariff for wheeling, the person utilizing wheeling services shall be charged on both cash and kind basis.
- ii) The wheeling charge in cash for a consumer category for the present shall be based on postage stamp method for the present, which includes cost of distribution system.
- iii) Wheeling charge shall be computed taking into account, projected units to be sold and wheeled through distribution licensee network in the ensuing tariff period.

- iv) With regard to charges in kind, the normative distribution system loss to be borne by the consumer in the case of wheeling transactions and it shall be based on the voltage levels.

e) Additional Surcharge

Where a consumer avails open access, the Commission may determine the additional surcharge to meet the fixed costs of distribution licensee arising out of his obligation to supply and permit collection of such additional surcharge for the period the fixed cost remains stranded. If the capacity released on account of a consumer changing from his existing distribution licensee to another person is productively utilized then no stranded cost is involved.

f) Bulk Supply Tariff

- i) As per the provisions of the Act, the distribution licensees may buy power directly from a generating station or a trader. The Commission may continue to adopt a differential Bulk Supply Tariff mechanism to address the issues of uniform retail tariffs and different level of cross-subsidies that exist on account of the consumer mix, which however will be reviewed by the Commission from time to time.
- ii) The Commission shall, while designing the differential bulk supply tariff, ensure bulk supply tariff predictability, protect efficiency gains and lay down a clear formula for the calculation of bulk supply tariff.

g) Provision of Subsidy

- i) The Commission, while determining the tariff, shall see that the tariff progressively, reflects the cost of supply of electricity and also reduces and eliminates cross-subsidy within a period as stipulated by the Commission.
- ii) If the State Govt. decides to subsidise any consumer or class of consumers in the tariff determined by the Commission, the State Govt. shall pay the amount to compensate the licensee affected by grant of such subsidy in advance.
- iii) The Government shall, by notification, declare the consumers or class of consumers to be subsidised.
- iv) The licensee shall make an estimate of subsidy to be provided to the consumers or class of consumers as per the Govt. notification and file the same with the Commission for approval.
- v) The Commission shall scrutinize the estimate and may require further details, data, documents in support of the estimates, which the licensees are required to file with the Commission within the stipulated time.
- vi) The Commission, on according approval forward the same to the State Govt. with a direction to pay the amount in full with a copy of the approval to the licensee.
- vii) On receipt of the approval of the Commission, the Govt. shall pay the amount to the licensees or the affected person within one month of receipt of such approval.

- viii) The amount of subsidies shall be available to the licensees in the form of cash only.
- ix) The licensee shall pay the subsidy received from the Govt. to the entitled class of consumers in proportion to their energy consumption on actual basis by way of adjustment in the energy bill.
- x) The licensee shall keep proper accounts of subsidy in such manner as approved by the Commission, and render the same to the Commission within 30 days of the closure of the Year of account.
- xi) The difference between the subsidy received from the Govt. and actual disbursement to the entitled class of consumers shall be adjusted in the next year.

Provided that no such direction of the State Govt. to grant subsidy shall be operative if the payment is not made in accordance with the relevant provisions contained in these Regulations. In such a case the tariff fixed by the Commission shall be applicable to the consumers from the date of issue of tariff orders by the Commission.

h) Availability Tariff (ABT)

Availability Based Tariff means a tariff structure based on availability of generating units and having components, viz, Capacity Charges (C.C.), Energy Charges (E.C.) or Variable Charges (V.C.) and charges for Unscheduled Interchange which the Commission may implement.

CHAPTER - IV

(Miscellaneous)

8. Procedure for Filing

For the purpose of determination of Annual Revenue Requirement (ARR) and calculation of tariff, the licensee/generating company shall furnish the required information with regard to technical, commercial and financial parameters in the formats as approved by the Commission from time to time.

9. Issue of orders and practice directions

Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations.

10. Power to remove difficulties

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do such things not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

By order of the Commission

**(M.R. Hazra)
Secretary**



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 988, CUTTACK, TUESDAY, JUNE, 21, 2005/JAISTHA 31, 1927

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR-751 012**

NOTIFICATION

Dated, the 6th June, 2005

No.OERC-JD(EA)-233/2004 – In exercise of the powers conferred under sub-sections (2), (3), and (4) of Section 42 read with Sections 39, 40, 86 and 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby makes the following Regulations for the introduction of open access to the intra-state transmission and distribution systems and terms and conditions thereof:

1. Short Title, Commencement and Interpretation:-

- i) These Regulations shall be called the Orissa Electricity Regulatory Commission (Terms and Conditions for Open Access) Regulation, 2005.
- ii) These Regulations extend to the whole of the State of Orissa.
- iii) These Regulations shall come into force on the date of their publication in the Official Gazette.

2. Definitions:-

In these Regulations, unless the context otherwise requires –

- a) “**Act**” means the Electricity Act, 2003 (36 of 2003)
- b) “**Allotted Transmission / Distribution Capacity**” means the power transfer in MW between the fixed point(s) of injection and point(s) of drawal allowed after concurrence of Government to a long-term customer on the intra-state transmission or distribution system under normal circumstances and the expression “allotment of transmission or distribution capacity” shall be construed accordingly;

- c) **“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 these Regulations;
- d) **“Commission”** means the Orissa Electricity Regulatory Commission being the Commission for the State of Orissa in terms of the first proviso to sub-section (1) of Section 82 of the Act.
- e) **“Reserved Transmission / Distribution Capacity”** means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a short-term customer on the transmission / distribution system(s) depending on availability of respective capacity and the expression “reservation of transmission or distribution capacity” shall be construed accordingly;
- f) **“State”** means the state of Orissa.

Words and expressions used and not defined in these Regulations but defined in the Act shall have the meanings as assigned to them in the Act, or in absence thereof, shall have the same meaning as commonly understood in the electricity supply industry.

3. **Extent of Application:-**

These Regulations shall apply to open access for use of intra-state transmission and distribution systems in the state within the meaning of the term defined in clause (37) & (19) respectively of Section 2 of the Act.

4. **Eligibility for Open Access and Conditions to be Satisfied:-**

- 1) The licensees and the generating companies including the persons who have established a captive generating plant and the consumers shall be eligible for non- discriminatory open access to the intra-state transmission system of the State Transmission Utility (STU) or any transmission licensee subject, however, to the availability of adequate transmission facility in such intra-state transmission system and further subject to the payment of the transmission charges as may be determined by the Commission from time to time:

Provided that in the event such open access is for the use by a consumer including the transmission or for otherwise conveyance or wheeling of electricity as required by any person for delivery to such consumer in the area of supply of a distribution licensee in the State, the open access to the intra-state transmission system shall be subject to payment of a surcharge as may be determined by the Commission from time to time under sub-section (2) of Section 42 of the Act.

- 2) The Licensees and the generating companies including the persons who have established a captive generating plant and the consumer shall be eligible for open access to distribution system of the distribution licensee in accordance with the phasing for introduction of open access as provided under clause 11 herein and further subject to the absence of operational constraints in the distribution system and also the payment of the wheeling charges as may be determined by the Commission from time to time.

Provided that in the event such open access is for the use by a consumer including the conveyance or wheeling of electricity as required by any person for delivery to such consumer in the area of supply of a distribution licensee in the State, the open access to the distribution system shall be subject to payment of a surcharge as may be specified by the Commission under sub-section (2) of Section 42 of the Act.

Explanation: For the purpose of the open access under these Regulations the operational constraints in the distribution system shall include availability of adequate capacity in the distribution system, appropriate metering and energy accounting system where the electricity to be wheeled can be correctly measured and accounted for, and such other things which may have an impact on the distribution licensee's business of supplying electricity to consumers in the area of supply.

5. Categorisation of Open Access Customers:-

- i) The transmission / distribution customers shall be divided into two categories, namely: -
 - a) Long-term customers, and
 - b) Short-term customers.
- ii) The persons availing or intending to avail access to the intra-state transmission or distribution system for a period of twenty-five years or more shall be long-term customers:
Provided that the existing beneficiaries of the State transmission and distribution systems owned or operated by the State Transmission Utility(STU) and existing distribution licensee shall be deemed to be long-term customers of the particular system.
- iii) The customers other than the long-term customers shall be the short-term customers:
Provided that the maximum duration for which the short-term access allowed at a time shall not exceed one year:
Provided further that short-term customers shall be eligible and re-eligible to obtain fresh reservation after expiry of their terms.

6. Special Provision for Existing Open Access Customers:-

The persons availing open access to the intra-state transmission and distribution systems in the State under an existing agreement or arrangement shall be entitled to continue to avail the open access on the terms and conditions applicable to them as before for the period of the existing agreement or arrangement subject to the payment of the transmission charges, the wheeling charges and the applicable surcharges as may be determined by the Commission from time to time.

7. Nodal Agency

- 1) The nodal agency for arranging long-term open access shall be the STU if the transmission system is used; otherwise the nodal agency shall be the respective distribution licensee within whose area the point of drawl is situated.

- 2) For short-term open access transactions, the nodal agency for receiving and processing applications shall be the State Load Despatch 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 open access transactions involving only intra-state transmission with duration of less than one week, the SLDC may not consult the concerned transmission licensee for permitting such transactions.

The SLDC and licensees shall devise procedures for co-ordination among themselves for allowing such short-term transactions.

8. Criteria for Allowing Open Access to Intra-state Transmission and/or Distribution Systems:-

- 1) Long-term access shall be allowed in accordance with the transmission and distribution planning capacity criteria stipulated in the Orissa Grid Code and/or the Orissa Distribution (Planning and Operation) Code, as the case may be.
- 2) Short-term access shall be allowed if the request can be accommodated by utilizing:
 - a) Inherent design margins;
 - b) Margins available due to variation in power flows and unutilised capacity, if any; and
 - c) Margins available due to in-built spare capacity in transmission and/or distribution systems created to cater to future load growth.

9. Criteria for Allotment/Reservation of Transmission/Distribution Capacity:-

- 1) The priority for allowing open access shall be decided generally on the criteria that long-term open access customers shall be given priority over short-term open access customers.
- 2) Open access shall be allowed only after determining the capacity available in the intra-state transmission system, and the operational constraints, if any, including the capacity available in the distribution system, the utilisation thereof by the existing customers and the capacity already committed for transmission, distribution and retail supply of electricity to the consumers of the distribution licensees in the State.
- 3) Subject to the above, the decision to allow open access shall be made on first come first serve basis.
- 4) Allotment of Capacity in case of Congestion:-
 - a) Long-term Applicants:

In the event of insufficient spare capacity/congestion in the network 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 to strengthen the system to accommodate such applicant(s). After completion of such works, the nodal

agency shall carry out the allotment of capacity to such applicant(s). As regards capital expenditure incurred by the licensee(s) for strengthening the system, the licensee(s) may require a capital contribution from the applicant(s) subject to the provisions of clause 13(1) (v) of these Regulations.

b) Short-term Applicants:

In case of applicants for short-term 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 customers. The bidders shall quote percentage points above the floor price. The reservation of capacity shall be done in decreasing order of the price quoted. In case of quotes involving equal prices, the reservation of capacity shall be done, if required, pro rata to the capacity sought. The customer getting reservation of capacity less than the capacity sought by him shall pay charges as per the price quoted by him. All other applicants getting capacity reservation equal to the capacity sought by them shall pay charges as per the price quoted by the last applicant getting full reservation of the capacity sought.

Explanation: For the purpose of clause 9(4)(b) above, the term “un-congested price” means the transmission or wheeling charges required to be paid by the short-term customers as per the rates approved by the Commission and published by the nodal agency from time to time.

10. Determination of Available Capacity of Transmission & Distribution:-

- 1) The availability of capacity in the intra-state transmission system for open access shall be determined from time to time by the STU after considering the representation of the licensees and the persons seeking open access:

Provided that the STU shall continue to publish and update on annual basis such available spare capacity for each of the five succeeding financial years, and the methodology adopted for arriving at such determination, in the form of a Statement of Opportunity in terms of its Licence Condition.

- 2) The availability of capacity in the distribution system including the existence or absence of operational constraints affecting the open access being allowed shall be determined by the STU after considering the representation of the distribution licensee and the persons seeking open access:

Provided that a standard methodology for such determination shall be evolved within a period of 30 days from the date of publication of these regulations by the STU in consultation with the distribution licensees. This shall be consistent with the provisions of the Orissa Distribution (Planning and Operation) Code and the Orissa Grid Code and shall be approved by the Commission.

- 3) 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 customers, load growth as projected by distribution licensees, growth of generation, network topology and consumption pattern, network investments and repairs & 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 customers of the network and the system reliability margin shall be deducted.
- 4) The licensees shall keep updating the data on available capacity, taking into account the contracts with open access customers, 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 failing which the Licensees will be penalized.
- 5) In order to decide the availability of sufficient spare capacity in the transmission & distribution (T&D) networks so as to permit an open access transaction applied for, the nodal agency as applicable 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 transaction [within the limits set by technical standards as per the norms of CEA as approved by the Commission and the Indian Electricity Grid Code or the Orissa Grid Code or the Orissa Distribution (Planning and Operation) Code or Indian Electricity Rules till such time the Regulations under Section 53 of the Act are made by the Central Electricity Authority, 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 within 90 days.
- 6) In the event of any dispute on the capacity of the transmission system available or the existence or absence of operational constraints and capacity in the distribution system on the determination by the STU, the same shall be referred to the Commission for decision.
- 7)
 - a) The Commission may while deciding on the dispute under clause (6) above or otherwise by a general or special order made from time to time lay down the conditions to be complied by the persons seeking open access to the distribution system in regard to operational constraints and the open access shall be allowed only subject to due satisfaction of such conditions.
 - b) The conditions to be satisfied may include construction, operation or maintenance of dedicated electric line or works from the sub-stations or feeder line or undertaking such other works as the Commission may decide as necessary to allow open access without operational constraints.

11. Phasing of Open Access:-

- 1) The open access in the intra-state transmission system in the State which is already in force under the provisions of Orissa Electricity Reform Act, 1995 and the existing Licence Conditions of the STU, shall continue subject to the satisfaction of the conditions contained in the Act or in these Regulations.
- 2) For consumers seeking open access to the distribution and/or intra-state transmission systems to avail supply of electricity from a generating company, the nodal agency shall permit open access strictly in accordance with the following phases:

Phase	Eligibility criteria	Commencement date
1	Requiring power exceeding 5 MW	April 1, 2008
2	Requiring power exceeding 2 MW	October 1, 2008
3.	Requiring power exceeding 1 MW	January 1, 2009

Provided further that for consumers seeking open access to the distribution and/or intra-state transmission systems to avail supply of electricity from any licensee other than the distribution licensee of their respective area of supply, the nodal agency shall permit open access strictly in accordance with the following phases:

Phase	Eligibility criteria	Commencement date
1.	Requiring power exceeding 5 MW	August 1, 2005
2.	Requiring power exceeding 2 MW	April 1, 2006
3.	Requiring power exceeding 1 MW	April 1, 2008

Provided that the Commission shall allow open access to consumers with power requirement not exceeding 1 MW in due course at such time and in such phases as it may consider feasible having due regard to operational constraints and other factors:

- 3) The licensees shall make all reasonable endeavours to ensure that operational constraints in the transmission and/or distribution systems, including metering, communication systems, capacity determination, etc. are removed. This shall ensure that every eligible distribution consumer avails of open access facility as per the phasing plan indicated above.

12. Procedure for Seeking and Grant of Open Access:-

1) Procedure for Long-term Customer

- a) i) An application for long-term access shall be submitted to the nodal agency;
- ii) The application shall contain the details, such as capacity needed, point(s) of injection, point(s) of drawal, duration of availing open access, peak load, average load and such other additional information that may be laid down by the nodal agency:

Provided that the STU shall issue necessary guidelines, procedure and application forms, transmission/distribution access agreement formats within 30 days of publication of these regulations in the Official Gazette, after due consultation with all the distribution licensees operating within the State and necessary approval of the Commission.

- iii) The application shall be accompanied by a non-refundable application fee of rupees one lakh per MW for transmission access and rupees fifty thousand per 500KW for distribution access payable in the name and in the manner to be decided by the nodal agency;
- iv) Based on system studies conducted in consultation with other agencies involved including other transmission and distribution licensees, the nodal agency shall, within 30 days of receipt of the application, intimate to the applicant whether or not the long-term access can be allowed without further system strengthening:

Provided that where the long-term access can be allowed without further system strengthening, this shall be allowed immediately after entering into commercial agreements.

- v) If, in the opinion of the nodal agency, further system strengthening is essential before providing the long-term access, the applicant may request the nodal agency to carry out the system studies and preliminary investigation for the purpose of cost estimates and completion schedule for system strengthening;
- vi) The nodal agency shall carry out the studies immediately on receipt of request from the applicant under clause (v) and intimate results of the studies within 90 days of receipt of request from the applicant;
- vii) The applicant shall reimburse the actual expenditure incurred by the nodal agency for system/ strengthening studies:

Provided that the fee of rupees one lakh paid for transmission access and rupees fifty thousand for distribution access paid by the applicants shall be adjusted against the actual expenditure to be reimbursed by them.

- b) The allotment of capacity to a long-term customer may be relinquished or transferred to any other long-term customer in accordance with Regulation 12(c)(ii) of these Regulations.

c) Transmission/Distribution Capacity Access Agreement

- i) A long-term customer shall enter into Transmission/Distribution Capacity access agreement with the transmission / distribution license. An open access customer shall enter into commercial agreements with the transmission and distribution licensees for use of their transmission and distribution systems;
- ii) The agreement shall provide, amongst other things, for the eventuality of premature termination of agreement and its consequences on the contracting parties;

- iii) After agreements have been entered into and copies furnished to SLDC, the SLDC shall inform the open access customer the date from which open access will be available which will not be later than seven days from the date of furnishing of agreements.

d) Exit Option for Long-term Customer

- i) A long-term customer shall not relinquish or transfer his rights and obligations laid down in the Transmission / Distribution capacity access agreement, without prior approval of the Commission.
- ii) The relinquishment or transfer of right and obligations by a long-term customer shall be subject to payment of compensation as may be determined by the Commission.

2) Procedure for Short-term Customer

- a) i) A short-term customer shall submit an application for transmission/distribution access to the SLDC;
- ii) The application shall contain the details such as capacity needed, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information that may be laid down by the SLDC;

Provided that the SLDC shall issue necessary guidelines, procedure and application forms, within 30 days of publication of these regulations in the Official Gazette, after due consultation with all the transmission/distribution licensees operating within the State and necessary approval of the Commission.

- iii) State load dispatch centre, in consultation with the State Transmission Utility and distribution licensee, as the case may be, shall take a decision on the application based on the following schedule:

Sl. No.	Tenure of the contract	Maximum Processing Time (from end of the calendar month of submission)
1.	Up to one day	12 hours
2.	Up to one week	Three days
3.	Up to one month	Seven days
4.	Up to one year	Thirty days

- iv) The application shall be accompanied by a non-refundable application fee of rupees five thousand payable in the name and in the manner to be decided by the SLDC;
- v) The reserved capacity shall not be transferred by a short-term customer to any other customer.

b) Non-Utilisation of Reserved Transmission Capacity by Short-term Customer

- i) In case a short-term customer is unable to utilise full or substantial part of the reserved capacity reserved, he shall inform the SLDC along with reasons for his inability to utilise the reserved capacity and may surrender the reserved capacity;
- ii) The SLDC may reduce or cancel the reserved capacity of a short-term customer when such a customer frequently under-utilises the reserved capacity;
- ii) The short-term customer who has surrendered the reserved capacity or whose reserved capacity has been reduced or cancelled, shall bear full transmission or distribution charges as the case may be in addition to the scheduling and system operation charges based on original reserved capacity and the period for which the capacity was reserved;
- iv) The capacity available as a result of surrender or reduction or cancellation of the reserved capacity by the SLDC under clause (i) or (ii) above, may be reserved for any other short-term open access customer in accordance with these regulations.

13. Open Access Charges:-

- 1) The charges for the use of the transmission/distribution system by an open access customer shall be regulated as under:
 - i) Open access customers connected to the transmission/distribution system shall pay the transmission charges, wheeling charges and any other charges including reactive energy charges, service charges, unscheduled use charges, and penal charges for wrongful use of the transmission or the distribution system(s), as the Commission may determine from time to time, as a part of the tariff under Sections 61, 62 and 86 of the Act or otherwise decide or authorise the SLDC/Licensee to charge in exercise of its regulatory powers under the Act.
 - ii) Surcharge to be levied on open access customers under Section 42(2) of the Act, shall be determined by the Commission keeping in view the loss of cross-subsidy from these customers opting to take supply from a person other than the incumbent distribution licensee.
 - iii) The Commission may adopt requisite principle for computing surcharge which shall compensate for the entire loss of cross subsidy for any given category of open access customers to whom supply is given.
 - iv) Where an electrical plant or electrical line has been constructed by the licensee in order to extend power supply to an open access customer, the licensee may seek to recover such expenditure as may be determined by the Commission under Section 46 of the Act.
 - v) If network augmentation is required for providing access to an applicant, the licensee shall carry out such augmentation either by investing own funds which shall be recovered along with the required return within reasonable time or by requiring the open access customer(s) to make a capital contribution towards such network augmentation.

- vi) The open access customer 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 source 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.
- vii) Scheduling and system operation charges shall be payable by all open access customers to SLDC. Such charges shall be governed by the relevant regulations framed by the Commission.
- viii) The transmission/distribution customers shall bear average energy losses in the transmission/distribution systems respectively as estimated by the SLDC. The energy losses in the transmission/distribution systems shall be compensated by additional injection at the injection point(s). The information regarding average energy losses for the previous 52 weeks shall be posted on the website of the SLDC.

14. Payment Terms and Conditions:-

- 1) In case of long-term customers, the concerned distribution licensee may invoice a customer in respect of the open access charges as set out in these Regulations and the open access customer must pay those charges in accordance with the procedures set out in the access agreement between the licensees and the customer:

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 customer to the concerned transmission licensee.

- 2) In case of short-term customers, the SLDC shall invoice the customer on behalf of the concerned licensee(s) and the customer shall pay the charges to the concerned licensee(s) directly.
- 3) All open access customers shall pay the charges payable from the date of commencement of open access regardless of whether or not such open access is used on and from that date, except if the failure to use such access services is due to the default of the concerned licensee(s) whose networks are being used.
- 4) All open access customers shall institute an appropriate security mechanism in the agreement to cover charges for a maximum period of one month.

15. Right of Refusal:-

The current open access customer shall have the first right of refusal to the capacity being used by him. Such an open access customer shall be given preference in allotment if he is willing to match the duration of service being sought by potential customers.

16. Curtailment Priority

When because of transmission constraints or otherwise, it becomes necessary to curtail the transmission service, the short-term open access customers shall be curtailed first followed by the long-term open access customers:

Provided that within a category, the open access customers shall have equal curtailment priority and shall be curtailed on pro-rata basis.

17. Other Conditions:-

- 1) The open access customers shall meet the metering and communication requirements as the Commission may direct from time to time. The meters shall always be maintained in good condition and shall be open for inspection by any person authorised by the concerned licensee/SLDC.
- 2) The open access customers shall abide by the applicable provisions of the Indian Electricity Grid Code, the Orissa Grid Code and instructions given by STU, SLDC and other authorities from time to time.
- 3) The open access customers shall abide by all applicable regulations, directions, guidelines and orders of the Commission made from time to time.
- 4) The open access customers shall comply with the metering and other requirements of ABT. Metering arrangement both at consumer end and at the point of injection of power by the open access supplier and integration of the two metering points determining online mismatches in drawal and supply including losses, shall have to be complied with.

18. Issue of Orders and Practice Directions:-

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may from time to time issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to specify and direct, and matters incidental or ancillary thereto.

19. Powers to Remove Difficulties:-

In case of any difficulty in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, direct the open access customers, generators, the STU, the SLDC and the licensees to take suitable action, not being inconsistent with the provisions of Electricity Act, 2003, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulty. The open access customers, generators, the STU, the SLDC and the licensees may make an application to the Commission and seek suitable orders to remove any difficulty that may arise in implementation of these Regulations.

20. Power to Amend:-

The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

By order of the Commission

(M.R. HAZRA)
SECRETARY

The Orissa



Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1011 CUTTACK, TUESDAY, JULY 18, 2006/ASADHA 27, 1928

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR-751 012**

NOTIFICATION

Dated the 6th June, 2006

No.OERC-JD (EA)-233/2005 - In exercise of the powers conferred under sub-sections (2) and (4) of Section 42 and Sections 39, 40, 86 read with 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby makes the following Regulations for Determination of Charges for Open Access customers in the intra-state transmission and distribution systems in the State of Orissa.

CHAPTER - I

GENERAL

1. Short Title, Commencement and Interpretation :-

- i) These Regulations shall be called the Orissa Electricity Regulatory Commission (Determination of Open Access Charges) Regulations, 2006.
- ii) These Regulations extend to the whole of the State of Orissa.
- iii) These Regulations shall come into force on the date of their publication in the Official Gazette.
- iv) These Regulations are to be read with Orissa Electricity Regulatory Commission (Terms & Conditions for Open Access) Regulations, 2005 as amended from time to time.

2. Definitions:-

In these Regulations, unless the context otherwise requires –

- a) “**Act**” means the Electricity Act, 2003 (36 of 2003);
- 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 these Regulations;
- c) “**Commission**” means the Orissa Electricity Regulatory Commission;
- d) “**Day**” means a day starting at 00 hours and ending at 24.00 hours;
- e) “**Direct Customer**” means a person directly connected to the transmission/distribution system owned and/or operated by the State Transmission Utility/Transmission Licensee/ Distribution Licensee;
- f) “**Embedded customer**” means a person who is not a Direct customer;
- g) “**Existing Customer**” means a person already availing open access to the transmission system and/or distribution system of a licensee in the State under an existing agreement on the date of coming into force of these Regulations;
- h) “**Month**” means a calendar month;
- i) “**Nodal Agency**” means the Nodal Agency as specified in Regulation 7 of OERC (Terms & Conditions of Open Access) Regulations, 2005;
- j) “**Open Access Customer**” means a consumer permitted by the State Commission to receive supply of electricity from a person other than distribution licensee of his area of supply, or a generating company (including captive generating plant) or a licensee, who has availed of or intends to avail of open access;

- k) **“State”** means the state of Orissa;
- l) **“SLDC”** means the State Load Dispatch Centre established in the State under sub-section (1) of section 31 of the Act;
- m) **“State Transmission Utility”** means a Government company notified as such by the Government of Orissa under sub-section (1) of section 39 of the Act;
- n) **“Transmission Customer”** means any person, including open access customer using transmission lines and associated facilities of State Transmission Utility and/or a transmission licensee;
- o) **“Year”** means twelve (12) calendar months.

Words and expressions used and not defined in these Regulations but defined in the Act shall have the meanings as assigned to them in the Act, or in absence thereof, shall have the same meaning as commonly understood in the electricity supply industry.

3. Extent of Application

These Regulations shall apply to open access customers for use of intra-state transmission and distribution systems in the State within the meaning of the term defined in sub-section (37) & (19) respectively of Section 2 of the Act.

CHAPTER - II

CHARGES FOR OPEN ACCESS

4. Open Access Charges

Open Access Customers shall pay the following charges for the use of the intra-state transmission/distribution system which shall be regulated as follows:

- 1) Transmission/Wheeling Charges
 - i) Open access customers connected to the intra-state transmission/distribution systems shall pay the transmission and wheeling charges as applicable to the appropriate licensees, as the Commission may determine from time to time.
 - ii) The Commission shall determine transmission and wheeling charges payable to State Transmission Utility (STU)/Transmission Licensee and wheeling charges payable to Distribution Licensee(s) by open access customers on full cost basis as part of tariff under Sections 61, 62 and 86 of the Act.
 - iii) This full cost shall be calculated for the relevant voltage level considering the actual energy wheeled/transmitted in the system. The per unit cost of transmission and wheeling shall be determined using the postage stamp method taking into consideration the quantum of energy handled in the appropriate system.
 - iv) Where a transmission line or a distribution line used for open access has been constructed by the licensee for exclusive use of an open access customer, such a dedicated system shall also be treated as a part of the integrated system. The licensee shall work out the transmission charges or wheeling charges for such dedicated system. The Commission based on the estimation of expenses required by the licensee to maintain the system and other statutory charges, if any, shall determine such charges under Section 46 of the Act, which 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.
 - v) If network augmentation is required for providing access to an applicant, the licensee shall carry out such augmentation either by investing own funds which shall be recovered along with the required return within reasonable time or by requesting the open access customer(s) to provide debt capital towards such network augmentation.
 - vi) In case inter-state transmission system is used by an open access customer in addition to distribution system, transmission charges for inter-state transmission shall be payable by the customer in accordance with CERC Regulations in addition to wheeling charges as approved by the Commission.
 - vii) The annual transmission charges payable by a long-term customer for use of the intra-state transmission system shall be determined after deducting the adjustable revenue received

from the short-term customers as well as inter-state customers. The long-term customers shall share these charges. The transmission charges payable by long-term customers in terms of Rs./MW/Day in case of uncongested transmission corridor shall be worked out as follows:

$$LT_RATE = \left\{ \frac{\text{Net Approved Transmission Cost (NATC)}}{\text{Average_Demand in the State (in MW)}} \right\} / 365$$

- viii) The transmission charges payable by short-term customers in terms of Rs./MW/Day in case of uncongested transmission corridor shall be calculated in accordance with the following methodology, namely:-

$$ST_RATE = 0.25 \times [\text{NATC} / \text{Average_Demand in MW}] / 365$$

where ST_RATE is the rate for short-term customer in Rs per MW per day, "NATC" means the annual transmission charges or annual revenue requirement on account of the transmission system for the previous financial year as determined by the Commission. "Av_DEMAND" means the average capacity in MW served by the intra-state transmission system of the transmission licensee in the previous financial year.

- ix) The transmission charges payable by a very very short-term customer using the system for fraction of a day in case of uncongested transmission corridor shall be levied as under, namely :-
- a) Up to 6 hours in a day in one block : 1/4th of ST_RATE
 - b) More than 6 hours and up to 12 hours in a day in one block : 1/2 of ST_RATE
 - c) More than 12 hours and upto 24 hours in a day in one block : equal to ST_RATE
- x) The transmission charges payable by a short-term customer shall be for one day and in multiples of whole number of days.
- xi) 25% of the charges collected from the short-term customers shall be retained by the transmission licensee and the balance 75% shall be adjusted towards reduction in the transmission charges payable by the long-term customers.
- xii) Every transmission licensee shall declare the approved LT_RATE and ST_RATE in Rs./MW per day calculated in accordance with clause (vii) and (viii) above, which shall remain fixed for a period of one year.
- xiii) Wheeling charges shall be determined on the basis of same principles as laid down for intra-state transmission charges and in addition would include average loss compensation of the relevant voltage level as approved by OERC for the previous year subject to year-end adjustment.
- xiv) Transmission/Wheeling charges should be filed in accordance with Section 64 of the Act.

2) Surcharge

- i) Surcharge to be levied on open access customers under Section 42(2) of the Act, shall be determined by the Commission keeping in view the loss of cross-subsidy from these customers opting to take supply from a person other than the incumbent distribution licensee.
- ii) Avoided cost method shall be used to determine the cost of supply of electricity to consumers of the applicable class.
- iii) The methodology for computing such cost is as follows:
 - a) As a first step, the projected capacity that is likely to move away due to open access will be estimated.
 - b) Since, it will avoid purchase of power from marginal sources of supply, the weighted marginal cost of power purchase (fixed plus variable costs) from such sources would be considered as avoided cost of power purchase.
 - c) To that avoided cost, other charges viz. applicable transmission and wheeling charges will be added to arrive at the cost of supply.
- iv) Cross-subsidy surcharge shall be computed by the licensee as the difference between (1) the tariff applicable to relevant category of consumers and (2) the cost of the distribution licensee to supply electricity to the consumers of the applicable class, and the same shall be submitted for necessary approval of the Commission.
- v) The amount of such surcharge shall be utilised to meet the current level of cross-subsidy paid by the category of consumers applicable to electricity supply of open access customers and shall be paid to the distribution licensee of area of supply where the premises of the customer availing open access is located.
- vi) The surcharge and cross-subsidy shall be progressively reduced and eliminated in the manner as the Commission may lay down for reduction and elimination of cross-subsidies in its regulations or revised tariff order issued from time to time keeping in view the Long Term Tariff Strategy and the Business Plan approved by the Commission.
- vii) Surcharge should be calculated by the licensees and approved by the Commission.

3) Additional Surcharge

- i) The open access customer shall also be liable to pay additional surcharge on charges of wheeling, in addition to wheeling charges and surcharge, to meet the fixed cost of the distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 42 of the Act in case open access is sought for receiving supply from a source other than the distribution licensee of his area of supply.
- ii) The distribution licensee whose consumer intends to avail of open access shall submit to the Commission within 30 (thirty) days of receipt of application, an account of fixed cost, which the licensee is incurring towards his obligation to supply.

- iii) The additional surcharge for obligation to supply as per Section 42(4) of the Act should become applicable only if it is conclusively demonstrated that, that obligation of a licensee, in terms of power purchase commitments, has been and continues to be stranded, or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. The fixed costs related to network assets should be chargeable only when the same is not recovered through wheeling charges.
- iv) The Commission shall scrutinize the statement of accounts submitted by the licensee as per sub clause (ii) above and obtain objections, if deemed necessary of the open access customer and determine the amount of surcharge and additional surcharge payable by the open access customer to the licensee.
- v) The additional surcharge shall be leviable for such period as the Commission may determine from time to time.
- vi) Additional surcharge should be calculated by the licensees and approved by the Commission.

4) Scheduling & System Operation Charges

- i) Scheduling and Operation charges include fees for scheduling and system operation, fees for affecting revision in the schedule on bonafide grounds, and collection and disbursement charges.
- ii) Short-term customers shall pay scheduling and system operation charges to be notified by the Commission after determination of ARR.
- iii) Until such time a sum of Rs.1000.00 per day or part thereof shall be payable by a short-term customer for each transaction towards these charges.
- iv) Scheduling and system operation charges shall also be payable by a generating company or a licensee when allowed accesses under these Regulations.

5) Reactive Energy Charges

- i) The Commission shall separately determine charges for KVARH consumption from the grid in terms of paise/unit and the open access customers shall pay the same.
- ii) The payment for the reactive energy charges for the direct customers on account of open access shall be calculated in accordance with the scheme applicable to transactions involving intra-state transmission or distribution approved by the Commission in the tariff order.
- iii) Reactive energy charges shall be based on requirements to be met by the direct customers with regard to reactive power generation/drawl, as stipulated in the State Grid Code/ Distribution Code/Supply Code, as the case may be.
- iv) The reactive energy charges payable to or receivable by the STU shall be paid to or received from the pool by the STU concerned and shall not be apportioned to the embedded customers.
- v) The reactive energy drawls and injections by the embedded customers shall be governed by the regulations applicable within the State.

6) Charges for Short-Term Access through Bidding

The charges for short-term access through bidding shall be levied as specified in the OERC (Terms and Conditions for Open Access) Regulations, 2005 as amended from time to time.

7) Unscheduled Interchange Charges (UI Charges)

- i) The mismatch between the scheduled and the actual draw/ scheduled and the actual injection at the interface points may be met from the grid, which shall be governed by UI pricing mechanism. However the tariff payable by the open access customers to the licensee may contain a component of incentive to be decided by the Commission.
- ii) A composite UI bill for the State as a whole shall be issued by the ERLDC, the segregation of which shall be done at the state level by the SLDC for the UI charges payable by the open access customers.
- iii) With regard to quality, continuity and reliability of power supply to the premises of an open access customer, the distribution licensee shall be bound by the provisions of OERC (Licensees' Standard of Performance) Regulations, 2004 and Orissa Grid Code as applicable to embedded customers.

8) Miscellaneous Charges

- i) Penal charges, if any, for wrongful use of the transmission and/or distribution systems that adversely affect the power system, shall be decided by the Nodal Agency and borne by the open access customers.

Meter rent as applicable to EHT/HT consumers shall be payable by the open access customers.

CHAPTER - III

POINT OF SUPPLY, ENERGY LOSS & TERMS AND CONDITIONS OF PAYMENTS

5. Point of Supply

The point of supply to an Open Access customer shall be at the interface point in the Open Access customer's premises.

6. Energy Losses

The transmission/distribution customers seeking open access shall bear average technical losses in the transmission/distribution systems respectively as estimated by the SLDC. The energy losses in the transmission/distribution systems shall be compensated by additional injection at the injection point(s). The transmission/distribution loss as approved by the Commission for the previous financial year alongwith the information regarding average energy losses for the previous 52 weeks shall be posted on the website of the SLDC.

7. Payment Terms and Conditions

The payment terms and conditions shall be as specified in the OERC (Terms and Conditions for Open Access) Regulations, 2005 as amended from time to time.

8. Special Provision for Existing Open Access Customers

The persons availing open access to the intra-state transmission and distribution systems in the State under an existing agreement or arrangement shall be entitled to continue to avail the open access on the terms and conditions applicable to them as before for the period of the existing agreement or arrangement subject to the payment of the transmission charges, the wheeling charges, applicable surcharges and other charges as specified in these Regulations and determined by the Commission from time to time.

CHAPTER - IV

MISCELLANEOUS

9. Issue of Orders and Practice Directions

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may from time to time issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to specify and direct, and matters incidental or ancillary thereto.

10. Savings

- 1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.
- 2) Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters.
- 3) Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

11. Powers to Remove Difficulties

In case of any difficulty in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, direct the open access customers, generators, the STU, the SLDC and the licensees to take suitable action, not being inconsistent with the provisions of Electricity Act, 2003, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulty. The Open Access customers, generators, the STU, the SLDC and the licensees may make an application to the Commission and seek suitable orders to remove any difficulty that may arise in implementation of these Regulations.

By order of the Commission

(M.R. HAZRA)
SECRETARY

The Orissa



Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 383 CUTTACK, THURSDAY, FEBRUARY 14, 2008/MAGHA 25, 1929

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR-751 012**

NOTIFICATION

Dated the 17th December, 2007

No. 264-OERC-JD (EA) /2006 - In exercise of the powers conferred under sub-sections (2)(zd) and (2)(zp) of Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby makes the Intra-State Availability Based Tariff (ABT) Regulations, 2007.

CHAPTER - I

GENERAL

1. Short Title, Commencement and Interpretation :-

- i) These Regulations shall be called the Orissa Electricity Regulatory Commission (Intra-State ABT) Regulations, 2007.
- ii) These Regulations extend to the whole of the State of Orissa.
- iii) These Regulations shall come into force on the date of their publication in the Official Gazette.
- iv) These Regulations are to be read with the Act and Regulations as stated at 2(II) below.

2. Definitions:-

- l) In these Regulations, unless the context otherwise requires –
 - a) “**ABT**” shall mean “Availability Based Tariff”.
 - b) “**Act**” means the Electricity Act, 2003 (36 of 2003);
 - c) “**Commission**” means the Orissa Electricity Regulatory Commission;
 - d) “**Drawl**” shall mean the electricity which has been delivered at the interconnection of transmission system or installation of the ‘user’ with specified network.
 - e) “**Injection**” shall mean the transfer of electricity by a generating company or licensee to the user at a predefined interconnection point with specified network.
 - f) “**Intra-State UI Rate**” shall mean unscheduled interchange rates as specified by these Regulations.
 - g) “**Intra-State Generating Station**” shall mean a generating station or a captive generating plant (CGP) which is not an Inter-State generating station and is operating and supplying entire electricity generation within the State.
 - h) “**User**” shall mean generating station including CGP, distribution licensee, trading licensee and open access customers within the state utilizing specified network.
 - i) “**State**” means the state of Orissa;
 - j) “**Supplier**” shall mean any generating company or licensee from whose system electricity flows into the system of another generating company or licensee or consumer.
 - k) “**Time Block**” shall have meaning as defined in Indian Electricity Grid Code.
 - l) “**Specified Network**” means state transmission network of 33 kv and above voltage level owned and operated by the transmission licensee(s) of the State.
 - m) “**SLDC**” means the State Load Dispatch Centre under sub-section (1) of section 31 of the Act;

- n) **“State Transmission Utility (STU)”** means the utility notified by the Government of Orissa under Section 39(1) of the Act.
- II) Words and expressions appearing in these regulations and not defined herein above shall bear the meaning assigned to them in the following:
 - a) The Electricity Act-2003.
 - b) OERC (Terms & Conditions for Open Access) Regulations 2004.
 - c) OERC (Terms & Conditions for Determination of Tariff) Regulations, 2004.
 - d) Orissa Grid Code (OGC) Regulations, 2006.
 - e) Indian Electricity Grid Code, 2005.
 - f) CERC (Terms & Conditions of Tariff) Regulations, 2004.
 - g) CEA (Installation and Operation of Meters) Regulation, 2006.

3. Applicability of Intra-State ABT:

Intra-State ABT shall be applicable to users/suppliers who are required to give daily schedules to SLDC, unless excluded from the applicability of ABT under these Regulations.

Provided that the applicability of the ABT shall remain suspended for the period of Grid disturbance, islanded mode of grid operation as intimated by SLDC as per provisions of the Orissa Grid Code.

I) Generating Stations:

A generating station except the following shall be covered by Intra-State ABT:

- i) Those covered by Inter-State ABT,
- ii) Nuclear, Wind and Solar Power Stations,
- iii) Run of River Hydro Power Stations without storage facility,
- iv) Power Plants of capacity below 5 MW

II) Licensees:

A distribution/trading licensee shall be covered by Intra-State ABT, if

- i) It draws from generating stations & licensees governed by Inter-State and/or Intra-State ABT and
- ii) Its drawl during any time block exceeds its drawl from Non-ABT sources (i.e. generating, trading licensee & DISTCOs not governed by Inter-State or Intra-State ABT).

III) Open Access Customers:

An open access customer, within the State, shall be governed by Intra-State ABT only in respect of electricity supplied to him by the Intra-State generating station including CGP/ licensee to the extent of such supply only, governed by Inter-State/Intra-State ABT.

IV) HT & EHT Consumers:

HT & EHT consumers having contract demand of 5 MVA or more.

CHAPTER - II

AVAILABILITY-BASED TARIFF

4. Components of Availability Based Tariff

The tariff under the Intra-State ABT regime shall have three components, namely fixed charges, energy charges and Un-scheduled Inter-change charges (UI Charges). The fixed charges shall be linked to Availability and variable charges to scheduled energy. Un-scheduled Interchange (UI) rate shall be applicable for the deviations from the schedule.

I) Fixed Charges/Capacity Charges:

- i) Capacity charges of the generators shall be payable by users on the capacity allocated to them, irrespective of the quantum of power they draw or scheduled to draw.
- ii) Capacity charges shall be related to 'Availability' of the generating station.
- iii) Capacity charges at various 'Availability' levels shall be computed in accordance with OERC Regulations / guidelines. Recovery of capacity charges below the level of such target Availability shall be on pro-rata basis. At zero Availability, no capacity charges shall be payable.
- iv) The requirements of Deemed Generation (DG) shall not be necessary for working out Availability as the energy charges shall be payable on ex-bus scheduled energy corresponding to scheduled generation.

II) Energy Charges

- i) Energy charges or variable charges shall be payable by every user on the scheduled energy irrespective of actual drawl.
- ii) Energy charges shall be worked out in accordance with OERC Regulations / guidelines.

III) Un-scheduled Interchange (UI) Charges

- i) Variation between actual generation or actual drawl and scheduled generation or scheduled drawl shall be accounted for through Un-scheduled Interchange (UI) charges.
- ii) UI charges are payable by the users/suppliers for the deviations from the schedule and are dependent on the frequency prevailing at that point of time.
- iii) UI for a generating station shall be equal to its actual generation minus its scheduled generation.
- iv) UI for a user including open access customer shall be equal to its total actual drawl minus its total scheduled drawl.

- v) The UI rates and threshold frequencies as determined from time to time by CERC in its Tariff Regulations shall apply to the users of the intra-state grid for each 15 minute block linked to frequency.
- vi) The existing rates of UI as approved by CERC (and amended from time to time) and shown in the appended schedule shall apply to Intra-State ABT.
- vii) In respect of the following only UI charge component of the Intra-State ABT shall be applicable:
 - a) Users wheeling their captive power;
 - b) All consumers with captive/ co-generation with capacity of 5 MVA and above in parallel operation with the GRID with a possibility to inject inadvertent power into GRID.

5. Reactive Power Compensation

This shall be as provided in the OGC as amended from time to time.

CHAPTER - III

ENERGY ACCOUNTING & COMMERCIAL SETTLEMENT

6. Scheduling

- a) All eligible suppliers and users shall comply with the scheduling and dispatch requirements as specified in the Orissa Grid Code and as per the instructions given by SLDC.
- b) SLDC shall aggregate the requisitions of drawl of power from the DISTCOs and traders and prepare the dispatch schedule keeping in view the merit order of dispatch. The SLDC shall issue the following which shall form the basis of Intra-State ABT:
 - i) Drawl schedule to ERLDC against state's entitlement for communication to the CGSs.
 - ii) Dispatch schedule to the State Generators.
 - iii) Dispatch schedule to Others (IPPs /CGPs).
 - iv) Drawl schedule to the DISTCOs/Open Access Customers/Traders.
- c) Drawl schedule of the HT / EHT consumers of 5 MVA and above shall be prepared by the DISTCOs.

7. Demonstration of Declared Capability:

The generating stations may be required to demonstrate their declared capability as and when directed by the SLDC. In the event of a generating company failing to demonstrate the declared capacity, the capacity charges due to the generator shall be reduced proportionately and in case of persistent failure to prove the declared capacity, the same shall be dealt as per Regulation 1.18 of OGC, 2006. In case of captive generating plant, the quantum scheduled for sale to any licensee will be under demonstration of declared capacity.

8. Gaming

- a) Generating Stations generating up to 105% of the declared capacity in any time block of 15 minutes and averaging up to 101% of the average declared capacity over a day shall not be construed as gaming, and the generator shall be entitled to UI charges for such excess generation above the scheduled generation (SG).
- b) For any generation beyond the prescribed limits, the SLDC shall investigate so as to ensure that there is no gaming, and if gaming is found, the corresponding UI charges due to the generating station on account of such extra generation shall be reduced to zero and the amount shall be adjusted in UI account of users in the ratio of their capacity share in the generating station.

- c) If any DISTCO or any person under Section 13 or under 8th proviso of Section 14 of the Act draws less power than the scheduled drawl in spite of availability of power as per schedule and at the same time has load shedding in his area of supply, then the action shall be construed as gaming and no UI charge shall be receivable by him. UI amount shall be adjusted in the UI account of users as in para (b) above. However, for any direction by SLDC, if such incidence occurs, then UI charge may be receivable to him, if applicable.
- d) Any significant deviation of more than 5% shall be treated as gaming and may be disallowed by SLDC.

9. Metering and Meter Reading:

- a) Where the entry and exit points are connected to the network of transmission system, the metering arrangements, including installation, testing and operation and maintenance of meters and collection, transportation and processing of data required for accounting of energy exchanges and average frequency on 15 minute time block basis shall be organised by the STU.
- b) Where, however, the entry and exit points are connected to the network of DISTCOs' System, the metering arrangements, including installation, testing and operation and maintenance of meters and collection, transportation and processing of data required for accounting of energy exchanges on 15 minute time block basis shall be organised by the individual DISTCOs.
- c) Metering arrangements, including installation, testing and maintenance of meters shall be the responsibility of the STU for the transmission network and individual DISTCOs for their distribution network on payment basis. Collection and transportation of raw data to SLDC shall be the responsibility of individual licensee. Processing of the data required for accounting of energy exchanges and UI account based on average frequency of 15-minute time block shall be done by the SLDC. Initial time synchronization of the meters and further checking and time synchronization, as and when required, shall be done by STU / DISTCOs in co-ordination with the SLDC. All concerned entities (in whose premises the ABT compliant special energy meters are installed), shall fully cooperate with the STU/DISTCOs and extend necessary assistance to STU/DISTCOs for taking weekly meter readings and transmitting them to the SLDC. On the basis of processed data of meters along with data relating to declared capacity and schedules etc., the SLDC shall issue the State Energy Accounts for energy on monthly basis as well as UI and Reactive Energy Charges Accounts on weekly basis. UI accounting procedures shall be governed by the Orders of the Commission. In case of any dispute, the matter shall be referred to the GCC for decision and in case the same is not resolved in GCC, the matter shall be referred to the Commission for decision which shall be final.
- d) The cost of metering shall be borne by the owners of the meters. Regarding the ownership of meters and its accessories, the entities involved shall follow Regulation-6 of CEA (Installation and operation of meters) Regulations, 2006.

- e) ABT compliant meters [interface meters as per CEA's (Installation and Operation of Meters) Regulations, 2006] shall be provided at the points of injection/drawl, by the respective users who shall also ensure communication of data to SLDC. The time synchronization of the metering system shall be through Global Positioning System (GPS) with counter check from State Energy Accounting and Billing Centre. Respective users shall bear their own expenses.
- f) For the purpose of Intra-State ABT, the existing metering CTs and PTs/CVTs installed and operated in the system shall be valid until these are replaced by those of specified accuracy and class as specified by CEA in its Regulations.
- g) Metering and Accounting shall be as per the Orissa Grid Code as amended from time to time.

10. Energy Accounting:

- a) SLDC shall be the agency responsible for implementation of Intra-State ABT. It shall coordinate with ERLDC for application of Inter-State ABT in consultation with generators, transmission licensees, traders, DISTCOs and open access customers. SLDC shall process the metering data received from all the stations and maintain energy account on regular basis and shall take all measures necessary to prevent gaming.
- b) The SLDC shall establish Area Load Dispatch Centres (ALDCs) to monitor and control their drawl of power, injection/ drawl of open access customers on real time basis and shall set up communication links with SLDC so as to have effective and efficient operation. The DISTCOs shall set up their own Distribution System Operation & Control Centres (DSOCCs). The DSOCCs shall take appropriate action in response to grid warnings as decided by the Distribution Licensees and convey suitable instructions to their operating staffs. The DSOCCs shall also take timely action in response to grid warnings as per standard instructions laid down by the Distribution Licensees in this regard and if necessary, issue appropriate instructions in addition if a particular situation warrants. The SLDC/ALDC shall intimate the Distribution Licensees through DSOCCs, regarding significant deviations of final schedules of State Generators and Central Generating Stations (CGSs) on overall merit order. The DSOCCs shall undertake suitable load management and curtailment in their respective areas of operation.
- c) All expenses to upgrade necessary software, hardware, human resources for real time operations and communication of data to SLDC etc. as allowed by the Commission shall be recovered.
- d) All stake-holders shall comply with the directions of SLDC and provide required assistance on timely and regular basis for smooth operation. SLDC is authorized to impose penalty on users in accordance with the provisions of the Act for non-compliance of any directions. In case of persistent failure to adhere to such directions of SLDC, the same shall be dealt as per Regulation 1.18 of OGC, 2006.

- e) A monthly State Energy Account for billing and settlement of 'Capacity Charge' and 'Energy Charge' and weekly accounts on 'UI Charge' and 'Reactive Charge' shall be prepared by the SLDC.
- f) All Accounting Calculations carried out by SLDC shall be open to all Agencies for any checking / verification, for a period of 15 days. In case any mistake is detected, SLDC shall forthwith make a complete check and notify the mistakes.
- g) The SLDC shall table the complete statement of the State UI account and the State Reactive Energy account in the GCC's Commercial Committee meeting, on a quarterly basis, for audit by the latter.
- h) SLDC shall forward the necessary data/schedules to regional level in line with Regulations formulated by Central Electricity Regulatory Commission.

11. Commercial Settlement:

- a) The users shall pay to the respective generating companies capacity charges corresponding to plant Availability and energy charges for the scheduled dispatch. However, calculation of capacity charges and energy charges may be based on CERC (Terms & Conditions of Tariff) Regulations, 2004 as amended from time to time. The bills for these charges shall be issued by the respective generating companies to each user on monthly basis based on State Energy Accounts (SEA) issued by SLDC.
- b) The payment and / or receipt on account of UI charges shall be governed as per Regulation 4 (III) above.
- c) In case of energy drawn by an open access customer in excess of its drawl schedule given by SLDC, such excess drawl for each time block shall be deemed to have been supplied by the concerned DISTCO (in whose license area such open access customer is situated). In case of over frequency, the DISTCO shall be paid for by the customer at UI rate depending on frequency prevailing at that 15-minute time block. In case of over drawl during under frequency, such excess drawl shall be billed at UI rate depending on the frequency prevailing at that 15-minute time block.
- d) In any case, the over drawl either during over frequency or under frequency should not exceed 20% of the contract demand for safety of the installation. In case of such persistent overdrawl, the licensee may inform the Open Access customer and may disconnect power supply until the customer agrees to abide by the stipulation. In case of under drawl by the Open Access customer from the drawl schedule given by the SLDC during the period of under frequency, the concerned DISTCO (in whose license area such open access customer is situated) shall be entitled to UI benefits on this account depending on frequency prevailing at that 15-minute time block which will be notified by the Commission from time to time.
- e) The summation of station-wise ex-power plant despatch schedules from each generating station and any bilaterally agreed interchanges of each user shall be adjusted for transmission losses, and the net drawl schedule so calculated shall be compared with the actual net drawl of the user.

- f) Payment of UI and Reactive energy charges may be made as specified by OGC (Chapter 6).
- g) Delay in payment of UI and VAr charges shall invite payment of interest as specified in OGC (Chapter 6).
- h) If total payment receivable in the UI pool account is higher or lower than UI payable, then UI payable/receivable shall be properly adjusted to make the payable and receivable equal.
- i) The money remaining after pay out of all VAr charges shall be utilized as outlined in the OGC.
- j) In case the voltage profile of a State Grid improves to an extent that the total pay-out from the State VAr charges account for a week exceeds the total amount being paid-in for that week, and if the State reactive account has no balance to meet the deficit, the pay-outs shall be proportionately reduced according to the total money available in the above account.
- k) All 15-minute energy figures (net scheduled, actually metered and UI) shall be rounded off to the nearest 0.01 MWh.

CHAPTER - IV

BANKING AND CAPACITY ALLOCATION

12. Banking

No generator shall be allowed the facility of banking the electricity generated by them, nor will such facility be extended to any open access customer.

13. Status of Capacity/Energy Allocation to DISTCOs

The GoO shall finalise the allocation of the capacity/energy from the PPAs entered into by erstwhile OSEB (and/or GRIDCO) to the DISTCOs constituted after restructuring, based on the DISTCOs' load requirements, and communicate the same to the Commission.

14. Two-Part Tariff

A two-part tariff shall be implemented for all the generating stations and DISTCOs within the state to facilitate implementation of Intra-State ABT.

CHAPTER - V

MISCELLANEOUS

15. Issue of Orders and Directions

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may from time to time issue Orders and Directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to specify and direct, and matters incidental or ancillary thereto.

16. Savings

- a) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.
- b) Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters.
- c) Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

17. Power of the Commission to Amend:

The Commission may, at any point of time, at its sole discretion, vary, alter, modify, add or amend any provisions of these Regulations.

18. Powers to Remove Difficulties:

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, with reasons to be recorded in writing, direct the users/beneficiaries/generators, by general or special order, for taking suitable action not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

By order of the Commission

M.P. MISRA)
SECRETARY

APPEND - IX

Schedule of UI Charges

[See Regulation 4(III)(vi)]

UI shall be worked out for each 15-minute time block. Charges for all' UI transactions shall be based on average frequency of the time block and the following rates shall apply:

Average frequency of time block (Hz)		
Below	Not below	UI Rate (Paise per kWh)
—	50.50	0.0
50.50	50.48	6.0
50.48	50.46	12.0
—	—	—
—	—	—
49.84	49.82	204.0
49.82	49.80	210.0
49.80	49.78	219.0
49.78	49.76	228.0
—	—	—
—	—	—
49.54	49.52	336.0
49.52	49.50	345.0
49.50	49.48	361.0
49.48	49.46	377.0
—	—	—
—	—	—
49.04	49.02	729.0
49.02	—	745.0

(Each 0.02 Hz step is equivalent to 6.0 paise/kWh in the 50.5-49.8 Hz frequency range, and to 9.0 paise/kWh in the 49.8-49.5 Hz frequency range, and to 16.0 paise/kWh in the 49.5-49.0 Hz frequency range.)



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1011 CUTTACK, TUESDAY, JULY 18, 2006/ASADHA 27, 1928

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR-751 012**

NOTIFICATION

Dated the 6th June, 2006

No. OERC-DIR(T) 351/08 (VOL-II) : Sub-section (1) of Section 31 of the Electricity Act, 2003 provides that the State Government shall establish a State Load Despatch Centre (SLDC). Sub-section (2) of the Section 31 provides that the said SLDC shall be operated by a Government company / authority / corporation established or constituted by or under any State Act and that until such company / authority / corporation is notified by the State Government, the State Transmission Utility (STU) shall operate the SLDC.

The Government of Orissa vide Notification No.6892 dated 09.06.2005 issued the Orissa Electricity Reforms (Transfer of Transmission and Related Activities) Scheme; 2005 and at Clause – 10 (2) have notified Orissa Power Transmission Corporation Ltd. (OPTCL) as the State Transmission Utility (STU) and have vested the State Load Despatch functions with OPTCL till further orders of the Govt. of Orissa from the date of transfer.

In terms of Section 32 (1) & (3) of the Electricity Act, 2003 the SLDC shall be the apex body to ensure integrated operation of the power system in the State and the SLDC may levy and collect such fees and charges from the generating stations and licensees engaged in Intra-State transmission of electricity as may be specified by the State Commission.

In terms of Section 32 (2) of the Electricity Act, 2003, the State Load Despatch Centre shall

- a) be responsible for optimum scheduling and despatch of electricity within a State, in accordance with the contracts entered into with the licensees or the generating companies operating in that State ;
- b) monitor grid operations ;
- c) keep accounts of the quantity of electricity transmitted through the State grid ;
- d) exercise supervision and control over the intra-State transmission system ; and
- e) be responsible for carrying out real time operations for grid control and despatch of electricity within the State through secure and economic operation of the State grid in accordance with the Grid Standards and the State Grid Code.

In exercise of powers conferred under Section 181 (2) (g) read with Section 32(3) of the Electricity Act 2003 (36 of 2003) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby makes the following Regulations for levy and collection of fees and charges by State Load Despatch Centre of Orissa.

CHAPTER – I

PRELIMINARY

1. Short title, Extent and Commencement

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (Fees and Charges of State Load Despatch Centre and other related matters) Regulations, 2010.
- (2) These Regulations shall be applicable to all users who use the intra-state transmission network in the State of Orissa or the associated facilities and services of SLDC of Orissa.
- 3) These Regulations do not apply to stand-alone generators including Captive Generating Plants, franchisees, etc. not connected to the intra-state transmission network/ distribution network and not availing the facilities and services of SLDC.
- 4) These Regulations shall come into force from the date of their publication in the Orissa Gazette.

CHAPTER - II

2. Definitions and Interpretations

- 1) In these Regulations, unless the context otherwise requires :
- a) “**Act**” means the Electricity Act, 2003 (36 of 2003);
 - b) “**Buyer**” means a person buying power through open access and whose scheduling, metering and energy accounting is coordinated by the State Load Despatch Centre;
 - c) “**Capital Expenditure (CAPEX) Plan**” means the expenditure of capital nature planned to be incurred during the ensuing financial year for creation of the assets of the State Load Despatch Centre;
 - d) “**Charges**” means recurring and monthly payments to be collected by the State Load Despatch Centre for the services rendered;
 - e) “**Commission**” means the Orissa Electricity Regulatory Commission;
 - f) “**Day**” means the 24 hour period starting at 0000 hour;
 - g) “**Fees**” means the one-time or annual fixed payments collected by the State Load Despatch Centre for the services rendered on account of registration, or any other account as specified by the Commission from time to time;
 - h) “**Grid Code**” means Orissa Grid Code, 2006 as amended from time to time.
 - i) “**License**” means a license granted/or deemed license under Section 14 of the Act to transmit, or distribute electricity within the State of Orissa and to undertake trading in electricity as an electricity trader;
 - j) “**Licensee**” means a person who has been granted a license/or a deemed licensee under Section 14 of the Act;
 - k) “**Market Operation Function**” includes functions of scheduling, despatch, metering, data collection, energy accounting and settlement, transmission loss calculation, operation of pool account and congestion charge account, administering ancillary services, information dissemination and any other functions assigned to the SLDC by the Electricity Act 2003 or by OERC Regulations, Codes and Orders;
 - l) “**Open Access customer**” shall have the same meaning as assigned to them in the Orissa Electricity Regulatory Commission (Terms and Conditions for Open Access) Regulation, 2005 and as amended from time to time.
 - m) “**Pool Account**” means the State accounts for payments regarding Unscheduled Interchanges (UI Account) or Reactive Energy Exchanges (Reactive Energy Account) or any other such Accounts which may be operated by SLDC from time to time as per the Regulations or directions of the Commission;

- n) **“Seller”** means a person supplying power through open access and whose scheduling, metering and energy accounting is coordinated by State Load Despatch Centre;
 - o) **“SLDC”** or **“State Load Despatch Centre”** means the centre established in the State by Govt. of Orissa for discharging functions under Section 32 of the Act.
 - p) **“State”** means the State of Orissa;
 - q) **“State Designated Entity”** means any entity / enterprise authorized by Govt. of Orissa to procure on behalf of the State Govt., the State’s share from Inter-State Generating Stations (ISGS), State Generating Stations (SGS) etc.
 - r) **“System Operation Function”** includes monitoring of grid operations, supervision and control over the Intra-State Transmission System, real-time operations for grid control and despatch, system restoration following grid disturbances, compiling and furnishing data pertaining to system operation, congestion management, black start coordination and any other function(s) assigned to the SLDC by the Electricity Act 2003 or by OERC Regulations, Codes and Orders issued /notified from time to time;
 - s) **“User”** means the generating stations including Captive Generating Plants (CGPs), Licensees and open access customers as the case may be who use the intra-state transmission network or the associated facilities and services of SLDC;
 - t) **“Year”** means the financial year.
- 2) Words and expressions used and not defined herein in these Regulations but defined in the Act or in the Grid Code shall have the meanings as assigned to them in the Act or in the Grid Code, as the case may be.
- 3) In case, no specific provisions have been made under these Regulations, the SLDC shall be guided by the provisions of Orissa Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2004 as amended from time to time.

CHAPTER – III

APPLICATION AND PROCEDURE FOR DETERMINATION OF FEES AND CHARGES AND SLDC DEVELOPMENT FUND

3. Application by SLDC for determination of fees and charges

- 1) The SLDC shall submit to the Commission, full details of its calculations of the estimated Annual Revenue Requirement (ARR) and other related information in the prescribed formats for determination of annual fees and charges for the ensuing Financial Year by 30th November before the commencement of the said Financial Year.
- 2) The SLDC shall also file the proposed allocation of charges to the users in line with these Regulations. A Copy of the ARR along with the proposal for allocation of charges shall also be furnished simultaneously to the concerned user.
- 3) The SLDC shall also furnish the details of capital investment plan for the ensuing year along with the ARR filing. For capital investment schemes costing above Rupees One Crore, approval of the Commission shall be obtained in respect of each of such schemes prior to commencement of works.
- 4) The ARR and other details filed by the SLDC shall be scrutinized and as a result of such scrutiny, the Commission may call for such further information and clarification as may be required.
- 5) The SLDC shall publish for the information of the public the contents of the application in an abridged form in such manner the Commission may direct and shall provide copies of the application and documents filed with the Commission at a price not exceeding normal photocopying charges.
- 6) The Commission may get the books/records of SLDC examined by its officers and/or by any authorised person at any point of time during the pendency of the application for approval of SLDC charges. The reports of the officers etc., may, if required, be made available to the parties concerned and they shall be given opportunity to reply/respond to the reports.
- 7) The Commission may call for a public hearing/consultation meeting of authorized representatives of SLDC, the State Transmission Utility and Licensees and other persons for finalization of the ARR and annual fees and charges of SLDC.
- 8) Based on the information furnished by SLDC and after due examination, scrutiny and consultation process, the Commission will approve the annual revenue requirement, with in one hundred and twenty days from receipt of the same, covering the expenses of the SLDC and determine the SLDC Charges through a public hearing process.
- 9) The SLDC charges so determined by the Commission shall be valid till the approval of next revision of charges.

- 10) In the event of non-revision of SLDC charges during any year, any variation (shortfall or excess) in recovery of SLDC charges shall be carried forward to the next financial year and adjusted as may be decided by the Commission.
- 11) The SLDC shall submit to the Commission periodic returns containing operational and cost data, as may be prescribed by the Commission from time to time.
- 12) All filings and application for determination of SLDC Charges shall be made in conformity with the stipulations made in these Regulations and OERC (Conduct of Business) Regulations, 2004.

4. Truing up of annual fees and charges

- 1) The Commission shall carry out truing up exercise along with the application for determination of fees and charges filed for the financial year after the expiry of the period, for the fees and charges recovered during the said FY and admitted by the Commission after prudence check at the time of truing up.
- 2) The SLDC shall make an application, in the formats prescribed by the Commission, for carrying out truing up exercise for the last financial year by 31st October of the next financial year.
- 3) The SLDC shall submit along with the application for truing up, details of capital expenditure including additional capital expenditure, sources of financing, human resource expenditure, operation and maintenance expenditure, etc incurred for the previous financial year, duly audited and certified by the auditors.
- 4) The trued up gap shall be dealt by the Commission while approving the ARR of SLDC for the subsequent year.

5. Capital Cost

- 1) Capital cost for State Load Despatch Centre shall include the expenditure incurred or projected to be incurred during each financial year, including Interest During Construction (IDC) and financing charges and Incidental Expenditure During Construction (IEDC) in line with the CAPEX plan.
- 2) The capital cost admitted by the Commission after prudence check shall form the basis for determination of charges:

Provided that prudence check may include scrutiny of the reasonableness of the capital expenditure, financing plan, IDC, IEDC, use of efficient technology, cost over-run and time over-run, and such other matters as may be considered appropriate by the Commission.

6. Additional Capitalisation

The capital expenditure incurred or projected to be incurred after the date of commercial operation may, in its discretion, be admitted by the Commission, subject to prudence check:

Provided that any expenditure on acquiring the minor items or the assets like tools and tackles, furniture, air-conditioners, voltage stabilizers, refrigerators, coolers, fans, washing machines, heat convectors, mattresses, carpets etc. brought after the date of commercial operation shall not be considered for additional capitalization for determination of fees and charges.

7. Debt-Equity Ratio

- 1) The actual debt: equity ratio appearing in the books of accounts as on 01.04.2011 shall be considered for the opening capital cost of State Load Despatch Centre.
- 2) For an investment made on or after the date of transfer, if the equity actually deployed is more than 30% of the capital cost, equity in excess of 30% shall be treated as normative loan:

Provided that where equity actually deployed is less than 30% of the capital cost, the actual equity shall be considered for determination of charges:

8. SLDC Development Fund

- 1) The SLDC shall create and maintain a separate fund called 'SLDC Development Fund under a separate Head of Account'.
- 2) The charges on account of return on equity and other income of the State Load Despatch Centre such as registration fee, application fee, short-term open access charges, etc shall be deposited to the SLDC Development Fund.
- 3) The SLDC shall be entitled to utilize the money deposited to the SLDC Development Fund for meeting stipulated equity portion in asset creation and margin money for raising loan from the financial institutions and funding R & D projects with due approval of the Commission.
- 4) The SLDC Development Fund shall not be utilized for any other revenue expenditure.
- 5) Any asset created by the SLDC out of the money deposited to the SLDC Development Fund shall not be considered for computation of return on equity and interest on loan.
- 6) The Commission shall review the SLDC Development Fund every year.

CHAPTER – IV

COMPUTATION OF ANNUAL SLDC CHARGES

- 9. Annual charges** - The annual charges shall be determined by the Commission for each year which shall be collected in the form of System Operation Charges (SOC) and Market Operation Charges (MOC).
- 10. Components of annual charges** - The annual charges shall consist of the following components, namely:-
- a) Return on equity;
 - b) Interest on loan capital;
 - c) Depreciation;
 - d) Operation and maintenance expenses excluding human resource expenses;
 - e) Human resource expenses;
 - f) Interest on working capital;
- 11. Return on equity**
- 1) Return on equity shall be computed in Rupee term on equity base determined in accordance with Regulation 7 of these regulations.
 - 2) Return on equity shall be computed on pre-tax base rate of 16% to be grossed up as per the sub-clause (3) of this regulation.
 - 3) The rate of return on equity shall be computed by grossing up the base rate with the normal tax rate for the financial year 2010-11 applicable to the SLDC:

Provided that return on equity with respect to the actual tax rate applicable to the SLDC in line with the provisions of the relevant Finance Acts of the respective year.
 - 4) Rate of return on equity shall be rounded off to three decimal points and be computed as per the formula given below:-

Rate of pre-tax return on equity = Base rate / (1-t)

Where t is the applicable tax rate in accordance with sub clause (3).
- 12. Interest on loan capital**
- 1) The loans determined in accordance with Regulation 7 shall be considered as gross normative loan for calculation of interest on loan.
 - 2) The normative loan outstanding as on 01.04.2009 shall be worked out. by deducting the cumulative repayment as admitted by the Commission up to 31.03.2009 from the gross normative loan.

- 3) The repayment for respective year shall be deemed to be equal to the depreciation allowed for that year.
- 4) The rate of interest shall be the weighted average rate of interest calculated on the basis of the actual loan portfolio at the beginning of each year and incidental expenses like, fund raising charges, guarantee fees etc. on a normative basis shall be allowed to the State Load Despatch Centre:

Provided that if there is no actual loan for a particular year but normative loan is still outstanding, the last available weighted average rate of interest shall be considered:

Provided further that if the State Load Despatch Centre does not have actual loan, then the weighted average rate of interest of the SLDC as a whole shall be considered.

- 5) The interest on loan shall be calculated on the normative average loan of the year by applying the weighted average rate of interest.
- 6) The SLDC shall make every effort to re-finance the loan as long as it results in net savings on interest and in that event the costs associated with such re-financing shall be borne by the users and the net savings shall be shared between the users and the SLDC, as the case may be, in the ratio of 2:1.
- 7) The changes to the terms and conditions of the loans shall be reflected from the date of such re-financing.
- 8) In case of dispute, any of the parties may make an application to the Commission for settlement of the dispute:

Provided that the users shall not withhold any payment on account of the interest claimed by SLDC during the pendency of any dispute arising out of refinancing of loan.

13. Depreciation

- 1) The value base for the purpose of depreciation shall be the capital cost of the asset admitted by the Commission.
- 2) The salvage value of the asset (excluding IT equipments and Software's) shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the capital cost of the asset. The salvage value for IT equipments and Software's shall be considered as NIL and 100% value of the assets shall be considered depreciable.
- 3) Land shall not be a depreciable asset and its cost shall be excluded from the capital cost while computing depreciable value of the capital cost of the asset.
- 4) Depreciation shall be calculated annually based on Straight Line Method and at rates specified by Central Electricity Regulatory Commission from time to time.
- 5) Assets fully depreciated shall be shown separately
- 6) Value of the assets not in use or declared obsolete shall be taken out from the capital cost for the purpose of calculation of depreciation.

- 7) The balance depreciable value as on 01.04.2011 shall be worked out by deducting the cumulative depreciation from the gross depreciable value of the assets appearing in the books of accounts of the SLDC as on the date of transfer.

14. Operation and Maintenance (O&M) Expenses (excluding human resource expenses). –

1. The actual operation and maintenance expenses for the year 2010-11 under SLDC shall be escalated at the rate of 5.72% per annum to arrive at permissible operation and maintenance expenses for the subsequent years of the tariff period.
2. The actual O&M expenses for new items added under SLDC in each year shall also be escalated @ 5.72% per annum in subsequent years of the tariff period.

15. Human Resource Expenses

The human resource expenses for each year shall be approved by the Commission based on the actuals of the last year duly considering the associated parameters like Annual Increment, annual inflation etc.

16. Interest on Working Capital

- 1) The working capital shall cover :
 - 1) Operation and maintenance expenses excluding human resource expenses for one month;
 - 2) Human resource expenses for one month;
 - 3) Receivables equivalent to two months of the system operation charges and market operation charges as approved by the Commission.
- 2) Rate of interest on working capital shall be on normative basis and shall be equal to the short-term Prime Lending Rate of State Bank of India.
- 3) Interest on working capital shall be payable on normative basis notwithstanding that the SLDC has not taken any loan for working capital from any outside agency.

CHAPTER – V

LEVY AND COLLECTION OF FEES AND CHARGES

17. Collection

- 1) State Load Despatch Centre (SLDC) shall collect the fees and charges, as determined under these regulations.
- 2) SLDC shall be entitled to levy and collect registration fees and charges from the users and power exchanges as specified in these regulations.
- 3) SLDC shall be entitled to levy and collect fees and charges for any other services rendered to the users and power exchanges as specified in any other regulations.

18. Allocation and apportionment of components of annual charges to System Operation Function and Market Operation Function.

- 1) Annual charges towards system operation function shall comprise 80% of the annual charges.
- 2) Annual charges towards market operation function shall comprise the balance 20 % of annual charges.
- 3) The ratio of allocation of annual charges to system operation charges and market operation charges may be reviewed by the Commission from time to time.

19. Determination of System Operation Charges (SOC) and Market Operation Charges (MOC)

System Operation Charges and Market Operation Charges shall be determined by adding up the allocated and/or apportioned amount of various components of the annual charges, as specified in Regulation 10 of these Regulations.

20. Collection of System Operation Charges (SOC)

- 1) The System Operation Charges (SOC) shall be collected from the users as per the norms given below:-
 - 1) Intra state transmission licensees: 10% of system operation charges;
 - 2) Generating stations and sellers: 45% of system operation charges;
 - 3) Distribution licensees and buyers: 45% of system operation charges.
- 2) The system operation charges shall be levied on the intra state transmission licensees on the basis of the ckt.-km of the lines owned by them as on the last day of the month prior to billing of the month.
- 3) The system operation charges from the generating companies and sellers shall be collected in proportion to their installed capacity or contracted capacity, as the case may be, as on the last day of the month prior to billing of the month.

- 4) The system operation charges from distribution licensees and buyers shall be collected in proportion to the sum of their allocations and contracted capacities, as the case may be, as on the last day of the month prior to billing of the month.

21. Collection of Market Operation Charges

The market operation charges shall be collected from the generating stations and sellers and distribution licensees and buyers in the ratio of 50:50.

22. Registration fees

- 1) All users whose scheduling, metering and energy accounting is to be coordinated by State Load Despatch Centre shall register themselves with the State Load Despatch Centre by filing application in the format prescribed as **Annexure-I** to these regulations.
- 2) The application for registration shall be accompanied by a one time fee of Rs 1,00,000/- (Rs. One lakh)
- 3) The existing users shall register themselves with the State Load Despatch Centre by filing an application along with the fees of Rs.1,00,000/- (Rs.One lakh) within a month of coming into force of these regulations.
- 4) The State Load Despatch Centre, after scrutinizing application and after being satisfied with correctness of the information furnished in the application shall register the applicant in its register duly intimating the applicant about its acceptance.

State Load Despatch Centre shall maintain a list of registered users on its website.

CHAPTER – VI

BILLING AND PAYMENT MECHANISM

23. Billing

Bills shall be raised for the System Operation Charges and Market Operation Charges on monthly basis by the SLDC in accordance with these regulations.

24. Payment of SLDC Charges

- 1) Distribution and Transmission licensees shall pay SLDC fees and charges on monthly basis as approved by the Commission in the order for annual fees and charges for SLDC for the relevant year based on monthly bill served upon them from time to time by SLDC.
- 2) All other users shall pay monthly charges to SLDC based on the bills served upon them from time to time by SLDC.
- 3) An amount equivalent to two months' SLDC charges shall have to be deposited in advance by all the Users as security against default in payment of SLDC charges.
- 4) Disputes arising out of billing of SLDC charges shall be, as far as possible, settled by mutual negotiations. If the disputes are not resolved through mutual negotiations within thirty (30) days of the receipt of the bills, the matter may be referred to the Grid Co-ordination Committee through a petition by either of the parties as per Regulation 11.2(2) of OGC Regulation, 2006. If the disputes are not resolved in GCC within ninety (90) days of receipt of the bills, the matter shall be referred to the Commission through a petition by either of the parties. The decision of the Commission shall be final and binding on all the parties to the disputes.
- 5) Pending resolution of the dispute, 90% of the bill amount shall be paid to SLDC under protest by all the users within the due date.

25. Late payment surcharge

In case the payment of any bill for SLDC charges payable under these regulations is delayed by any user beyond a period of 60 days from the date of billing a late payment surcharge at the rate of 1.25% per month shall be levied by the SLDC.

26. Rebate

For payment of bills through letter of credit on presentation, a rebate of 2% shall be allowed. Where payments are made other than through letter of credit within a period of one month of presentation of bills, a rebate of 1% shall be allowed.

CHAPTER – VII

MISCELLANEOUS

27. Segregation of Accounts

The SLDC shall maintain and operate separate head of accounts for SLDC charges and SLDC Development Fund.

28. Use of the information

The Commission shall have the right to use the information submitted by the SLDC as it deems fit including publishing it or placing it on the Commission's website and/or directing the SLDC to display the information on the SLDC's website.

29. Power to amend

The Commission for reasons to be recorded in writing may at any time add, vary, alter, modify any of the provisions of these Regulations by amendment.

30. Savings

- 1) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuse of the process of the Commission.
- 2) Nothing in these Regulations shall bar the Commission from adopting in conformity with the provisions of the Electricity Act 2003, a procedure, which is at variance with any of the provisions of this Regulation, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.
- 3) Nothing in these Regulations shall, expressly or impliedly, bar the Commission from dealing with any matter or exercising any power under the Electricity Act 2003, for which no Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

31. Issue of orders and practice directions.

Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue Orders and Practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to direct and matters incidental or ancillary thereto.

32. Power of relaxation and power to remove difficulties:

- 1) The Commission may, in public interest and for reasons to be recorded in writing, relax any of the provisions of these Regulations.
- 2) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may pass any general or a specific order, not inconsistent with the provisions of the Act, which appears to be necessary or expedient, for the purpose of removing the difficulty.

By order of the Commission

SECRETARY

Annexure - I

(In Compliance of Clause-I of Regulation 22)

1. **Name of the entity** (in bold letters):

2. **Registered office address:**

3. **User category:**

- i) Generating Station
- ii) Seller
- iii) Buyer
- iv) Transmission Licensee
- v) Distribution Licensee

4. **User details** (as on 31st March of last financial year):

A) Category – Generating Station

- i. Total Installed Capacity
- ii. Maximum Contracted Capacity (MW) using ISTS (Intra-State Transmission System)
- iii. Points of connection to the Intra-State Transmission System (ISTS):

Sl. No.	Point of connection	Voltage level (kV)	Date of commissioning

- iv. Nature of use of Energy:- Supply to licensees/ wheeling to 3rd parties / wheeling for captive use. (Please enclose details of licensees)
 - For supply to licensees:
 - For wheeling to 3rd parties:
 - For wheeling for captive use:
 - Agreement period for supply to licensees:

B) Category – Seller/Buyer/Distribution Licensee

- i. Maximum Contracted Capacity (MW) using Intra-State Transmission System (ISTS)
- ii. Points of connection to the ISTS:

Sl. No.	Point of connection	Voltage level (kV)	Capacity	No. of Bays	Line Length	Type of Line

C) Category – Transmission Licensee (inter-State)

i. Sub-stations:

Sl. No.	Sub-station Name	Number of transformer	Total Transformation Capacity or Design MVA handling capacity if switching station	Date of commissioning

ii. Transmission lines:

Sl. No.	Voltage level (kV)	Number of transmission lines	Total Circuit-Kilometers

5. Details of communication system available for communication of data to SLDC.
6. Capacity contracted to Open Access consumers (Enclose list of consumers with details)
7. Details of the registration fee paid
8. Any other information useful for assisting efficient Grid Operation

The above information is true to the best of my knowledge and belief.

Place:

Date:

Signature of Authorised Representative

Name:

Designation:

Contact number:

The Orissa



Gazette

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ORISSA ELECTRICITY REGULATORY COMMISSION
UNIT – VIII, BHUBANESWAR - 751012

NOTIFICATION
The 5th April, 2004

No.**Law/LD-Reg.-1/2004** - In exercise of powers under sub-sections (5) (6) and (7) of section 42 read with clauses {r} and {s} of sub-section (2) of section 181 of the Electricity Act 2003 (36 of 2003) and all powers enabling it in that behalf, Orissa Electricity Regulatory Commission hereby makes the following Regulations providing for guidelines to the Licensees in the State for setting up the Forum for redressal of grievances of the Consumers and for the appointment of Electricity Ombudsman by the Commission, for making representation to Electricity Ombudsman against non redressal of grievances of Consumers and the time and manner of settlement of grievances by Electricity Ombudsman and for matters incidental and ancillary thereto:-

CHAPTER - I

PRELIMINARY

1. SHORT TITLE, COMMENCEMENT AND INTERPRETATION:-

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (Grievances Redressal Forum and Ombudsman) Regulations, 2004.
- 2) These Regulations shall be applicable to the Distribution Licensees in the State in their respective areas of supply.
- 3) These Regulations shall come into force from the date of its publication in the Official Gazette.
- 4) The Orissa General Clauses Act, 1937 shall apply to the interpretation of these Regulations.

2. DEFINITIONS:-

In these Regulations, unless the context otherwise requires:-

- a) "Act" means the Electricity Act, 2003;
- b) "Commission" means the Orissa Electricity Regulatory Commission;
- c) "Complainant" shall include—
 - i) A consumer as defined under clause (15) of section 2 of the Act;
 - ii) An applicant for new connections;
 - iii) Any registered consumer society; and
 - iv) Any unregistered association of consumers, where the consumers have similar interest;
- d) "Complaint" means the letter or application filed with the Forum seeking redressal of grievances of any nature, whatsoever, including any defect or deficiency in the electricity service, subject to the provisions of the Act.
- e) "Defect" means any fault, imperfection or shortcoming in the quality, quantity, purity or standard of service, including in the equipment or material which is required to be maintained by or under any law for the time being in force or under any contract, express or implied, or as is claimed by the distribution licensee in any manner whatsoever in relation to the electricity service;
- f) "Deficiency" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by/ under any law for the time being in force or has been undertaken to be performed by distribution licensee in relation to electricity service or performance standard including Interruption or failure of Power Supply, Voltage complaints, Metering Problems including Meter shifting, Charges/ Payments (Billing Problems), Disconnection or Reconnection of Power supply, New Connections or Extensions in Load, Notice

of supply interruptions, violations of Distribution (Conditions of Supply) Code, contravention of Act, Rules or Regulations made there under with regard to consumer interest;

- g) “Electricity Service” shall include the services of supply, billing, metering and maintenance of electrical energy to the consumer and all other attendant sub-services;
- h) “Forum” means Forum for redressal of grievances of the consumers to be constituted by the Distribution Licensee in terms of sub-section (5) of section 42 of the Act and these Regulations;
- i) “Licensee” means a Distribution Licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in the concerned area of supply and shall include the deemed Distribution Licensee under the provisos to Section 14 of the Act.
- j) “Ombudsman” means an authority appointed or designated by the Commission, under sub-section (6) of Section 42 of the Act and these Regulations; and
- k) Words and expressions used and not defined in these regulations but defined in the Electricity Act, 2003 (36 of 2003) shall have the meanings assigned to them in the said Act.

CHAPTER – II

FORUM FOR REDRESSAL OF GRIEVANCES OF THE CONSUMERS

3. CONSTITUTION OF THE FORUM FOR REDRESSAL OF GRIEVANCES OF THE CONSUMERS:-

- 1) Every existing Licensee, including the Deemed Licensee shall not later than two months from the date of publication of these Regulations and any new Licensee within six months from the grant of Distribution License, establish a Forum (GRF) for redressal of grievances of the consumers in accordance with these Regulations and prior approval of the OERC.
- 2) The Forum shall consist of two members (excluding co-opting member) to be appointed by the Distribution Licensee through a selection process as would be prescribed by the Commission with the following composition.
 - a) A serving officer of the Licensee or a retired person to be designated by the Licensee possessing a degree in electrical engineering and having at least 20 years experience in the distribution of electricity and having served not below the rank of Superintending Engineer; and
 - b) A serving officer of the Licensee or a retired person to be designated by the Licensee possessing a degree in finance or accountancy or law and having at least 5 years of experience in the electricity sector and having served as an officer in an electricity utility.
- 3)
 - a) The Members of the Forum shall be appointed for a period of three years.
 - b) The senior most member shall act as the President of the Forum.
- 4) A Member (including a co-opted Member) of the Forum shall not be replaced by the Licensee during the tenure of three years, except with the prior approval of the Commission.
- 5) Notwithstanding anything contained in clauses (3) and (4) above, the Commission may at any time direct the Licensee to substitute a member (including co-opted Member) of the Forum with another person, as per the composition and qualification provided in clause (2) above, if in the opinion of the Commission such substitution is necessary for the proper discharge of the functions of the Forum.
- 6) The Licensee shall associate a representative from the members of the State Advisory Committee constituted under Section 87 or from the members of the District Committee constituted under Section 166(5) of the Act or from any consumer organisation duly recognised by the Commission, as a co-opted member of the Forum. The co-opted members shall have access to all the Complaints received and the associated records and shall also have the right to participate in

the deliberations, meetings and proceedings of the Forum that may be held to deal with the Complaint.

- 7) The Co-opted Member of the Forum under clause (6) shall ordinarily hold office for a period of three years from the date of his co-option. He shall not continue to be a member of the Forum when his membership in the State Advisory Committee/District Co-ordination Committee or the Organisation ceases.
- 8) On occurrence of any vacancy in the forum for any reason, the licensee shall take action to fill up the vacancy within 30 days from the date of occurrence of the vacancy. No act or proceeding of the Forum shall be deemed invalid by reason only of some defect in the constitution of the Forum or by reason of the existence of a vacancy among its members.
- 9) The Licensee shall establish such number of forums so as to ensure that the Forum decides every complaint within a maximum period of 45 days from the date of receipt of complaint by it. The licensee shall clearly state the location and the jurisdiction of each Forum in case of more than one Forum.
- 10) The Forum may pass such interim orders on the request of the Complainant as the Forum considers appropriate pending the final decision on the complaint.
- 11) The Licensee shall duly implement the decisions and orders of the Forum made in favour of the complainant.

4. FUNCTIONS AND PROCEEDINGS OF THE FORUM:-

- 1) A complainant aggrieved by any action or lack of action by the engineer under the OERC Distribution (Condition of Supply) Code, 2004, may file a complaint before the Forum for the redressal of his grievances after expiring of 15 days from the time limit fixed by the licensees in their Complaint Handling Procedure. The said complaint shall be in writing and the Forum may not insist any format for such filing. After receiving the complaint, the Forum may seek additional information and details, as required, from the complainant.
- 2) The Forum shall duly comply with the procedure as laid down by the Commission from time to time.
- 3) The Forum shall maintain a regular office at the principal place of business of the Licensee, where the Forum shall receive the Complaints. The Forum shall have sittings at such Principal Office and also at any other place in the area of supply of the Licensee as may be decided by the Forum or as the Commission may direct from time to time considering the number of complaints received, the place from where the Complaint is received and the proximity to the principal place of business of the Licensees and other relevant factors.
- 4) The Distribution Licensee shall give publicity of the existence of the Forum by statement in the bills raised for the supply of electricity to the consumers and in such other manner as the Commission may determine from time to time. The names and designation of the Members of the Forum and the concerned officers of the Forum, the address, e-mail, facsimile and phone

numbers of the Forum shall be displayed at all the offices of the Licensee and shall also be duly publicised, including in the bills raised on the Consumers.

- 5) The Forum shall maintain true and correct records of all complaints received by the Forum from time to time and make available such records for inspection by the Commission as the Commission may require. Such records shall also be open for inspection by the consumers and others who are complainants as defined in the Act. Wherever required by the complainants the Forum shall acknowledge in writing the pendency of the complaint before the Forum.
- 6) The Licensee shall meet the costs and expenses of the Forum including the establishment and staff required to assist the Forum in the discharge of the functions under these Regulations and also the cost and expenses of the Co-opted Member. In case of any difference on the reimbursement of the costs and expenses of the Forum, the same shall be referred to the Commission and the decision of the Commission shall be final and binding.
- 7) The Forum shall decide the complaint expeditiously and shall communicate its decision to the Complainant within a period not exceeding 45 days of the receipt of the Complaint by the Forum. The Forum shall give the reasons in support of its decisions. The views, if any, expressed by the Co-opted Member shall also be communicated to the Complainant
- 8) The Commission shall have the general powers of superintendence and control over the Forum and the Forum shall duly comply with such directions as the Commission may issue from time to time.

CHAPTER - III

OMBUDSMAN

5. APPOINTMENT OF OMBUDSMAN:-

- 1) The Commission may from time to time appoint or otherwise designate such person or persons, as the Commission may consider appropriate, as the Ombudsman to discharge the functions under sub-section (7) of section 42 of the Act and under these Regulations.
- 2) The Commission may appoint or designate more than one Ombudsman for a Licensee or a common Ombudsman or Ombudsmen for two or more Distribution Licensees.
- 3) The Ombudsman shall be selected by the Commission from amongst persons who have experience and exposure in legal, engineering, economics, finance, industry, civil service, or consumer affairs or amongst persons of eminence after selection process through open advertisement.

4) Selection Committee

The Selection Committee for Ombudsman shall consist of the Chairperson and Members of the Commission. The Chairperson of the Commission shall be the Chairperson of the Selection Committee and the Secretary of the Commission shall be the convenor of the Committee.

No appointment/designating of the Ombudsman shall be invalid merely by reason of any vacancy in the Selection Committee.

5) Terms of Office

The Ombudsman shall be appointed for a term of three years or till he attain the age of 65 years, whichever is earlier, provided that no person shall be appointed as Ombudsman after he attains the age of 62 years. The Ombudsman shall not be eligible for reappointment.

Ombudsman may relinquish his office by giving in writing to the Commission a notice of not less than three months.

A person after ceasing to hold office of Ombudsman shall not accept any commercial employment or represent any person before the Commission or any Authority for a period of two years from the date he ceases to hold such office.

6) Removal

Commission, may, by order, remove from office, the Ombudsman, if he –

- i. has been adjudged as insolvent;

- ii. has been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;
- iii. has become physically or mentally incapable of acting as Ombudsman;
- iv. has acquired such financial or other interest as is likely to affect prejudicially his functions as Ombudsman;
- v. has so abused his position as to render his continuance in office prejudicial to the public interest;

Provided that the Ombudsman shall not be removed from office on any ground specified in sub-clauses (iv) and (v) unless on an inquiry, made in accordance with such procedure as may be laid down by the Commission, it is found that the Ombudsman should be removed on such ground or grounds.

7) **Emoluments**

The Ombudsman shall receive a consolidated salary and such other allowances as determined by the Commission, by order, from time to time.

Provided that the Commission may, by general order, revise the salary and other allowances of the Ombudsman from time to time.

Provided further that salary, allowances and other terms and conditions of appointment of Ombudsman shall not be varied to his/their disadvantage after appointment.

8) **Expenses of the Ombudsman**

The Commission may pass such direction/order, as it thinks appropriate, to meet the expenses of the Ombudsman and its staff.

9) **Staff of the Ombudsman**

The number and nature of staff of the Ombudsman shall be as laid down in the **Appendix** of these Regulations.

The Ombudsman shall exercise administrative control over its staff and office expenditures.

6. FUNCTIONS OF OMBUDSMAN:-

- 1) The Ombudsman shall discharge the following functions:
 - a) The Ombudsman shall receive and consider all representations filed by the Complainants for non-redressal of the grievance by the Forum under Sub-Section (5) of Section 42 of the Act. Notwithstanding the above, the Ombudsman shall not entertain any representation in regard to matters which are subject-matters of existing or proposed proceedings before the Commission or before any other authority including under part X, XI, XII, XIV and XV of the Act;

- b) The Ombudsman may pass such interim orders, as may be considered appropriate, pending the decision and settlement of the representation;
 - c) The Ombudsman shall in the first instance act as a conciliator and mediator in matters which are the subject matter of the representation filed
 - d) Such other functions as the Commission may, by order, decides/directs from time to time.
- 2) The Ombudsman shall exercise general powers of superintendence and control over his office and shall be responsible for the conduct of business in the office of Ombudsman.

7. REPRESENTATION TO OMBUDSMAN:-

- 1) Any consumer aggrieved by the non-redressal of the grievance by the Forum, may make a representation to the Ombudsman within thirty days from the date of the decision of the Forum or within thirty days from the date of the expiry of the period within which the Forum was required to take decision and communicate the same to the Complainant.

Provided that the Ombudsman may entertain consumer representations, after expiry of the said period of thirty days if the Ombudsman is satisfied that there was sufficient cause for not filing it within that period

- 2) The Ombudsman shall decide the representation, after providing the Complainant and the Licensee an opportunity of being heard.
- 3) The Ombudsman may require the Licensee or any of the officials, representatives or agents of the Licensee including the Forum to furnish documents, books, information, data and details as may be required to decide the representation. The Licensee and others mentioned above shall duly comply with such requirements of the Ombudsman.
- 4) The Ombudsman shall decide the representation generally within two months from the date of the receipt of the representation of the consumer. In the event the representation is not decided within two months, the Ombudsman shall record the reasons therefor including the cost to be paid by the Licensee if the inability to decide within the time is attributable to the Licensee. In case the delay is for reasons attributable to the consumer, the Ombudsman may reject the representation of the consumer.
- 5) The Distribution Licensee shall duly comply with and implement the decision of the Ombudsman on the representation of the consumer.

8. OMBUDSMAN TO ACT FAIRLY AND EQUITABLY:-

- 1) The Ombudsman may adopt a procedure ensuring transparency and due compliance of the principles of natural justice and due process of law.
- 2) The Ombudsman shall dispose of a complaint fairly and equitably.

9. PROMOTION OF SETTLEMENT BY AGREEMENT:-

- 1) As soon as it may be practicable to do but not later than one week from the date of the receipt of representation, the Ombudsman shall serve a notice to the concerned officer of the Licensee named in the representation along with a copy of the representation and endeavour to promote a settlement of the complaint by mutual agreement between the consumer and the Licensee.
- 2) For the purpose of facilitating settlement of the representation, the Ombudsman may follow such procedure as he may consider appropriate.
- 3) When a complaint is settled, through mediation of the Ombudsman, the Ombudsman shall make a recommendation which he thinks fair in the circumstances of the case. The copies of the recommendation shall be sent to the consumer and the Licensee.
- 4) If the Consumer and the Licensee accept the recommendation of the Ombudsman, they will send a communication in writing within 15 days of the date of receipt of the recommendation. Each of them shall then confirm their acceptance to the Ombudsman and state clearly that the settlement communicated is acceptable to them in totality in terms of recommendations made by the Ombudsman and shall be in full and final settlement of complaint made.

10. AWARD:-

- 1) Where the representation is not settled by agreement within a period of 30 days from the date of receipt of representation or such extended period as the Ombudsman may deem fit, duly considering the overall time limit specified in clause 7(4) above, the Ombudsman may determine the place, the date and the time of the hearing of the matter, as the Ombudsman considers appropriate.
- 2) Where the Consumer representation is not settled by agreement, the Ombudsman shall decide the matter on the pleadings of the parties, after providing an opportunity of being heard to the parties.
- 3) The Ombudsman shall pass an award giving reasons for the decision made.
- 4) The award shall be in writing and shall state nature of the reliefs including monetary compensation, if any, the consumer is entitled to as per the award.
- 5) A copy of the award shall be sent to the consumer and the Licensee concerned.
- 6) The consumer may furnish to the Licensee, within a period of one month from the date of receipt of the award or within such period the Ombudsman may allow for reasons to be recorded, a letter of acceptance that the award is in full and final settlement of his claim.
- 7) The Licensee shall comply with the award within 15 days of the receipt of the acceptance letter under clause (6) and the Licensee shall intimate the compliance to the Ombudsman.
- 8) If the consumer does not intimate the acceptance under clause (6), the award shall not be required to be implemented by the licensee.

CHAPTER - IV

MISCELLANEOUS

11. SAVINGS:-

Nothing contained in these regulations shall affect the rights and privileges of the consumer under any other law for the time being in force, including the Consumer Protection Act, 1986 (68 of 1986).

12. POWERS TO REMOVE DIFFICULTIES:-

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the licensee, the Forum or the Ombudsman to take suitable action, not being inconsistent with the Act, which appears to the Commission to be necessary or expedient for the purpose of removing difficulties.

13. POWER TO AMEND:-

Subject to the provisions of the Act, the Commission may, at any time vary, alter, modify or amend any provision of these regulations.

14. SUBMISSIONS OF REPORTS TO THE COMMISSION:-

- 1) The Forum and the Ombudsman shall submit a quarterly report on the number of complaints/representations received, redressed and pending, within 15 days of the end of the quarter, to the Commission.
- 2) The Forum and the Ombudsman shall furnish to the Commission, by 31st May every year, an annual report containing a general review of the activities of their offices during the preceding financial year and shall also furnish such information as the Commission may require.

15. ISSUE OF ORDERS/CIRCULARS

Subject to the provisions of the Act and these Regulations, Commission may from time to time, issue orders and circulars with regard to the implementation of these Regulations.

16. LANGUAGE OF THE FORUM AND OMBUDSMAN:-

The filing of complaint/representation and the proceeding of the Forum and of the Ombudsman shall be made in Oriya or in English.

17. IMPLEMENTATION OF ORDERS/AWARDS:-

Any order/award passed or direction issued by Ombudsman shall be implemented or complied with by the licensee or the person required by the order or direction to do so. Failure to implement or comply with such order or direction shall amount to contravention of these Regulations for the purpose of Section 142 of the Act.

18. WORKING DAYS AND HOURS:-

The working days and the working hours of the Forum shall be same as that of the Licensee and the working days and working hours of the Ombudsman shall be same as that of the Commission.

19. OFFICE SEAL:-

The Forum and Ombudsman shall have their official seal for authentication of the orders and documents required for the purpose of their functions.

20. CERTIFIED COPIES:-

Every party to a proceeding in the Forum or before the Ombudsman and any interested person may obtain certified copy of any order passed by the Forum or Ombudsman.

By order of the Commission

(M.R. Hazra)

SECRETARY

APPENDIX

(See Regn. 5(9))

Staff for Ombudsman

1. Engagement of Staff shall be made on contractual / regular basis.
2. Each office of the Ombudsman shall have at least one Clerk-cum-Computer Operator and one attender having following qualification and experience.
 - a) Clerk-cum-Computer Operator
 - i) graduate from recognised university.
 - ii) Able to take shorthand and experience in typewriting.
 - iii) Computer skill – Adequate exposure to Word processing, Spread sheet, Presentation, and e-mail and Internet.
 - iv) Experience of at least two years in the relevant field.
 - b) Attender
 - i) Should have passed 10th Class or equivalent examination and having at least two years work experience.
3. Pay and Allowances
 - a) The staff of the Ombudsman shall get such pay and other allowances as determined by the Commission from time to time.
 - b) The Commission may, by general order, revise the pay structure and other allowances of the Staff of the Ombudsman.
4. Depending upon the requirement, the Commission may review by order, the number and nature of staff of the Ombudsman from time to time.



EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO.709, CUTTACK, FRIDAY, MAY - 28, 2004 / JAISTHA 7, 1926

**ORISSA ELECTRICITY REGULATORY COMMISSION
BHUBANESWAR**

**NOTIFICATION
The 21st May 2004**

No.LAW/LD/Reg-3/2004 - In exercise of powers under Section 127(1) read with Section 181(2)(zo) of the Electricity Act, 2003, the Orissa Electricity Regulatory Commission hereby makes the regulation providing for procedure for filing the appeal before the Appellate Authority from the final order made by the Assessing Officer under Section 126 of the said Act.

1. Short title, commencement and interpretation

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (Procedure for filing appeal before the Appellate Authority) Regulations, 2004.
- 2) These Regulations shall be applicable to the Distribution Licensees in their respective areas of supply in the State.
- 3) These Regulations shall come into force on the date of its publication in the Official Gazette.

2. Definitions

In these regulations, unless the context otherwise requires:-

- a) "Act" means the Electricity Act, 2003;
- b) "Appellate Authority" means the authority notified under sub-section (1) of Section 127 read with Section 176(2)(u) of the Act;
- c) "Assessing Officer" means the assessing officer appointed under Section 126 of the Act.
- d) "Commission" means the Orissa Electricity Regulatory Commission;
- e) "Licensee" means a Distribution Licensee authorized to operate and maintain a distribution system and supply electricity to consumers in the concerned area of supply; and

- f) Words and expressions used but not specifically defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Filing of appeal

- 1) Any person aggrieved by a final order made by an assessing officer under Section 126 of the Act, may, within 30 days of the order, file an appeal before the Appellate Authority.
- 2) The appeal shall be made in the form specified in the Schedule.
- 3) The Memorandum of Appeal shall be signed and verified in the manner specified in the Schedule.
- 4) The memorandum of appeal shall be accompanied by the following fee:

Amount assessed		Fee
Up to Rs. 1 lakh	—	1% of the assessed amount.
Above Rs. 1 lakh	—	0.75% of the assessed amount.

- 5) The fee shall be paid in such form as the Appellate Authority may direct.

4. Miscellaneous

- 1) Subject to the provisions of the Electricity Act, 2003 and these regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these regulations to direct and matters incidental or ancillary thereto.
- 2) The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these regulations.
- 3) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do such thing not being inconsistent with the provisions of the Act, which appears to be necessary or expedient for the purpose of removing the difficulties.

(BY ORDER OF THE COMMISSION)

(M.R.HAZRA)
SECRETARY

SCHEDULE
[See Regulation 3(2)]

**APPEAL BEFORE THE APPELLATE AUTHORITY UNDER
SECTION 127 OF THE ELECTRICITY ACT, 2003**

Appeal against final order (AFO) of _____

AFO NO. of 200

Between

(Name and address of the Consumer) Appellant

AND

1. (Name and address of Distribution Licensee)

2. (Name and address of the Assessing Officer) Respondents

Appeal under Section 127 of the Electricity Act 2003

1. Details of Applicant
 - a. Full Name of the Appellant :
 - b. Full Address of the Appellant :
 - c. Name, Designation & Address of the Contact Person :
 - d. Contact Telephone Numbers : Fax Number(s) : Email ID :
2. Details of the Distribution Licensee
 - a. Name of the concerned Divisional Engineer
 - b. Address of the office of the Divisional Engineer
3. Details of the Assessing Officer
 - a. Name
 - b. Address

4. Address of the premises concerned
5. Connected Load
6. Particulars of the meter installed
7. Date of Inspection.

(The copy of the inspection report)

8. Name and address of the Inspecting Officer
9. Date of the provisional assessment
10. Amount provisionally assessed
11. Date of the representation by the Appellant against provisional assessment
12. Date of hearing of the representation by the Assessing Officer and date of final order.

(True copy of the final order is to be enclosed)

13. Nature of the Unauthorized use alleged
14. Gist of the decision of the assessing officer
15. Whether any amount assessed paid /deposited relating to the period in issue and if so the details thereof
16. Whether the appellant has paid the one third of the disputed amount and if so the details thereof
17. Whether there was any consent of the Appellant to the final order.
18. **GROUND OF CHALLENGE**
19. (State the grounds of the case on which the appeal is filed and the reason(s) why the final order is unsustainable)
20. Details of Fees

PRAYER

It is therefore, prayed that _____

Appellant

VERIFICATION

I, the Appellant declare that the facts stated in the above Memorandum of Appeal are true to my knowledge (or based on information from and believed by me to be true); no part of the same are false and nothing material has been concealed therefrom.

Verified at on this day of

Appellant

Place:

Date :



EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO.708, CUTTACK, FRIDAY, MAY 28, 2004 / JAISTHA 7, 1926

ORISSA ELECTRICITY REGULATORY COMMISSION

BHUBANESWAR

NOTIFICATION
The 21ST May 2004

No.LAW/LD/Reg-2/2004 - In exercise of powers conferred under Section 87 read with Section 181 of the Electricity Act, 2003 (36 of 2003), the Commission hereby makes the following Regulations, namely, in regard to the State Advisory Committee and for matters incidental and ancillary thereto:-

1. Short title and commencement

- 1) These Regulations may be called the Orissa Electricity Regulatory Commission (State Advisory Committee) Regulations, 2004.
- 2) These Regulations shall come into force on the date of its publication in the Official Gazette.

2. Definitions

- 1) In these Regulations unless the context otherwise requires;
 - a) "Act" means the Electricity Act, 2003;
 - b) "Commission" means the Orissa Electricity Regulatory Commission;
 - c) "Committee" means the State Advisory Committee;
 - d) Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Constitution of the Committee

- 1) The Committee shall consist of not more than 21 members (excluding ex-officio members) to be nominated by the Commission from time to time consistent with Section 87 of the Electricity Act, 2003 in consultation with the State Government.
- 2) The Members of the Committee shall be nominated for a period of three years.
- 3) The Managing Director/Director/CEO of the Licensees and Generating Companies operating in the State shall be Special Invitees, and shall attend the meetings of the Committee.
- 4) The Chairperson of the Commission shall be the ex-officio Chairperson of the Committee and Members of the Commission, the Secretary to Government of Orissa in charge of Department dealing with Consumer affairs and public distribution system shall be the ex-officio members of the Committee.
- 5) A member other than the ex-officio member, who fails to attend three consecutive meetings of the committee without prior intimation to the Commission and without valid reasons for his absence shall cease to be a member of the Committee.

4. Secretary of the Committee

- 1) The Secretary of the Commission shall be the ex-officio Secretary to the Committee.
- 2) It shall be the duty of the Secretary to convene the meetings of the Committee with the permission of the Chairperson and to give to the members thereof, unless otherwise specifically directed by the Chairperson not less than 14 days' notice in writing of the date, time and place and agenda of the proposed meeting.

5. Proceedings of the Committee

- 1) The proceedings of the meetings of the Committee shall be recorded in a minute book to be kept for the purpose and shall be signed by the Chairperson of the meeting at the next succeeding meeting or at any time before such succeeding meeting.
- 2) The Committee shall meet at least once in every three months.
- 3) The quorum for the commencement of a meeting of the Committee shall be six.
- 4) The meeting, after such Commencement with a valid quorum can be continued even if during the meeting the number of participating members reduces below the quorum.
- 5) If there is no quorum at the commencement of the meeting no business shall be transacted and the Chairperson of the meeting may adjourn the meeting to another date to be fixed by the Chairperson. No quorum shall be necessary at an adjourned meeting.

- 6) At the adjourned meeting the agenda proposed for the initial meeting shall be considered first before other matters are taken up for consideration.
- 7) No proceedings of the Committee shall be invalid by reason merely of a vacancy existing in the Committee or by reason of non-receipt of the notice or the agenda papers by any member of the Committee or by reason of any irregularity in the conduct of the business of the meeting.
- 8) Unless the Commission otherwise notifies, all meetings of the Committee shall be held at the Office of the Commission.
- 9) The Chairperson of the Committee may call for assistance for any officer of the Commission/ expert/consultant for deliberation on any issue, as deemed necessary.
- (10) Members of the Committee alone have the right to admission, participation and deliberation in the meetings of the Committee.

6. Fees and allowances for members of the State Advisory Committee

- 1) A member of the Committee other than an ex-officio member and special invitees shall be entitled to a fee of Rs. 500 (Rupees five hundred only) for each sitting.
- 2) A member of the Committee attending the meeting of the Committee shall be entitled to allowances for traveling and stay as the Commission may decide from time to time.

7. Resignation of Member

A member of the Committee other than an ex-officio member may, by a written notice to the Secretary of the Commission resign from his office and it shall come into effect from the day the Chairperson of the Commission accepts the same.

8. Removal of member

- 1) The Commission may remove any member of the Committee other than an ex-officio member, who:
 - a) has been adjudged as insolvent; or
 - b) has been convicted of an offence involving moral turpitude; or
 - c) has become physically or mentally incapable of acting as a member; or
 - d) has conducted himself in a manner or has so abused his position as to render his continuance as a member prejudicial to public interest or to the objects and purpose of the Act.
 - e) has acquired such financial and other interest as is likely to affect prejudicially his function as a member.

- f) has been guilty of proved misbehaviour
- g) has failed to attend three consecutive meetings of the committee without pre-intimation to the Commission and without valid reason.

Provided no member shall be removed from his office on any ground specified under clause 'd' to 'g' unless State Government on a reference being made to it by the Commission in this behalf is satisfied that the member ought on such ground or ground is to be removed.

- 2) The member who is proposed to be removed under sub-clause (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

9. Miscellaneous

- 1) Subject to the provisions of the Electricity Act, 2003 and these regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these regulations to direct and matters incidental or ancillary thereto.
- 2) The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these regulations.
- 3) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do such thing not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

BY ORDER OF THE COMMISSION

(M.R.HAZRA)
SECRETARY

**ORISSA ELECTRICITY REGULATORY COMMISSION BIDYUT NIYAMAK
BHAVAN, UNIT – VIII BHUBANESWAR – 751 012
FAX : (0674) 2395781, 2393306**

**NOTIFICATION
The 31st August, 2009**

No.1992 in exercise of its power under Section 86(1)(g) of the Electricity Act, 2003 read with Regulation 10(5) of the OERC (Conduct of Business) Regulations, 2004, the Commission fixes fees for filing of petitions or applications before the Commission as per the Schedule of Fees as mentioned in the enclosed schedule.

1. This Notification shall come into force with effect from the date of its publication in Official Gazette.
2. Every petition/application made to the Commission shall be accompanied by such specified fees. No petition/application shall be entertained by the Commission unless the petitioner or applicant pays the fees therefor, in accordance with the prescribed Schedule provided that in any particular case, on the prayer of the petitioner or applicant etc, the Commission may exempt wholly/ partially any person, organization or institution etc from the payment of fees aforesaid by recording the reasons in writing.
3. The fees shall be paid by means of Bank Draft/Pay order in favour of “Orissa Electricity Regulatory Commission” payable at Bhubaneswar or may be paid in cash in the Accounts Section of the Commission by obtaining the cash receipt. The original Bank Draft/Pay order/ Cash receipt shall accompany the petition or application.
4.
 - i) There shall not be any fee for initiation of suo-motu proceeding by the Commission.
 - ii) That the licensees operating in the State under the licence issued by the Commission or deemed licensee u/s 14 of the Electricity Act, 2003, paying annual licence fees to the Commission, shall not pay any fee under this notification.
 - iii) If two or more prayers are included in the petition / application the fee for all the categories should be paid by the petitioner / applicant.
 - iv) There shall not be any fee for filing of objections / views in response to public notice published by the Commission in its website /newspapers.
 - v) There shall not be any fee for filing of petition by SLDC(s), RLDC, RPC(s), State & Union Government.
5. Fees once paid shall not be refunded even in case of return / non-admission of the petition or application by the Commission for want of jurisdiction or otherwise. However, the Commission, in any particular case may decide that the fees paid by any party be refunded in full or in part in case of withdrawal of the petition before fixation of date of hearing.
6. All the above fees received by the Commission shall be entered into the Fees Register maintained in the Accounts Section and shall be deposited in the OERC Fund Account.
7. The Commission may, at any time amend the prescribed Schedule of Fees without any prior notice.
8. The Commission may, by general or special order, make provision for payment of fees for any category of applications/petitions etc. not covered under the ‘Schedules of Fees’ attached to this notification.
9. With regard to amount of fees to be paid, the decision of the Commission shall be final.

SCHEDULE OF FEES
FOR FILING APPLICATION/PETITION BEFORE OERC

SL. No	Description	Fees
1	Adjudication of dispute regarding availability of transmission facility under the second proviso to sub-section (2) of Section 9 under the Act, to be paid by the person who has referred such dispute to the Commission.	Upto 5MW-Rs.10,000/- (Rs. Ten Thousand) and Above 5MW-Rs.25,000/- (Rs. Twenty Five Thousand)
2	Petition for grant of exemption from license and Annual fee for the licensee/deemed licensee who has taken exemption from licence under Section 13 of the Act.	Application fee Rs.5,000/- (Rs. Five Thousand) & Renewal fee Rs.1,000/- (Rs. One Thousand) per year for subsequent years
3	Application fee for grant of license under Section 15(1) of the Act	As prescribed by the State Government.
4	Annual Fee	
	a) to transmit electricity as a transmission licensee;	Rs.1 Crore (Rs. One Crore)
	b) to distribute electricity as a distribution licensee;	Rs.1 Crore (Rs. One Crore)
	c) to undertake Bulk Supply and trading Activity (GRIDCO);	Rs.1 Crore (Rs. One Crore)
	d) to undertake trading as an electricity trader	Rs.1,00,000/- (Rs. One Lakh) per year for trading upto 50 MU/Year. Rs.2,50,000/- (Rs. Two Lakhs Fifty Thousand) per year for trading above 50 MU per year.
5	Application seeking prior approval under Section 17 of the Act	
	a) to undertake any transaction to acquire by purchase or takeover or otherwise the utility of any other licensee under Section 17(1)(a) or merge his utility with the other utility of any other licensee in the State under section 17(1)(b)	Rs.5,00,000/- (Rs. Five Lakhs)
	b) to assign his license or transfer his utility or any part thereof by sale, lease, exchange or otherwise at any time under section 17(3)	Rs.5,00,000/- (Rs. Five Lakhs)

SL. No	Description	Fees
6	Application for amendment of licence u/S 18 of the Act	
	a) by licensee	Nil
	b) by any person other than a licensee	Rs.10,000/- (Rs. Ten Thousand)
7	Application for revocation of licence under Sub-Section (2) of Section 19 of the Act	By Licencees- Nil. By Others - Rs.10,000/- (Rs. Ten Thousand)
8	Application for invoking power of the Commission u/S 23 of Electricity Act, 2003. Direction to the licensee for regulating supply, distribution, consumption or use of electricity	Rs.5,000/- (Rs. Five Thousand)
9	Application for invoking power of the Commission u/S 24 of Electricity Act, 2003. Order for suspension of Distribution Licence and sale of Utility.	Rs.5,000/- (Rs. Five Thousand)
10	Application under Section 33(4) of the Act if the dispute is referred by SLDC, or generating company or any other person.	Rs.10000/- (Rs. Ten Thousand)
11	Application to impose penalty under Section 33(5) of the Act upon any licensee, generating company or any other person filed by SLDC or any person.	Rs.5,000/- (Rs. Five Thousand)
12	a) Application under Section 35 of the Act for seeking the use of intervening transmission facilities	Rs.20,000/- (Rs. Twenty Thousand)
	b) Adjudication of dispute regarding extent of surplus capacity under the proviso to Section 35 of the Act	Rs.1,00,000/- (Rs. One Lakh)
13	Application for determination of rates, charges, terms and conditions under proviso to sub-section (1) of Section 36 of the Act.	Rs.1,00,000/- (Rs. One Lakh)
14	Adjudication of disputes regarding provision of non-discriminatory open access under Section 40 of the Act.	
	a) referred by a generating company other than captive generating plant, generating company based on renewable source of energy or cogeneration.	Rs.1,00,000/- (Rs. One Lakh)

SL. No	Description	Fees
b)	referred by a captive generating plant, and / or generating company based on renewable source of energy or Cogeneration.	Rs.25,000/- (Rs. Twenty Five Thousand)
c)	referred by a consumer	Rs.10,000/- (Rs. Ten Thousand)
15	Adjudication of disputes regarding provision of non-discriminatory open access under sub-section (2), (3) and (4) of Section 42 of the Act and regulations specified thereunder:	
a)	referred by a licensee or by a generating company, other than a generating company based on renewable source of energy or cogeneration	Rs.1,00,000/- (Rs. One Lakh)
b)	referred by a generating company or CGP directly connected to the distribution system of a distribution licensee or a generating company based on renewable energy or cogeneration	Rs.25,000/- (Rs. Twenty Five Thousand)
c)	referred by consumer	Rs.10,000/- (Rs. Ten Thousand)
16	Application for exercise of power u/S 60 of Electricity Act, 2003 (Market domination).	Rs.5,000/- (Rs. Five Thousand)
17	Determination of tariff under the provisions of Clause (a) of sub-Section (1) of Section 62	
a)	Conventional fuel based (coal, oil etc) plant / hydel plants	Rs.5,000/- (Rs. Five Thousand) per MW and part thereof with a maximum of Rs.25,00,000/- (Rs. Twenty Five Lakhs)
b)	generating company based on renewable sources of energy, including co-generation	Rs.2,000 (Rs. Two Thousand) per MW and part thereof with a maximum of Rs.5,00,000/- (Rs. Five Lakhs)
18	Disputes arising under Section 67 of the Act with regard to works of a licensee	For institutional /organisational complainant- Rs.5,000/- (Rs. Five Thousand). For individual complainant - Rs.500/- (Rs. Five Hundred).
19	Dispute raised by generating company for Adjudication under Section 86(1)(f) of the Act.	Rs.10,000/- (Rs. Ten Thousand)
20	Dispute raised by generating company for Arbitration under Section 86(1)(f) read with Section 158 of the Act.	Rs.25,000/- (Rs. Twenty Five Thousand)

SL. No	Description	Fees
21	Application for review of ARR /Tariff Order of the Commission.	
	a) by the petitioner/ an institution / association/ company.	Rs.5,000/- (Rs. Five Thousand)
	b) by an individual consumer other than at (a) above.	Rs.1,000/- (Rs. One Thousand)
22	Application / Petition processing fee for review of Order on approval of PPA	Rs.5,000/- (Rs. Five Thousand)
23	Application seeking review of any order on grounds of clerical error / mistake	NIL
24	Application for review of orders of Commission not covered elsewhere in this schedule	Rs.5,000/- (Rs. Five Thousand)
25	Application under Section 142 of the Electricity Act	
	a) application made by any generator or any person other than an individual	Rs.1000/- (Rs. One Thousand)
	b) by any individual	Rs.500/- (Rs. Five hundred)
	c) Cases of non-compliance of orders of consumers Grievances Redressal Forum (GRF) or the Ombudsman.	For individual -Rs.100/- (Rs. One Hundred). For institution/ organisation - Rs.1,000/- (Rs. One Thousand).
26	Petition under Section 27 of the Energy Conservation Act 2001	
	a) application made by any generator or any person other than an individual	Rs.1,000/- (Rs. One Thousand)
	b) by any individual.	Rs.100/- (Rs. One Hundred)
	c) application made by the appropriate Govt. or its officer in his official capacity.	Nil
27	Application under Clause 1.8 of Orissa Grid Code (OGC), 2006 for relaxation for provisions of OGC.	Rs.10,000/- (Rs. Ten Thousand)
28	Application (i) to set aside ex-parte order or to drop ex-parte proceedings and / or (ii) to restore any case which was dismissed in default	For individual -Rs.200 (Rs. Two Hundred). For institution/ organisation - Rs.1,000/- (Rs One Thousand).
29	Condonation of delay in filling of a petition	
	a) by a generating company	Rs 1000/- (Rs One Thousand).
	b) by any other person	Rs 500/- (Rs. Five Hundred)

SL. No	Description	Fees
30	Application for inspection of records/ documents as per OERC (Conduct of Business) Regulations, 2004.	Rs 500/- (Rs. Five Hundred) per Day
31	Application for certified copy of the Commission's Order or pleadings or unprivileged /non-confidential documents filed in case matters OERC (Conduct of Business) Regulations, 2004 Fee on application, Fee per page	Rs.10/- (Rs. Ten) per application & Rs.2 (Rs. Two) per page.
32	Miscellaneous petition i.e. petition not covered elsewhere in this schedule	
	a) by consumers other than individuals	Rs.500/- (Rs. Five hundred)
	b) by individual consumers	Rs.100/- (Rs. One Hundred)

BY ORDER OF THE COMMISSION

(P.K. SWAIN)
SECRETARY



EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO. 2076, CUTTACK, TUESDAY, DECEMBER 14, 2010 / MARGASIRA 23, 1932

ORISSA ELECTRICITY REGULATORY COMMISSION

BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012

NOTIFICATION

The 30th September, 2010

No. OERC-Engg-02/2010/ In exercise of powers conferred under Section 61, 66, 86(1)(e) and 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, and after previous publication, the Orissa Electricity Regulatory Commission hereby makes the following Regulations for the Renewable and Co-generation Energy Purchase Obligation and its compliance:

1. **Short title and commencement.**

- (1) These Regulations may be called the OERC (Renewable and Co-generation Purchase Obligation and its Compliance) Regulations, 2010.
- (2) These Regulations shall come into force from the date of their publication in the Official Gazette.
- (3) These Regulations shall apply throughout the State of Orissa.

2. **Definitions and Interpretation** : In these regulations, unless the context otherwise requires,

- a) 'Act' means the Electricity Act, 2003 (36 of 2003);
- b) 'Central Agency' means the agency as may be designated by the Central Commission from time to time under the CERC (Terms and Conditions for recognition and issuance of Renewable energy Certificate for Renewable Energy Generation) Regulations, 2010;
- c) 'Central Commission' means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;

- d) "Certificate" means the renewable energy certificate issued by the Central Agency in accordance with the procedures prescribed by it and under the provisions specified in the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations) 2010;
- e) 'Commission' means the Orissa Electricity Regulatory Commission as referred in subsection (1) of section 82 of the Act;
- f) 'Forbearance price' means the ceiling price as determined by the Central Commission in accordance with the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable energy Certificate for Renewable Energy Generation) Regulations, 2010, as amended from time to time, within which only the Certificate can be dealt in power exchange;
- g) 'MNRE' means the Ministry of New and Renewable Energy, Government of India;
- h) 'Obligated entity' means the entity mandated under clause (e) of sub-section (1) of Section 86 of the Act to fulfill the renewable purchase obligation and identified under clause 3 of these Regulations;

This shall be applicable to:

- (1) Distribution licensee (or any entity procuring power on their behalf).
- (2) Any other person consuming electricity (i) generated from conventional Captive Generating Plant having capacity of 5 MW and above for his own use and/or (ii) procured from conventional generation through open access and third party sale.
- i) 'Power Exchange' means any exchange operating as power exchange for electricity in terms of the orders issued by the Central Commission;
- j) "Renewable energy sources" means renewable sources such as small hydro, wind, solar including its integration with combined cycle, biomass, bio fuel cogeneration, urban or municipal waste, and such other sources as recognized or approved by MNRE;
- k) 'Renewable Purchase Obligation (RPO) means the requirement specified through these Regulations by the Commission under Clause (e) of sub-section (1) of section 86 of the Act or by way of orders from time to time for the obligated entity to purchase electricity from co-generation and generation of electricity from renewable energy sources;
- l) 'State Agency' means the agency in the State of Orissa to be designated by the Commission to act as the agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these regulations;
- m) 'Year' means a financial year.
- n) Words and expressions used in these Regulations and not defined but defined in the Act or the Regulations issued by the Central Commission or any other regulations issued by the Commission, shall have the same meaning assigned to them respectively in the Act or such

Regulations issued by the Central Commission or such other Regulations issued by the Commission.

3. Purchase Obligation from Renewable Sources and Co-generation.

- (1) Every Obligated Entity shall purchase not less than 5% of its total annual consumption of energy from co-generation and renewable energy sources under the RPO Regulations from 2011-12 onwards with 0.5 percentage increase every year thereafter, till 2015-16 or as reviewed by the Commission even earlier, if any.

Provided that 0.10 percentage out of the RPO so specified in the year 2011-12 shall be procured from generation based on solar as renewable energy source and shall be increased at a rate of 0.05 percentage every year thereafter till 2015-16 or as reviewed by the Commission even earlier, if any. Accordingly, the year and source wise RPO would be as below:

Year-wise target	Minimum quantum of purchase in percentage (in terms of energy consumption in the State in KWH)			
	Renewable		Co-generation	Total
	Solar	Non-solar		
2009-10 (Actual)	-	0.80	3.45	4.25
2010-11	-	1.0	3.50	4.5
2011-12	0.10	1.20	3.70	5.0
2012-13	0.15	1.40	3.95	5.5
2013-14	0.20	1.60	4.20	6.0
2014-15	0.25	1.80	4.45	6.5
2015-16	0.30	2.00	4.70	7.0

Provided further, such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from all the renewable energy sources already being made by the concerned obligated entity.

Provided also that the power purchases under the power purchase agreements for the purchase of renewable energy sources already entered into by the obligated entities and consented to by the Commission shall continue to be made till their present validity, even if the total purchases under such agreements exceed the percentage as specified hereinabove.

4. Connectivity

- 4.1 The Co-generation and renewable energy sources excepting roof-top Solar PV and bio-gas sources shall be connected to the State Grid at a voltage level of 132 KV or 33 KV or 11 KV subject to technical suitability determined by the licensee. If any dispute arises about the technical suitability of connection of such sources with the grid, the matter shall be referred to the Commission whose decision in this regard shall be final. The delivery point shall be the nearest grid sub-station having 132 KV / 33 KV / 11 KV voltage level. Synchronization point shall, however, remain at the power station end with all protection and inter-lock as agreed to between the licensee, STU and developer. Such connectivity shall also be provided for use of licensee's system under open access. More than one such projects established by the developer located near each other are to be clustered together as far as possible in order to avail connectivity with the grid sub-station.

- 4.2 Roof-top Solar PV sources shall be allowed connectivity at LV or MV or 11 KV of the distribution system of the licensee as considered technically and financially suitable by the licensee and the developer. If any dispute arises about connectivity of such sources with the grid, the matter shall be referred to the Commission whose decision in this regard shall be final. Supply of electricity to the consumer(s) from the licensee's sources and that to the licensee's distribution system from the roof-top Solar PV sources shall be measured either by two separate meters, the readings of which shall be used in each billing period for settlement on net basis or alternatively by an export-import type meter suitable for directly measuring the net exchange. The meter for measuring the energy injected from Solar PV sources shall be provided by the licensee against applicable meter rent along with the connection of the meter upto the nearest technically suitable point in the distribution system of the licensee. The connectivity from the roof-top Solar PV sources upto the meter shall be at the cost and responsibility of the consumer(s) and shall be in accordance with the guidance of the licensee so that the licensee's distribution system is not affected by any fault in the system owned by the consumer(s).
- 4.3 Bio-gas Plants, if connected to the distribution system, shall be connected at 415 V, 3 phase or at 11 KV of the distribution system of the licensee according to the technical suitability examined by the licensee.
- 4.4 Communication system between grid sub-station and generating station shall be developed by the developer / developers at its / their cost. Protection schemes shall be examined by the licensee to suit the requirements. Developers of cogeneration and renewable energy sources shall abide by all applicable codes, rules, regulations etc. in regard to operational and commercial practices.
- 4.5 Wherever cogeneration and renewable energy sources have already been connected to the State Grid at a voltage level lower than the voltage level specified in these regulations and wherever such State Grid connection causes any bottleneck in capacity addition or causes avoidable discontinuance of generation or low voltage during peak hours or frequent outage of line or insufficient redundancy, such grid connection shall be converted into suitable voltage level preferably with double circuit line and cost for such conversion shall be borne by the developer.

5. **Certificates under the Regulations of the Central Commission**

- (1) Subject to the terms and conditions contained in these Regulations the Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 shall be the valid instruments for the discharge of the mandatory obligations set out in these Regulations for the obligated entities to purchase electricity under RPO.

Provided that in the event of the Obligated Entities fulfilling the RPO by purchase of certificates, the obligation to purchase electricity from generation based on solar as renewable energy source can be fulfilled by purchase of solar certificates only, and the obligation to purchase electricity from generation other than solar can be fulfilled by purchase of non-solar certificates.

- (2) Subject to such directions as the Commission may give from time to time, the Obligated Entities shall act consistent with the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 notified by the Central Commission in regard to the procurement of the certificates for fulfillment of the RPO under these regulations.
- (3) The Certificates purchased by the obligated entities from the power exchange in terms of the regulation of the Central Commission mentioned in clause (1) of this Regulation shall be deposited by the obligated entities to the State Agency in accordance with the detailed procedure issued by the Central Agency. State Agency may develop the required detailed procedure in connection with its own function and submit to the Commission for approval.

6. State Agency

- (1) The Commission shall designate an agency as State Agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these Regulations.
- 2) The State Agency shall function in accordance with the directions issued by the Commission and shall act consistent with the procedures/rules laid by Central Agency for discharge of its functions under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 .
- (3) The State Agency shall submit quarterly status to the Commission in respect of compliance of RPO by the obligated entities in the format as stipulated by the Commission and may suggest appropriate action to the Commission if required for compliance of the renewable purchase obligation.
- (4) The Commission may from time to time fix the remuneration and charges payable to the State Agency for discharge of its functions under these regulations, to be recovered from the accredited entities and obligated entities.
- (5) If the Commission is satisfied that the State Agency is not able to discharge its functions satisfactorily, it may by general or special order, and by recording reasons in writing, designate any other agency to function as State Agency as it considers appropriate.

7. Effect of default

- (1) If the Obligated Entities does not fulfill the RPO as provided in these regulations during any year and also does not purchase the certificates, the Commission may direct the obligated entity to deposit into a separate fund, to be created and maintained by such obligated entity, such amount as the Commission may determine on the basis of the shortfall in units of RPO and the forbearance price decided by the Central Commission:

Provided that the fund so created shall be utilised, as may be directed by the Commission, for purchase of the certificates:

Provided further that the Commission may empower an officer of the State Agency to operate the Fund and procure from the Power Exchange the required number of certificates to the extent of the shortfall in the fulfillment of the obligations, out of the amount in the fund:

Provided also that the obligated entities shall be in breach of its licence condition if it fails to deposit the amount directed by the Commission within 15 days of the communication of such direction.

- (2) Where any Obligated Entity fails to comply with the obligation to purchase the required percentage of power from renewable energy sources or the renewable energy certificates, it shall also be liable for penalty as may be decided by the Commission under section 142 of the Act.

Provided that in case of genuine difficulty in complying with the RPO because of non-availability of certificates, the obligated entity can approach the Commission for carry forward of compliance requirement to the next year:

Provided further that where the Commission has consented to the carry forward of compliance requirement, the provision of clause (1) of this Regulation or the provision of section 142 of the Act shall not be invoked.

8. Appointment of Compliance Auditors :

The Commission may appoint from time to time Compliance Auditors to inquire into and report on compliance of these Regulations. The Auditor shall also certify the fund created under Regulation 7(1) of these Regulations and operated by State Agency. The Auditors could be an individual person or a firm having persons with qualification and experience in Finance or Accounts, Commerce and Engineering.

9. Power to give directions :

The Commission may from time to time issue such directions and orders as considered appropriate for the implementation of these Regulations and for the development of market in power for Renewable Energy Sources.

10. Power to Relax :

The Commission may be general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected may relax any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

11. Cross-Subsidy :

Third Party Sale from renewable energy sources shall be exempted from the cross-subsidy surcharge determined by the Commission from time to time. However, no banking facility shall be provided for supply (third party sale) from renewable energy sources through open access.

12. **Power to Remove Difficulties :**

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, Indian Electricity Grid Code, these Regulations, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

13. **Power to Amend:**

The Commission may, at any time, add, vary, alter and modify the provisions of these Regulations through amendments.

By order of the Commission

(P.K.Swain)
SECRETARY

The Orissa



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ORISSA ELECTRICITY REGULATORY COMMISSION

BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012

NOTIFICATION / 5358

The 22nd November, 2010

In exercise of powers conferred under Section 61, 66, 86(1)(e) and 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, Orissa Electricity Regulatory Commission has notified the OERC (Renewable and Co-generation Purchase Obligation and its Compliance) Regulations, 2010 on 30th September, 2010 and shall come into force from the date of their publication in the Official Gazette.

In exercise of the powers under Regulation 6(1) of the said Regulations, the Commission hereby designate Orissa Renewable Energy Development Agency (OREDA) as State Agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under the OERC (Renewable and Co-generation Purchase Obligation and its Compliance) Regulations, 2010 (Notification dated 30th September, 2010 in case no 59 of 2010). This shall come into force from the date of their publication in the Official Gazette.

By order of the Commission

(P.K.Swain)
SECRETARY



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