



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

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ಸರ್ಕಾರದ ಆಯಾ ಇಲಾಖೆಗಳ ಮುಖ್ಯಸ್ಥರ ಮತ್ತು ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರಿಗಳಿಗೆ
ಸಂಬಂಧಿಸಿದ ಅಧಿಸೂಚನೆಗಳು

KARNATAKA ELECTRICITY REGULATORY COMMISSION
No.16 c-1, Miller Tank Bed Area, Vasanthnagar, Bengaluru – 52.

KERC (TERMS & CONDITIONS FOR OPEN ACCESS) (FIFTH AMENDMENT) REGULATIONS 2023

As Existing	As Amended/Inserted
-	<p>Notification No. KERC-23-DDTRN-OA-2022-23/ . .</p> <p>Karnataka Electricity Regulatory Commission (Terms and Conditions for Open Access) (Fifth Amendment) Regulations, 2023</p> <p>Preamble</p> <p>1. The Commission, in exercise of the powers conferred under sub-section (1) of Section 181, read with Sections 39(2)(d), 40(c), 42(2), 42(3), 42(4), 86(1)(a) and 86(1)(c) of the Electricity Act, 2003, has issued KERC (Terms and Conditions for Open Access) Regulations,2004 as amended from time to time. In the KERC (Terms and Conditions for Open Access) (Third Amendment) Regulations, 2015, the Commission has specified the procedure for grant of Open Access. The Commission vide order dated 09.03.2023, under removal of difficulties has modified Regulation –9(8) [now renumbered as Regulation 9(9)] to give clarity regarding execution of WBA and directed the office to amend the Regulations accordingly. In addition to the above, certain other amendments/ modifications/insertion are also proposed, keeping in view the GEOA Regulations and to have clarity.</p>

As Existing	As Amended/Inserted
	<p>2. In the circumstances, the Commission as required under sub-section (3) of Section 181 of the Act, notified the draft of the proposed amendments inviting objections / views / suggestions from stakeholders and interested persons. The Commission also held a public hearing in the matter on 06.07.2023, duly publishing the notices in Indian Express, Deccan Herald, Vijayavani and Prajavani on 18.06.2023. The Commission after considering the objections / views / suggestions of the stakeholders and interested persons, hereby makes the following Regulations:</p>
	<p style="text-align: center;">Title and Commencement. –</p> <p>(i) These Regulations may be called the Karnataka Electricity Regulatory Commission (Terms and Conditions for Open Access) (Fifth Amendment) Regulations, 2023.</p> <p>(ii) They shall come into force with effect from the date of their publication in the Official Gazette of Karnataka, except Regulation 9(8) [now renumbered as Regulation 9(9)], which shall come into effect from the date of the order in the matter i.e. 09.03.2023.</p>
<p>3(2) The short-term open access shall be allowed, if the request can be accommodated by utilizing:</p> <p>a. Inherent design margins;</p> <p>b. Margins available due to variation in power flows; and</p> <p>c. Margins available due to in-built spare transmission system capacity and distribution system capacity created to cater to future load growth.</p>	<p>3(2) The short-term / medium-term open access shall be allowed, if the request can be accommodated by utilizing:</p> <p>a. Inherent design margins;</p> <p>b. Margins available due to variation in power flows; and</p> <p>c. Margins available due to in-built spare transmission system capacity and distribution system capacity created to cater to future load growth.</p>
<p>6(1) The open access customers shall be classified into the following categories based on the duration of use of the intra-state transmission and / or distribution system:</p> <p>(a) short-term open access customer are those open access customers other than the long term open access customers.</p> <p>Provided that the maximum duration for availing short-term access shall not exceed one year.</p> <p>Provided that the short-term open access customer shall be eligible and re-eligible to obtain fresh reservation on filing of application after the expiry of his term and subject to availability. Such eligibility shall be on priority fixed on the basis of the date of</p>	<p>6(1) The open access customers shall be classified into the following categories based on the duration of use of the intra-state transmission and / or distribution system:</p> <p>(a) Short-term open access customer- persons availing or intending to avail the open access for a period of one-year or less.</p> <p>(b) Medium-term open access customer – persons availing or intending to avail the open access for a period more than one-year and less than five-years.</p> <p>(c) Long-term open access customer – persons availing or intending to avail the open access for a period equal to or more than five-years.</p>

As Existing	As Amended/Inserted
<p>application.</p> <p>(b) Long-term open access customer – persons availing or intending to avail the open access for a period equal to or more than five-years.</p>	<p>(2) Short-term open access customer shall be eligible and re-eligible to obtain fresh open access after the expiry of the term on filing of application and subject to availability. Such application shall be treated as a new applicant for capacity allocation.</p>
<p>7(1) The priority for allowing open access shall be decided on the following criteria:</p> <p>(a) Distribution licensee for long term</p> <p>(b) Other open access customers for long term</p> <p>(c) Distribution licensee for short term</p> <p>(d) Other open access customers for short term.</p>	<p>7(1) The priority for allowing open access shall be decided on the following criteria:</p> <p>(a) Distribution licensee for long term</p> <p>(b) Other open access customers for long term</p> <p>(c) Distribution licensee for medium term</p> <p>(d) Other open access customers for medium term.</p> <p>(e) Distribution licensee for short term</p> <p>(f) Other open access customers for short term.</p> <p>Provided that Green Energy Open Access (GEOA) consumers shall have preference over normal open access consumers, excluding distribution licensees, as specified in KERC (Terms and Conditions for Green Energy Open Access) Regulations, 2022.</p>
<p>“9. Procedure for grant of Open Access other than Day Ahead Transactions. -</p> <p>(1) An application for grant of open access, in the format specified by the Nodal Agency and approved by the Commission, shall be filed before the Nodal Agency with all the required particulars, by an intending open access customer along with, an undertaking that he has not entered into Power Purchase Agreement [PPA] or any other bilateral agreement for the capacity [quantum of power] for which open access is sought and payment of a non-refundable processing fee of five thousand rupees for long-term open access and one thousand rupees for short-term open access.</p>	<p>“9. Procedure for grant of Open Access other than Day Ahead Transactions. -</p> <p>(1) An application for grant of open access, in the format specified by the Nodal Agency, shall be filed electronically [web-portal of State or central nodal agency as the case may be] with all the required particulars, by an intending open access customer along with the following documents:</p> <p>i. An undertaking that the Generator has not entered into Power Purchase Agreement [PPA] or any other bilateral agreement with more than one person for the same capacity [quantum of power] for which open access is sought.</p> <p>ii. Payment of a non-refundable processing fee of five thousand rupees for long-term/medium-Term open access and one thousand rupees for short-term open access.</p> <p>Provided that an application for a short-term open access, in respect of power plant(s) or</p>

As Existing	As Amended/Inserted
<p>Provided that an application for a short-term open access, in respect of power plant(s) or its/their generating unit(s) which is or are yet to be commissioned, shall be made not before two months prior to the commissioning date of such power plant(s) or its/their generating unit(s).</p> <p>Provided also that an application for long-term open access shall be accompanied by a Bank Guarantee (BG) of ten thousand rupees per MW and shall be kept valid and subsisting till the signing of agreement for wheeling of electricity and such BG shall be encashed by the Nodal Agency, if the application is withdrawn by the applicant prior to the signing of such agreement and on signing of the agreement for wheeling of electricity, the BG shall be returned immediately to the applicant by the Nodal Agency.</p> <p>Provided further that in cases where after being granted open access pursuant to an application filed, there is any material change in the location of the injection point or a change by more than ten percent in the quantum of power to be interchanged using the intra-State transmission and or distribution system, a fresh application shall be made for the entire capacity to ascertain the system availability and such application shall be accompanied by relevant documents, application fees and in case of long term open access with required bank guarantee for the additional capacity and in case the additional capacity sought for cannot be accommodated in the existing network, the applicant is entitled for open access to the extent of his original allotment.</p> <p>(2) The nodal agency shall acknowledge the receipt of the application, only if the application is complete and accompanied by the relevant documents and fees, by e-mail or fax, in addition to any other usually</p>	<p>its/their generating unit(s) which is or are yet to be commissioned, shall be made not before two months prior to the commissioning date of such power plant(s) or its/their generating unit(s), to avoid corridor blocking.</p> <p>Provided also that an application for long-term/ Medium-term open access shall be accompanied by a Bank Guarantee (BG) of ten thousand rupees per MW and shall be kept valid and subsisting till the signing of agreement for wheeling of electricity and such BG shall be encashed by the Nodal Agency, if the application is withdrawn by the applicant prior to the signing of such agreement and on signing of the agreement for wheeling of electricity, the BG shall be returned within 15-days to the applicant by the Nodal Agency.</p> <p>Provided further that in cases where after being granted open access pursuant to an application filed, if there is any material change in the location of the injection point or a change by more than ten percent in the quantum of power to be interchanged using the intra-State transmission and or distribution system, a fresh application shall be made for the entire capacity to ascertain the system availability and such application shall be accompanied by relevant documents, application fees and in case of long-term/Medium-term open access with required bank guarantee for the additional capacity and in case the additional capacity sought for cannot be accommodated in the existing network, the applicant is entitled for open access to the extent of his original allotment.</p> <p>(2) The nodal agency shall acknowledge the receipt of the application, only if the application is complete and accompanied by the relevant documents and fees, immediately by electronic mode.</p>

As Existing	As Amended/Inserted
<p>recognized mode of communication, by the end of working hours of the following working day and where the application is submitted in person, the acknowledgement shall be provided at the time of such submission.</p> <p>(3) Where any application is rejected for any deficiency or defect, the same shall be communicated in writing to the applicant within the time specified above, indicating the deficiency or defect and the application fees and Bank Guarantee, if submitted, shall be returned to the applicant and in such cases a fresh application shall be made by the applicant after curing the deficiency or defect.</p> <p>(4) The Nodal Agency, in order to ascertain the system availability and subsistence of any PPA for the capacity applied for open access, shall forward an application received on any day to the concerned licensee(s) by e-mail or fax, in addition to any other usually recognized mode of communication, within two working days from the date of receipt of such application.</p> <p>(5) The concerned licensee(s) shall acknowledge the receipt of the application by e-mail or fax, by the end of working hours of the following working day.</p>	<p>(3) Where any application is rejected for any deficiency or defect, the same shall be communicated in writing to the applicant within two working days from the date of receipt of application, indicating the deficiency or defect and the application fees and Bank Guarantee excluding GST, if submitted, shall be returned to the applicant and in such cases a fresh application shall be made by the applicant after curing the deficiency or defect.</p> <p>(4) The Nodal Agency, in order to ascertain the system availability at drawal point in case of exclusive consumers [in case of Non-exclusive consumers as long as the Consumer does not exceed contract demand the need for ascertaining system availability does not arise], shall forward the application received on any day to the concerned distribution licensee where power under Open access is drawn, by e-mail or fax, in addition to any other usually recognized mode of communication, within five working days from the date of receipt of such application.</p> <p>(5) The Nodal Agency, in order to ascertain the system availability at injection point, shall forward an application received on any day to the concerned licensee(s) namely, the STU (KPTCL) or the concerned transmission licensee and the distribution licensee where power under Open access is injected, by e-mail or fax, in addition to any other usually recognized mode of communication, within five working days from the date of receipt of such application.</p>

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<p>(6) Based on the system studies or otherwise, the licensee(s) concerned, after ascertaining the availability of network capacity and the subsistence of any PPA for the capacity applied for open access, shall communicate by e-mail or fax, in addition to any other usually recognized mode of communication, his concurrence or otherwise for the open access to the Nodal Agency within the following time schedule:</p> <p>(i) Short term open access – Within five working days from the date of receipt of application from Nodal Agency.</p> <p>(ii) Long term open access – within fifteen working days from the date of receipt of application from Nodal Agency.</p> <p>Provided that in cases of long term open access, if augmentation to the existing system is required, the time required and the probable date by which open access will be granted shall be intimated to the applicant within the above time schedule.</p> <p>Provided further that the system studies at the injection point to ascertain the availability is not required for an existing generator who was already injecting power into the licensee(s) network under PPA or otherwise, subject to the condition that there is no additional injection beyond the capacity that was being injected earlier.</p> <p>Provided also that the system studies at the drawal point to ascertain the availability is not required for a consumer of the licensee availing open access, subject to the furnishing an undertaking that, he would not exceed the contract demand specified in his supply agreement with the licensee even after opting for open access.</p>	<p>(6) The concerned licensee(s) mentioned in Sl.no. (4) & Sl.no. (5) above, shall electronically acknowledge the receipt of the application, by the end of working hours of the same day.</p> <p>(7) Based on the system studies or otherwise, the concerned licensee(s) mentioned in Sl.no. (4) & Sl.no. (5) above, after ascertaining the availability of network capacity, shall communicate by e-mail or fax, in addition to any other usually recognized mode of communication, its concurrence or otherwise for the open access to the Nodal Agency within the following time schedule:</p> <p>(i) Short term open access – Within five working days from the date of receipt of application from Nodal Agency.</p> <p>(ii) Long-term/Medium-Term open access – within ten working days from the date of receipt of application from Nodal Agency.</p> <p>Provided that in cases of long-term open access, if augmentation to the existing system is required, the time required and the probable date by which open access will be granted shall be intimated along with terms & conditions (if any) not inconsistent with Act, Rules, Regulations and orders issued by the Commission, to the applicant within the above time schedule.</p> <p>Provided further that the system studies at the injection point to ascertain the availability is not required for an existing generator who was already injecting power into the licensee(s) network under PPA or otherwise, subject to the condition that there is no additional injection beyond the capacity that was being injected earlier.</p> <p>Provided also that the system studies at the drawal point to ascertain the availability is not required for a consumer of the licensee availing open access, subject to such</p>

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<p>Provided also that if the licensee concerned fails to communicate his concurrence or otherwise within the time schedule specified above, it shall be deemed that he has given his concurrence for the open access applied for.</p> <p>(7) The Nodal Agency shall communicate to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, the grant of open access or otherwise, within three working days following the day of receipt of the concurrence or otherwise from all the licensees concerned and in the absence of any such communication to the applicant from the Nodal Agency within five working days from the date of filing the application in the case of short-term open access and fifteen working days from the date of filing the application in the case of long term open access, the open access applied for shall be deemed to have been granted, subject to system availability.</p> <p>Provided that in case of deemed approval, where the Nodal Agency is of the opinion that open access cannot be allowed without system strengthening, it shall identify the scope of the work for system strengthening and the probable date from which the open access can be allowed shall be informed in writing accordingly within five working days from the date of receipt of agreement for wheeling of electricity.</p> <p>Provided further that during the pendency of application for grant of open access, the applicant shall not inject any energy to the licensee's network and the licensee shall not be liable to pay any charges for the energy injected during such period.</p> <p>Provided also that for any energy injected into the licensee's network from the date of grant of open access till the date of submission of agreement for wheeling, the</p>	<p>consumer furnishing an undertaking that, he would not exceed the contract demand specified in his supply agreement with the licensee even after opting for open access.</p> <p>Provided also that if the licensee concerned fails to communicate his concurrence or otherwise, within the time schedule specified above, it shall be deemed that it has concurred for the open access applied for.</p> <p>(8) The Nodal Agency shall communicate to the applicant by e-mail or fax, in addition to any other usually recognized mode of communication, the grant of open access or otherwise, within fifteen working days from the date of receipt of application in case of long term / medium term open access and within ten working days from the date of receipt of application in case of short term open access. In the absence of any such communication to the applicant from the Nodal Agency within the time specified above, the open access applied for shall be deemed to have been granted.</p> <p>Deleted</p> <p>Provided further that during the pendency of application for grant of open access, the applicant shall not inject any energy to the licensee's network and the licensee shall not be liable to pay any charges for the energy injected during such period.</p> <p>Provided also that for any energy injected into the licensee's network from the date of grant of open access till the date of receipt of agreement for wheeling by the Nodal Agency,</p>

As Existing	As Amended/Inserted
<p>applicant shall be entitled for payment of energy charges at Average Pooled Power Purchase cost [APPC] rate.</p> <p>(8) The open access customer shall execute the agreement for wheeling of electricity in duplicate or triplicate sets, as the case may be, and submit the same to the Nodal Agency and also to the concerned licensee(s) within five working days following the day of receipt of the communication of grant of open access or from the date deemed grant of such open access, as the case may be, failing which the open access granted or deemed to have been granted shall stand cancelled.</p> <p>Provided that in the case of deemed grant of open access, along with the agreement for wheeling of electricity, the applicant shall submit, an undertaking to the nodal agency, duly notarized, stating that the Nodal Agency has failed to communicate approval for open access or otherwise within the time specified in the Regulations and enclose a copy of the acknowledgement, if any, given by the Nodal Agency or any other evidence in support of application having been delivered to the Nodal Agency.</p> <p>(9) On receipt of the aforesaid agreement, the licensee(s) concerned shall execute the agreement for wheeling of electricity by signing his copy of the agreement and forward it to the Nodal Agency within seven working days following the day of receipt of such agreement.</p>	<p>the applicant shall be entitled for payment of energy charges at lower of the charges specified below:</p> <p>i) Average Pooled Power Purchase cost [APPC] rate or ii) at 75% of Generic Tariff applicable to the relevant category of Renewable source, for the relevant year.</p> <p>(9) The open access customer shall digitally execute the agreement for wheeling of electricity affixing his digital signature and submit the same to the Nodal Agency online and also to the concerned distribution licensee where the power is injected, within five working days from the date of receipt of the communication of grant of open access or from the deemed date of grant of such open access, as the case may be, failing which the open access granted or deemed to have been granted shall stand cancelled.</p> <p>Provided that in the case of deemed grant of open access, along with the agreement for wheeling of electricity, the applicant shall submit in writing, an undertaking to the nodal agency, duly notarized, stating that the Nodal Agency has failed to communicate approval for open access or otherwise within the time specified in the Regulations and enclose a copy of the acknowledgement, if any, given by the Nodal Agency or any other evidence in support of application having been delivered to the Nodal Agency.</p> <p>(10) On receipt of the aforesaid agreement, the concerned distribution licensee where the power is injected shall digitally execute the agreement for wheeling of electricity by digitally signing the agreement and forward it to the STU (KPTCL) or the concerned transmission licensee within three working days. STU (KPTCL) or the concerned transmission licensee shall digitally execute the agreement for wheeling of electricity by digitally signing the agreement and forward it to Nodal Agency within two working days from the date of receipt of such agreement.</p>

As Existing	As Amended/Inserted
<p>(10) The effective date for commencement of operation of wheeling of electricity by the applicant shall be the date of receipt of agreement for wheeling specified at Regulation (8) above by the licensees.</p> <p>Provided that the above effective date shall also be applicable for banking in the case of solar, wind and Mini-Hydel projects.</p> <p>(11) New generating plant(s) or generating Unit(s) seeking long –term open access and entering into agreement for wheeling, shall commission such plant(s) or unit(s) within twelve months from the effective date of commencement of the operation of wheeling, failing which the open access granted shall be deemed to have been cancelled.</p> <p>(12) An open access customer shall enter into commercial agreements with generators, traders, consumers and others, as applicable, and such agreements shall include provisions pertaining to payment security mechanism.</p> <p>(13) The Nodal Agency shall host on its website the details of every application received under clause (1) above and the status of such application on a continuous basis, which shall be made available to the public.</p> <p>(14) The Nodal Agency shall prepare the standard agreement formats for wheeling of</p>	<p>In case the distribution licensee and the STU or the transmission licensee fail to submit the signed copies of the agreement to the Nodal Agency within the time specified above, the WBA is deemed to have been approved by the concerned distribution licensee and the STU or the transmission licensee, as the case may be.</p> <p>(11) The effective date for commencement of operation of wheeling of electricity by the applicant shall be the next date from the date of receipt of agreement for wheeling specified at Regulation (9) above by the Nodal Agency, irrespective of date of execution of the Agreement.</p> <p>Provided that the above effective date shall also be applicable for banking, if any, in the case of solar, wind and Mini-Hydel projects.</p> <p>(12) New generating plant(s) or generating Unit(s) seeking long –term open access and entering into agreement for wheeling, shall commission such plant(s) or unit(s) within twelve months from the effective date and commence wheeling, failing which the open access granted shall be deemed to have been cancelled.</p> <p>(13) An open access customer shall enter into commercial agreements with generators, traders, consumers and others, as applicable, and such agreements shall include provisions pertaining to payment security mechanism.</p> <p>(14) The Nodal Agency shall host on its website the details of every application received under clause (1) above and the status of such application on a continuous basis, which shall be made available to the public.</p>

As Existing	As Amended/Inserted
<p>electricity as required after obtaining due approval of the Commission and make the standard agreement formats available to the public and shall host the agreement formats on the website of the Nodal Agency.</p> <p>Provided that the Nodal Agency shall submit the standard agreements for approval of the Commission within fifteen days from the date of notification of these Regulations.</p> <p>Provided further that the current agreement formats approved by the Commission shall be in force until amended by the Nodal Agency and approved by the Commission.</p> <p>(15) State Transmission Utility (STU) or Distribution Licensee(s) shall conduct System Studies annually or as often as required or as directed by the Commission and the System data including the available additional loading capacity of lines shall be updated on a continuous basis and shall be made available to the public and such data shall also be hosted on the licensee(s)'s website.</p> <p>Provided that where any person makes a request for such studies, the STU/ Distribution licensee shall carry out the system studies by collecting reasonable charges and such studies shall be completed within ninety days from the date of receipt of charges towards the studies and a detailed report in writing shall be provided to such person.</p>	<p>(15) The Nodal Agency shall prepare the modified standard agreement formats for wheeling of electricity and obtain due approval of the Commission and make the standard agreement formats available to the public and shall host the agreement formats on the website of the Nodal Agency.</p> <p>Provided that the Nodal Agency shall submit the standard agreements for approval of the Commission within fifteen days from the date of notification of these Regulations, in case any modifications are required under these Regulations to the extant WBA.</p> <p>Provided further that the current agreement formats approved by the Commission, not inconsistent with these Regulations, shall be in force until amended by the Nodal Agency and approved by the Commission.</p> <p>(16) State Transmission Utility (STU) or Distribution Licensee(s) shall conduct System Studies annually or as often as required or as directed by the Commission and the System data including the available additional loading capacity of lines shall be updated on a continuous basis and shall be made available to the public and such data shall also be hosted on the licensee(s)'s website.</p> <p>Provided that where any person makes a request for such studies, the STU/ Distribution licensee shall carry out the system studies by collecting reasonable charges and such studies shall be completed within ninety days from the date of receipt of charges towards the studies and a detailed report in writing shall be provided to such person.</p>
<p>(9-A). Procedure for applying for Day Ahead Transactions. -</p> <p>(i) An application for grant of day ahead open access shall be submitted to the Nodal Agency within three days prior to the date of scheduling but not later than 13:00 Hours of the day immediately preceding the day of</p>	<p>(9-A). Procedure for applying for Day Ahead Transactions. -</p> <p>(i) An application for grant of day ahead open access shall be submitted to the Nodal Agency within three days prior to the date of scheduling but not later than 13:00 Hours of the day immediately preceding the day of scheduling for day-ahead transaction.</p>

As Existing	As Amended/Inserted
<p>scheduling for day-ahead transaction.</p> <p>For example, an application for day-ahead transaction on 25th day of July shall be submitted on 22nd day or 23rd day or up to 13:00 hours on 24th day of that month.</p> <p>(ii) The application to the Nodal Agency shall contain details such as the capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load and average load and also an undertaking that there is no subsisting PPA for the capacity sought under open access and such other additional information as may be required by the Nodal Agency.</p> <p>(iii) The application shall be accompanied by a non-refundable application fee of five hundred rupees for each transaction, in cash or by way of a demand draft or proof of payment through electronic transfer in favor of the Nodal Agency.</p> <p>(iv) The Nodal Agency shall check for congestion in the system and convey grant of approval or otherwise to the applicant through e-mail or fax, not later than 15:00 Hours of the day immediately preceding the day of scheduling for day -ahead transaction.</p> <p>Provided that the actual operationalization of open access shall be effected subject to payment by the applicant of the charges as specified in these Regulations and orders passed by the Commission from time to time, before 17:00 hours of the day immediately preceding the day of scheduling for day -ahead transaction.</p>	<p>For example, an application for day-ahead transaction on 25th day of July shall be submitted on 22nd day or 23rd day or up to 13:00 hours on 24th day of that month.</p> <p>(ii) The application to the Nodal Agency shall contain details such as the capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load and average load and also an undertaking that there is no subsisting PPA for the capacity sought under open access and such other additional information as may be required by the Nodal Agency.</p> <p>(iii) The application shall be accompanied by receipt / voucher for having paid a non-refundable application fee of one thousand rupees for each transaction, in cash or by way of a demand draft or through electronic transfer in favour of the Nodal Agency.</p> <p>(iv) The Nodal Agency shall check for congestion in the system and convey grant of approval or otherwise to the applicant through e-mail or fax or any other mode of communication, not later than 15:00 Hours of the day immediately preceding the day of scheduling for day -ahead transaction.</p> <p>Provided that the actual operationalization of open access shall be effected subject to payment by the applicant of the charges as specified in these Regulations and orders passed by the Commission from time to time, before 17:00 hours of the day immediately preceding the day of scheduling for day -ahead transaction.</p>

As Existing	As Amended/Inserted
(v) Where open access is denied, the Nodal Agency shall furnish reasons thereof to the applicant.	(v) Where open access is denied, the Nodal Agency shall furnish reasons thereof to the applicant.
10 (2) A long-term customer shall not relinquish or transfer his rights and obligations specified in the open access agreement without prior approval of the nodal agency. The relinquishment or transfer of such rights and obligations by a long-term customer shall be subject to payment of compensation, as per the terms of open access agreement.	10 (2) A long-term / medium-term customer shall not relinquish or transfer his rights and obligations specified in the open access agreement without prior approval of the nodal agency. The relinquishment or transfer of such rights and obligations by a long-term / medium-term customer shall be subject to payment of compensation, which shall be equal to three-months open access charges
11 (v) where a dedicated transmission system or distribution system used for open access has been constructed for exclusive use of an open access customer, the transmission charges or wheeling charges for such dedicated system 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.	<p>11 (v) In case, where a dedicated transmission/ distribution system used for open access has been constructed for exclusive use of an open access customer by the licensee, the transmission/ wheeling charges for such dedicated system shall be worked out by STU or the transmission licensee or the distribution licensee, as the case may be, for their respective system/s and get the same approved by the Commission. The charges shall be borne entirely by such open access customers till such time the surplus capacity is allotted and used for by other persons or purposes.</p> <p>Provided that, if a dedicated line has been constructed by any open access customer at his cost, for his own exclusive use, no transmission / wheeling charges shall be paid by such consumer for such lines.</p>
11(viii) "Charges for arranging backup supply from the grid shall be payable by the open access customer in the event of failure of contracted supply. In case of outages of generators supplying to a consumer on open access, standby arrangements should be provided by the licensee on payment of tariff for temporary connection to that consumer category as specified by the Commission".	11(viii) In case of outages of generators supplying to a consumer on open access, standby arrangements should be provided by the licensee on payment of 125% (normal energy charges plus 25% of normal energy charges) of energy charges applicable to that consumer category as determined by the Commission in its tariff orders.
" (xiv). The Open Access Customer shall pay the monthly Transaction charges of two thousand rupees for maintaining the transaction details, to the Nodal Agency and meter reading charges of one thousand rupees to the concerned licensee(s) who carries or carry out such meter reading."	" (xiv). The Open Access Customer shall pay the monthly Transaction charges of two thousand rupees for maintaining the transaction details, to the Nodal Agency and meter reading charges of one thousand rupees to the concerned licensee(s) who carries or carry out such meter reading. No meter reading charges shall be

As Existing	As Amended/Inserted
	collected, in case AMR meters having remote meter reading facilities are being installed by the Generator at injection point and by the consumer(s) at drawal point(s)."
<p>13 (1) SLDC shall post the following information in a separate web page titled "Open Access Information" and also issue a monthly and annual report containing such information;</p> <p>a. A status report on long term customers b. A status report on short term customers c. Floor rate for bidding in case of congestion d. Peak load flows an EHV and HV lines e. Information regarding average loss in the transmission system and distribution system as determined by the licensee / s on a monthly basis.</p>	<p>13 (1) SLDC shall post the following information in a separate web page titled "Open Access Information" and also issue a monthly and annual report containing such information;</p> <p>a. A status report on long term customers b. A status report on medium term customers c. A status report on short term customers d. Floor rate for bidding in case of congestion e. Peak load flows an EHV and HV lines f. Information regarding average loss in the transmission system and distribution system as determined by the licensee / s on a monthly basis.</p>
<p>14 (2) If the SLDC is unable to redress the grievance, it may be referred to the Commission for resolution.</p>	<p>14 (2) If the SLDC is unable to redress the grievance, after giving opportunity to the open access applicant, shall pass orders referring the matter to the Commission for resolution. The open access applicant may file a petition before the Commission within a period of thirty-days from the date of receipt of order from the nodal agency, namely SLDC.</p>
<p>15 (1) Tri-vector meters with Time of the Day (ToD) facility shall be installed by the open access customers.</p> <p>15 (4) The meters shall be sealed by the distribution licensee in whose area the Consumer is situated.</p>	<p>15 (1) Metering shall be done in accordance with the provisions of CEA (Installation and Operation of Meters) Regulations, 2006 as amended from time to time.</p> <p>15 (4) The meters shall be sealed by the distribution licensee in whose area the Generator / Consumer is situated.</p>
<p>16 Energy Losses The Commission would allow average loss compensation of the relevant voltage level for open access transactions. Energy losses of the transmission and distribution system shall be calculated in accordance with the methodology specified by the Commission from time to time.</p>	<p>16 Energy Losses –Energy losses of the transmission and distribution system shall be applicable to the open access customers as determined by the Commission in its tariff orders issued from time to time.</p>
<p>20(1) An open access customer shall have the facilities of telephone, fax and e-mail and the details of his communication systems shall be</p>	<p>20(1) The Open Access Customer shall have the requisite communication system in place to facilitate seamless communication of</p>

As Existing	As Amended/Inserted
provided to the SLDC and the nodal agency.	data/orders/information to/from the Nodal Agency.
-	"20(5). Interpretation: The decision of the Commission regarding the interpretation of these Regulations shall be final and binding"

By the approval of the Commission
Secretary
Karnataka Electricity Regulatory Commission

PD-95

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ನಅಇ 187 ನಯೋಸೇ 2023 (ಇ)

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,
ವಿಕಾಸಸೌಧ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.09.2023

ಅಧಿಸೂಚನೆ

ನಗರ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನಾ ಇಲಾಖೆಯ ನಗರ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನಾ ಉಪ ನಿರ್ದೇಶಕರ ವೃಂದದ ದಿನಾಂಕ 01.01.2022 ರಲ್ಲಿದ್ದಂತೆ ಅಂತಿಮ ಜೇಷ್ಠತಾ ಪಟ್ಟಿಯನ್ನು ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ನಅಇ 132 ನಯೋಸೇ 2022(ಇ), ದಿನಾಂಕ 03.09.2022 ರಂದು ಹೊರಡಿಸಲಾಗಿತ್ತು.

ಮೇಲ್ಕಂಡ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ಕೆಲವು ಬದಲಾವಣೆಗಳನ್ನು ಅಳವಡಿಸಿಕೊಂಡು ನಗರ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನಾ ಉಪ ನಿರ್ದೇಶಕರ ವೃಂದದ ತಾತ್ಕಾಲಿಕ ಜೇಷ್ಠತಾ ಪಟ್ಟಿಯನ್ನು ದಿನಾಂಕ 01.01.2023 ರಲ್ಲಿದ್ದಂತೆ ಅನುಬಂಧದಲ್ಲಿ ಪ್ರಕಟಿಸಿದೆ.

ಸದರಿ ಜೇಷ್ಠತಾ ಪಟ್ಟಿಯ ಕುರಿತು ಭಾಧಿತರಾಗಬಹುದಾದಂತಹ ವ್ಯಕ್ತಿಗಳು ಆಕ್ಷೇಪಣೆ / ಸಲಹೆಗಳನ್ನು ಈ ಜೇಷ್ಠತಾ ಪಟ್ಟಿಯನ್ನು ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ 15 ದಿನಗಳೊಳಗಾಗಿ ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ, ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ, ಕೊರಡಿ ಸಂಖ್ಯೆ. 435, 4ನೇ ಮಹಡಿ, ವಿಕಾಸಸೌಧ, ಬೆಂಗಳೂರು ಇಲ್ಲಿಗೆ ಸಮರ್ಥನೀಯ ದಾಖಲೆಗಳೊಂದಿಗೆ ಸಲ್ಲಿಸುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ. ನಿಗದಿತ ಅವಧಿಯ ನಂತರ ಸ್ವೀಕೃತವಾಗುವ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಪರಿಗಣಿಸಲಾಗುವುದಿಲ್ಲವೆಂದು ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

(ಲತಾ ಕೆ.)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
(ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಮತ್ತು ನಯೋಸೇ)
ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ.