

KARNATAKA ELECTRICITY REGULATORY COMMISSION

No. 16, C-1, Millers Tank Bed Area, Vasanthanagara,
Bengaluru, 560052, Karnataka, India

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Draft Karnataka Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) (First Amendment) Regulations, 2024**PREAMBLE:**

The Commission, in exercise of the powers conferred under Section 86(1)(e), read with Sections 181, 39(2)(d), 40(c), 42(2,3), 86(1)(c) of the Electricity Act, 2003 and all other powers enabling in this behalf, had issued Regulations, namely the Karnataka Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) Regulations, 2022, in line with the 'Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules 2022' issued by the MoP, which was published in the State Gazette on 19.01.2023.

The Commission in line with the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 issued by Ministry of Power (MoP) had issued Order dated 09.08.2023 to allow Consumers who have contracted demand or sanctioned load of Hundred kW or more, either through single connection or through multiple connections aggregating one hundred kW or more located in the same electricity division of a distribution licensee, to source power through Green Energy Open Access. Therefore, the definition of the Consumer under Regulation 1 (d) needs amendment. Similarly, keeping in view the Commission's Order dated 05.09.2024, Regulation 8.00 of GEOA Regulations needs amendment to include the Short Term Open Access.

Further, the Regulation 11 of the Karnataka Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) Regulations, 2022, specify that the open access charges including Transmission Charges shall be determined by the Commission considering the methodology specified by Forum of Regulators (FoR),

in line with the Rule 12 of the 'Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules 2022' (as amended from time to time). The Commission in its Order dated 08.06.2023 had issued clarification on various issues as the stakeholders had requested for providing clarification. Point-5 of the said Order states that, till the Commission adopts and determines the charges in accordance with the methodology specified by FoR, the KPTCL/SLDC/ESCOMs were directed to collect the Transmission Charges along with Transmission loss as determined by the Commission in its Tariff Orders, for all transactions coming under GEOA also.

The levy of Transmission Charges as per Point-5 of the Commission's Order dated 08.06.2023 is Challenged in Writ Petition Nos. 25422, 27505 /2023 and 204/2024 before the Hon'ble High Court of Karnataka. The Hon'ble High Court of Karnataka passed Orders on 13.02.2024 directing the Commission to determine the Transmission Charges in terms of the methodology specified by the FoR. The FoR has issued in April 2023, the Model Regulation on Methodology for calculation of Open Access charges and Banking charges for Green Energy Open Access Consumers. As such the Commission proposes to adopt the methodology specified by FoR for transmission charges for those seeking GEOA. Further, as per the amendment Rules, issued on 27.01.2023 by the MoP, in Rule-9, 'Other fees and charges' are also included. Hence, it is proposed to include the same.

The FoR, in its 92nd meeting, has recommended a common methodology for calculating Additional Surcharge and the same is proposed by inserting relevant clause.

The Commission in its Order dated 10.01.2024 has also notified the methodology of T.o.D settlement of banked energy and has allowed adjustment of energy banked during off-peak slot to peak slot by paying additional 2% banking charges. The Commission proposes not to allow adjustment of off-peak energy during peak hours, keeping in view the grid security issues. As such the Commission

proposes to remove the adjustment of banked energy during peak slots by suitably inserting the relevant clause.

Further, the Commission vide Order dated, 06.02.2024 has waived for LT consumers seeking OA the need for time differentiated measurement of parameters in the meter in 15-minutes' time blocks. As such suitable amendment is proposed to Regulation-15 (2).

In view of above, the Commission hereby proposes to amend the extant Regulations. As required under sub-section 3 of Section 181 of the Act, the draft of the amendment is hereby notified for information of all the persons likely to be affected and notice is hereby given that, the said draft will be taken into consideration after 30 days from the date of its publication in the official gazette. The stakeholders and interested persons may file their objections/suggestions/views on the proposed draft within 30 days from the date of publication to:

The Secretary,

Karnataka Electricity Regulatory Commission
No. 16, C-1, Millers Tank Bed Area, Vasanthanagara,
Bengaluru, 560052, Karnataka, India

DRAFT AMENDMENT

Short Title and Commencement: -

- i. These Regulations shall be called the Karnataka Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access (GEOA) (First Amendment) Regulations, 2024.
- ii. These Regulations shall come into force from the date of publication in the Official Gazette of Karnataka.
- iii. These Regulations shall be applicable for allowing Open Access to electricity generated from Renewable Energy Sources, for use of Intra- State Transmission System/s (InSTS) and/or distribution system/s of licensee/s in the State, including such Intra State Transmission and/or distribution system/s, which are incidental to Inter-State Transmission of electricity.

Regulation No.	Existing Regulation	Modification Proposed
1. d.	<p>"Consumer means any person who has contract demand (for HT) or sanctioned load (for LT) of 100 kW or more, (captive consumers shall not have any load limit), who is supplied with electricity from RE sources for his own use by a licensee or CPP or the Government or by any other person engaged in the business of supplying electricity to the public including captive, under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving renewable energy with the works of licensee, the Government or such other person, as the case may be;</p>	<p>"Consumer means any person who has contract demand (for HT) or sanctioned load (for LT) of 100 kW or more, either through single connection or through multiple connections aggregating to one hundred kW or more located in the same electricity division of a distribution licensee, (captive consumers shall not have any load limit), who is supplied with electricity from RE sources for his own use by a licensee or CPP or the Government or by any other person engaged in the business of supplying electricity to the public including captive, under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving renewable energy with the works of licensee, the Government or such other person, as the case may be;</p>
Proviso to Regulation 1.	<p>Anything not specified in these Regulations but specified in the 'Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022', issued by the MoP, the provisions specified under the said Rules will prevail.</p>	<p>Deleted.</p>
8. ii.	<p>The application shall be forwarded to the concerned State Nodal Agency by the Central Nodal Agency for further verification. The following time schedules shall be followed for processing the long-term and medium-term OA Application: xxxx xxxx xxxx</p>	<p>The application shall be forwarded to the concerned State Nodal Agency by the Central Nodal Agency for further verification. The following time schedules shall be followed for processing the long-term, medium-term and short term OA Application: xxxx xxxx xxxx</p>