

**JOINT ELECTRICITY REGULATORY COMMISSION FOR  
THE STATE OF GOA AND UNION TERRITORIES  
GURGAON**

Coram\*  
Shri S.K. Chaturvedi, Member  
**Petition No. 78/2012**  
**Suo-moto**

**In the matter of**

Operationalisation of Open Access in power sector as per JERC Regulations.

**And in the matter of:**

1. Secretary (Power), Govt. of Goa
2. Secretary (Power), UT of Andaman & Nicobar
3. Secretary (Power), UT of Chandigarh
4. Secretary (Power), UT of Dadra and Nagar Haveli
5. Secretary (Power), UT of Daman & Diu
6. Secretary (Power), UT of Lakshadweep
7. Secretary (Power), UT of Puducherry

..... Respondents

**Present:**

1. Shri Nikhil Gambhir, Analyst, Feedback Infra. Service, ED- Goa.
2. Shri Jayesh Chauhan, Principal Consultant, Feedback Infra. Service, ED-Goa.
3. Shri D. Ravi, Superintending Engineer, ED- Puducherry.
4. Shri Anujesh Dwivedi, Sr. Manager, Deloitte, ED- Puducherry.

**ORDER**

**19.2.2013**

**1. Secretary (Power) Goa respondent no. 1**

The respondent no. 1 submitted report that they will implement Open Access in two phases as detailed below:-

**Phase –I** The activities will focus on fulfilling the bare minimum requirement so that Open Access can be operationalised in the shortest possible time.

**Phase – II** Focus will be on SLDC strengthening, system improvement, automation and other institutional strengthening measures which will further smoothen the process of awarding open access, energy accounting and settlement. The maximum period to complete phase I & II will be 6-8 months.

The respondent no. 1 further submitted summary of Roadmap for favorable consideration of the Commission for Immediate Operationalisation of Open Access as under:-

Sr. No.	Milestone	Likely Timeline
1.	Submission of Data for Open Access Charges (to the extent feasible)	Enclosed
2.	Submission of detailed Terms and Conditions a) Energy Accounting & Commercial Conditions b) Establishing the Process for Award of OA	31 <sup>st</sup> March 2013
3.	Operationalisation of Open Access	Immediately after approval of Procedures for Open Access and Open Access Chagres.

The Commission examined the report, heard representative of the respondent and directed the respondent to proceed on the action plan. They are further directed to submit complete roadmap and detailed report on open access on or before 26.04.2013.

## **2. Secretary (Power) UT Andaman & Nicobar respondent no. 2**

The respondent no. 2 submitted report dated 7.02.2013, received in the Commission on 18.02.2013 stating that the Commission in the order dated 17.7.2012 observed that the Commission is of the opinion that there is no need of STU and S.L.D.C in UT of Andaman & Nicobar and Open Access cannot be operationalized in the present scenario and non - availability of alternative supplier of electricity.

The Commission in subsequent orders dated 18.12.2012 and 6.02.2013 repeated the observations made in the order dated 17.7.2012. The respondent prayed that since as per the order dated 17.7.2012 Open Access cannot be operationalized in present scenario and also due to non- availability of alternative supplier of electricity, therefore, ED- UT of A&N may be exempted for submitting affidavit and attending hearings.

The Commission considered the request and observed that as the Commission vide order dated 17.7.2012 has observed that the Commission is of the opinion that there is no need of STU and S.L.D.C in UT of Andaman & Nicobar and Open Access cannot be operationalized in the present scenario and non - availability of alternative supplier of electricity, therefore, respondent no. 2 need not to submit affidavit and attend hearings except specifically ordered by the Commission.

### **3. Secretary (Power) UT Chandigarh respondent no. 3**

No representative of Electricity Department – Chandigarh respondent no. 3 is present. However ED- UT Chandigarh submitted that the respondent no. 3 is in process of corporatization/ restructuring of electricity department and modalities for the same shall be work out once consultant is appointed and submit report. Chandigarh administration vide order 2.01.2013 has constituted a consultancy evaluation committee to call tenders for appointment of consultant for preparation of report on corporatization of electricity department Chandigarh. The Chandigarh administration has also constituted consultancy monitoring committee to monitor progress assignment for corporatization of ED- Chandigarh.

The respondent no. 3 further submitted that the corporatization/ restructuring of electricity department of Chandigarh Administration may take considerable amount of time and therefore, electricity department is in the process of nominating nodal officers for STU and SLDC through separate divisions for each of the above roles till the corporatization/ restructuring in the form of STU/ SLDC is achieved. The STU/ SLDC shall be formed as and when the approval for the nodal officers from the competent authority is received. However, the procedure for open access is being finalized.

The Commission considered the report and directed the respondent no. 3 to submit complete roadmap and detailed report on open access on or before 26.04.2013

### **4. Secretary (Power) UT Dadra & Nagar Haveli respondent no. 4**

Neither representative of the respondent no. 4 is present nor the respondent no. 4 submitted complete roadmap and detailed report on open access as per orders of the Commission dated 28.09.2012 and 18.12.2012. The Commission took serious note for non compliance of its orders and directions. The Commission directed the respondent to submit complete roadmap and detailed report on open access on or before 26.04.2013

### **5. Secretary (Power) UT Daman & Diu respondent no. 5**

Neither representative of the respondent no. 4 is present nor the respondent no. 4 submitted complete roadmap and detailed report on open access as per orders of the Commission dated 28.09.2012 and 18.12.2012. The Commission took serious note for non compliance of its orders and directions. The Commission directed the

respondent to submit complete roadmap and detailed report on open access on or before 26.04.2013.

**6. Secretary (Power) UT Lakshadweep respondent no. 6**

The commission vide order dated 17.7.2012 observed that as there is no consumer in the UT Lakshadweep having contract demand more than 1 MW and there is no alternative source of supply of power to the consumers at present, therefore, there is no need of S.T.U as well as S.L.D.C and Open Access cannot be operationalized in the present set up and situation already exempted.

**7. Secretary (Power) UT Puducherry respondent no. 7**

The representative of ED- Puducherry submitted that they have already filed petition for determination of rates for Open Access. They have also filed additional information in the said petition. The petition is pending before the Commission for adjudication.

Scheduled for hearing on 30.04.2013.

Sd/-  
(S.K.Chaturvedi)  
Member

- \* Hon'ble Chairperson is prevented from attending the hearing due to ill health. According to Regulation 9 of JERC (Conduct of Business) Regulations, 2009 Coram for Conduct of transaction and business of the Commission shall be "Two". But as per proviso of Regulation 9 of JERC (Conduct of Business) Regulations, 2009 if the Chairperson is prevented from attending hearing and meeting for which he has been given due notice, the Member shall constitute valid Coram. The Hon'ble Chairperson has due notice of the hearing. Hence the Member only constitute a 'Valid Coram'.

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(R.K. Malik)  
Secretary