

D.C.
(14)
6/5/13

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

Dr. V.K. Garg, Chairman
Shri S.K. Chaturvedi, Member
Petition No. 78/2012
Suo-moto

In the matter of /251-64

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 K. Mathivanan, Superintending Engineer, ED- Puducherry.
2. Shri T. Chanemougam, Executive Engineer, ED- Puducherry.

ORDER

30.04.2013

1. Secretary (Power) Goa respondent no. 1

The representative of ED- Goa respondent no. 1 is not present. The respondent no. 1 earlier 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 favourable 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 st March 2013
3.	Operationalisation of Open Access	Immediately after approval of Procedures for Open Access and Open Access Chagres.

The Commission after examining the report and hearing representative of the respondent directed the respondent to produce the action plan. They were also directed to submit complete road map and detailed report on Open Access on or before 26.04.2013.

The respondent has failed to submit complete road map and detailed report on Open Access. The representative of the respondent is also not present. The Commission has not received any request from the respondent. The Commission has taken a serious note for non-compliance of directions of the Commission. The Commission directed the respondent to submit complete road map and detailed report on Open Access on or before 26.06.2013.

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

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

The respondent no. 3 ED- Chandigarh earlier submitted that the respondent no. 3 is in process of corporatization/ restructuring of electricity department and modalities for the same shall be worked 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 had also submitted that 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. STU/ SLDC shall be formed as and when approval for the nodal officers from the competent authority is received. However, the procedure for open access is being finalized.

The Commission in view of above report of respondent no. 3 directed ED- Chandigarh to submit complete road map and detailed report on Open Access by 26.04.2013. The representative of respondent no. 3 is not present. The Commission has also not received any road map and detailed report on Open Access. The Commission directed the respondent no. 3 to submit complete roadmap and detailed report on open access on or before 26.06.2013.

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, 18.12.2012 and 19.02.2013. The Commission took serious note for non compliance of its orders and directions. The Commission directed the respondent no. 4 to submit complete roadmap and detailed report on open access on or before 26.06.2013.

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

Neither representative of the respondent no. 5 is present nor the respondent no. 5 submitted complete roadmap and detailed report on open access as per orders of the Commission dated 28.09.2012, 18.12.2012 and 19.02.2013. The Commission took serious note for non compliance of its orders and directions. The Commission directed the respondent no. 5 to submit complete roadmap and detailed report on open access on or before 26.06.2013.

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 and S.L.D.C and Open Access cannot be operationalized in the present set up and situation.

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

The representative of ED- Puducherry respondent no. 7 submitted that they had already filed petition for determination of rates for Open Access. The Commission observed that the petition filed by respondent no. 7 for determination of rates for Open Access has been already decided by the Commission vide order dated 10th April, 2013 with petition no. 96/2013 for approval of ARR and determination of tariff for FY 2013-14 of ED- Puducherry.

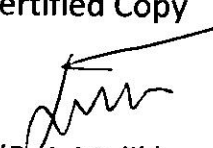
The respondent did not file any road map and detailed report for constitution of STU and SLDC and Operationalisation of Open Access. The representative of the respondent no. 7 prayed for two months time for filing road map and detailed report for constitution of STU and SLDC and Operationalisation of Open Access. The Commission considered the request, acceded the same and directed the respondent to submit road map and detailed report for constitution of STU and SLDC and Operationalisation of Open Access on or before 26.06.2013.

Scheduled for hearing on 03.07.2013.

Sd/-
(S.K.Chaturvedi)
Member

Sd/-
(Dr. V.K. Garg)
Chairperson

Certified Copy


(R.K. Malik)

Secretary

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