



JOINT ELECTRICITY REGULATORY COMMISSION
(For the State of Goa and Union Territories)
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Public Notice

No. JERC-21/2017

In exercise of the powers conferred under Section 86(3) and Section 181 of the Electricity Act, 2003 and all other powers enabling the Commission in this behalf, the Joint Electricity Regulatory Commission (for the State of Goa & Union Territories) propose to amend its prevailing JERC (Connectivity and Open Access in Intra-State Transmission and Distribution) Regulations, 2017.

The Draft JERC (Connectivity and Open Access in Intra-State Transmission and Distribution) (Third Amendment) Regulations, 2023 is available on the website of the Commission i.e., www.jercuts.gov.in, and is also enclosed herewith.

The Commission hereby invites comments/suggestions on the aforesaid Draft Amendment Regulations. The Comments/Suggestions may be forwarded to this Commission by post or by email addressed to the Secretary, Joint Electricity Regulatory Commission (for the State of Goa & Union Territories), 3rd & 4th Floor, Plot No. 55- 56, Udyog Vihar, Phase- IV, Sector 18, Gurugram, Haryana 122015 (email: secy.jercuts@gov.in) within 21 days from the issuance of this notice.

Sd/-
(S.D. Sharma)
Secretary, (I/c), JERC

JOINT ELECTRICITY REGULATORY COMMISSION

(For State of Goa and Union Territories)

Draft Notification

Gurugram, the, 2023

JOINT ELECTRICITY REGULATORY COMMISSION for the State of Goa and Union Territories (Connectivity and Open Access in Intra-State Transmission and Distribution) (Third Amendment) Regulations, 2023

No. JERC.....—WHEREAS in exercise of the powers conferred under Section 86(3) and Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling the Commission in this behalf, the Joint Electricity Regulatory Commission (for the State of Goa & Union Territories) hereby, makes the following amendments in the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Connectivity and Open Access in Intra-State Transmission and Distribution) Regulations, 2017 (hereinafter referred to as “Principal Regulations”).

DRAFT REGULATIONS

1) Short Title, Commencement and Extent

- a) These Regulations shall be called the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Connectivity and Open Access in Intra-State Transmission and Distribution) (Third Amendment) Regulations, 2023.
- b) These Regulations shall come into force from the date of their publication in the Official Gazette.
- c) These Regulations shall extend to the State of Goa and the Union Territories of Andaman & Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli and Daman & Diu, Puducherry and Chandigarh.

2) Amendment in Regulation 2 of the Principal Regulation:

- (i) In Regulation 2.1 (b), “/Green Energy Open Access” shall be added after “Open Access”.
- (ii) In Regulation 2.1 (c), “/Green Energy Open Access” shall be added after “Open Access”.
- (iii) In Regulation 2.1 (v), “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access” and “/LTGEOA” shall be added after “LTOA”.
- (iv) In Regulation 2.1 (w), “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access” and “/MTGEOA” shall be added after “MTOA”.
- (v) Regulation 2.1(d.1) shall be substituted as under:

“**Banking of Energy**” means the surplus Green Energy/Renewable Energy injected in the grid and credited with the distribution licensee by the Green Energy Open Access consumers and that shall be drawn along with charges to compensate additional costs; if any;”
- (vi) In Regulation 2.1(e.1), “**of one (1) month**” shall be added after “**means the period**”.

(vii) Regulation 2.1(bb) shall be substituted as under:

“Green Energy/Renewable Energy” means the electrical energy from renewable sources of energy including hydro, pumped Storages Hydro generation, energy storage system and storage (if the storage uses only renewable energy), Waste-to-Energy based generation, biomass and bagasse based co-generation plants or any other technology as may be notified by the Commission from time to time and shall also include any mechanism that utilizes renewable energy to replace fossil fuels including production of green hydrogen or green ammonia;”

(viii) In Regulation 2.1(dd), **“/Short-term Green Energy Open Access”** shall be added after **“Short-term Open Access”** and **“/STGEOA”** shall be added after **“STOA”**.

(ix) Regulation 2.1 (hh.2), **“/Green Energy Open Access”** shall be added after **“Open Access”**.

(x) The following shall be added after Regulation 2.1 (hh.2) i.e., **“Third Party Consumer”** of the Principal Regulations:

- a. **“f.1) “Central Nodal Agency”** means the nodal agency notified by the Central Government to set up and operate a single window green energy open access system for renewable energy;”
- b. **“r.1) “Entity”** means any consumer who has contracted demand or sanctioned load of 100 kW or more or as may amended in the Rules from time to time.
Provided that in case of captive consumers, there shall not be any load limitation;”
- c. **“r.4) “Fossil Fuel”** means fuels such as coal, lignite, gas, liquid fuel or combination of these as its primary source of energy, which are used in Thermal Generating Station for generating electricity;”
- d. **“t.1) “Green Ammonia”** means ammonia produced by way of electrolysis of water using Renewable Energy; including renewable energy which have been banked and the ammonia produced from biomass”.
- e. **“t.2) “Green Energy Open Access Consumer”** means any person who has contract demand or sanctioned load of 100 kW or more or as may amended in the Rules from time to time”.
- f. **“t.3) “Green Hydrogen”** means Hydrogen produced using renewable energy, including, but not limited to, production through electrolysis or conversion of biomass. Renewable energy also includes such electricity generated from renewable sources which is stored in an energy storage system or banked with the grid in accordance with applicable regulations”.
- g. **“bb.2) “Rules”** shall mean the Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022 and its subsequent amendments;”

3) **Amendment in Regulation 1.2 of the Principal Regulation:**

- (i) In Regulation 1.2(7) and its proviso, **“/Long-term Green Energy Open Access”** shall be added after **“Long-term Open Access”**, **“/Medium-term Green Energy Open Access”** shall be added after **“Medium-term Open Access”** and **“/Short-term Green Energy Open Access”** shall be added after **“Short-term Open Access”**.
- (ii) In Regulation 1.2(8) **“/Green Energy Open Access”** shall be added after **“Open Access”**.

4) Amendment in Regulation 1.3 of the Principal Regulation:

- (i) In Regulation 1.3(7), “(as amended from time to time)” shall be added after “Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007.”
- (ii) In Regulation 1.3(9) and its proviso, “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”, “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access” and “Green Energy Open Access” shall be added after “Open Access”.
- (iii) In Regulation 1.3(10) “/Green Energy Open Access” shall be added after “Open Access”.

5) Heading of Chapter-2 of the Principal Regulations shall be substituted as under:

“General Conditions for Open Access/Green Energy Open Access”

6) Heading of Regulation 2.1 shall be substituted as under:

“2.1 Phasing of Open Access/Green Energy Open Access”

7) Insertion of 2nd and 3rd Provisos in Regulation 2.1 in Chapter-2 of the Principal Regulations:

The following proviso shall be added after the 1st proviso to Regulation 2.1 in Chapter-2 of the Principal Regulations:

“Provided further that the consumers having contracted demand or sanctioned load of 100 kW or more or as may be specified by the Commission from time to time shall be provided Green Energy Open Access, subject to no operational constraints in the Distribution Licensee's system.

Provided also that there shall be no limit of supply of power for the captive consumers taking power under Green Energy Open Access.”

8) Heading of Regulation 2.2 shall be substituted as under:

“2.2 Eligibility for Open Access/Green Energy Open Access and Conditions to be Satisfied”

9) Amendment in Regulation 2.2(1) of the Principal Regulation:

- i. In Regulation 2.2(1)(b), “**including Renewable Energy Generating Company**” shall be added after “**a generating company**”.
- ii. **In proviso of Regulation 2.2(1)**, “/Green Energy Open Access” shall be added after “Open Access”.
- iii. The following proviso shall be inserted after 2.2(1) as under:

“Provided that Green Energy Open Access consumer shall not change the quantum of power consumed through open access for at least twelve consecutive time blocks of 15 minutes time interval during a day.”
- iv. **In Regulation 2.2(2)(b)**, “**including Renewable Energy Generating Company**” shall be added after “**a generating company**”.
- v. **In Regulation 2.2(2) and its proviso**, “/Green Energy Open Access” shall be added after “Open Access”.

- vi. **In Regulation 2.2(4) and its proviso, “/Green Energy Open Access” shall be added after “Open Access”.**
- 10) **In Regulation 2.2(3), “/Green Energy Open Access” shall be added after “Open Access”.**
- 11) **Heading of Regulation 2.4 shall be substituted as under:**

“2.4 Provisions for Existing Consumers and Generating Company Availing Open Access/ Green Energy Open Access”
- 12) **In Regulation 2.4, “including Renewable Energy Generating Company” shall be added after “a generating company” and “/Green Energy Open Access” shall be added after “Open Access”.**
- 13) **In Regulation 2.2(6), “/Green Energy Open Access” shall be added after “Open Access”.**
- 14) **Heading of Regulation 2.7 shall be substituted as under:**

“2.7 Criteria for Granting Open Access/ Green Energy Open Access”
- 15) **Amendment in Regulation 2.7 of the Principal Regulation:**
 - i. **In Regulation 2.7(1) and its proviso, “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”.**
 - ii. **In Regulation 2.7(2) and its proviso, “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access” and “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”.**
 - iii. **In Regulation 2.7(3) and its proviso, “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”. and “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access”.**
- 16) **Heading of Regulation 3.1 shall be substituted as under:**

“3.1 Categories of Open Access Consumers/ Green Energy Open Access Consumers”
- 17) **In Regulation 3.1(c), “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access” and “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access”.**
- 18) **Heading of Regulation 3.2 shall be substituted as under:**

“3.2 Nodal Agency and fee for Open Access/ Green Energy Open Access”
- 19) **The following proviso shall be added after Regulation 3.2(1):**

“Provided that all the applications related to Green Energy Open Access shall be submitted to the portal set up by the Central Nodal Agency. The applications shall be routed to the Nodal Agency by the Central Nodal Agency. The procedure for grant of Green Energy Open Access shall be governed by Regulation 3.7(A):”
- 20) **The proviso after Regulation 3.2(3) shall be deleted.**
- 21) **Regulation 3.5.2 of the Principal Regulations shall be substituted as under:**

“The application shall be accompanied by a bank guarantee of Rupees one lakh (₹ 1,00,000) per MW or part thereof for the total power to be transmitted. The bank guarantee shall be in favour of the Nodal Agency in the format as per the Detailed Procedure.

22) Regulation 3.6.3 of the Principal Regulations shall be substituted as under:

The application shall be accompanied by a bank guarantee of Rupees twenty thousand (₹ 20,000) per MW or part thereof for the total power to be transmitted. The bank guarantee shall be in favour of the Nodal Agency, in the manner laid down under the Detailed Procedure.

23) The following shall be added after Regulation 3.7 of the Principal Regulation:

“3.7(A) Procedure for grant of Green Energy Open Access

a) The Green Energy Open Access applicant shall submit a complete application in all aspects, in the format as specified by Central Nodal Agency on the central portal set up by the Central Nodal Agency.

b) The application shall be forwarded to the concerned Nodal Agency by the Central Nodal Agency for further verification and the same shall be decided by the nodal agency within 15 days from the date on which received by Nodal Agency from Central Nodal Agency. The following time schedules shall be followed for processing the Application:

Sr. No.	Particulars	Timeline	Remarks
1.	Date on which application is received by Nodal Agency from Central Nodal Agency	T0 = Zero Date	
2.	Acknowledgement of receipt of Application	T0 = Zero Date	The acknowledgement shall be provided immediately by electronic mode
3.	Acceptance of application by Nodal Agency after confirming that all the relevant documents are furnished by the applicant including processing fees and BG	T0 + 1 working day	Nodal Agency shall inform the Applicant of any errors or missing information. Provided that in cases where there is any material change in the location of the Applicant or a change by more than ten (10) percent in the quantum of power to be interchanged using the Intra-State Transmission System and/or Distribution System, a fresh application shall be made, which shall be considered in accordance with the provisions of these Regulations
4.	Forwarding of Application to concerned STUs / DISCOMs.	T0+3 working days	On acceptance of the application, the same shall be forwarded to concerned STUs/DISCOMs for ensuring the system availability.
5.	Intimation from STUs/ DISCOMs.	T0+7 working days	On receipt of the application for Green Energy Open Access, the Nodal Agency shall obtain all the permissions and clearances from the Distribution Licensees, SLDC, STU and other agencies, as may be required, for the Green Energy Open Access transaction. The Applicant shall submit any other information sought by the Nodal Agency

Sr. No.	Particulars	Timeline	Remarks
			<p>including the basis for assessment of the power to be interchanged using the Intra-State Transmission System or Distribution System and the power to be transmitted to or from various entities or regions to enable the Nodal Agency to plan the Intra-State Transmission System and Distribution System in a comprehensive manner.</p> <p>In case margin is available in the network and also availability of necessary infrastructure then STU/DISCOM shall intimate to the Nodal Agency about validity of its application.</p> <p>In case of GE-LTOA/GE-MTOA, if system strengthening/augmentation to the existing Intra-State Transmission System and / or Distribution System is required, STU/DISCOM shall intimate to the Applicant and the Nodal Agency regarding the work involved for system strengthening / augmentation. Upon receipt of such information, the Applicant may request the Nodal Agency to carry out further system studies and preliminary investigation for the purpose of estimating the cost and the time that would be required for system strengthening:</p> <p>Provided that the Nodal Agency shall intimate the cost estimates, likely completion schedule and estimated date from which Green Energy Open Access shall be allowed after system strengthening within thirty (30) Days confirmation from the Applicant:</p> <p>Provided that in case the Applicant does not agree to avail Green Energy Open Access with system strengthening, his application shall be rejected and the bank guarantee shall be released.</p>

Sr. No.	Particulars	Timeline	Remarks
			<p>The Applicant shall accordingly deposit the estimated amount for augmentation to the Nodal Agency.</p> <p>In case system Strengthening is not required, probable date of granting Green Energy Open Access shall be intimated to Nodal Agency within the same time.</p> <p>In case intimation is not received within the specified time from STU/DISCOM as the case may be, the Nodal Agency shall consider it to be deemed valid application.</p> <p>Provided that the system studies at the drawl point to ascertain the availability is not required for a consumer of the licensee availing Green Energy Open Access, subject to the applicant 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 that in case of captive generating plant the limit of contract demand of 100 kW and above is not applicable for availing the green energy open access.</p>
6.	Intimation by Nodal Agency to the Applicant	T0 + 8 working days	<p>The Nodal Agency shall intimate the Applicant, regarding the validity of the Application for grant of Green Energy Open Access within the time specified.</p> <p>In case Green Energy Open Access cannot be granted, the same shall be intimated by the Nodal Agency to the Applicant within the above time furnishing the reasons in writing for non-grant of Green Energy Open Access sought.</p> <p>In case, Nodal Agency fails to intimate the grant of Green Energy Open Access</p>

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Sr. No.	Particulars	Timeline	Remarks
			or otherwise, within the above specified time, the same shall be deemed to have been granted, to be subject to system availability.
7.	Submission of Agreement by the applicant for Long term /Medium term Green Energy Open Access	T0 + 13 working days	<p>The Applicant shall sign an agreement for Long-term Open Access with the concerned Licensees in accordance with the provisions in the Detailed Procedure mentioned in these Regulations.</p> <p>Thereafter, the concerned authority will ensure for execution of Agreement with the Applicant within five days and also provide the copy of such executed Agreement to the Applicant.</p> <p>The time limit for signing of Transmission Agreement by STU and Wheeling Agreement by distribution licensee shall be five days in each case, where it is required to sign both Agreements. Thereafter, the Applicant within three days of receipt of such executed Agreement(s) shall submit copy(ies) of signed Transmission and/or Wheeling agreement to the Nodal Agency and Nodal Agency shall provide acknowledgement of receipt/licensee(s).</p> <p>The Transmission and Wheeling Agreement to be executed in the standard format as the case may be prepared by Nodal Agency / licensee(s) as approved by the Commission.</p> <p>In case the Applicant fails to submit the Transmission and/or Wheeling Agreement within the specified time, the Open Access granted is deemed to have been cancelled.</p>
8.	Submission of signed copies of agreement by concerned STUs/DISCOMs	T0 + 15 working days	In case STU / DISCOM fail to sign/submit the Transmission and/or Wheeling Agreement submitted by the applicant within the specified time above, the Transmission and/or Wheeling is deemed to have been approved.

Sr. No.	Particulars	Timeline	Remarks
			<p>In case of deemed approval, the provisions of standard Agreement(s) approved by the Commission shall be applicable and binding.</p> <p>Accordingly, the applicant is allowed transmission and / or wheeling of energy from the effective date subject to filing of an ‘Undertaking’ on affidavit that it shall avail the transmission and / or wheeling of energy and terms & conditions of the deemed approved Agreement(s) are binding on it.</p>
9.	Effective date for wheeling	In case the Nodal Agency receives from the applicant the copy of the executed agreement(s) / ‘Undertaking on Affidavit with regard to deemed approval, as the case may be, the effective date for commencement of Green Energy Open Access of the applicant shall be the next date from the date of submission of signed copy of the agreement to the Nodal Agency	The applicant is allowed to wheel the energy from the effective date.

- c) Nodal Agency shall ensure that non-refundable processing fee as specified in the Clause 3.2 of the Regulations shall be paid by the Applicant to the Nodal Agency.
- d) An application for Long-Term and Medium–Term Green Energy Open Access shall be accompanied by a bank guarantee of Rupees fifty thousand (₹ 50,000) per MW for LT GEOA and Rupees ten thousand (₹ 10,000) per MW for MT GEOA or part thereof for the total power to be transmitted. The bank guarantee shall be in favour of the Nodal Agency in the format as per the Detailed Procedure.
- e) The bank guarantee shall be kept valid till operationalization of the Long-term/Medium -Term Green Energy Open Access.
- f) Where any application is rejected for any deficiency or defect, the Bank Guarantee shall be returned to the applicant and in such cases a fresh application to the Central Nodal portal shall be made by the applicant after curing the deficiency or defect.

- g) Nodal agency shall, by an order in writing, approve the applications for the Green Energy Open Access within a period of 15 days, failing which it shall be deemed to have been approved subject to the fulfillment of the technical requirements as specified by the Commission:

Provided that the order of processing of such applications for Green Energy Open Access shall be first in first out.

- h) While granting Long-term/Medium-term Green Energy Open Access, the Nodal Agency shall communicate to the Applicant, the date from which Long-term/Medium-term Green Energy Open Access shall be granted and an estimate of the transmission charges likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission charges specified by the Commission.

- i) Immediately after grant of Long-term/Medium-term Green Energy Open Access, the Nodal Agency shall inform the SLDC so that the same is kept in view while considering requests for grant of Medium-term Green Energy Open Access and Short-term Green Energy Open Access, received by SLDC under these Regulations.

- j) The Short term and Medium-term Green Energy Open Access shall be allowed, if there is sufficient spare capacity available in the transmission system without any augmentation whereas for Long-term Green Open Access, the transmission system may be augmented if required:

Provided that priority shall be given to long term in the existing system if spare capacity is available and further, open access for non-fossil fuel sources shall be given priority over the open access from the fossil fuel.

- k) Before the expiry of the period of Long-term/Medium-term Green Energy Open Access, the same may be extended by the Nodal Agency on receipt of a written request from such Consumer. The request shall be accompanied by the application fee in accordance with these Regulations:

Provided that such request is submitted at least six (6) Months prior to the date on which the existing Long-term Green Energy Open Access ends and at least one (1) Month prior to the date on which the existing Medium-term Green Energy Open Access ends. The consumer shall clearly mention in the application, the period for which extension is required.

Provided further that in case no written request is received from the Open Access Consumer within the specified time, the said Long-term/Medium-term Green Energy Open Access shall stand terminated automatically at 24:00 hours on the date up to which it was initially granted.

- l) After expiry of the period of the Long-term/Medium-term Green Energy Open Access, the Open Access Consumer shall not be entitled to any overriding preference for renewal

of the term.

- m) A Long-term/Medium-term Green Energy Open Access Consumer may relinquish the Long-term/Medium Green Energy Open Access rights fully or partly before the expiry of the full term of the Long-term/Medium Green Energy Open Access by giving notice and paying the compensation amount to the Nodal Agency as provided in Clause 9.1 of these Regulations.
- n) No application for Green Energy Open Access shall be denied unless the applicant has been given an opportunity of being heard in the matter and all orders denying open access shall be speaking orders.
- o) Appeals against an order of the concerned State nodal agency, shall lie before the Commission, within a period of thirty days from the date of receipt of order.
- p) The Commission shall dispose of the appeal within a period of three months and the order issued by it shall be binding on the parties.
- q) Nodal Agency/Distribution Licensee shall prepare procedure for Green Energy Open Access consisting of documents, formats etc. required to be submitted for Green Energy Open Access in line with the provisions of Act, rules, Regulations, orders and procedure followed by Central Nodal Agency, for smooth implementation of the Green Energy Open Access in the State and get approved from the Commission.
- r) For minimum 12 time-blocks Green Energy Open Access Consumer shall not change the quantum of power consumed through open access so as to avoid high variations in demand to be met by the distribution licensee.

Provided that formats and timelines devised by Central Nodal Agency as per provisions of Rules shall be followed for seeking Green Energy Open Access.

Provided also that in case of Short-Term Green Energy Open Access, State Load Despatch Centre and in case of Long-Term Green Energy Open Access and Medium-Term Green Energy Open Access, the State Transmission Utility (STU) shall perform duties of Nodal Agency as stipulated in the procedure framed by Central Nodal Agency.

Provided that Nodal Agency shall coordinate with transmission licensees including STU and the Distribution Licensees to make available all relevant information regarding Green Energy Open Access to the public on the portal of the Central Nodal Agency.

Provided that Nodal Agency shall prepare procedure for Green Energy Open Access consisting of documents, formats etc. required to be submitted for Green Energy Open Access in line with the provisions of Rules, Regulations and procedure followed by Central Nodal Agency, for smooth implementation of the Green Energy Open Access in the State and get it approved from the Commission.”

“3.7 (B) Procedure for applying for Day Ahead Green Energy Open Access Transactions

- a) The applicant shall apply to the Central Portal for Day Ahead Green Energy Open Access Transactions in the standard application format.
- b) For the applications received by the Nodal Agency from the Central Nodal Agency, before

12:00 hours of the day immediately preceding the day of scheduling for day-ahead Green Energy Open Access transaction, 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 14:00 hours of the day immediately preceding the day of scheduling for day-ahead transaction, after ensuring that there is no subsisting PPA for the capacity sought under Green Energy Open Access.

- c) Non-refundable processing fee of Five Thousand Rupees for each transaction shall be paid by the applicant, in manner as prescribed by the Nodal Agency like by way of a demand draft or proof of payment through electronic transfer in favour of the Nodal Agency.

Provided that the actual operationalization of Green Energy 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.

Provided further that minimum 12 time-blocks for which the consumer shall not change the quantum of power consumed through open access so as to avoid high variations in demand to be met by the distribution licensee.

- d) Where Green Energy Open Access is denied, the State Nodal Agency shall furnish reasons thereof to the applicant.
- e) The reserved capacity by a Short-term Green Energy Open Access Consumer is not transferable to others.
- f) The capacity available as a result of surrender or reduction or cancellation of the reserved capacity by the SLDC, may be reserved for any other Short-term Green Energy Open Access Consumer in accordance with these Regulations.
- g) Upon expiry of the period of Short-term Green Energy Open Access, the Consumer, Generating Station or Licensee, as the case may be, shall not be entitled to any priority for renewal of the term.

24) The following proviso shall be added after 2nd proviso of Regulation 3.9(2) of the Principal Regulations:

“Provided that Open Access for “non-fossil fuel” sources shall be given priority over the open access from “fossil fuel”.”

25) In Regulation 3.10 “/Green Energy Open Access” shall be added after “Open Access.”

26) Heading of Chapter-4 of the Principal Regulations shall be substituted as under:

“Chapter 4: Open Access/Green Energy Open Access Charges”

27) Amendment in Regulation 4.1 of the Principal Regulation:

- i. In Regulation 4.1(1), “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”, “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access” and “Green Energy Open Access” shall be added after “Open Access.”
- ii. In Regulation 4.1(3), “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added

after “**Medium-term Open Access**” and “**Short-term Green Energy Open Access**” shall be added after “**Short-term Open Access**”.

28) Amendment in Regulation 4.2 of the Principal Regulation:

- i. In Regulation 4.2(1) and its proviso, “**Green Energy Open Access**” shall be added after “**Open Access**”, “**Long-term Green Energy Open Access**” shall be added after “**Long-term Open Access**” and “**Medium-term Green Energy Open Access**” shall be added after “**Medium-term Open Access**”.
- ii. In Regulation 4.2(2), “**Green Energy Open Access**” shall be added after “**Open Access**”.
- iii. In Regulation 4.2(4), “**Long-term Green Energy Open Access**” shall be added after “**Long-term Open Access**”, “**Medium-term Green Energy Open Access**” shall be added after “**Medium-term Open Access**” and “**Short-term Green Energy Open Access**” shall be added after “**Short-term Open Access**”.

29) Amendment in Regulation 4.3 of the Principal Regulation:

- i. In Regulation 4.3(1)(a), “**Long-term Green Energy Open Access**” shall be added after “**Long-term Open Access**” and “**Medium-term Green Energy Open Access**” shall be added after “**Medium-term Open Access**”.
- ii. In Regulation 4.3(1)(b), “**Short-term Green Energy Open Access**” shall be added after “**Short-term Open Access**”.
- iii. In Regulation 4.3(2), “**Long-term Green Energy Open Access**” shall be added after “**Long-term Open Access**”, “**Medium-term Green Energy Open Access**” shall be added after “**Medium-term Open Access**” and “**Short-term Green Energy Open Access**” shall be added after “**Short-term Open Access**”.

30) Amendment in Regulation 4.4 of the Principal Regulation:

- i. In Regulation 4.4(1), “**Green Energy Open Access**” shall be added after “**Open Access**”.
- ii. **The following proviso shall be added after Regulation 4.4(1):**

“Provided that the cross-subsidy surcharge for Green Energy Open Access Consumer purchasing green energy from a generating plant using renewable energy sources, shall not be increased during twelve years from the date of operating of the generating plant using renewable energy sources, by more than fifty percent of the surcharge fixed for the year in which open access is granted.

Provided also that cross-subsidy surcharge shall not be applicable in case power produced from a non-fossil fuel-based Waste-to-Energy plant is supplied to the Open Access Consumer.

Provided also that such cross-subsidy surcharge shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

Provided also that cross-subsidy surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.”

- iii. Regulation 4.4(4) shall be omitted.

31) The following Regulation shall be added after Regulation 4.5(7) of the Principal Regulation:

“8. The Additional Surcharge shall not be applicable to the Green Energy Open Access consumer for the quantum of Green Energy Open Access availed if the fixed charge is being paid by such Green Energy Open Access consumer to the distribution licensee for the quantum of Green Energy Open Access availed up to contract demand / sanctioned load with the licensee:

Provided that in case the quantum of Green Energy Open Access availed by the Green Energy Open Access consumer is more than the contracted demand / sanctioned load with the licensee and no fixed charge or demand charge is being paid or payable for additional quantum, in that case the Additional Surcharge determined by the Commission from time to time as per the Tariff Orders of the Commission shall be applicable for such additional quantum availed over the contracted demand / sanctioned load.

Provided further that such additional surcharges shall not be levied in case distribution access is provided to a person who has established a Captive Generation Plant for carrying the electricity to the destination of his own use.

Provided also that Additional Surcharge shall not be applicable in case power produced from Waste-to-Energy plant is supplied to the Green Open Access Consumer.

Provided further also that additional surcharge shall not be applicable in case electricity produced from offshore wind projects, which are commissioned up to December, 2032 and supplied to the Open Access Consumers.

Provided also that Additional Surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.”

32) Amendment in Regulation 4.6 of the Principal Regulation:

i. The following proviso shall be added after Regulation 4.6(1):

“Provided that the standby charges shall not be applicable, if the Green Energy Open Access Consumers have given notice, at least a day in advance before closure time of the Day Ahead Market on D - [minus] 1 day, “D’ being the day of delivery of power for standby arrangement to the distribution licensee.”

ii. The following proviso shall be added after 1st proviso of Regulation 4.6(3):

“Provided that the applicable standby charges for Green Energy Open Access consumer shall not be more than 25% of the energy charges applicable to the consumer tariff category.”

33) In Regulation 4.7 “/Green Energy Open Access” shall be added after “Open Access”.

34) Heading of Regulation 4.9 shall be substituted as under:

“Applicability of Open Access/Green Energy Open Access charges”

35) The title of Table 6 shall be read as “Applicability of charges for Short-term Open Access/Short-term Green Energy Open Access Consumers

36) The title of Table 7 shall be read as “Applicability of charges for Medium-term Open Access/ Medium-term Green Energy Open Access Consumers

37) The title of Table 8 shall be read as “Applicability of charges for Long-term Open Access/ Long-term Green Energy Open Access Consumers

38) In Regulation 5.2 “/Green Energy Open Access” shall be added after “Open Access”.

39) In Regulation 6.1(1), 6.1(2), 6.1(3), 6.1(6) and 6.1(10) “/Green Energy Open Access” shall be added after “Open Access”.

- 40) **In Regulation 6.2 “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”, “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access” and “/Green Energy Open Access” shall be added after “Open Access”.**
- 41) **In Regulation 7.1 “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”, “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access” and “/Green Energy Open Access” shall be added after “Open Access”.**
- 42) **“Chapter 7A: Banking of Energy” of the Principal Regulations shall be substituted as under:**

“7A.1 Terms and Conditions for Banking of Energy

1. The Distribution Licensee shall allow the arrangement of Banking of Energy to the consumers availing Green Energy Open Access in State/Union Territory, who intend to avail such facility, in its area of supply on non-discriminatory basis in accordance with the guidelines issued by the Distribution Licensee:

Provided that these Regulations shall not be applicable for the plants covered under Joint Electricity Regulatory Commission (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 and its amendment from time to time.

Provided further that the surplus energy of a Green Energy Open Access consumer from a “Green Energy” Generating station, after consumption in its premises, shall be banked with the distribution licensee.

2. The banking facility including injection of surplus energy and drawl of banking of energy by the Green Energy Open Access Consumer shall be subject to scheduling.
3. The banking shall be permitted on monthly/billing cycle basis:

Provided that the energy banked during peak TOD slots may be drawn during off-peak TOD slots, but the energy banked during off-peak TOD slots will not be drawn during peak TOD slots.

4. Banking Charges at the rate of 8% of the banked energy shall be applicable in kind. Banking Charges shall be applicable at the time of drawal of banked energy.
5. The permitted quantum of banked energy in each month by the Green Energy Open Access consumers shall be at least 30% of the total monthly consumption of electricity from the distribution licensee by the Green Energy Open Access consumer.

Provided that the credit for banked energy shall not be permitted to be carried forward to subsequent months/ next billing cycle and the credit of energy banked during the month shall be adjusted during the same month.

Provided further that, the energy banked during peak TOD slots shall be permitted to draw during peak as well as off-peak TOD slot by paying the banking charges as specified in this Regulation. However, the energy banked during off-peak TOD slots shall be permitted to draw during off-peak TOD slot only.

Provided also that withdrawal of banked energy shall be allowed only during the same month in which the energy has been banked.

6. Green Energy Open Access Consumer and Distribution Licensee and/or Transmission Licensee shall enter into a Wheeling, Transmission and Banking Agreement (WTBA). The format of Wheeling, Transmission and Banking Agreement shall be issued by the Commission separately.
7. Green Energy Open Access Consumer and the Distribution Licensee shall enter into a Connection Agreement upon grant of Connectivity. The format of Connection Agreement shall be issued by the Commission separately.

Provided that the Connection Agreement between a Transmission Licensee and Green Energy Open Access Consumer, as the case may be, shall be issued by the STU”.

“7A.2 Commercial Settlement of Banking

1. For each billing period, the Distribution Licensee shall show the quantum of electricity injected in the billing period, quantum of electricity withdrawn by the Green Energy Open Access Consumer from such Generating Station in the billing period and net electricity qualifying for payment by the Green Energy Open Access Consumer for that billing period at the end of each month separately.
2. If the electricity injected exceeds the electricity withdrawn during the billing period, such excess injected electricity shall be considered as lapsed at the end of each month and no compensation shall be applicable on such energy at the end of the month.
3. If the electricity withdrawn exceeds the electricity injected by the RE based Generating Station, the Distribution Licensee shall raise invoice for the net electricity withdrawn by the Green Energy Open Access consumer at appropriate tariff/charges after taking into account Banking Charges”.

43) In Regulation 8 “/Green Energy Open Access” shall be added after “Open Access”.

44) In Regulation 9 “/Long-term Green Energy Open Access” shall be added after “Long-term Open Access”, “/Medium-term Green Energy Open Access” shall be added after “Medium-term Open Access”, “/Short-term Green Energy Open Access” shall be added after “Short-term Open Access” and “/Green Energy Open Access” shall be added after “Open Access”.

45) The following proviso shall be added after 3rd Proviso of Regulation 9.4(1) of the Principal Regulation:

“Provided also that the curtailment of Green Energy Open Access shall be after Open Access from “fossil fuel”. The Green Energy Open Access curtailment priority shall be first Short-term Green Energy Open Access, next Medium-term Green Energy Open Access and next Long-term Green Energy Open Access.

Provided also that within a category, the Green Energy Open Access consumers shall have equal curtailment priority and shall be curtailed on pro-rata basis.”