

TELANGANA STATE ELECTRICITY REGULATORY COMMISSION

Terms and Conditions of Open Access, Regulation, 2024 [Regulation No.1 of 2024]

No. TSERC/190/2024

Date:15.03.2024

Background:

Telangana State Electricity Regulatory Commission (hereinafter referred to as TSERC or the Commission) was constituted by the Government of Telangana State (GoTS) in terms of the provisions of Schedule XII(C)(3) of the A.P. Reorganisation Act of 2014 read with Section 82 of the Electricity Act, 2003 (Act) vide G.O.Ms.No.3, Energy (Budget) Department, dated 26.07.2014. Soon after its formation, the Commission had notified TSERC (Adoption) Regulation No.1 of 2014 on 10.12.2014 for adoption of previously subsisting regulations, decisions, directions or orders, licenses and practice directions, as such, all the Regulations framed by the erstwhile APERC shall continue to apply for the State of Telangana including the following Regulations relating to the open access:

- i) Terms and Conditions of Open Access, Regulation, 2005 [Regulation No.2 of 2005];
- ii) Interim Balancing and Settlement Code, Regulation, 2006 [Regulation No.2 of 2006];
- iii) Interim Balancing and Settlement Code for Open Access Transactions, First Amendment Regulation, 2013 [Regulation No.1 of 2013];
- iv) Interim Balancing & Settlement Code for Open Access Transactions, Second Amendment Regulation, 2014 [Regulation No.2 of 2014];

Subsequently, this Commission has notified the Third Amendment Regulation, 2017, viz.

- i) Interim Balancing and Settlement Code for Open Access Transactions, Third Amendment Regulation, 2017 [Regulation No.1 of 2017];

Whereas, the Ministry of Power, Government of India on 06.06.2022 has notified the Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022 (Electricity Rules, 2022 or Green Energy Open Access Rules) which stipulates that *'to provide Green Energy Open Access to consumers of green energy, the appropriate Commission may, if necessary, amend the relevant regulations made by it and such regulations shall be consistent with these rules'*.

The Commission in view of having a consolidated and comprehensive open access regulation consistent with the provisions of the Act and the Electricity Rules, 2022, in exercise of the powers conferred by Sections 181(1) read with Sections 42(2), 42(4), 39(2)(d)(ii) and 40(c)(ii) of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf and after previous publication, hereby makes the following Regulation, namely:-

1. Short title, extent and commencement

- a) This Regulation shall be called the Telangana State Electricity Regulatory Commission (Terms and Conditions of Open Access), Regulation, 2024.
- b) This Regulation shall extend to whole of Telangana State.
- c) This Regulation shall come into force on the date of its publication in the Telangana Gazette.

2. Definitions

2.1 In this Regulation unless the context otherwise requires;

- a) **'Act'** means the Electricity Act, 2003 (36 of 2003) and its subsequent amendments thereof;
- b) **'Applicant'** means a person who makes an application to the State Nodal Agency for open access and includes any person engaged in generation, a licensee or any consumer eligible for open access under this Regulation;
- c) **'Available Capacity'** means the capability in mega-Watt (MW) or kilo-Watt (kW) of a transmission or distribution network to transfer power from one point to the other, after deducting the power requirements of already committed users;
- d) **'Banking'** means a facility through which the unutilised portion of energy (underutilisation or excess generation over and above scheduled wheeling) from any of the renewable energy sources, during a billing month is kept in separate account and such energy accrued shall be treated in accordance with the clause 33 of this Regulation;
- e) **'Billing Month'** means as prescribed in Electricity Supply Code Regulation as amended from time to time;
- f) **'Captive Generating Plant' or 'CGP' or 'Captive Power Plant' or 'CPP'** means a captive generating plant as defined in the Act read with

Rule 3 of Electricity Rules, 2005 and its subsequent amendments thereof;

- g) **'Captive User'** shall mean the end use of the electricity generated from its own Captive Generating Plant and the term 'Captive Use' shall be construed accordingly;
- h) **'Central Commission' or 'CERC'** means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
- i) **'Central Nodal Agency' or 'CNA'** means a Nodal Agency as notified by the Central Government to set up and operate a single window green energy open access system for renewable energy;
- j) **'Commission' or 'TSERC'** means the Telangana State Electricity Regulatory Commission referred to in Section 82 of the Act;
- k) **'Contracted Capacity'** in the context of open access for supply to consumers means the capacity contracted in mega-Watt (MW) or kilo-Watt (kW) for transmission and/or wheeling to a consumer under open access;
- l) **'Day'** means the day starting at 00:00 hours and ending at 24:00 hours;
- m) **'Distribution Licensee' or 'DISCOM'** means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;
- n) **'Electricity Rules, 2005'** means the Rules notified by the Central Government vide G.S.R 379(E) dated 8th June, 2005 as amended from time to time;
- o) **'Entry Point'** means a point at which electricity is injected into the electricity transmission network or the electricity distribution network;
- p) **'Exit Point'** means a point at which electricity is drawn from the electricity transmission network or the electricity distribution network;
- q) **'GEOA Consumer'** means either full or partial open access consumer for the amount of Green Energy that is being drawn through open access;
- r) **'GEOA Rules'** means Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022 and its subsequent amendments;
- s) **'Green Energy'** means the electrical energy from renewable sources of energy including Hydro and Storage (if the storage uses Renewable Energy) or any other technology as may be notified by the Government of India from time to time and also include any mechanism that uses Green Energy to replace Fossil fuels including production of Green Hydrogen or Green Ammonia as per provision of clause-G of sub-rule (2) of Rule (4) of Green Energy Open Access Rules;
- t) **'Green Energy Open Access' or 'GEOA'** means providing open access to the consumers of Green Energy as prescribed in Rule 5 of Green Energy Open Access Rules;
- u) **'Indian Electricity Grid Code' or 'IEGC'** means the Code specified by the Central Commission under clause (h) of sub-section (1) of Section 79 of the Act and as amended from time to time;

- v) **'Intra-State Transmission System' or 'In-STTS'** means the transmission system within the Telangana State;
- w) **'Losses'** means the energy losses in percentage for an EHT system as a single system and for all other voltage levels, the losses in percentage as provided in the applicable Tariff Order of the Commission.

Explanation –

- i) *If the wheeling of electricity is through the distribution system of more than One distribution licensee or if the entry/exit point is connected to EHT system, the losses would include the transmission loss and the distribution loss up to the voltage level of both distribution licensees.*
 - ii) *If the entry and exit points are located within the distribution system (33 kV and below) of the same distribution licensee, the losses would include only the distribution loss of the distribution licensee up to the voltage level at the relevant exit or the entry point(s), whichever is lower.*
- x) **'Open Access Agreement'** means an agreement entered into between a licensee and the applicant to avail open access to the licensee's network for transmission and/or wheeling of electricity;
- y) **'Open Access Consumer' or 'OA Consumer'** means either full or partial open access consumer of a distribution licensee who has been granted open access;
 - i) **'Full Open Access Consumer'** means a consumer not having a supply agreement with the distribution licensee in whose area of supply the consumer is located, but availing or intending to avail supply of energy from a person other than the distribution licensee and includes a consumer availing wheeling facility for carrying the electricity from his captive generating plant to the destination of his own use without having a supply agreement with the distribution licensee of the area in which the consumer's premises is located;
 - ii) **'Partial Open Access Consumer'** means a consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and also has a supply agreement with a person other than the distribution licensee and includes a consumer of a distribution licensee who also avails of wheeling facility for carrying the electricity from his captive generating plant to the destination of his own use;
- z) **'Open Access Generator' or 'OA Generator'** means a generating company using or intending to use the transmission system and/or the distribution system of the licensees in the State for supply of electricity to an open access consumer;
- aa) **'Open Access User' or 'User'** means a person using or intending to use the transmission system and/or the distribution system of the licensee(s) in the State for receiving supply of electricity from a person other than the distribution licensee of his area of supply and the

expression includes a generating company, licensee, captive users and GEOA users;

- ab) **'Renewable Energy'** means the grid quality electricity generated from Renewable Energy sources as may be defined in TSERC Orders or TSERC Regulations governing Renewable Energy;
- ac) **'Special Energy Meters' or 'SEM'** means meters installed in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time;
- ad) **'State Electricity Grid Code' or 'SEGC'** means the Code specified by the Commission under clause (h) of sub-section (1) of Section 86 of the Act and as amended from time to time;
- ae) **'State Nodal Agency' or 'SNA'** means the agencies referred to in clause 5 of this Regulation;
- af) **'State Transmission Utility' or 'STU'** means the 'Transmission Corporation of Telangana Limited or TSTRANSCO' or the Government Company notified by the Government of Telangana under sub-section (1) of Section 39 of the Act;
- ag) **'State'** means the State of Telangana;
- ah) **'Telangana State Load Despatch Centre' or 'TSSLDC'** means the State Load Despatch Centre established in the Telangana State under sub-section (1) of Section 31 of the Act;
- ai) **'Time Block'** means a block of fifteen (15) minutes each or any other time block as specified by the Commission for which special energy meters record values of specified electrical parameters with the first-time-block starting 00:00 hours;
- aj) **'Transmission Licensee'** means any person licensed under Part IV of the Act for transmission of electricity;
- ak) **'Wheeling Schedule'** means the schedule for a fifteen (15) minute time block or any such shorter duration as may be notified by the Commission provided by the open access consumer or an open access generator, to the TSSLDC, pursuant to clause 26 of this Regulation, read with clause 28;
- al) **'Working Day'** means such day which is not declared as a general holiday by the State Government;
- am) **'Year'** means a financial year from 1st April of a calendar year to 31st March of the following calendar year;

2.2 Words and expressions used herein and not defined in this Regulation but defined in the Act or IEGC or the SEGC shall have the meaning assigned to them under the Act or IEGC or SEGC as the case may be.

3. Applicability

3.1 This Regulation shall apply to open access users (including captive users and GEOA users) for use of intra-State transmission system (In-STs) and/or distribution system(s) in the Telangana State, including when such system is used in conjunction with inter-State transmission system.