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PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 15th Feb, 2019

No. PSERC/Secy./Regu/139.- In exercise of the powers conferred by Section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Punjab State Electricity Regulatory Commission hereby makes the following Regulations to amend the Punjab State Electricity Regulatory Commission (Harnessing of Captive Power Generation) Regulations, 2009 (hereinafter referred as “the Principal Regulations”) namely:-

1. Short Title and Commencement:

- a) These Regulations shall be called the Punjab State Electricity Regulatory Commission (Harnessing of Captive Power Generation) (1st Amendment) Regulations, 2019.
- b) These Regulations shall be applicable to all the Captive Power Plants (CPPs) in the State of Punjab.
- c) These Regulations shall come into force from the date of their notification in the official gazette of the State.

2. Amendment in Regulation 2 of the Principal Regulations - Definitions

The Regulation 2 (k) of the Principal Regulations shall be substituted as under:

- “(ka) **“Standby contract demand”** means the maximum demand in kVA contracted by the CPP under Standby power agreement with the distribution licensee of his area of supply.
- (kb) **“Standby power”** means the power required in case of planned or forced outage of the CPP, including for Startup.
- (kc) **“Startup contract demand”** means the maximum demand in kVA contracted by the CPP under Startup power agreement with the distribution licensee of his area of supply.
- (kd) **“Startup power”** means the power required in case of Startup, at the pre-commissioning stage or after a planned/ forced outage.”

3. Amendment in Regulation 3 (7) of the Principal Regulations

In Regulation 3 (7) of the Principal Regulations, the words “Conditions of Supply of the Licensee as approved by the Commission” shall be substituted with words “Supply Code 2014, as amended from time to time”.

4. Amendment in Regulation 4 of the Principal Regulations - Standby and Startup power

Regulation 4 of the Principal Regulations shall be substituted as under:

4.0 Standby and Startup power

Standby/Startup power shall be provided on request to the CPP, by the distribution licensee of his area of supply, subject to load shedding as is applicable to the embedded consumers of the licensee.

Provided that the CPP enters into an agreement with the distribution licensee for such demand. The distribution licensee shall prepare a model agreement within one (1) month of notification of these regulations and shall take the Commission's approval for the same. Existing CPPs requiring Standby or Startup power shall be required to execute the supplementary agreement within one (1) month of the approval of the model agreement by the Commission.

Provided further that Standby/Startup power shall be made available at 11 kV or higher voltage as specified in the 'Supply Code 2014', as amended from time to time and applicable voltage surcharge/ rebate shall be levied /allowed.

Provided also that the CPP, who is not a consumer of the licensee, shall have to establish, operate and maintain the required interconnecting infrastructure at his cost.

Wherever an agreement for Standby or Startup power exists between the CPP and the distribution licensee of his area of supply, he shall be required to pay to the distribution licensee a charge equal to Rs. 35 per kVA per month or part thereof or as may be decided by the Commission from time to time, towards commitment charges on the capacity (in kVA) contracted as Standby/Startup demand from the distribution licensee. The commitment charges shall apply uniformly every month commencing from the date of applicability of the agreement, irrespective of whether the CPP avails Standby/ Startup power or not.

4.1 Standby power

4.1.1 Standby power shall be admissible for the maximum period of 42 days in a financial year. The drawal of Standby power during any time block(s) of a day shall be counted as one day. Provided that the maximum demand that can be contracted under Standby power shall not exceed the total rated capacity of all the captive generating units of the CPP.

4.1.2 For actual drawal of Standby power, in addition to the commitment charges, the CPP shall also be required to bear charges (including demand surcharge, whenever chargeable) as specified in the Schedule of Tariff for Temporary Supply of relevant category corresponding to the demand slab of total of Standby contract demand and Sanctioned CD (if any).

Provided that in case where Temporary Supply schedule of relevant category is not available, the Standby power shall be provided by the distribution licensee on payment of charges as per Schedule of Tariff for Temporary Supply applicable to LS (General) category.

Provided further that for billing during the period of availing Standby power, the demand for Standby power shall be calculated on daily basis considering the highest quantum of power scheduled in any particular time block of the day.

4.1.3 The charges for drawal of power during the period of availing Standby power shall be computed as under:

(a) CPP who is a consumer of the distribution licensee

- i) For the demand availed upto sanctioned CD, billing shall be as a regular consumer of the licensee.

ii) For the Standby power availed i.e. demand recorded in excess of the sanctioned CD, the charges shall be computed as under:

- **Energy charges**

Energy charges shall be levied on the energy consumption calculated in proportion of the Standby power availed to the total demand recorded.

- **Fixed charges and/or Demand surcharge**

Upto 42 days in a financial year, fixed charges on daily basis shall be levied on the Standby power availed upto the limit of Standby contract demand.

In case, Standby power is drawn for more than 42 days in a financial year or if the Standby power availed exceeds the Standby contract demand, demand surcharge shall be chargeable on the same.

(b) **CPP who is not a consumer of the distribution licensee**

- **Energy charges** shall be levied on the total energy consumed during the period of availing Standby power.

- **Fixed charges and/or Demand surcharge**

Upto 42 days in a financial year, fixed charges on daily basis shall be levied on the maximum demand recorded upto the limit of Standby contract demand.

In case, Standby power is drawn for more than 42 days in a financial year or if the recorded drawal exceeds the Standby contract demand, demand surcharge shall be chargeable on the same.

4.2 Startup Power

4.2.1 Startup power shall be provided to the CPP who is neither a consumer of distribution licensee nor has an agreement for availing the Standby power. Provided that, maximum demand that can be contracted under Startup power shall not exceed 15% of the rated capacity of the unit with highest rating in the power plant. In case, the recorded drawal of the CPP exceeds its Startup contract demand, it shall be liable to pay demand surcharge as specified in the Schedule of Tariff for Startup power.

4.2.2 For actual drawal of Startup power, in addition to the commitment charges, the CPP shall also be required to bear charges as specified in the Schedule of Tariff for Startup Power.

5. Amendment in Regulation 5 (6) of the Principal Regulations - Monthly Minimum Charges (MMC)

Regulation 5 (6) of the Principal Regulations shall be deleted.

6. Amendment in Regulation 8 (1) of the Principal Regulations - For NRSE based CPPs

In Regulation 8 (1) of the Principal Regulations, the words “NRSE policy, 2006” shall be substituted with the words “NRSE Policy, 2012”.

Sd/-

Secretary

Punjab State Electricity Regulatory Commission