

RAJASTHAN ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

Jaipur, 08th November, 2017

No.RERC/Secy/Reg. 122 - In exercise of the powers conferred under Section 181 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Rajasthan Electricity Regulatory Commission hereby makes the following Regulations, namely:

1. Short title and commencement

- (1) These Regulations shall be called the Rajasthan Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2017.
- (2) These Regulations shall come into force w.e.f 1st Jan 2018.

2. Definitions and Interpretation

- (1) In these Regulations, unless the context otherwise requires -
 - (a) **'Actual drawal'** in a time-block means electricity in MW or MWh ex-bus drawn by a buyer, as the case may be, measured by the interface meters;
 - (b) **'Actual injection'** in a time-block means electricity in MW or MWh ex-bus generated or supplied by the seller, as the case may be, measured by the Interface meters;
 - (c) **'Buyer'** means a Distribution Licensee or a deemed Licensee within the State;
 - (d) **'Central Commission'** or **'CERC'** means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
 - (e) **'CERC Deviation Settlement Regulations'** means Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 amended from time to time;
 - (f) **'Commission'** means the Rajasthan Electricity Regulatory Commission referred to in sub-section (1) of Section 82 of the Act;
 - (g) **'Deviation'** in a time-block for a seller means its total actual injection minus its total scheduled generation and for a buyer means its total actual drawal minus its total scheduled drawal;
 - (h) **'Gaming'** in relation to these regulations, shall mean an intentional / deliberate mis-declaration of declared capacity by any seller in

order to make an undue commercial gain through Charge for Deviations;

- (i) **'Interface Meters'** means interface meters as defined by the Central Electricity Authority under the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time;
 - (j) **'Intra-state Entity'** means an entity which is in SLDC's control area whose scheduling and energy accounting is done by SLDC;
 - (k) **'Load Despatch Centre'** means National Load Despatch Centre (NLDC), Regional Load Despatch Centre (RLDC) or State Load Despatch Centre (SLDC), as the case may be, responsible for coordinating scheduling of the buyers and the sellers in accordance with the provisions of the Indian Electricity Grid Code or Rajasthan Electricity Grid Code, whichever is applicable;
 - (l) **'Open Access Regulations'** means the Rajasthan Electricity Regulatory Commission (Terms and Condition for Open Access) Regulations, 2016 as amended from time to time;
 - (m) **'Scheduled Drawal'** at any time or for a time block or any period means schedule of despatch in MW or MWh ex-bus given by the SLDC;
 - (n) **'Scheduled Generation'** at any time or for a time block or any period means schedule of generation in MW or MWh ex-bus given by the SLDC;
 - (o) **'Seller' or 'Supplier'** means a person, SGS including a captive power plant (CPP), supplying electricity;
 - (p) **'State Energy Accounts' (SEA)** means monthly State Energy Accounts prepared by SLDC for billing and settlement of capacity charges, energy charges and incentives, if any, applicable;
 - (q) **'State Generating Station' (SGS)** means a power station within the State, except Inter-State Generating Station (ISGS) located within the State. This includes IPP;
 - (r) **'Time-Block'** means a time block of 15 minutes, for which specified electrical parameters and quantities are recorded by interface meters, with first time block starting at 00.00 hrs;
 - (s) **'Week'** means a period of consecutive seven days commencing from 0.00 hours on the Monday and ending at 24.00 hrs on following Sunday as per the British calendar.
- (2) Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires, words and expressions used in these Regulations and not defined, but defined in the Act, or the Rajasthan

Electricity Grid Code (REGC) or any other regulations of this Commission shall have the meaning assigned to them respectively in the Act or the REGC or any other Regulation.

3. Objective

The objective of these regulations is to maintain grid discipline and grid security as envisaged under the REGC through the commercial mechanism for Deviation Settlement.

4. Scope and extent of application

These Regulations shall be applicable to the following:

- (1) State Generating stations:
All state generating stations (including CPP) having installed capacity more than 5 MW:

Provided that these Regulations shall not be applicable on SGS (including CPP) availing Open access to the extent of capacity availed through Open Access;

Provided further that these Regulations shall not be applicable to Nuclear power stations and Run of River/ Irrigation based Hydro power stations;

Provided further that these Regulations shall not be applicable on Solar and Wind generation sources, which shall be governed by the relevant Regulations as specified by the Commission from time to time.

- (2) Licensees:

All Distribution licensees including deemed licensee located in the State.

Provided that the applicability of Deviation Settlement Mechanism specified under these Regulations shall remain suspended during the period of grid disturbance, islanded mode of grid operation conveyed by SLDC as per the provisions of Rajasthan Electricity Grid Code.

5. Charges for Deviations:

- (1) The charges for the Deviations for all the time-blocks shall be payable for over drawal by the buyer and under-injection by the seller and receivable for under-drawal by the buyer and over-injection by the seller and shall be worked out on the average frequency of a time-block at the rates specified in CERC Deviation Settlement Regulations.

Provided that the charges for the Deviation for the generating stations regulated by Commission using coal or lignite or gas supplied under Administered Price Mechanism (APM) as fuel, when actual injection is

higher or lower than the scheduled generation, shall not exceed the Cap Rate of 303.04 Paise/kWh as per the methodology specified in the CERC Deviation Settlement Regulations;

Provided further that no cap rate shall be applicable with effect from the date of revision of price of APM gas by the Government of India on the charges for the Deviation for SGS regulated by the Commission using gas supplied under Administered Price Mechanism (APM) as the fuel;

Provided further that the charges for the Deviation for the under drawals by the buyer in a time block in excess of 12% of the schedule or 75 MW, whichever is less, shall be zero.

Provided further that in case schedule of a buyer in a time block is less than or equal to 40 MW, the charges for the deviation for the under-drawal in excess of 4.8 MW shall be zero.

Provided further that the charges for the deviation for the over-injection by the seller in a time block in excess of 12% of the schedule or 75 MW, whichever is less, shall be zero.

Provided further that in case schedule of a seller in a time block is less than or equal to 40 MW, the charges for the deviation for the over-injection in excess of 4.8 MW shall be zero.

Provided further that In the event of bottleneck in evacuation of power due to any constraint, outage, failure or limitation in the transmission system, associated switchyard and substations owned by the State Transmission Utility or any other transmission licensee involved in intra-state transmission (as certified by the SLDC) necessitating reduction in generation, the SLDC shall revise the schedules which shall become effective from the 4th time block, counting the time block in which the bottleneck in evacuation of power has taken place to be the first one. During the first, second and third time blocks of such an event, the schedule generation of the SGS shall be deemed to have been revised to be equal to actual generation, and the schedule drawls of the beneficiaries shall be deemed to have been revised accordingly.

- (2) No charges for deviation shall be applicable on the infirm power injected into the grid by a generating unit of SGS during the testing and commissioning activities, prior to COD of the unit for a period of six months.

6. Limits on Deviation volume and consequences of crossing limits

- (1) The over-drawal / under drawal of electricity by any buyer during a time block shall not exceed 12% of its scheduled drawal or 75 MW, whichever is lower, when grid frequency is '49.70 Hz and above and below 50.05 Hz.'

Provided that no over drawal of electricity by any buyer shall be

permissible when grid frequency is "below 49.70 Hz" and no under drawal of electricity by any buyer shall be permissible when grid frequency is "50.05 Hz and above".

- (2) The under-injection / over-injection of electricity by a seller shall not exceed 12% of the scheduled injection or 75 MW, whichever is lower when grid frequency is "49.70 Hz or above and below 50.05 Hz":

Provided that in case schedule of a seller, in a time block, is less than or equal to 40 MW, under-injection / over-injection in a time-block shall not exceed 4.8 MW, when grid frequency is "49.70 Hz or above and below 50.05 Hz".

Provided further that no under injection of electricity by a seller shall be permissible when grid frequency is "below 49.70 Hz" and no over injection of electricity by a seller shall be permissible when grid frequency is "50.05 Hz and above.

- (3) In addition to Charges for Deviation as stipulated under Regulation 5 of these regulations, Additional Charge for Deviation shall be applicable for over-drawal as well as under-injection of electricity for each time block in excess of the volume limit specified in sub-regulation (1) and (2) of this Regulation when average grid frequency of the time block is "49.70 Hz and above" at the rates specified in the Table I of **schedule** in accordance with the methodology specified in CERC Deviation Settlement Regulations.

Provided that additional Charge for Deviation for under-injection of electricity, during a time-block in excess of the volume limit specified in clause (1) and (2) of this regulation when grid frequency is "49.70 Hz and above", by SGS regulated by the Commission using coal or lignite or gas supplied under Administered Price Mechanism (APM) as the fuel shall be at the rates specified in Table II of **schedule** in accordance with the methodology specified in CERC Deviation Settlement Regulations.

Provided that when the schedule is less than or equal to 40 MW, the additional charges for deviation shall be based on percentage of deviation worked out with reference to schedule of 40 MW as per Table-I and Table-II of schedule.

- (4) In addition to Charges for Deviation as stipulated under Regulation 5 of these regulations, Additional Charge for Deviation shall be applicable for over-injection/under drawal of electricity for each time block by a seller/buyer as the case may be when grid frequency is 50.05 Hz and above" at the rates equivalent to charges of deviation corresponding to the grid frequency of "below 50.01 Hz but not below 50.0 Hz".
- (5) In addition to Charges for Deviation as stipulated under Regulation 5 of these Regulations, Additional Charge for Deviation shall be applicable for

over-drawal or under-injection of electricity when grid frequency is "below 49.70 Hz and the same shall be equivalent to 100% of the Charge for Deviation corresponding to the grid frequency of "below 49.70 Hz".

Provided further that Additional Charge for Deviation for under-injection of electricity by a seller, during the time-block when grid frequency is "below 49.70 Hz", by SGS regulated by the Commission using coal or lignite or gas supplied under Administered Price Mechanism (APM) as the fuel in accordance with the methodology specified in CERC Deviation Settlement Regulations and the same shall be equivalent to 100% of the Cap Rate for Deviations of 303.04 Paise/kWh.

- (6) In the event of sustained deviation from schedule in one direction (positive or negative) by any, buyer or seller shall have to make sign of their deviation from schedule changed, at least once, after every 12 time blocks. To illustrate, if a buyer or seller has positive deviation from schedule from 07.30 hrs to 10.30 hrs, sign of its deviation from schedule shall be changed in the 13th time block i.e. 10.30 to 10.45 hrs from positive to negative or negative to positive, as the case may be.
- (7) Payment of Charges for Deviation under Regulation 5 and the Additional Charges for Deviation under sub-clause (3), (4) and (5) of this regulation, shall be levied without prejudice to any other action that may be considered appropriate by the Commission under Section 142 of the Act for contravention of the limits of over-drawal/ under drawal or under-injection /over-injection as specified in these regulations, for each time block or violation of provision of sub clause (6) of this regulation.
- (8) The charges for over-drawal/ under-injection and under-drawal/ over-injection of electricity shall be computed by the SLDC. The SLDC shall evolve a procedure for Scheduling and Dispatch and preparation of State Energy Accounts.
- (9) The SLDC shall, on monthly basis, prepare and publish on its website the records of the Deviation Accounts, specifying the quantum of over-drawal/ under-injection and corresponding amount of Charges for Deviation payable/receivable for each buyer and seller for all the time-blocks when grid frequency was "49.70Hz and above" and "below 49.70" Hz separately.

7. Compliance with instructions of Load Despatch Centre

Notwithstanding anything specified in these Regulations, the users shall follow the instructions of the Load Despatch Centre on injection and drawal issued in the interest of grid security and grid discipline.

8. Elimination of gaming

- (1) The provisions of Indian Electricity Grid Code and the Rajasthan Electricity Regulatory Commission (Rajasthan Electricity Grid Code) Regulation, 2008 as amended from time to time, as the case may be, shall be applicable for declaration of capacity, scheduling and elimination of gaming.
- (2) The Commission, either suo-motu or on a petition made by SLDC, or any affected party, may initiate proceedings against any generating company or seller on charges of gaming and if required, may order an inquiry in such manner as decided by the Commission. When the charge of gaming is established in the above inquiry, the Commission may, without prejudice to initiating any other action under the Act or regulations thereunder, disallow any Charges for Deviation received by such generating company or the seller during the period of such gaming.

9. Accounting of Charges for Deviation

- (1) A monthly State Energy Accounts (SEA) and weekly accounts of charges for deviation shall be prepared by SLDC.
- (2) The weekly account of charges for deviation shall contain statement of charges for deviations including additional charges payable under these Regulations for a week, based on the data received upto Thursday and shall be issued to all intra-state entities by next Thursday.
- (3) If deviation charges receivable, in a week, after accounting for the receivables from/payables to the Regional Pool account, is less than the Deviations charges payable, the Deviation charges payable/receivables for the intra-state entities shall be proportionately adjusted to make the payable and receivable amounts equal.
- (4) All payments on account of Charges for Deviation including Additional Charges for Deviation levied under these regulations and interest, if any, received for late payment shall be credited to the fund called the "State Deviation Pool Account Fund", which shall be maintained and operated by the SLDC in accordance with provisions of these regulations:

Provided that the Commission may by order direct any other entity to operate and maintain the "State Deviation Pool Account Fund":

Provided further that separate books of accounts shall be maintained for the principal component and interest component of Charges for Deviation and Additional Charges for Deviation by the SLDC.

- (5) All payments received in the Rajasthan Deviation Pool Account Fund shall be appropriated in the following sequence:

- (a) First towards any cost or expense or other charges incurred on recovery of Charges for deviation.
- (b) Next towards over dues or penal interest, if applicable.
- (c) Next towards normal interest.
- (d) Lastly, towards charges for deviation and additional charges for deviation.

10. Schedule of Payment of Charges for Deviation

- (1) The Buyer shall pay to the respective generating companies, capacity charges corresponding to plant availability and energy charges for the scheduled dispatch. The bills of these charges shall be issued by the respective generating companies to each user on monthly basis based on the State Energy Accounts (SEA) issued by SLDC.
- (2) The payment of charges for Deviation shall have a priority and the intra-state entity shall pay the indicated amount within five (5) days from the date of issue of the statement of Charges for Deviations including Additional Charges for Deviation by SLDC into the "State Deviation Pool Account Fund".
- (3) If payments against the Charges for Deviation including Additional Charges for Deviation are delayed by more than two days, i.e., beyond seven (7) days from the date of issue of the statement by SLDC, the defaulting constituent shall have to pay simple interest @ 0.04% or at the rate notified by the Commission from time to time for each day of delay.
- (4) All payments to the entities entitled to receive any amount on account of Charges for Deviation shall be made within seven (7) days from the date of issue of the statement of charges for Deviation from the "State Deviation Pool Account Fund".

Provided that in case of delay in the Payment of charges for Deviations into the State Deviation Pool Account Fund and interest there on if any, beyond 7 days from the date of issue of the Statement of Charges for Deviations the intra-State entities who have to receive payment for Deviation shall be paid from the balance available if any, in the "State Deviation Pool Account Fund". In case the balance available is not sufficient to meet the payment to the intra-State Entities, the payment from the "State Deviation Pool Account Fund" shall be made on pro rata basis from the balance available in the Fund;

Provided further that liability to pay/ receive charges as per account of charges for Deviation to/from "State Deviation Pool Account Fund" shall remain till the same is paid/ received fully;

Provided further that the liability to pay interest for the delay in payments to the "State Deviation Pool Account Fund" shall remain till interest is not paid.

- (5) All Intra-state entities which had at any time during the previous financial year failed to make payment of Charges for Deviation including Additional Charges for Deviation within the time specified in these regulations shall be required to open a Letter of Credit (LC) equal to 110% of its average payable weekly liability for Deviations in the previous financial year, in favour of the SLDC within a fortnight from the date these Regulations come into force.

Provided that if any intra-state entity fails to make payment of Charges for Deviation including Additional Charges for Deviation by the time specified in these regulations during the current financial year, it shall be required to open a Letter of Credit equal to 110% of weekly outstanding liability in favour of State Load Despatch Centre within a fortnight from the due date of payment.

Provided that LC amount shall be increased to 110% of the payable weekly liability for Deviation in any week during the year, if it exceeds the previous LC amount by more than 50%.

Illustration: If the average payable weekly liability for Deviation of a intra-State entity during 2015-16 is Rs. 2.0 Crore, the intra-state entity shall open LC for Rs.2.2 Crore in 2016-17. If the weekly payable liability during any week in 2016-17 is Rs. 3.5 crore which is more than 50% of the previous financial year's average payable weekly liability of Rs. 3.0 Crore, the concerned intra-state entity shall increase the LC amount to Rs. 3.85 Crore (1.1×3.50) by adding Rs. 1.65 Crore.

- (6) In case of failure to pay into the "State Deviation Pool Account Fund" within the specified time of 7 days from the date of issue of statement of charges for Deviations, the SLDC shall be entitled to encash the LC of the concerned intra-state entity to the extent of the default and the concerned constituent shall recoup the LC amount within 3 days.
- (7) All accounting calculations carried out by SLDC shall be open to all intra-state entities for any checking/verification for a period of fifteen (15) days for which SLDC shall publish on its website the monthly State Energy Accounts and the Weekly Deviation Accounts.
- (8) In case of any discrepancy is detected, the same may be intimated to SLDC within the said period. Subsequently, SLDC shall forthwith check and notify the mistake and take the corrective action within a week thereafter.
- (9) SLDC shall forward the necessary data/schedule to regional level in accordance with Regulations formulated by CERC.

11. Application of fund collected through Deviations

The surplus amount, if any in the Deviation Pool Account Fund shall be utilized for the purpose as directed by the Commission from time to time.

12. Power to Relax

The Commission may by general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected, may relax any of the provisions of these regulations suo-moto or on an application made before it by an interested person.

13. Power to issue directions:

If any difficulty arises in giving effect to these regulations, the Commission may suo-moto or on an application filed by any affected party, issue such directions as may be considered necessary in furtherance of the objective and purpose of these regulations.

14. Repeal and Savings:

- (1) On commencement of these Regulations, the Rajasthan Electricity Regulatory Commission (Intra-state ABT) Regulations, 2006 shall stand repealed. Notwithstanding such repeal, anything done or any action already taken under the repealed regulations shall be deemed to have been done or taken under these Regulations.
- (2) On commencement of these Regulations, any reference to the Rajasthan Electricity Regulatory Commission (Intra-state ABT) Regulations, 2006 in any of the Regulations, standards, codes or procedures of the Rajasthan Electricity Regulatory Commission shall be deemed to be replaced by the Rajasthan Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2017.

By order

Secretary
Rajasthan Electricity Regulatory Commission

Schedule

TABLE –I (for Seller/Buyer)

(A) When 12% of the Schedule is less than or equal to 75 MW		
1	For over drawal of electricity by any buyer in excess of 12% and upto 15% of the schedule in a time block.	Equivalent to 20% of Charge for Deviation corresponding to average grid Frequency of the time-block
2	For over drawal of electricity by any buyer in excess of 15% and upto 20% of the schedule in a time block	Equivalent to 40% of Charge for Deviation corresponding to average grid Frequency of the time-block
3	For over drawal of electricity by any buyer in excess of 20% of the schedule in a time block	Equivalent to 100% of Charge for Deviation corresponding to average grid Frequency of the time-block
4	For under injection of electricity by any seller in excess of 12% and upto 15% of the schedule in a time block	Equivalent to 20% of Charge for Deviation corresponding to average grid Frequency of the time-block
5	For under injection of electricity by any seller in excess of 15% and upto 20% of the schedule in a time block	Equivalent to 40% of Charge for Deviation corresponding to average grid Frequency of the time-block
6	For under injection of electricity by any seller in excess of 20% of the schedule in a time block	Equivalent to 100% of Charge for Deviation corresponding to average grid Frequency of the time-block
(B) When 12% of the Schedule is more than 75 MW		
1	For over drawal of electricity by any buyer above 75 MW and upto 85 MW in a time block	Equivalent to 20% of Charge for Deviation corresponding to average grid Frequency of the time-block
2	For over drawal of electricity by any buyer above 85 MW and upto 95 MW in a time block	Equivalent to 40% of Charge for Deviation corresponding to average grid Frequency of the time-block
3	For over drawal of electricity by any buyer above 95 MW in a time block	Equivalent to 100% of Charge for Deviation corresponding to average grid Frequency of the time-block
4	For under injection of electricity by any seller above 75MW and upto 85 MW in a time block	Equivalent to 20% of Charge for Deviation corresponding to average grid Frequency of the time-block
5	For under injection of electricity by any seller above 85 MW and upto 95 MW in a time block	Equivalent to 40% of Charge for Deviation corresponding to average grid Frequency of the time-block
6	For under injection of electricity by any seller above 95 MW in a time block	Equivalent to 100% of Charge for Deviation corresponding to average grid Frequency of the time-block

TABLE – II

(A) When 12% of the Schedule is less than or equal to 75MW		
1	For under injection of electricity by any seller in excess of 12% and up to 15% of the schedule	Equivalent to 20% of the Cap Rate for Deviations of 303.04 Paise /kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.
2	For under injection of electricity by any seller in excess of 15% and up to 20% of the schedule	Equivalent to 40% of the Cap Rate for Deviations of 303.04 Paise /kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.
3	For under injection of electricity by any seller in excess of 20% of the schedule	Equivalent to 100% of the Cap Rate for Deviations of 303.04 Paise /kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.
(B) When 12% of the Schedule is more than 75 MW		
1	For under injection of electricity by any seller above 75 MW and up to 85 MW in a time block	Equivalent to 20% of the Cap Rate for Deviations of 303.04 Paise /kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.
2	For under injection of electricity by any seller above 85 MW and up to 95 MW in a time block	Equivalent to 40% of the Cap Rate for Deviations of 303.04 Paise/kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.
3	For under injection of electricity by any seller above 95 MW in a time block	Equivalent to 100% of the Cap Rate for Deviations of 303.04 Paise /kWh or the Charge for Deviation corresponding to average grid frequency of the time block, whichever is less.