



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

VOLUME - II

COMPENDIUM OF REGULATIONS 2025

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Disclaimer:

All efforts have been made to ensure that the contents of the Compendium are free from editorial mistakes. However, the versions of the regulations in the Gazette Notifications are authentic and binding and shall prevail in the event of the discrepancies with the regulations in the Compendium.

From the Chairman's Desk



The Electricity Act, 2003, mandates the State Electricity Regulatory Commission with a host of responsibilities, which, inter alia, include framing regulations, determining tariffs, adjudicating disputes, and market development intrastate. In pursuance of its mandate, the Commission has notified Regulations in various areas of the electricity sector's operation over the period.

The Commission has recognised that stakeholders need a comprehensive compendium comprising all Principal Regulations, as well as Amendments to the Regulations, which can serve as a useful reference source, particularly when the power sector is in the transformative stage in the State.

Hence, it gives me immense pleasure to present this ***Compendium of Regulations 2025*** issued by the Commission, which brings together all Principal Regulations, as well as Amendments, in one place, the key regulatory instruments that form the foundation of the electricity sector's governance and development in the State of Andhra Pradesh.

This compilation is intended to serve as a ready reference for all stakeholders—distribution licensees, generating companies, transmission utilities, open access consumers, legal practitioners, academicians, and the public who engage with the regulatory framework established under the Electricity Act, 2003.

The timely and meticulous preparation of this compendium, during a stage of transformation in the power sector, reflects the Commission's commitment to promoting transparency, accessibility, and regulatory clarity.

I take this opportunity to place on record my appreciation for the dedicated efforts of Sri D. Ramanaiah Setty, Joint Director, and the team of officers and staff working under his guidance, Sri Ramesh Rathod, Consultant, Smt. P.V. Padmaja, Private Secretary, V.M.V.R.S. Sreedhar, JPO, and Smt. G. Surya Kumari, Sr. Assistant, who have diligently compiled, cross-verified, and formatted the contents of this volume with care and precision.

I am confident that this compendium will be a valuable and authoritative resource for all stakeholders, and I hope it will contribute to a deeper understanding and more effective implementation of the regulatory provisions governing the power sector in Andhra Pradesh.

With best regards,



P.V.R. Reddy

Member & Chairman (i/c)

Andhra Pradesh Electricity Regulatory
Commission

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VOLUME - II

REGULATION NO. 1 OF 2015

Andhra Pradesh Electricity Regulation Commission
(Terms and Conditions for Tariff Determination for Wind Power Projects in the
State of Andhra Pradesh for the period FY 2015-16 to FY 2019-20)
Regulation, 2015

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

(Terms and Conditions for Tariff Determination for Wind Power Projects in the State of Andhra Pradesh for the period FY 2015-16 to FY 2019-20) Regulation, 2015

(Regulation No. 01 of 2015)

In exercise of the powers conferred by Sections 61 and 86 read with 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 Andhra Pradesh Electricity Regulatory Commission hereby makes the following regulations, namely:

1. Short title and commencement:

- (1) These regulations may be called the Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions for Tariff determination for Wind Power Projects) Regulations, 2015.
- (2) These regulations shall come into force from the date of their publication in the official Gazette and, unless reviewed earlier or extended by the Commission, shall remain in force up to 31st March 2020.

2. Definitions and Interpretation:

- (1) In these regulations, unless the context otherwise requires,-
 - a) '**Act**' means the Electricity Act, 2003 (Central Act 36 of 2003);
 - b) '**Capital** cost' means the capital cost as defined in Regulation 10;
 - c) '**CERC**' means the Central Electricity Regulatory Commission;

- d) **‘CERC RE Tariff Regulations’** means Central Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2012, as amended from time to time;
- e) **‘Commission’** means the Andhra Pradesh Electricity Regulatory Commission;
- f) **‘Control Period’** means the period during which the norms for determination of tariff specified in these regulations shall remain valid;
- g) **‘Inter-connection Point’** means the line isolator on outgoing feeder on HV side of the pooling sub-station i.e., the sub-station at project site of wind farm which consists of step-up transformer(s) and associated switchgear and to the LV side of which, multiple generating unit(s) i.e., wind turbine generators are connected;
- h) **‘MAT’** means Minimum Alternate Tax;
- i) **‘MNRE’** means the Ministry of New and Renewable Energy, Government of India;
- j) **‘Non-Conventional Energy’** means the grid quality electricity generated from non-conventional energy sources;
- k) **‘Non-Conventional Energy Power Plants’** means the power plants other than the conventional power plants generating grid quality electricity from non-conventional energy sources;
- l) **‘Non-Conventional Energy Sources’** means non-conventional sources such as mini hydel, wind, biomass, bagasse, industrial waste, urban or municipal waste and other such sources as approved by the MNRE;
- m) **‘Operation and Maintenance expenses’** or **‘O&M expenses’** means the expenditure incurred on operation and maintenance of the project, or part

thereof, and includes the expenditure on manpower, repairs, spares, consumables, insurance and overheads;

n) '**Project**' means a generating station or the evacuation system;

o) '**Tariff period**' means the period for which tariff is to be determined by the Commission on the basis of norms specified in these Regulations;

p) '**Useful Life**' in relation to a wind power project means Twenty Five years from the date of commercial operation (COD);

q) '**Year**' means a financial year.

(2) Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires, words and expressions used in these regulations but not defined herein and defined in the Act or the Andhra Pradesh Electricity Reform Act, 1998 (State Act 30 of 1998) or the Rules or Regulations made thereunder shall have the meanings assigned to them respectively therein.

3. Scope and extent of application:

These Regulations shall apply to the wind power projects to be commissioned within the State of Andhra Pradesh for generation and sale of electricity wholly or partly to the Distribution licensees within State of Andhra Pradesh subsequent to the date of notification of these Regulations and where tariff for a generating station or a unit thereof based on wind energy source, is to be determined by the Commission under section 62 read with section 86 of the Act.

Chapter 1: General Principles

4. Control Period:

The Control Period under these Regulations ends by 31st March, 2020. First year of the Control Period shall commence from the date of notification of these Regulations and shall cover up to the end of the financial year 2015-16:

Provided that the tariff determined as per these Regulations for the wind power projects commissioned during the Control Period, shall continue to be applicable for the entire duration of the Tariff Period as specified in Regulation 5 below.

5. Tariff Period:

- a) The Tariff Period for wind power projects shall be equal to the useful life of the projects as defined under Regulation 2 (p).
- b) Tariff period under these Regulations shall be considered from the date of commercial operation of the wind power projects.

6. Proceedings for determination of Tariff:

The Commission shall notify the generic preferential tariff on suo-motu basis at the beginning of each year of the Tariff Period for wind power projects for which norms have been specified under these Regulations:

Provided further that for FY2015-16, the generic preferential tariff on suo-motu basis shall be notified soon after the publication of the regulations in the official gazette to be applicable with effect from the date of these regulations coming into force.

7. Tariff Structure:

The tariff for wind power projects shall be single part tariff consisting of the following cost components:

- a) Return on equity;
- b) Interest on loan capital;
- c) Depreciation;
- d) Interest on working capital;
- e) Operation and Maintenance expenses;

8. Levellized Tariff:

Levellized Tariff is calculated by carrying out levellization for 'useful life' considering the discount factor for time value of money.

The discount factor considered for this purpose is equal to the weighted average cost of capital on the basis of normative debt-equity ratio (70:30) specified under Regulation 11. Considering the normative debt-equity ratio and weighted average of the rates of interest and post tax return on equity, the discount factor is calculated. Interest rate for the loan component (i.e.70%) of Capital Cost is considered as explained under Regulation 12. For equity component (i.e. 30%), post tax Return on Equity (ROE) of 16% is considered as explained in Regulation 14.

9. Despatch principles for electricity generated from Wind Power Projects:

All Wind Power Projects shall be treated as 'MUST RUN' power plants and shall not be subjected to 'Merit Order Despatch principles' (MOD):

Provided that where the sum of generation capacity of the plants connected at the interconnection point to the transmission or distribution system is 10 MW and above and interconnection point is 33 kV and above, such Wind Power Generation Plants shall be subjected to scheduling and despatch code as specified in Indian

Electricity Grid Code (IEGC) – 2010 and/or A.P. State Electricity Grid Code (APSEGC) as amended from time to time.

Chapter 2: Financial Principles

10. Capital Cost and Capital Cost Indexation Mechanism:

The norms for the Capital cost shall be generally inclusive of all capital work including plant and machinery, civil work, erection and commissioning, financing and interest during construction (IDC) and evacuation infrastructure.

The capital cost for FY2015-16 shall be Rs.600 lakhs/MW.

The capital cost indexation mechanism as prescribed in the CERC RE Tariff Regulations, 2012 shall be considered as indicated below for arriving at the capital cost of the wind power projects for each year of the Control Period beyond FY2015-16, which shall be notified at the beginning of each financial year.

The following indexation mechanism shall be applicable for adjustments in capital cost over the control period beyond FY2015-16 with the changes in Wholesale Price Index for Steel and Electrical Machinery.

$$CC_{(n)} = P\&M_{(n)} * (1+F1+F2+F3)$$

$$P\&M_{(n)} = P\&M_{(0)} * (1+d_{(n)})$$

$$d_{(n)} = [a * \{(SI_{(n-1)}/SI_{(0)}) - 1\} + b * \{(EI_{(n-1)}/EI_{(0)}) - 1\}] / (a+b)$$

Where,

$CC_{(n)}$ = Capital Cost for nth year

$P\&M_{(n)}$ = Plant and Machinery Cost for nth year

$P\&M_{(0)}$ = Plant and Machinery Cost for the base year

Note: $P\&M_{(0)}$ is to be computed by dividing the base capital cost (for the first year of the control period i.e., FY2015-16) by $(1+F1+F2+F3)$

$d_{(n)}$ = Capital Cost escalation factor for year (n) of control period

$SI_{(n-1)}$ = Average WPI Steel Index prevalent for calendar year ending in (n-1) financial year of the control period

$SI_{(0)}$ = Average WPI Steel Index prevalent for the calendar year ending in financial year (0) at the beginning of the control period i.e., January 2014 to December, 2014

$EI_{(n-1)}$ = Average WPI Electrical Machinery Index prevalent for calendar year ending in (n-1) financial year of the control period

$EI_{(0)}$ = Average WPI Electrical and Machinery Index prevalent for the calendar year ending in financial year (0) at the beginning of the control period i.e., January 2014 to December, 2014

a = Constant to be determined by Commission from time to time, for weightage to Steel Index

b = Constant to be determined by Commission from time to time, for weightage to Electrical Machinery Index

F1 = Factor for Land and Civil Work

F2 = Factor for Erection and Commissioning

F3 = Factor for IDC and Financing Cost

The constants 'a' and 'b' and factors 'F1','F2' and 'F3' are specified and these would be determined by the Commission from time to time.

11. Debt Equity Ratio:

The debt equity ratio shall be **70:30**.

12. Loan and Finance Charges:

(1) Loan Tenure: For the purpose of determination of tariff, loan tenure of Ten years shall be considered.

(2) Interest Rate:

(a) The loans arrived at in the manner indicated in the Regulation 11 shall be considered as gross normative loan for calculation of interest on loan. The normative loan outstanding as on April 1st of every year shall be worked out by deducting the cumulative repayment up to March 31st of previous year from the gross normative loan.

(b) For the purpose of computation of tariff, the normative interest rate shall be considered as average State Bank of India (SBI) Base rate prevalent during the first six months of the previous year plus 300 basis points.

(c) Notwithstanding any moratorium period availed by the generating company, the repayment of loan shall be considered from the first year of commercial operation of the project and shall be equal to the annual depreciation allowed.

13. Depreciation:

(1) The value base for the purpose of depreciation shall be the Capital Cost of the asset admitted by the Commission. The Salvage value of the asset shall be

considered as 10% and depreciation shall be allowed up to maximum of 90% of the Capital Cost of the asset.

(2) Depreciation per annum shall be based on 'Differential Approach' using 'straight line' method over two distinct periods comprising loan tenure and period beyond loan tenure over the useful life. The depreciation rate for the first ten years of the Tariff Period shall be 7% per annum and 1.33% for the remaining useful life of the project from 11th year onwards.

(3) Depreciation shall be chargeable from the first year of commercial operation.

14. Return on Equity:

(1) The value base for the equity shall be 30% of the capital cost as determined under Regulation 11.

(2) The normative Return on Equity shall be 16% with MAT/income tax as pass through.

15. Interest on Working Capital:

(1) The Working Capital requirement shall be computed as follows:

(a) Operation and Maintenance expenses for one month,

(b) Receivables equivalent to 2 (two) months of energy charges for sale of electricity calculated on the normative Capacity Utilisation Factor (CUF),

(c) Maintenance of spares at 15% of Operation and Maintenance expenses.

(2) Interest on Working Capital shall be computed at the interest rate equivalent to the average State Bank of India Base Rate prevalent during the first six months of the previous year plus 350 basis points.

16. Operation and Maintenance Expenses:

- (1) 'Operation and Maintenance expenses' shall comprise repair and maintenance (R&M), establishment including employee expenses, and administrative and general expenses including insurance.
- (2) Operation and maintenance expenses for the first year of the control period shall be Rs. 8.57 lakhs / MW.
- (3) Normative O&M expenses allowed during first year of these Regulations (i.e. FY 15-16) shall be escalated at the rate of 5.72% per annum over balance of the control period.

17. Rebate:

- (1) For payment of bills of the generating company through letter of credit, a rebate of 2% shall be allowed.
- (2) Where payments are made other than through letter of credit within a period of one month of presentation of bills by the generating company, a rebate of 1% shall be allowed.

18. Sharing of Clean Development Mechanism (CDM) benefits:

The proceeds of carbon credit from approved CDM project shall be shared between generating company and concerned beneficiaries in the following manner, namely-

- a) 100% of the gross proceeds on account of CDM benefit is to be retained by the project developer in the first year after the date of commercial operation of the generating station;
- b) In the second year, the share of the beneficiaries shall be 10% which shall be progressively increased by 10% every year till it reaches 50%, whereafter the

proceeds shall be shared in equal proportion, by the generating company and the beneficiaries.

19. Taxes and Duties:

- a) Tariff determined under these regulations shall be exclusive of taxes and duties as may be levied by the Government:

Provided that the taxes and duties levied by the Government shall be allowed as pass through on actually incurred basis.

- b) Income tax/MAT is a pass through and is to be paid by the Distribution Licensees to the developer upon receipt of the claim from the developer. This is over and above the tariff determination made herein.
- c) Electricity Duty is a pass through and is to be paid by the Distribution Licensees to the developer upon receipt of the claim from the developer. This is over and above the tariff determination made herein.

20. Subsidy or incentive by the Government:

The Commission shall take into consideration any incentive or subsidy offered by the Central or State Government, including accelerated depreciation (AD) benefit, if availed by the generating company, for the Wind Power Projects while determining the tariff under these Regulations.

Provided that the following principles shall be considered for ascertaining income tax benefit on account of accelerated depreciation, if availed, for the purpose of tariff determination:

- a) Assessment of benefit shall be based on normative capital cost, accelerated depreciation, rate as per relevant provisions under the Income Tax Act and Corporate Income Tax Rate.

- b) Capitalization of Wind Power Projects during second half of the fiscal year. Per unit levelized accelerated depreciation benefit has to be computed considering the post-tax weighted average cost of capital as discount factor (as explained in Regulation 8).

Chapter 3: Technology specific parameters for Wind Power Projects

21. Capacity Utilization Factor:

The Capacity Utilization Factor (CUF) for the control period shall be 23.5%.

Chapter 4: Miscellaneous

22. Deviation from Norms:

Tariff for sale of electricity by the Wind Power Project may also be determined in deviation from the norms specified in these Regulations subject to the condition that the levelized tariff over the useful life of the project on the basis of the norms in deviation does not exceed the levelized tariff calculated on the basis of the norms specified in these Regulations:

Provided that the reasons for deviation from the norms specified under these Regulations shall be recorded in writing.

23. 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, relax any of the provisions of these Regulations on its own motion or on an application made before it by an interested person.

24. Issue of Orders and Practice Directions:

Subject to the provisions of the Act, the Andhra Pradesh Electricity Reform Act, 1998 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations, the procedure to be followed and other matters, which the Commission has been empowered by these Regulations to specify or direct.

25. Power to Amend:

The Commission may, at any time, vary, alter, modify or amend any provisions of these Regulations.

26. Power to Remove Difficulties:

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

27. Others

i) Evacuation Guidelines: The Evacuation Guidelines/practice directions issued by the Commission from time to time shall be applicable for all the wind power projects established since these regulations coming into force.

ii) Model PPAs: The model Power Purchase Agreements earlier approved by the Commission shall be applicable to all the wind power projects established since these regulations coming into force also to the extent they are in consonance with these regulations.

Hyderabad

31.007.2105

Commission Secretary

REGULATION NO. 3 OF 2016

Andhra Pradesh Electricity Regulation Commission
(Consumer Grievances Redressal Forum, Vidyut Ombudsman and Consumer
Assistance) Regulation, 2016

Amendment

1. First Amendment vide Regulation No. 1 of 2021, dated 29-01-2021
2. Second Amendment vide Regulation No. 3 of 2022, dated 25-03-2022
3. Third Amendment vide Regulation No. 7 of 2022, dated 23-12-2022
4. Fourth Amendment vide Regulation No. 1 of 2023, dated 04-01-2023

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Consumer Grievances Redressal Forum, Vidyut Ombudsman
and Consumer Assistance Regulation, 2016

(Regulation No.3 of 2016)

Preamble

Whereas Section 42 of the Electricity Act, 2003 deals with the duties of the Distribution Licensees and open Access and sub-sections (5),(6), (7), and (8) therein deal with the establishment of a Forum for redressal of grievances of the consumers and Ombudsman, an authority to hear the representations against non-redressal of grievances by the Forum. These facilities provided to the consumers are without prejudice to the rights which the consumers may have otherwise in Law;

Whereas the Andhra Pradesh Electricity Regulatory commission (hereinafter referred to as "the Commission") notified the Andhra Pradesh Electricity Regulatory Commission (Establishment of Forum and Vidyut Ombudsman for redressal of grievances of the consumers) Regulation 2004 (1 of 2004) in Andhra Pradesh Extraordinary Gazette dated 6th February 2004;

Whereas the Commission notified the Andhra Pradesh Electricity Regulatory Commission (Appointment of Vidyut Ombudsman and Terms & Conditions of Service) Regulation, 2007(2 of 2007) in Andhra Pradesh Extraordinary Gazette dated 3rd July 2007;

Whereas Government of India, in exercise of powers conferred by Section 176 of the Electricity Act, 2003 notified the Electricity Rules, 2005 vide GSR 379(E) dated 8th June 2005 and Electricity (Amendment) Rules, 2006 vide GSR 667 (E) dated 26th October 2006, containing, inter-alia, Rule 7 regarding Consumer Grievances Redressal Forum and Ombudsman;

Whereas the Commission further notified the Andhra Pradesh Electricity Regulatory Commission (Establishment of Forum and Vidyut Ombudsman for redressal of grievances of consumers) (First Amendment) Regulation, 2007 in Andhra Pradesh Extraordinary Gazette dated 1st October 2007;

Whereas the present Andhra Pradesh Electricity Regulatory Commission has been constituted for the State of Andhra Pradesh in terms of Section 92 read with the Twelfth Schedule of the Andhra Pradesh Reorganization Act, 2014 (Central Act 6 of 2014);

Whereas all the Regulations made by the erstwhile Andhra Pradesh Electricity Regulatory Commission are adapted in relation to the State of Andhra Pradesh under the Andhra Pradesh Electricity Regulatory Commission (Adaptation) Regulation, 2014 (4 of 2014);

Whereas the Forum for redressal of grievances of the consumers and the Vidyut Ombudsman in the State of Andhra Pradesh are continuing to function under such adapted Regulations;

Whereas during the course of public hearings held on tariff filings for FY 2015-16 and also otherwise, a number of critical comments/views/suggestions are received from the public and the stakeholders indicating the imperative need for strengthening and improving the manner of redressal of grievances of consumers;

Accordingly, the Commission, guided by the model Regulations framed by the Forum of Regulators to the extent they suit and answer the needs and requirements of the consumers and the electricity industry in the State of Andhra Pradesh and keeping in view the feedback from all the Stakeholders and other State Electricity Regulatory Commissions, prepared and published a draft Regulation governing the establishment and functioning of the Consumer Grievances Redressal Forum, Vidyut Ombudsman and Consumer Assistance in the State of Andhra Pradesh in its website on 23.12.2015, invited further comments/views/suggestions from interested persons/stakeholders and conducted public hearings on 23.01.2016 and 30.01.2016.

Having due regard to the views/comments/suggestions received and in exercise of the powers conferred on it by clauses (r) and (s) of Sub Section (2) of Section 181 read with sub sections (5) to (8) of Section 42 of the Electricity Act, 2003 (Central Act 36 of 2003), the Andhra Pradesh Electricity Reform Act, 1998 (State Act 30 of 1998) and Rule 7 of the Electricity Rules, 2005 and all other powers enabling it in this behalf, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following Regulation providing for establishment and functioning of the Consumer Grievances Redressal Forums, the Vidyut Ombudsman and Consumer Assistance and for all matters incidental and ancillary thereto:-

CHAPTER 1

1. Short title, applicability and Commencement:-

1.1 This Regulation may be called the "Andhra Pradesh Electricity

Regulatory Commission Consumer Grievances Redressal Forum, Vidyut Ombudsman and Consumer Assistance Regulation, 2016."

1.2 The Regulation shall be applicable to all the Licensees in their respective licensed areas and consumers of electricity in the State of Andhra Pradesh.

1.3 This Regulation shall come into force on **1st March, 2016**.

2. Definitions

In this Regulation, unless the context otherwise requires:-

2.1 "**Act**" means the Electricity Act, 2003 (Central Act 36 of 2003) as amended from time to time

2.2 "**Chairperson**" means the Chairperson of the Forum

2.3 "**Commission**" means the Andhra Pradesh Electricity Regulatory Commission.

2.4 "**Complainant**" means and includes the following who have a grievance as defined in the Regulation:

- a) A consumer as defined under Clause (15) of Section 2 of the Act
- b) An applicant for a new electricity connection
- c) Any registered consumer association
- d) Any unregistered association or group of consumers, where the consumers have common or similar interests and
- e) An occupier of a premises to which electricity is or has been supplied by a Licensee;
- f) In the case of death of a consumer, his/her legal heir(s) or representative(s).

2.5 "**Complaint**" means any allegation made orally or in writing to a Forum by or on behalf of a Complainant seeking redressal of grievances including those concerning the supply of electricity or the services rendered by the licensee

2.6 "**Forum**" means the forum for redressal of grievances of consumers established by a Distribution Licensee under sub section (5) of Section 42 of the Act and this Regulation

2.7 "**Grievance**" means consequence(s) of any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance or failure of performance of a duty under the Act or the Reform Act or the Rules or the Regulations made there under or any policy directions or orders of the Commission or any other law for the

time being in force, by the distribution licensee by which a complainant is aggrieved.

- 2.8 **"Licensee"** means a person, who is granted a licence to distribute electricity as a distribution licensee in any specified area in the State of Andhra Pradesh and includes persons exempted under Section 13 of the Act and also includes persons, who shall be deemed to be such licensees under the Act or persons through whom a distribution licensee undertakes distribution of electricity for a specified area within the area of supply of that distribution licensee;
- 2.9 **"Reform Act"** means the Andhra Pradesh Electricity Reform Act, 1998 (State Act 30 of 1998);
- 2.10 **"Representation"** means the representation made to the Vidyut Ombudsman by or on behalf of a complainant who is aggrieved in any manner by non-redressal of his grievance(s) by a Forum;
- 2.11 **"State"** means the State of Andhra Pradesh
- 2.12 **"Vidyut Ombudsman"** means an authority appointed or designated by the Commission, under sub section (6) of Section 42 of the Act and this Regulation

3. Interpretation

- 3.1 Words and expressions used and not defined in the Regulation but defined in the Act or the Reform Act or the Rules or the Regulations made there under shall have the meanings respectively assigned to them therein.

CHAPTER 2 CONSUMER GRIEVANCES REDRESSAL FORUM

4. Number of Forums, location and jurisdiction

- 4.1. In terms of sub-section (5) of Section 42 of the Act, every Distribution Licensee shall, within six months from the date of grant of license, establish one or more Forums for redressal of grievances of consumers in accordance with this Regulation.

Provided that the Consumer Grievances Redressal Forums established and functioning as such immediately before this Regulation coming into force shall be deemed to have been

established under this Regulation and shall continue as such till replacement by Forums established under this regulation.

- 4.2. The number of Forums, their location and areas of jurisdiction may be determined by the Distribution Licensee with the prior approval of the Commission.
- 4.3. In determining the number of Forums, the Distribution Licensee shall have due regard to:
 - a. the number of complaints being received from the consumers.
 - b. the necessity of the Forum to tour each and every sub division in the Licensee's area at reasonable intervals and
 - c. the need for ensuring timely disposal of the complaints by the Forum.
- 4.4. In order to ensure that all complaints are disposed of within the specified time-limit, the Commission may, from time to time, require the licensee to increase the number of Forums.

5. Appointment and Removal of Members

- 5.1. The Forum shall consist of four members including the Chairperson of the Forum.
- 5.2.
 - a) The Chairperson shall be appointed by the Licensee after inviting applications from persons who are eligible for such appointment through public advertisement by a notification on the website of the Licensee and also by publication in a Telugu newspaper having wide circulation in the State of Andhra Pradesh.
 - b) A person who has been a District Judge (Selection Grade) or a District Judge (Entry Level) in the Andhra Pradesh State Judicial Service and in the event of a suitable person from such a category not being available, a person who has been a Chief General Manager under a Distribution Licensee other than the one for which the Forum is being constituted or a Chief Engineer under a Transmission Licensee in the State of Andhra Pradesh shall be eligible for appointment as Chairperson.
- 5.3. The Licensee shall appoint two Members - one from Technical stream and another from Finance stream. The Technical and Finance

Members shall be serving officers of the Licensee, not below the rank of a Superintending Engineer or General Manager or an Officer of equivalent rank.

- 5.4. a) The Commission shall nominate one Independent Member from among persons eligible for such appointment after inviting applications from them through a public advertisement by a notification on the website of the Licensee and also by a publication by the Licensee in a Telugu Newspaper having wide circulation in the State of Andhra Pradesh.
- b) An active member for not less than five (5) years of a Registered Society or a Non Governmental Organisation or a Consumer Organisation or any other association of persons by whatever name called having one of its main objectives as consumer protection or a person voluntarily serving the cause of consumer protection for not less than ten (10) years shall be eligible for being considered by the Commission for such appointment.
- c) A person in the employment of the Licensee in any capacity at any time within three(3) years prior to such consideration including a person who is, in any manner directly or indirectly, connected with the distribution of electricity by the Licensee during such period shall not be eligible for such appointment.
- 5.5. The Chairperson or a Member shall hold office for a term of three (3) years from the date he enters upon his office:
- Provided that the Chairperson or an Independent Member shall not hold office as such after he has attained the age of 67 years and a Member, who is a serving officer of the Licensee, shall hold office as such only so long as he is in the service of the Licensee.
- 5.6. The Chairperson and Members of the Forum shall be persons of experience, integrity, ability and good standing.
- 5.7. The Chairperson and the Technical and Finance Members shall work full time while the Independent Member shall participate in the proceedings and work of the Forum as may be required.

- 5.8. No person shall be appointed or continued as Chairperson or Member if he stands disqualified on account of his:
- a) having been adjudged an insolvent
 - b) having been convicted of an offence involving moral turpitude
 - c) having become physically or mentally incapable of acting as such Member
 - d) having acquired such financial or other interest as is likely to affect prejudicially his function as a Member
 - e) having so abused his position as to render his continuance in office prejudicial to public interest
 - f) having been guilty of proven misconduct; or
 - g) ¹[Having been found to be incompetent in handling cases or passing orders which are ex-facie irrational or contrary to the basic principles of law.
 - h) Having been found to be indulging in dishonesty, corruption or any other misconduct."]
 - i) having been ineligible for such appointment under this Regulation.

- 5.9 A Chairperson or Member shall be liable to be removed from his office forthwith on account of any of the aforesaid disqualifications arising or being discovered:

Provided that no Chairperson or Member shall be removed from his office on any of the aforesaid grounds ²[(a) to (i) of 5.8 above] unless the Licensee has held an inquiry in accordance with the same procedure as prescribed for the employees of the Licensee and it upon such inquiry, such Chairperson or member is found liable to be removed from his office on any such ground, the Licensee shall take action for the removal of such Chairperson or Member with the prior approval of the Commission and the initiation of any such inquiry shall be under prior intimation to the Commission.

Provided further that where an inquiry is contemplated or is pending against a Chairperson or Member on any of the aforesaid grounds, the Licensee may, subject to ratification by the Commission, restrain

¹ Ins. items (g), (h) before renumbered item (i) from Reg.No.1 of 2021 (first amendment), dated 29.01.2021

² Sub. word (a) to (i) of 5.8 above in sub-clause 9 of clause 5 from Reg.No.1 of 2021

such Chairperson or member from acting as such Chairperson or Member till the conclusion of the proceedings.

- 5.10 The Licensee shall initiate action for filling up any future vacancy in the post of a Chairperson or a Member of the Forum at least three (3) months before such vacancy is likely to arise.

In case of death or resignation or removal of a Member or Chairperson or in any other such situation wherein a vacancy arises in the Forum, the Licensee shall take immediate steps for filling up of the vacancy so arising:

Provided that when such vacancy is in respect of the Chairperson, the senior most full-time Member shall be in-charge during the period of such vacancy.

6. Conditions of Service of the Chairperson and Members

- 6.1 ³[a] *The honorarium and the house rent allowance of the Chairperson shall be such as may be laid down by the Commission from time to time."*
- b) The Chairperson and his family shall be entitled to the same benefits of medical attendance and medical treatment to which a Chief Engineer/Chief General Manager of the Licensee is entitled.
- c) The Chairperson shall be eligible per annum for casual leave of Fifteen (15) days, Optional holidays for five (5) days and Extraordinary Leave on loss of pay for such period as the competent authority may consider just and reasonable. The Chairman and Managing Director of the Licensee is the competent authority to sanction such leave to the Chairperson.
- 6.2 ⁴[The remuneration of the Independent Member shall be such as may be laid down by the Commission from time to time."]
- 6.3 The Chairperson and the Independent member shall be entitled for such travelling allowance and daily allowance for journeys for

³ Sub 6.1(a) from Reg.No. 1 of 2023, dated 04.01.23 (fourth Amendment)

⁴ Sub 6.2 from Reg.No. 1 of 2023, dated 04.01.23 (fourth Amendment)

participation in the Forum's proceedings as are admissible for official tours to a Chief Engineer/Chief General Manager of the Licensee.

6.4 The terms and conditions of service of a Member of the Forum who is a serving officer of the Licensee shall continue to be the same.

6.5 Subject to the general and special directions of the Commission, the Licensee shall provide the necessary infrastructural and human resource facilities for the efficient functioning of the Forum complying as far as practicable with the requests of the Forum in this regard.

Provided that the office of the Forum shall have a minimum establishment of one Secretary of the rank of Assistant Engineer (Electrical), two(2) Clerk- cum-Computer Operators and three(3) Office Subordinates.

Provided further that the latter two categories of employees may be either regular employees of the Licensee or persons appointed on contract or through outsourcing in accordance with the administrative convenience of the Licensee.

6.6 The Forum shall be provided with an official vehicle (7+1 seater) either owned or hired by the Licensee which shall be under the control of the Chairperson.

6.7 The Drawing and Disbursing Officer of the Corporate Office of the Licensee shall be the Drawing and Disbursing Officer of the Forum also and if the Forum is located at a place other than the place of Corporate Office, the Chairman and Managing Director of the Licensee may give appropriate directions for the smooth and convenient functioning of the Forum to the Drawing and Disbursing Officer of the Corporate Office himself or designate a Drawing and Disbursing Officer at the place of the Forum.

7. Procedural matters

7.1 The Chairperson of the Forum shall have the general powers of superintendence and control over the Forum.

- 7.2 The Secretary shall assist the Forum in discharge of its functions and shall receive all the complaints under proper acknowledgement.
- 7.3 The office of the Forum shall be open during working hours on all working days of the Head Office of the Licensee.
- 7.4 The Forum shall determine the manner, the place within the area of supply of the Licensee, the date and time to conduct its hearings as it considers appropriate, with regard to a complaint received by it.
- 7.5 The quorum for any meeting or proceedings of the Forum shall be two:

Where the Chairperson is unable to discharge his functions owing to absence, leave, illness or any other cause, the senior-most full-time Member of the Forum shall discharge the functions of the Chairperson.

- 7.6 The decision of the majority of the Members present shall be the decision of the Forum, while the dissenting opinion of the minority shall also form part of the record/order.
- 7.7 No act or proceeding of the Forum shall be deemed invalid merely by reason of there being some defect in the constitution of the Forum or by reason of the existence of a vacancy among its Members.
- 7.8 The Forum shall comply with such directions as the Commission may issue from time to time in the interest of efficient and effective redressal of grievances in a timely and expeditious manner.
- 7.9 The Licensee shall, from time to time, give due publicity about the Forum and its functions in such manner as it considers appropriate or as the Commission may direct. The postal and e-mail address and office Telephone and fax number(s) of the Forum, shall be displayed prominently at all the offices of the Licensee (including all 132/33 KV

and 33/11 KV Sub-stations) which have interface with consumers and shall also be duly published in the electricity bills of the consumers.

8. Reporting requirements

8.1 The Forum shall submit a quarterly report in the Format as per Annexure- III on disposal of grievances to the Vidyut Ombudsman and the Commission with a copy to the Licensee within fifteen (15) days from the end of a quarter.

8.2 The Forum shall also furnish an annual report on the activities of the Forum during the financial year to the Ombudsman and the Commission with a copy to the Licensee before the end of April of each year.

9. Presentation of complaint

9.1 The complainant or a person duly authorized by him in this behalf may submit his complaint along with the necessary supporting documents, if any, either in person or through post, e-mail or Fax to the appropriate Forum within whose jurisdiction the cause of action for the complaint arises:

Provided that where a complaint is made orally to a Forum, the same shall be reduced into writing and the signature or the left thumb impression of the complainant obtained thereon, by the Forum or the Secretary of the Forum when duly authorized by the Forum in this behalf and a copy thereof shall be furnished forthwith to the complainant.

9.2 In case of submission of the complaint in person, an acknowledgement shall be issued immediately.

In case of receipt of the complaint by post, *e-mail* or *fax*, an acknowledgement shall be dispatched latest by the next working day.

9.3 Any complaint in writing may be submitted either in the format specified in Annexure: I or at least contain the information required

in the format as far as possible.

10. Scrutiny and Admission of complaint

10.1 The Secretary of the Forum may, on scrutiny of a complaint received by him, return the same to rectify any defects or to bring the complaint in conformity with the provisions of the Act or the Reform Act or the Rules or the Regulations or the practice directions or the orders of the Commission, specifying the time within which the complaint may be represented before the Forum.

10.2 The Forum may reject the complaint at any stage under the following circumstances:

- a) In cases where proceedings in respect of the same matter and between the same Complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority:
- b) In cases which fall under Sections 126, 127, 135 to 139, and 152 of the Act:
- c) In cases where the complaint has been submitted beyond two years after the date on which the cause of action has arisen and
- d) In cases where the complaint:
 - i. does not disclose a cause of action:
 - ii. appears ex-facie to be barred by any law: or
 - iii. is re-presented without rectifying the defects for the correction of which it was returned or beyond the time specified in the endorsement of return:

Provided that no complaint shall be rejected unless the Complainant has been given an opportunity of being heard.

10.3 If the complaint is considered to be in order, the Secretary shall obtain the orders of the Forum for admission of the same for hearing.

11. Issue and Service of Notices

- 11.1 The Forum shall fix a date for appearance of the respondent(s) and issue notices to both parties for appearance on that day and the notice to the respondent(s) shall be accompanied by a copy of the complaint and copies of enclosed documents, if any.
- 11.2 The Forum may, on the request of the complainant, permit the complainant to effect service of such notice on the respondent(s) by delivering or tendering to the respondent(s) personally and the complainant shall provide proof of such personal service to the Forum.
- 11.3 The Forum may cause the service of such notices on both parties in the manner prescribed by Section 171 of the Act or through special messenger and obtaining signed acknowledgement or by fax or by e-mail.
- 11.4 Where the Forum is of the opinion that the adjudication of the complaint is likely to have an impact on the rights and interests of other consumers or the Electricity Industry, it may direct the Licensees to place the complaint along with the enclosed documents, if any, on the official website of the Licensee, also intimating the date of hearing.

12. Procedure for hearing

- 12.1 On appearance before the Forum, the respondent(s) shall file the response(s), if any, to the complaint within seven (7) days from the date of appearance or before the expiry of such further time which may be granted by the Forum from time to time, subject to a maximum of thirty (30) days.
- 12.2 If the respondent(s) has no objection for the relief claimed in the complaint or does not file any response(s), the Forum shall proceed to hear and determine the complaint by passing appropriate orders forthwith on merits on the material available on record.

- 12.3 If the complaint is contested, the Forum may proceed to give a reasonable opportunity to both parties to produce such oral and documentary evidence they may desire to produce and determine the complaint on merits on the pleadings and evidence available on record.
- 12.4 If the Forum considers it necessary for a satisfactory decision on the complaint, the Forum may direct either party to produce any documents or information in its possession or under its control or direct a personal inspection by the Forum or a competent person on the subject at the expense of either party as the Forum may direct and take into consideration such documents or information or report of such inspection:

Provided that if the information or documents are withheld by a party or such inspection is resisted or not assisted by a party, the Forum may draw an adverse inference against such party.

- 12.5 The Forum may, in appropriate cases, take recourse to conciliation or mediation or arbitration or any other method of alternative dispute resolution as it may deem fit and appropriate in the circumstances of the case before inquiring into the matter on merits
- 12.6 The Forum may determine from stage to stage during the inquiry or in the final order, the manner in which and by whom the costs and expenses of the proceedings or any step therein have to be borne.
- 12.7 Subject to the specific provisions of this Regulation, the Forum shall be guided by the principles of justice, equity and good conscience and may regulate its own procedure accordingly.
- 12.8 When, on the date fixed for hearing or any other date to which such hearing may be adjourned, if any party or his authorized agent or representative does not appear when the matter is called for hearing, the Forum may, in its discretion, either dismiss the complaint for default when the complainant or the person authorized on his behalf

is absent or proceed ex-parte to hear and decide the complaint.

12.9 Where a complaint is dismissed for default or decided ex-parte, the person aggrieved may file an application within thirty (30) days from the date of such dismissal or being proceeded ex-parte, as the case may be, for recall of the order passed, and the Forum may recall the order on such terms as it thinks fit, if the Forum is satisfied that there was sufficient cause for the non-appearance when the petition was called for hearing.

12.10 The complainant or the respondent (s) may appear before the Forum either in person or through any other person duly authorised by him including an Advocate.

13. **Orders of the Forum**

13.1 On conclusion of the inquiry, the Forum shall pass reasoned orders on the complaint and the decision of the Forum shall be by a majority of the Members who heard both parties and in the event of equality of votes, the Chairperson or in his absence the person presiding, shall exercise a second or casting vote.

13.2 The Forum shall pass an order of dismissal of the complaint, if the decision does not uphold the complaint and the Forum shall grant an appropriate relief(s) as per law, if the complaint is upheld in full or in part and such relief(s) shall be specific and clear.

Provided that where any complaint is dismissed or the relief granted is only in part, the Forum shall inform the complainant about his right to make a representation to the Vidyut Ombudsman.

13.3 The orders of the Forum on any complaint shall be passed ordinarily within sixty (60) days of the admission of the complaint by the Forum and the Forum shall state the reasons for any pendency beyond such period in its quarterly report to the Commission.

13.4 The Forum may, at any time, since the admission of the complaint till

the final orders are passed, make such interlocutory orders or issue such interim directions pending final orders on the complaint as it may consider necessary to prevent the ends of justice from being defeated:

Provided that except where it appears that the object of making such interlocutory orders or issuing such interim directions would be defeated by delay, no such interlocutory order shall be made or interim directions issued unless the opposite party has been given an opportunity of being heard.

- 13.5 The Chairperson and the Members of the Forum shall sign on all original orders, decisions and proceedings of the Forum and all the copies of such orders, decisions and proceedings issued or communicated by the Forum shall be certified under the signature of the Secretary.
- 13.6 All final orders or other executable orders of the Forum shall be communicated to the parties to the complaint and the person responsible for executing or obeying such orders within three (3) days from the date of such orders.
- 13.7 Unless the Forum specifies in its orders the time within which the orders shall be executed or implemented, the Licensee shall comply with such orders within fifteen (15) days from the date of receipt of the orders under intimation to the Forum and the Forum may, at the request of the licensee, extend the time for such compliance up to a maximum period of one (1) month from the date of the order, for reasons to be recorded in writing.
- 13.8 Non-compliance with the orders of the Forum within the time granted or extended shall be deemed to be non-compliance with and contravention of this Regulation within the meaning of Sections 142 and 146 of the Act.
- 13.9 The Forum shall communicate to the Chairman and Managing

Director of the Licensee about the non- compliance with the orders of the Forum within the time granted or extended and the Forum shall report such non-compliance to the Commission within thirty (30) days from the expiry of the period so granted or extended for execution or implementation of the orders.

13.10 On receipt of such report from the Forum, the Commission may take appropriate action, as the facts and circumstances of the case may require and justify for ensuring compliance with the orders of the Forum, including action under Sections 142 and 146 of the Act.

- 13.11 ⁵[(i) The licensee may file an application before the Forum for review of the order passed by the latter on the discovery that the said order is in contravention of the relevant provisions of the EA,2003, GTCS, Retail Supply Tariff Orders and other extant Acts, Regulations, Rules and Orders of the Commission. The licensee shall clearly state in the application the grounds for the review accompanied by such documents and supporting data to substantiate such review. The application for review shall be filed by the licensee within thirty (30) days of the date of the order.
- (ii) The Forum, before disposing of the review, shall provide an opportunity for the opposite party (ies)/complainant(s) to be heard.
- (iii) The Forum shall dispose of the Review petition with utmost expedition and communicate the review orders to all the parties in the case before it and also to the Commission, within three (3) working days of the date of such orders."]

CHAPTER 3 VIDYUT OMBUDSMAN

14. Qualifications, terms of appointment and removal of Vidyut Ombudsman

⁵ Ins new clause 13.11 from Reg. No. 7 of 2022, dated 23.12.2022 (Third Amendment)

- 14.1 In terms of sub-section (6) of Section 42 of the Act, the Commission may, from time to time, appoint or designate a person as Vidyut Ombudsman to discharge the functions in accordance with sub-section (7) of Section 42 of the Act.

Provided that the Vidyut Ombudsman functioning as such immediately before this Regulation coming into force shall be deemed to be functioning under this Regulation and shall continue as such till replacement by a Vidyut Ombudsman under this Regulation.

- 14.2 The Commission may appoint or designate more than one Vidyut Ombudsman for a Licensee or a common Vidyut Ombudsman or Vidyut Ombudsmen for two or more licensees as may be considered necessary and expedient and may specify their respective territorial jurisdictions.

- 14.3 The Vidyut Ombudsman shall be appointed by the Commission after inviting applications through public advertisement by a notification on the website of the Commission and also by publication in a Telugu Newspaper having wide circulation in the State of Andhra Pradesh from persons, who are eligible for such appointment.

- 14.4 The Vidyut Ombudsman shall be a person of ability, integrity and good standing and who has been a Super Time Scale District Judge in the Andhra Pradesh State Judicial Service:

Provided that whenever the post of Vidyut Ombudsman is vacant or a Vidyut Ombudsman is restrained from acting as such, the Commission may place a Director in the Commission or a Chief Engineer of a Transmission Licensee in the State of Andhra Pradesh whose services are placed at the disposal of the Commission by such Licensee, in Full Additional Charge of such post till a regular appointment is made or the restraint is removed.

- 14.5 The Vidyut Ombudsman shall hold office for a fixed term of three (3) years from the date he enters upon his office;

Provided that a Vidyut Ombudsman shall not hold office as such after he has attained the age of 68 years.

- 14.6 No person shall be appointed or continued as a Vidyut Ombudsman if he stands disqualified on account of his:
- a) having been adjudged an insolvent
 - b) having been convicted of an offence involving moral turpitude
 - c) having become physically or mentally incapable of acting as a Vidyut Ombudsman
 - d) having acquired such financial or other interest as is likely to affect prejudicially his functions as a Vidyut Ombudsman
 - e) having so abused his position as to render his continuance in office prejudicial to public interest
 - f) having been guilty of proven misconduct;
 - ⁶[g] Having been found to be incompetent in handling cases or passing orders which are ex-facie irrational or contrary to the basic principles of law.
 - h) Having been found to be indulging in dishonesty, corruption or any other misconduct."]
 - i) having been ineligible for such appointment under this Regulation.

- 14.7 A Vidyut Ombudsman shall be liable to be removed from his office forthwith on account of any of the aforesaid disqualifications arising or being discovered:

Provided that no Vidyut Ombudsman shall be removed from his office on any of the aforesaid grounds ⁷[(a) to (i) of 14.6] above unless the Commission has, on an inquiry, concluded that the Vidyut Ombudsman ought, on such ground or grounds, to be removed.

Provided that where an inquiry is contemplated or is pending against a Vidyut Ombudsman on any of the aforesaid grounds, the Commission may restrain him from acting as such Vidyut Ombudsman till conclusion of the proceedings.

⁶ Ins. items (g), (h) before renumbered item (i) from Reg.No.1 of 2021 (first amendment), dated 29.01.2021

⁷ Sub. word (a) to (i) of 14.6 above in sub-clause 7 of clause 14 from Reg.No.1 of 2021

15. Conditions of service of the Vidyut Ombudsman

15.1 ⁸[a] The honorarium and the house rent allowance of the Vidyut Ombudsman shall be such as may be laid down by the Commission from time to time."]

- b) The Vidyut Ombudsman and his family shall be entitled to the same benefits of medical attendance and medical treatment to which a Director in the Commission is entitled.
- c) The Vidyut Ombudsman shall be eligible per annum for casual leave of fifteen (15) days, Optional holidays for five (5) days and Extra-ordinary Leave on loss of pay for such period as the competent authority may consider just and reasonable. The Chairperson of the Commission is the competent authority to sanction such leave to the Vidyut Ombudsman.

15.2 The Vidyut Ombudsman shall be entitled for such travelling allowance and daily allowance for his official tours as are admissible for the official tours of a Director in the Commission.

15.3 The Vidyut Ombudsman shall be eligible for such telephone facilities as are admissible to a Director in the Commission.

15.4 The Vidyut Ombudsman shall be eligible for an official vehicle as is admissible to a Director in the Commission.

16. Office of the Vidyut Ombudsman

16.1 The office of Vidyut Ombudsman shall be located at the place of the head office of the Commission:

Provided that if more than one Vidyut Ombudsman is appointed or designated, the offices of such Vidyut Ombudsmen shall be located at such places as may be specified by the Commission.

16.2 The office(s) of Vidyut Ombudsman shall be open during working hours on all working days of the Commission.

⁸ Sub 15.1(a) from Reg.No. 1 of 2023, dated 04.01.23 (fourth Amendment)

16.3 The Vidyut Ombudsman may hold his sittings or hearings at his office or at any other place within his territorial jurisdiction as the exigencies of hearing of the representation(s) may require.

16.4 The Vidyut Ombudsman shall be the Drawing and Disbursing officer and head of his office with general power of superintendence and control over his office and the Commission shall be the Head of Department for the office(s) of Vidyut Ombudsman.

16.5 The Commission shall provide the necessary infrastructural and human resource facilities for the efficient functioning of the Vidyut Ombudsman:

Provided that the office of the Vidyut Ombudsman shall have a minimum establishment of one Secretary of the rank of Deputy Director in the Commission or an officer of equivalent rank of the Licensee, two Clerk cum Computer Operators and Two Office Subordinates.

Provided further that such Clerk-cum-Computer Operators or Office Subordinates may be either regular employees of the Commission or the Licensee appointed on deputation or those appointed on contract or through outsourcing in accordance with the administrative convenience of the Commission.

- 16.6 ⁹[a. Budget: The Vidyut Ombudsman shall draw up the annual budget requirement for his establishment (for the ensuing financial year) and submit the same to the Commission before 15th March.
- b. The Commission, on receipt of the budget proposals shall assess and finalize the annual budget for the Vidyut Ombudsman's establishment.
- c. After finalizing the annual budget, the Commission shall communicate the same to the Vidyut Ombudsman.
- d. The annual budget of the Vidyut Ombudsman shall be borne by the Distribution Licensees in such proportion as may be determined and in such manner as may be communicated by the Commission.]

16.7 The Secretary shall assist the Vidyut Ombudsman in discharge of his

⁹ Ins Clause 16.6 from Reg.No. 3 of 2022 (Second amendment), dated 25.05.2022

functions and shall receive all representations under proper acknowledgement.

- 16.8 The name, location, postal and e-mail address and office telephone and fax numbers of the Vidyut Ombudsman shall be displayed prominently on the websites of the Commission and the Licensees and at all the offices of the Licensees.

17. Reporting requirements

- 17.1 The Vidyut Ombudsman shall submit a quarterly report in the Format as per Annexure-IV on the settlement of representations to the Commission with a copy to the Licensee within fifteen (15) days from the end of a quarter.
- 17.2 The Vidyut Ombudsman shall submit to the Commission and the State Government with a copy to the Licensee(s), a half-yearly report giving details of the nature of the grievances of the consumers dealt by the Vidyut Ombudsman, the response of the Licensees in the redressal of the grievances and the opinion of the Vidyut Ombudsman on the Licensee's compliance of the Standards of Performance as specified by the Commission under Section 57 of the Act. Such report should be submitted before 31st January and 31st July of each year as the case may be.
- 17.3 The Vidyut Ombudsman shall also furnish an annual report on the activities of the Vidyut Ombudsman during the financial year to the Commission with copies to the State Government and the Licensee(s) before the end of April of each year.

18. Presentation of Representation

- 18.1 The complainant or a person duly authorized by him in this behalf may submit his representation in writing accompanied by a copy of the order of the Forum and other necessary supporting documents, if any, either in person or through post, e-mail or Fax to the office of the Vidyut Ombudsman having territorial jurisdiction.

18.2 In case of submission of a representation in person, an acknowledgement shall be issued immediately. In case of receipt of a representation by post, e-mail or Fax, an acknowledgement shall be dispatched latest by next working day.

18.3 Any representation in writing may be submitted either in the format specified in Annexure II or at least contain the information required in the format as far as possible.

19. Scrutiny and Admission of Representation

19.1 The Secretary in the office of the Vidyut Ombudsman may, on scrutiny of a representation received by him, return the same to rectify any defects or to bring the representation in conformity with the provisions of the Act or the Reform Act or the Rules or the Regulations or the practice directions or the orders of the Commission, specifying the time within which the representation may be re-presented to the office of the Vidyut Ombudsman.

19.2 A representation may be filed before the Vidyut Ombudsman against the order of the Forum within thirty (30) days from the date of receipt of the order of the Forum.

Provided that the Vidyut Ombudsman may entertain a representation after the expiry of the period of 30 days, if he is satisfied that there was a sufficient cause for not filing it within such period, upon such terms as to costs or otherwise as the Vidyut Ombudsman thinks fit.

19.3 The Vidyut Ombudsman may reject the representation at any stage under the following circumstances:

- a) in cases where proceedings in respect of the same matter and between the same Complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority:
- b) in cases which fall under Sections 126, 127, 135 to 139, and 152 of the Act:

- c) in cases where the representation
 - i) does not disclose a cause of action:
 - ii) appears ex-facie to be barred by any law: or
 - iii) is re-presented without rectifying the defects for the correction of which it was returned or beyond the time specified in the endorsement of return.

Provided that no representation shall be rejected unless the complainant has been given an opportunity of being heard.

- 19.4 If the representation is considered to be in order, the Secretary shall obtain the orders of the Vidyut Ombudsman for admission of the same for hearing.

20. Issue and Service of Notices

- 20.1 The Vidyut Ombudsman shall fix a date for appearance of the respondent(s) and issue notices to both parties for appearance on that day and the notice to the respondent(s) shall be accompanied by a copy of the representation and copies of enclosed documents, if any.
- 20.2 The Vidyut Ombudsman may, on the request of the complainant, permit the complainant to effect service of such notice on the respondent by delivering or tendering to the respondent personally and the complainant shall provide proof of such personal service to the Vidyut Ombudsman.
- 20.3 The Vidyut Ombudsman may cause the service of such notices on both parties in the manner prescribed by Section 171 of the Act or through special messenger and obtaining signed acknowledgement or by fax or by e-mail.
- 20.4 Where the Vidyut Ombudsman is of the opinion that the adjudication of the representation is likely to have an impact on the rights and interests of other consumers or the Electricity Industry, he may direct the Licensees to place the representation along with the enclosed documents, if any, on the official websites of the Licensees, also intimating the date of hearing.

21. Procedure for hearing:

21.1 On appearance before the Vidyut Ombudsman, the Vidyut Ombudsman may proceed to give a reasonable opportunity to both parties to produce such further oral and documentary evidence they may desire to produce and hear and settle the representation on merits, on the pleadings and evidence available on record.

21.2 If the Vidyut Ombudsman considers it necessary for a satisfactory decision on the representation, he may direct either party to produce any documents or information in its possession or under its control or direct a personal inspection by the Vidyut Ombudsman or a competent person on the subject at the expense of either party as the Vidyut Ombudsman may direct and take into consideration such documents or information or report of such inspection:

Provided that if the information or documents are withheld by a party or such inspection is resisted or not assisted by a party, the Vidyut Ombudsman may draw an ad verse inference against such party.

21.3 The Vidyut Ombudsman may, in appropriate cases, take recourse to conciliation or mediation or arbitration or any other method of alternative dispute resolution as he may deem fit and appropriate in the circumstances of the case before inquiring into the matter on merits.

21.4 The Vidyut Ombudsman may determine from stage to stage during the inquiry or in the final order, the manner in which and by whom the costs and expenses of the proceedings or any step therein have to be borne.

21.5 Subject to the specific provisions of this Regulation, the Vidyut Ombudsman shall be guided by the principles of justice, equity and good conscience and may regulate his own procedure accordingly.

21.6 When, on the date fixed for hearing or any other date to which such hearing may be adjourned, if any party or his authorized agent or

representative does not appear when the matter is called for hearing, the Vidyut Ombudsman may, in his discretion, either dismiss the representation for default when the complainant or the person authorized on his behalf is absent or proceed ex-parte to hear and settle the representation.

21.7 Where a representation is dismissed for default or decided ex-parte, the person aggrieved may file an application within thirty (30) days from the date of such dismissal or being proceeded ex-parte, as the case may be, for recall of the order passed, and the Vidyut Ombudsman may recall the order on such terms as he thinks fit, if he is satisfied that there was sufficient cause for the non-appearance when the representation was called for hearing.

21.8 The complainant or the respondent(s) may appear before the Vidyut Ombudsman either in person or through any other person duly authorised by him including an Advocate.

22. Orders of the Vidyut Ombudsman

22.1 On conclusion of the inquiry, the Vidyut Ombudsman shall pass reasoned orders on the representation.

22.2 The Vidyut Ombudsman shall pass an order of dismissal of the representation, if the decision does not uphold the representation and he shall grant an appropriate relief(s) as per law, if the representation is upheld in full or in part and such relief(s) shall be specific and clear.

22.3 The orders of the Vidyut Ombudsman on any representation shall be passed ordinarily within sixty (60) days of the admission of the representation by him and he shall state the reasons for any pendency beyond such period in his quarterly report to the Commission.

22.4 The Vidyut Ombudsman may, at any time, since the admission of the representation till the final orders are passed, make such interlocutory orders or issue such interim directions pending final

orders on the representation as he may consider necessary to prevent the ends of justice from being defeated:

Provided that except where it appears that the object of making such interlocutory orders or issuing such interim directions would be defeated by delay, no such interlocutory order shall be made or interim directions issued unless the opposite party has been given an opportunity of being heard.

- 22.5 The Vidyut Ombudsman shall sign on all original orders, decisions and proceedings and all the copies of such orders, decisions and proceedings issued or communicated by the Vidyut Ombudsman shall be certified under the signature of the Secretary.
- 22.6 All final orders or other executable orders of the Vidyut Ombudsman shall be communicated to the parties to the representation and the person responsible for executing or obeying such orders within three(3) days from the date of such orders.
- 22.7 Unless the Vidyut Ombudsman specifies in his orders the time within which the orders shall be executed or implemented, the Licensee shall comply with such orders within fifteen (15) days from the date of receipt of the orders under intimation to the Vidyut Ombudsman and he may, at the request of the licensee, extend the time for such compliance up to a maximum period of one (1) month from the date of the order, for reasons to be recorded in writing.
- 22.8 Non-compliance with the orders of the Vidyut Ombudsman within the time granted or extended shall be deemed to be non-compliance with and contravention of this Regulation within the meaning of Sections 142 and 146 of the Act.
- 22.9 The Vidyut Ombudsman shall communicate to the Chairman and Managing Director of the Licensee about the non-compliance with the orders of the Vidyut Ombudsman within the time granted or extended and the Vidyut Ombudsman shall report such non-compliance to the Commission within thirty (30) days from the expiry of the period so

granted or extended for execution or implementation of the orders.

22.10 On receipt of such report from the Vidyut Ombudsman, the Commission may take appropriate action, as the facts and circumstances of the case may require and justify for ensuring compliance with the orders of the Vidyut Ombudsman including action under Sections 142 and 146 of the Act.

CHAPTER 4

23 Consumer Assistance

23.1 The Secretary of the Commission shall be the officer in the Commission responsible for consumer affairs including consumer protection, consumer interest and consumer assistance assisted by Deputy Director (Consumer Assistance) and/or any other officer or employee of the Commission as may be directed by the Commission from time to time.

23.2 The Secretary of the Commission shall review the reports of the Vidyut Ombudsman and the Forums received in the Commission from time to time and obtain the orders of the Commission within ten (10) days from the receipt of such reports on the action to be taken for protection of consumer interest in general or in particular cases including issuance of any general or special instructions in accordance with law to the Vidyut Ombudsman or the Forums or the Licensees or others.

23.3 The Secretary of the Commission shall examine and obtain appropriate orders from the Commission on the action to be taken on any communication from any consumer regarding any grievance, within five (5) days from the receipt of such communication, for redressal of such grievance whether or not the consumer has taken recourse to the Complaint Handling Procedure relating to Distribution and Retail Supply adopted in pursuance of the distribution and retail supply licences by the Licensees or the remedies provided under this Regulation.

- 23.4 The Commission may direct the concerned officer of the Licensee to treat any such communication as a grievance or representation under the complaint handling procedure relating to the distribution and retail supply and redress the grievance specified therein and report to the Commission the action taken within the time to be specified by the Commission.
- 23.5 The Commission may direct the Forum or the Vidyut Ombudsman, as the case may be, to treat any such communication as a complaint or a representation presented under this Regulation and pass orders on merits in accordance with the procedure prescribed in this Regulation and report to the Commission expeditiously.
- 23.6 Notwithstanding anything contained elsewhere in this Regulation, the Commission may, if it considers any such communication to be not within the scope of the complaint handling procedure or the jurisdiction of the Forum or the Vidyut Ombudsman but still falls within its functions under Section 86 read with Sections 57 and 88 (iv) of the Act or otherwise, pass appropriate orders or issue appropriate directions in accordance with Law for providing appropriate relief by the person responsible for such redressal and seek a report of compliance within such time as may be specified by the Commission.
- 23.7 Non-compliance with the orders or directions of the Commission under 23.4 to 23.6 above shall be deemed to be non-compliance with and contravention of this Regulation within the meaning of Sections 142 and 146 of the Act.
- 23.8 If no response or report in compliance of the orders or directions passed or issued under 23.4 to 23.6 above is received from the Officer responsible under the complaint handling procedure or the Forum or the Vidyut Ombudsman or the person responsible for such compliance, as the case may be, within the time specified by the Commission, the Commission may take appropriate action as the facts and circumstances of the case may require and justify for

ensuring compliance of such orders or directions including action under Sections 142 and 146 of the Act.

- 23.9 The Commission may, if it considers just and necessary, direct the Secretary of the Commission to call for the remarks or report of the person concerned on the contents of any such communication before taking any action under 23.4 to 23.6 above and may also specify the time within which such remarks or report should be submitted to the Commission.
- 23.10 The Commission may, on examination and consideration of such remarks or report, drop any further action if it considers the same to be unnecessary and unwarranted or proceed to take appropriate action under this Regulation as may be considered just and necessary.
- 23.11 If the person responsible fails without any reasonable excuse or cause to submit his remarks or report as called for by the Secretary of the Commission under its orders, such default shall be deemed to be non-compliance with and contravention of this Regulation within the meaning of Sections 142 and 146 of the Act actionable under 23.8 above.
- 23.12 An Officer not below the rank of a Chief General Manager of a Licensee shall be designated by the Licensee as the Nodal Officer in respect of all matters relating to consumer affairs including consumer protection, consumer interest and consumer assistance.
- 23.13 Such Nodal Officer shall monitor due working of the complaint handling procedure, due representation of the Licensee before the Forum and the Vidyut Ombudsman in their proceedings, due response to all the communications from the Commission and due action for prompt redressal of any consumer grievances otherwise brought to his notice.
- 23.14 The Secretary of the Commission and the Nodal Officers of the Licensees shall act in coordination for spreading consumer awareness

through consumer education, strengthening consumer organizations for protection of consumer interests and rights and making suggestions from time to time to the Commission and the Licensees for improvement of consumer grievance redressal mechanisms and betterment of standards of performance of the Electricity Industry as a whole.

CHAPTER 5 GENERAL

- 24.1 The Licensee shall ensure that the person against whom a complaint or representation, as the case may be, has been made in the Forum or the Vidyut Ombudsman, and in his absence, an Officer not below the rank of an Assistant Engineer shall appear before the Forum or the Vidyut Ombudsman on all dates of hearing for filing any pleadings or furnishing any documents or records or information or making any submissions on behalf of the Licensee.
- 24.2 The Superintending Engineer of the Licensee concerned shall ensure representation of the Licensee before the Forum or the Vidyut Ombudsman, as the case may be, on all dates of hearing as prescribed by 24.1 above and shall submit monthly reports to the Nodal Officer of the Licensee about the progress of redressal of consumer grievances within his jurisdiction.

CHAPTER 6 MISCELLANEOUS

25. Repeal

- 25.1 Save as otherwise provided in this Regulation, the Andhra Pradesh Electricity Regulatory Commission (Establishment of Forum and Vidyut Ombudsman for redressal of grievances of the consumers) Regulation, 2004 (1 of 2004) and the A.P. Electricity Regulatory Commission Appointment of Vidyut Ombudsman and Terms and Conditions of Service) Regulation, 2007 (2 of 2007) as amended from time to time are hereby repealed.

26. Savings

26.1 Notwithstanding anything contained in this Regulation, the complaint handling procedure relating to distribution and retail supply adopted in pursuance of the distribution and retail supply licences by the Licensees shall continue to be in force.

26.2 The provisions of this Regulation shall be in addition to and not in derogation of the provisions of any other law or rules or regulations for the time being in force.

27. Power to remove difficulties

27.1 If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, direct the Licensee, the Forum and the Vidyut Ombudsman to take suitable action not being inconsistent with the provisions of the Electricity Act, 2003, or any other Law for the time being in force which appears to the Commission to be necessary or expedient for the purpose of removing difficulties.

28. Power to Amend

28.1 The Commission may, at any time add, vary, alter, modify or amend any provisions of this Regulation.

DR.A.SRINIVAS,
Commission Secretary (i/c)

ANNEXURE I

APPLICATION TO CONSUMER GRIEVANCES REDRESSAL FORUM

Date:_____

Name of the Complainant: _____

Full address of the Complainant:

Pin Code:_____

Phone no.:__

Fax no.: -----

Email id: -----

Nature of Connection and Consumer no. (in case of having applied for a connection, state the application registration number) (If applicable):

Distribution Licensee:_____

Nature of grievance (please tick the relevant box/boxes):

- a. Wrong billing____ b. Recovery of arrears _ c. Faulty Meter _ d. Burnt meter _
e. Supply interruption _ f. Harmonics in supply _ g. Supply voltage related _
h. Deficient service _ i. Delay in providing new connection _ j. Reconnection _
k. Change in connected load _ l. Transfer of connection _ m. Others (please specify)

_____.

Designation of the employee / employees or the Office of the Licensee from whom relief is sought:

Details of the grievance, facts giving rise to the grievance (If space is not sufficient please enclose separate sheet)

Nature of relief sought from the Forum

List of documents enclosed (Please enclose copies of any relevant documents which support the facts giving rise to the grievance)

Declaration:

I/ We, the Complainant /s herein declare that:

the information furnished herein above is true and correct and

I/ We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.

The subject matter of the present Grievance has never been submitted to the Forum by me/or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge.

The subject matter of my/our Grievance has not been settled through the Forum in any previous proceedings.

The subject matter of my/our Grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority / court / arbitrator.

Yours faithfully

(Signature)

(Complainant's name in block letters)

NOMINATION (If the Complainant wants to nominate his representative to appear and make submissions on his behalf before the Forum, the following declaration should be submitted.)

I/We the above named consumer hereby nominate Shri/Smt., whose address is

as my/our REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us. He/she has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Complainant)

ANNEXURE II
REPRESENTATION BEFORE VIDYUT OMBUDSMAN

Note: * indicates compulsory fields

Date*:__

To

The Vidyut Ombudsman
(Specify full address)

Dear Sir/Madam

SUB: (please make a mention of the order of the Forum from which a representation to the Vidyut Ombudsman is being made)

Details of the grievance are as under:

Name of the Complainant:__

Full address of the Complainant *: -----

Pin Code*:__

Phone no.*: -----

Fax no.:_____ Email id: _____

Nature of Connection and Consumer no.* (in case of having applied for a connection, state the application number: _____

Distribution Licensee*:__

Name and Address of the Forum*:__

Date of submission of grievance by the Complainant to the Forum* (please enclose 3 copies of the grievance): _____

Details of the representation, facts giving rise to the representation* (If space is not sufficient please enclose separate sheet)

Whether the consumer has received the final decision of the Forum? (If yes, please enclose three copies of the Forum's order conveying its final decision

If the consumer has received the final decision of the Forum, whether any amount was assessed by the Forum to be paid by the consumer to the Licensee? If so, the details thereof

Nature of relief sought from the Vidyut Ombudsman

List of documents enclosed (Please enclose three copies of all relevant documents which support the facts giving rise to the representation)

Declaration:

I/ We, the Complainant/s herein declare that:

The information furnished herein above is true and correct and

I/ We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.

The subject matter of the present representation has never been brought before the Office of the Vidyut Ombudsman by me/or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge.

The subject matter of my/ our representation has not been settled through the Office of the Vidyut Ombudsman in any previous proceedings.

The subject matter of the present representation has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator.

Yours faithfully

(Signature)

(Complainant's name in block letters)

NOMINATION - (If the Complainant wants to nominate his representative to appear and make submissions on his behalf before the Vidyut Ombudsman, the following declaration should be submitted.)

I/We the above named consumer hereby nominate Shri/Smt..... ,
whose address is as
my/our REPRESENTATIVE in the proceedings

and confirm that any statement, acceptance or rejection made by him/her shall be binding on me /us. He / She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Complainant)

ANNEXURE III
QUARTERLY REPORTING BY THE FORUM

Quarter ending 20____

1. Status of grievance redressal:

Sl.No	Parameters	Delay in restoring supply	Quality of supply	Meter problem	Billing problem	Quality of service	Others	Total
1	grievances pending at end of previous quarter							
2	Grievances received during this quarter							
3	Total grievances (1 +2)							
4	Grievances attending during this quarter							
5	Balance grievances to be attended (3--4)							
6	grievances successfully redressed during this quarter							
7	Grievances in the process of redressal							
8	Grievances escalated to Ombudsman							

Note: Sum of row 6, 7 & 8 should be equal to row 4

2. Reasons for pendency of any complaint beyond sixty (60) days, complaint-wise:

3. Status of compliance by licensee:

a. Of the number of grievances successfully redressed during the quarter, state the number of grievances in which the orders specified directions to the Licensee:

b. Describe the status of the Licensee's compliance against each such grievance:

ANNEXURE - IV
QUARTERLY REPORTING BY VIDYUT OMBUDSMAN

Quarter ending of 20_

1. Status of Settlement of representations:

Sl.No.	Parameters	Delay in restoring supply	Quality of supply	Meter problem	Billing problem	Quality of service	Others	Total
1	Representations pending at end of previous quarter							
2	Representations received during this quarter							
3	Total Representations (1 +2)							
4	Representations attending during this quarter							
5	Balance representations to be attended (3--4)							
6	Representations successfully settled during this quarter							
7	Representations in the process of Settlement							

2. Reasons for pendency of any representation beyond sixty (60) days, representation-wise:

3. Status of compliance by Licensee:

- a. Of the number of representations successfully settled during the quarter, state the number of representations in which the orders specified directions to the Licensee:
- b. Describe the status of the Licensee's compliance against each such representation:

DR.A.SRINIVAS,
Commission Secretary (i/c)

Regulation No. 1 of 2017

APERC Renewable Power Purchase Obligation (Compliance by purchase of
Renewable Energy/ Renewable Energy Certificates) Regulations, 2017

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

Regulation No. 1 of 2017

In exercise of powers conferred under Sections 61, 66, 86(1) (e), and 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following regulations for prescribing the obligation for purchase of Renewable Power and its compliance by purchase of Renewable Energy/Renewable Energy Certificates:

1. Short title and commencement:

- (i) These regulations may be called the APERC Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy/Renewable Energy Certificates) Regulations, 2017.
- (ii) These regulations shall come into force with effect from 1st April, 2017.
- (iii) These Regulations shall apply throughout the State of Andhra Pradesh.

2. Definitions and Interpretation: In these regulations, unless the context otherwise requires,

- (a) '**Act**' means the Electricity Act, 2003 (36 of 2003) ;
- (b) '**Central Agency**' means the agency operating the National Load Dispatch Centre (NLDC) or such other agency as the Central Commission may designate from time to time;
- (c) '**Central Commission**' means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;
- (d) '**Certificate**' means the Renewable Energy Certificate (REC) issued by the Central Agency in accordance with the procedures prescribed by it and under the provisions specified in the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010, as amended from time to time;
- (e) '**Commission**' means the Andhra Pradesh Electricity Regulatory Commission as referred to in subsection (1) of section 82 of the Act;
- (f) '**Floor Price**' means the minimum price as determined by the Central Commission in accordance with its (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for

Renewable Energy Generation) Regulations, 2010 as amended from time to time at and above which the certificate can be dealt in power exchange;

- (g) **'Forbearance Price'** means the ceiling price as determined by the Central Commission in accordance with the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable energy Certificate for Renewable Energy Generation) Regulations, 2010, as amended from time to time, within which only the Certificate can be dealt in power exchange;
- (h) **'MNRE'** means the Ministry of New and Renewable Energy;
- (i) **'Obligated Entity'** means an entity obligated to purchase renewable power under clause (3) of these Regulations;
- (j) **'Open Access Consumer'** means a consumer availing open access under sub- section (2) of Section 42 of the Act;
- (k) **'Pooled Cost of Power Purchase'** means the weighted average pooled price at which the distribution licensee has purchased electricity in the previous year from all the long-term energy suppliers excluding the purchases based on liquid fuel. Provided that the purchases from traders, short-term purchases and purchases from renewable sources shall. not be taken into account while determining Pooled Cost of Power Purchase;
- (l) **'Power Exchange'** means any exchange operating as the power exchange for electricity in terms of the orders issued by the Central Commission;
- (m) **'Renewable energy sources'** means renewable sources such as Co-generation (from renewable sources of energy like bagasse), Mini Hydel, Municipal Waste, Industrial Waste, Biomass, Wind, Solar including its integration with combined cycle, bio-fuel co-generation, Geo-thermal, Tidal and such other sources as recognized or approved by MNRE;
- (n) **'State Agency'** means the State Load Despatch Centre of the State of Andhra Pradesh as defined under section 2(66) of the Act or the agency so designated by the Commission under Clause (5.4) of these Regulations to act as the agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these regulations;

- (o) **'Year'** means a Financial Year;
- (p) **'RPPO'** means Renewable Power Purchase Obligation prescribed under clause (3) of this Regulation;
- (q) **'RESCO'** means Rural Electricity Supply Co-operative Society.

Words and expressions used in these Regulations and not defined herein, but defined in the Act or the rules or the Regulations issued by the Central Commission or any other Regulations issued by the Commission, shall have the same meaning assigned to them respectively in the Act or the rules or such Regulations issued by the Central Commission or such other Regulations issued by the Commission.

3. Renewable Power Purchase Obligation (RPPO):

- 3.1 Every distribution licensee shall purchase from renewable energy sources at the tariff determined by the Commission under Section 62 of the Act or at tariffs discovered through transparent process of bidding u/s 63 of the Act and adopted by the Commission, a minimum quantity of electricity expressed as a percentage of its consumption of energy, during FY2017-18 to FY2021-22 as specified in TABLE-I.

TABLE-I

Year	2017-18	2018-19	2019-20	2020-21	2021-22
Non-Solar	6 %	7 %	8 %	9 %	10 %
Solar	3 %	4 %	5 %	6 %	7 %
Total	9 %	11 %	13 %	15 %	17 %

Provided further that the obligation will be on total consumption of electricity by an obligated entity, excluding consumption met from hydro sources of power other than mini hydel sources of power;

Provided that the quantum of electricity generated by the Consumer from the Roof-top Solar PV System under the net metering arrangements shall, if such consumer is not an obligated entity, qualify towards meeting the Solar RPPO of the Distribution Licensee.

The Distribution Licensee shall install, at its own cost and with the consent of the Consumer, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System if it desires that such energy be counted towards meeting its RPPO. The Solar Generation Meter shall be maintained by the Distribution Licensee at its cost.

Provided that the purchases made from solar roof-top projects (gross metering), the unutilized banked energy deemed to have been purchased by the Discoms from renewable energy projects under Open Access Regulations, purchases made at mutually agreed prices and all such other transactions for which the generator(s) does not claim RECs shall also be treated as fulfillment of the Renewable Power Purchase Obligation (RPPO) prescribed herein;

Provided further that the purchase of renewable power, by the distribution licensee, from other distribution licensees in the State of Andhra Pradesh shall also be taken into account for computing the fulfillment of Renewable Power Purchase Obligation (RPPO) by such a licensee;

Provided that the purchase of Renewable Energy Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate or Renewable Energy Generation) Regulations, 2010 as amended from time to time, shall also be treated as fulfillment of the Renewable Power Purchase Obligation (RPPO) prescribed herein;

Provided that in the event of the obligated entity, fulfilling the Renewable Power Purchase Obligation (RPPO) through self-retention of Renewable Energy Certificates as allowed by the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate or Renewable Energy Generation) Regulations, 2010 as amended from time to time, the application for self-retention shall be towards fulfillment of RPPO of

that financial year only; And the obligated entity shall make an application accordingly.

Provided further that the obligation to purchase electricity from generation based on solar as renewable energy source can be fulfilled through solar energy or solar certificates only, and the obligation to purchase electricity from generation based on renewable energy other than solar can be fulfilled through non-solar energy or non-solar certificates. Notwithstanding the above, till such time the price of solar RECs is higher than that of non-solar RECs, the obligated entity can fulfill its non- solar RPPO through purchase or self-retention of equal number of solar RECs;

Provided that consumption from cogeneration based generating stations is exempted from RPPO;

Provided further that distribution licensees shall compulsorily procure 100% power produced from all the Waste-to-Energy plants in the State, in the ratio of their procurement of power from all sources including their own at the tariff determined by the Commission under Section 62 of the Act;

Provided further that the renewable power procured by the obligated entity(s) from renewable energy generating stations bundled with coal/lignite based thermal generation shall be considered as fulfillment of RPPO;

Provided further that the consumption of a Rural Electricity Supply Co-operative Society (RESCO), shall be taken into account for calculating the consumption of a distribution licensee for the purpose of these Regulations. There shall be no separate Renewable Power Purchase Obligation on the RESCOs;

Provided also that the Commission may, either on its own motion or on recommendation of the State Agency or on receipt of an application from the obligated entity(s) or eligible entity(s), revise for any year the

percentage targets given herein above as deemed appropriate.

- 3.2 Every open access consumer in the State of Andhra Pradesh shall purchase from renewable energy sources, a minimum quantity of electricity expressed as a percentage of its consumption of energy, during FY2017-18 to FY2021-22 as specified in TABLE-I under clause 3.1 of this Regulation.

Provided that the obligation will be on total consumption of electricity by an obligated entity, excluding consumption met from hydro sources of power other than mini hydel sources of power;

Provided that the quantum of electricity consumed by the Consumer from the Roof-top Solar PV System under the Net Metering Arrangement shall qualify towards his compliance of Solar RPPO, if such consumer is an obligated entity;

The Consumer shall install, at his own cost, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System, if he is an obligated entity and desires that such energy be counted towards meeting its RPPO.

Provided that the power procured from 3rd party generators under Power Wheeling and Purchase Agreements (PWPA) is exempted from RPPO.

Provided that the renewable power procured by the obligated entity(s) from that of renewable energy generating stations bundled with coal/lignite based thermal generation shall be considered as fulfillment of RPPO;

Provided that the renewable energy purchased shall be offset towards the RPPO of obligated entity only if the generator does not claim RECs on such energy.

Provided that the purchase of Renewable Energy Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate or Renewable Energy Generation) Regulations, 2010 as amended from time to time, shall also be treated as fulfillment of the Renewable Power Purchase Obligation (RPPO) prescribed herein;

Provided that in the event of the obligated entity, fulfilling the Renewable Power Purchase Obligation (RPPO) through self-retention of Renewable Energy Certificates as allowed by the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate or Renewable Energy Generation) Regulations, 2010 as amended from time to time, the application for self-retention shall be towards fulfillment of RPPO of that financial year only; And the obligated entity shall make an application accordingly.

Provided further that the obligation to purchase electricity from generation based on solar as renewable energy source can be fulfilled through solar energy or solar certificates only, and the obligation to purchase electricity from generation based on renewable energy other than solar can be fulfilled through non-solar energy or non-solar certificates. Notwithstanding the above, till such time the price of solar RECs is higher than that of non-solar RECs, the obligated entity can fulfill its non- solar RPPO through purchase or self-retention of equal number of solar RECs;

Provided that consumption from cogeneration based generating stations is exempted from RPPO.

Provided further, that the Commission may, either on its own motion or on recommendation of the State Agency or on receipt of an application from the obligated entity(s) or eligible entity(s), revise for any year the percentage targets given herein above as deemed appropriate.

- 3.3 Every consumer owning a captive generating plant of installed capacity of one (1) MW and above and Connected to the Grid, shall purchase Renewable Energy Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as amended from time to time corresponding to a minimum quantity of electricity expressed as a percentage of its consumption of energy, during FY2017-18 to FY2021-22 as specified in TABLE-I under clause 3.1 of this Regulation.

Provided that the purchase of energy from renewable energy sources shall also be treated as fulfillment of the Renewable Power Purchase Obligation (RPPO) prescribed herein;

Provided that the obligation will be on total consumption of electricity by an obligated entity, excluding consumption met from hydro sources of power other than mini hydel sources of power;

Provided that the quantum of electricity consumed by the Consumer from the Roof-top Solar PV System under the Net Metering Arrangement shall qualify towards his compliance of Solar RPPO, if such consumer is an obligated entity.

The Consumer shall install, at his own cost, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System, if he is an obligated entity and desires that such energy be counted towards meeting its RPPO.

Provided that the renewable power procured by the obligated entity(s) from that of renewable energy generating stations bundled with coal/ lignite based thermal generation shall be considered as fulfillment of RPPO;

Provided that the renewable energy purchased shall be offset towards

the RPPO of obligated entity only if the generator does not claim RECs on such energy.

For the purpose of this clause, "Connected to the Grid" shall mean that the generating plant is being operated in parallel with the network, at the point of connection, of the Distribution Licensee or the Transmission Licensee, as the case may be.

Provided further that, any generating plant not meeting the eligibility condition for a Captive Generating Plant as prescribed in Indian Electricity Rules, 2005, but having self-consumption, is also required to meet RPPO.

Provided that in the event of the obligated entity, fulfilling the Renewable Power Purchase Obligation (RPPO) through self-retention of Renewable Energy Certificates as allowed by the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate or Renewable Energy Generation) Regulations, 2010 as amended from time to time, the application for self-retention shall be towards fulfillment of RPPO of that financial year only; And the obligated entity shall make an application accordingly.

Provided further that the obligation to purchase electricity from generation based on solar as renewable energy source can be fulfilled through solar energy or solar certificates only, and the obligation to purchase electricity from generation based on renewable energy other than solar can be fulfilled through non-solar energy or non-solar certificates. Notwithstanding the above, till such time the price of solar RECs is higher than that of non-solar RECs, the obligated entity can fulfill its non- solar RPPO through purchase or self-retention of equal number of solar RECs;

Provided that consumption from cogeneration based generating stations is exempted from RPPO.

Provided further, that the Commission may, either on its own motion or on recommendation of the State Agency or on receipt of an application from the obligated entity(s) or eligible entity(s), revise for any year the percentage targets given herein above as deemed appropriate.

Note : - In case an obligated entity(s) intends to install a co-located renewable energy generating plant within the premises of consumption unit so as to utilize the consumption from such plant towards fulfillment of RPPO, then such entity(s) shall install meters of appropriate class of accuracy for measurement of gross generation, Auxiliary consumption & Captive Consumption, at appropriate locations and have them duly sealed by the concerned licensees for the purpose of measuring the generation and captive consumption. The concerned licensees shall take monthly readings, including MRI dumps, for all such meters, for the purpose of accounting the energy towards RPPO of the captive consumption unit.

4. Certificates under the Regulations of the Central Commission:

- 4.2 The procurement, by the obligated entity(s) of Renewable Energy Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as amended from time to time, shall be subject to such directions as the Commission may issue from time to time.
- 4.3 The Renewable Energy Certificates purchased by the obligated entity(s) from the power exchange, or the Purchase Certificate(s) issued by State Agency in case of self-retention of RECs, shall be deposited by the obligated entity(s) with the State Agency.
- 4.4 Notwithstanding the above, the State Agency can also independently verify the RECs purchased by the obligated entities from power exchanges, through Renewable Energy Certificate Registry of India website, and consider the same towards fulfillment of their RPPO.

5. State Agency:

- 5.2 The State Agency shall function in accordance with the directions issued by the Commission and shall act in consistence with the procedures / rules laid down by Central Agency for discharge of its functions under the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as amended from time to time.
- 5.3 The State Agency shall submit quarterly status to the Commission in respect of compliance of Renewable Power Purchase Obligation by the obligated entities in the format as stipulated by the Commission and may suggest appropriate action to the Commission if required for compliance of the Renewable Power Purchase Obligation.
- 5.4 The Commission may from time to time fix the remuneration and charges payable to the State Agency for discharge of its functions under these regulations.
- 5.5 If the Commission is satisfied that the State Agency is not able to discharge its functions satisfactorily, it may by general or special order, and by recording reasons in writing, designate any other agency to function as State Agency as it considers appropriate.

6. Eligibility and Registration for Certificates:

- 6.1 The eligibility and registration of certificates shall be governed by the Central Electricity Regulatory Commission (Terms and conditions for recognition and issuance of Renewable Energy Certificate for renewable energy generation) Regulations, 2010 dated 14.01.2010 as amended from time to time.
- 6.2 Determination of Pooled Cost of Power Purchase:
- (1) For determination of Pooled Cost of Power Purchase for a particular year, DISCOMs shall submit a petition for computation of Pooled Cost of Power Purchase to the Commission by 30th April of that year. The Commission shall

issue order relating to Pooled Cost of Power Purchase for the particular year within one month of acceptance of such petition. Till the issue of order regarding the Pooled Cost of Power Purchase, the Pooled Cost of Power Purchase of the previous year shall continue to be valid as Provisional Pooled Cost of Power Purchase. After the issue of order for the Pooled Cost of Power Purchase by the Commission, the difference with the Provisional Pooled Cost of Power Purchase shall be adjusted equally in the bills of the next two months or as decided by the Commission in the order determining the Pooled Cost of Power Purchase for that year.

- (2) The standard PPA approved in terms of Note (2) at Regulation 6 (b) of Regulation 1 of 2012 shall continue to be applicable.

7. Consequences of default:

- 7.1 If the obligated entity(s) does not fulfill the Renewable Power Purchase Obligation as provided in clause (3) of these regulations during any year, the Commission may direct the obligated entity(s) to deposit into a separate fund, to be created and maintained by the State Agency, such amount as the Commission may determine on the basis of the shortfall in units of the Renewable Power Purchase Obligation and the forbearance price decided by the Central Commission;

Provided that the fund so created shall be utilized, for purchase of certificates or as may be directed by the Commission;

Provided further that the Commission may empower an officer of the State Agency to procure from the Power Exchange the required number of certificates to the extent of the shortfall in the fulfillment of the obligations, out of the amount in the fund;

- 7.2 Where any obligated entity(s) fails to comply with the obligation prescribed in clause (3) of these Regulations, it shall, in addition to the compliance of the directions under clause (7.1) above, be liable for penalty as may be decided by the Commission under section 142 of the Act;

8. Saving:

8.1 Anything done or action taken or purported to have been done in pursuance of the provisions of the earlier Renewable Power Purchase Obligation (RPPO) Regulation 1 of 2012 and its amendments shall be considered to be legal and valid.

8.2 Any rights and liabilities arising out of the earlier regulation shall be settled within its framework.

9. Power to remove difficulties:

The Commission, suo-motu or on an application from any person generating electricity from renewable sources or an entity mandated under clause (e) of sub-section (1) of section 86 of the Act to fulfill the Renewable Power Purchase Obligation may review, add, amend or alter these regulations and pass appropriate orders to remove any difficulty in exercising the provisions of these regulations.

10. Miscellaneous:

10.1 Nothing in these regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuse of process of the Commission.

10.2 Nothing in these regulations shall bar the Commission from adopting a procedure which is at variance with any of the provisions of these regulations. If the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

(By Order of the Commission)

Hyderabad,
31.03.2017.

Dr. A. SRINIVAS,
Commission Secretary (i/c).

REGULATION NO. 2 OF 2017

Andhra Pradesh Electricity Regulation Commission
(Compensation to Victims of Electrical Accidents) Regulation, 2017

Amendment

1. First Amendment vide Regulation No. 9 of 2023, dated 27-12-2023

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr.No. APERC / Secy / F.No. S-19 / 2017 Dated : 27.05.2017

Compensation to Victims of Electrical Accidents Regulation, 2017

(Regulation No. 2 of 2017)

Whereas Section 53 of the Electricity Act, Central Act 36 of 2003 prescribes specification of suitable measures for,-

- (a) protecting the public (including the persons engaged in the generation, transmission or distribution or trading) from dangers arising from the generation, transmission or distribution or trading of electricity, or use of electricity supplied or installation, maintenance or use of any electric line or electrical plant;
- (b) eliminating or reducing the risks of personal injury to any person, or damage to property of any person or interference with use of such property;

Whereas Section 73 (c) of the Electricity Act, Central Act 36 of 2003 makes it a function and duty of the Central Electricity Authority to specify the safety requirements for construction, operation and maintenance of electrical plants and electric lines;

Whereas the Central Electricity Authority, in exercise of the powers conferred by Section 177 (2) (b) of the Electricity Act, Central Act 36 of 2003, made the Central Electricity Authority (measures relating to safety and electric supply) Regulations, 2010 notified on 20-09-2010, amended by Amendment Regulations, 2015 notified on 13-04-2015;

Whereas till the said Regulations for measures relating to safety and electric supply were made, the Indian Electricity Rules, 1956 made under Section 37 (2) (f) of the Indian Electricity Act, Central Act 9 of 1910 continued to be in force providing for protection of persons and property from injury by reason of contact with, or the proximity of, or by reason of the defective or dangerous condition of, any appliance or apparatus used in the generation, transmission, supply or use of energy;

Whereas Section 67 (2) (j) of the Electricity Act, Central Act 36 of 2003 prescribes making of rules by the appropriate Government specifying the procedure for safety measures relating to Works of Licensees ('Works' are defined in Section 2

(77)) and rules were accordingly made under the Works of Licensees Rules, 2006 of the Government of India and the Andhra Pradesh Works of Licensees Rules, 2007 under G.O.Ms.No.24, Energy (PR.II) Department, dated 27-02-2007;

Whereas Sections 57 and 58 of the Electricity Act, Central Act 36 of 2003 prescribe specification of standards of performance of a licensee or a class of licensees and liability for payment of compensation as may be determined by the Appropriate Commission to the person affected by a licensee failing to meet the specified standards, without prejudice to any penalty which may be imposed or prosecution which may be initiated;

Whereas the State Commission may make Regulations consistent with the Act and the Rules providing for standards of performance of a licensee or a class of licensees under Section 57 (1) read with Section 181 (2) (za) of the Electricity Act, Central Act 36 of 2003;

Whereas the Andhra Pradesh Electricity Regulatory Commission (Licensees' Standards of Performance) Regulation, 7 of 2004 and the Andhra Pradesh Electricity Regulatory Commission (Transmission Standards of Performance) Regulation, 1 of 2007 were accordingly made, but they do not provide for compensation for injury to human beings or animals or property, in spite of providing for and ensuring their protection and safety being mandatory under the statutes and the statutory rules above referred to;

Whereas Section 161 of the Electricity Act, Central Act 36 of 2003 provides for notice of accidents and inquiries, if any accident occurs in connection with the generation, transmission, distribution, supply or use of electricity in or in connection with, any part of the electric lines or electrical plant of any person and the accident results or is likely to have resulted in loss of human or animal life or in any injury to a human being or an animal, but no provision was made for payment of any compensation to any person affected;

Whereas the Andhra Pradesh Electricity Reform Act, State Act 30 of 1998 makes the Andhra Pradesh Electricity Regulatory Commission responsible to discharge the function of laying down standards of performance for the licensees in regard to services to consumers under Section 11 (1) (b) and promoting safety in the use of electricity in the State under Section 11 (1) (d) and empowers the Commission to frame Regulations prescribing the standards of performance under Section 33, determine the standards of overall performance under Section 34 and collect information on the levels of performance under Section 35 and make

Regulations providing for the determination of the standards of performance of the persons involved in the generation, transmission, distribution and supply of electricity in the State under Section 54 (2) (i) of the said Act;

Whereas a rash or negligent act endangering human life or the personal safety of others is made punishable under the Indian Penal Code, 1860 per se under Section 336, if it causes hurt under Section 337, if it causes grievous hurt under Section 338 and if it causes death under Section 304-A of the Indian Penal Code, Central Act XLV of 1860;

Whereas an act or illegal omission thus endangering human life or the personal safety of others or causing hurt or grievous hurt or death, as the case may be is also an actionable civil wrong leading to liability for compensation;

Whereas the doctrine of strict liability has been consistently held by judicial precedents to be imposing a liability on a person undertaking an activity involving hazardous or risky exposure to human life to compensate for the injury suffered by any other person, irrespective of any negligence or carelessness on the part of that person and even if measures to prevent mishaps have been adopted; Whereas the Jurisprudential technicalities, procedural complications and proverbial law's delays deprive the victims of electrical accidents from getting prompt and adequate relief and humanitarian considerations mandate provision of a prompt and adequate relief;

Whereas the Andhra Pradesh Electricity Regulatory Commission has decided to, there- fore, make Regulations for protecting human beings, animals and property from any risk of any injury arising from the generation, transmission, distribution, trading, supply or use of electricity or installation, construction, maintenance, operation or use of any works and to provide for liability for payment of compensation to the persons affected by a licensee failing to meet the specified standards eliminating or reducing the risk of any loss of human or animal life or any injury to any human being or animal or property;

Therefore, in exercise of the powers conferred on it by Section 57 (1) read with 181 (2) (za) of the Electricity Act, Central Act 36 of 2003 and Section 54 (2) (i) of the Andhra Pradesh Electricity Reform Act, State Act 30 of 1998 and all other powers hereunto enabling, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following Regulation:

CHAPTER - I PRELIMINARY

1. Short title, extent and commencement:

- (1) This Regulation may be called The Andhra Pradesh Electricity Regulatory Commission Compensation to Victims of Electrical Accidents Regulation, 2017.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall come into force on the 1st day of June, 2017.

2. Definitions:

- (1) **'The Commission'** means the Andhra Pradesh Electricity Regulatory Commission.
- (2) **'Dependents'** mean persons who are entitled to succeed to the estate of the deceased as per the personal law by which the deceased was governed;
- (3) **'Grievous hurt'** means grievous hurt as defined in Section 320 of the Indian Penal Code, Central Act XLV of 1860;
- (4) **'Hurt'** means hurt as defined in Section 319 of the Indian Penal Code, Central Act XLV of 1860;
- (5) **'Licensee'** means a person who has been granted a licence under Section 14 of the Electricity Act, Central Act 36 of 2003, including a deemed licensee under the said provision;

3. Interpretation: Words and expressions used and not defined in this Regulation but defined in the Electricity Act, Central Act 36 of 2003 or The Andhra Pradesh Electricity Reform Act, State Act 30 of 1998 or the rules or regulations made thereunder, shall have the meanings respectively assigned to them therein.

CHAPTER - II STANDARDS OF PERFORMANCE

4. Safety Standards:

- (1) The works of licensees shall be so installed, constructed, maintained or operated or used as to protect the public (including the persons engaged in the generation, transmission or distribution or trading) from dangers arising from the generation, transmission or distribution or trading of electricity or use of electricity supplied and eliminate the risks of any personal injury to any person or damage to the property of any person.

- (2) The licensees shall comply with all the mandatory safety requirements and take all necessary measures to protect human beings, animals and property from injury by reason of contact with, or the proximity of, or by reason of the defective or dangerous condition of any appliance or apparatus used in the generation, transmission, distribution, supply or use of energy.
- (3) The licensees shall strictly comply with the Central Electricity Authority (measures relating to safety and electric supply) Regulations, 2010 as amended from time to time and any further suitable measures or requirements that may be specified by the Central Electricity Authority under Section 53 (a) and (b), Section 73 (c) and Section 177 (2) (b) of the Electricity Act, Central Act 36 of 2003 relating to safety and electric supply.

5. Liability for compensation:

- (1) The licensee failing to meet the standards of performance specified in clause No.4 above shall be liable to pay compensation as specified in this Regulation to the person affected for loss of human or animal life or injury to human beings or animals or property in consequence of an electrical accident.
- (2) Whether or not there has been any wrongful act, omission, rashness, neglect or default on the part of the licensee as would entitle the person affected to maintain a civil action for recovery of any damages or compensation or maintain a prosecution for invoking criminal liability in respect thereof, the licensee shall, notwithstanding anything contained in any other law, be liable to pay compensation to such extent as specified in this Regulation, if an electrical accident occurs, resulting in loss of human or animal life or injury to human beings or animals unless the electrical accident primarily was not due to the failure of the licensee to meet the standards of performance but was a direct or proximate result of intervention of some other extraneous reason or cause:

¹[Provided that even in cases where there is no wrongful act, omission, rashness, neglect or default on the part of the licensee, and

¹ Sub. Proviso vide Reg.No.09 of 2023 dated 27.12.2023

irrespective of the place of the electrical accident, the ex gratia payment shall be made in the manner specified under Chapter-III of the Principal Regulation].

Provided further that if the loss of human life is due to suicide or homicide or the injury to a human being is due to an attempt to commit suicide or homicide, the licensee shall not be liable to pay any compensation for the same under this Regulation.

CHAPTER - III COMPENSATION

6. Quantum of compensation:

- (1) The compensation payable for loss of human life as a result of an electrical accident shall be Rupees five lakhs per person.
- (2) The compensation payable for loss of animal life as a result of an electrical accident shall not exceed a maximum of Rupees one lakh per animal, subject to determination of the reasonable compensation payable for such animal in accordance with this Regulation.
- (3) The compensation payable for injury to human beings or animals or property shall be reasonably assessed and fixed in accordance with this Regulation and hurt and disablement of different descriptions shall be separately and independently compensated similarly in accordance with clauses 7 to 12 below.

7. Permanent Total Disablement: If an injury to a human being caused due to an electrical accident resulted in a permanent total disablement, the compensation payable shall be Rupees five lakhs.

8. Permanent Partial Disablement: If an injury to a human being caused due to an electrical accident resulted in a permanent partial disablement, the compensation payable shall be equal to the same percentage out of a maximum amount of Rupees five lakhs subject to a minimum of Rupees one lakh.

9. Grievous Hurt: If an injury to a human being caused due to an electrical accident resulted in grievous hurt, the compensation payable shall be subject to a maximum of Rupees one lakh.

10. Hurt: If an injury to a human being caused due to an electrical accident resulted in hurt, the compensation payable shall be subject to a maximum of Rupees twenty thousand.

- 11. Temporary Total Disablement:** If the grievous hurt so caused resulted in temporary total disablement for any period, the compensation payable shall be subject to a minimum of Rupees fifty thousand and a maximum of Rupees one lakh.
- 12. Temporary Partial Disablement:** If the grievous hurt so caused resulted in temporary partial disablement for not less than a fortnight, the compensation payable shall be subject to a minimum of Rupees twenty five thousand and a maximum of Rupees fifty thousand.
- 13. Medical Expenses:** The actual expenses incurred during the period of hospitalization and/or treatment for the injuries suffered due to an electrical accident, shall also be paid to the injured or the dependents of the deceased, as the case may be, in addition to the compensation specified above.
- 14. Assessment of Compensation:** The quantum of compensation payable in respect of death or injury to a human being or an animal or injury to property shall be arrived at by the Chairman and Managing Director of the licensee concerned on such information, material and evidence considered by him to be relevant and collected by him in such manner as deemed appropriate and feasible:
- Provided that the persons affected are also at liberty to place such information, material and evidence on all factors relevant to an acceptable assessment of compensation before the Chairman and Managing Director of the licensee concerned and he shall duly consider the same in arriving at the quantum of compensation payable.
- 15. Other rights and remedies unaffected:** The right of any person to claim compensation as above shall not affect the right of any such person to recover the compensation payable under the Workmen's Compensation Act, Central Act 8 of 1923 or any other law for the time being in force but the amount paid as compensation under this Regulation shall be duly given credit to in any such compensation payable under any such statutory or civil or other liability.
- 16. Contracts or Schemes Unaffected:** The right of any person to otherwise claim compensation under any contract or scheme providing for payment of compensation for death or personal injury or damage to property or any sum payable under any policy of insurance shall remain unaffected by any payment of any sum made under this Regulation.
- 17. Periodical revision of the quantum of compensation:** The Commission may, in consultation with the licensees and for reasons to be recorded in

writing, enhance the limits of compensation specified respectively in clauses (6) to (12) above, on expiry of a period of two years from the date of this Regulation coming into force and thereafter, on expiry of two years from each enhancement.

CHAPTER-IV PROCEDURE

18. Occurrence report of an Electrical Accident:

In addition to and independent of the intimation of accident to be sent under Rule 3 of the Intimation of Accidents (Form and Time of Service of Notice) Rules, 2012 made under G.O.Ms.No.7, Energy (Services) Department of the Government of Andhra Pradesh dated 13-02-2012, the Additional Assistant Engineer or the Assistant Engineer of the licensee concerned shall send a report through a special messenger to the Divisional Engineer concerned forthwith on the knowledge of an electrical accident in the form set out in Annexure-1 to this Regulation so as to reach the said Divisional Engineer within twenty four hours of the electrical accident.

19. Enquiry Report:

The Divisional Engineer shall, within 15 days from the receipt of a report of an electrical accident, submit a detailed report through proper channel to the Chairman and Managing Director of the licensee concerned after conducting a detailed enquiry into the said accident and the report of the Divisional Engineer shall also make specific recommendations on the quantum of compensation and persons entitled to the same.

20. Verification and Final Orders:

- i) The Chairman and Managing Director of the licensee may cause verification of the contents of the occurrence report of the Additional Assistant Engineer or Assistant Engineer and the Enquiry Report of the Divisional Engineer, by himself or through such other officer of the licensee he may duly authorize in this behalf and assess the compensation in the manner provided by clause 14 above.
- ii) The Chairman and Managing Director of the licensee may thereupon pass final orders determining the quantum of compensation payable and the persons entitled to the same, namely the dependents of the deceased person or the injured person or the owner of the animal or the property, as the case may be.

- iii) Such verification, assessment and passing of final orders on any compensation payable and the persons to whom it is payable shall be completed within 15 days from the date of receipt of a report from the Divisional Engineer:

Provided that for reasons to be recorded in writing, such verification and final orders may be made within a period of 30 days from the date of receipt of the enquiry report from the Divisional Engineer.

21. Communication of the Final Order:

The licensee shall communicate a copy of the final orders passed by it on any claim for compensation arising out of an electrical accident to the claimants and the persons entitled within seven days of the passing of any such order.

22. Payment of Compensation:

The compensation shall be paid to the persons entitled to the same within fifteen days from the date of the final orders of the Chairman and Managing Director.

23. Claim to be optional:

The dependents of a person who died in an electrical accident or a person affected by the injury caused to himself or an animal or property are at liberty to make a claim for compensation in the form set out in Annexure-11 to this Regulation presented in person or sent by post to the Chairman and Managing Director of the licensee concerned who shall cause such claim to be enquired into and determined in accordance with this Regulation:

Provided that irrespective of making of such a claim or not, the determination of the quantum of compensation and the persons entitled to the same shall be made in accordance with this Regulation whenever such compensation is payable under this Regulation.

24. Certification of disability:

The guidelines for evaluation of various disabilities and procedure for certification as per the comprehensive orders issued in G.O.Ms.No.31, Women Development, Child Welfare and Disabled Welfare (DW) Department of the Government of Andhra Pradesh dated 01-12-2009, as amended from time to time, shall govern the certification of disability for the purposes of this Regulation and a certificate for person with disability issued in the

prescribed proforma under Annexure-11 of the said Government Orders shall be considered as evidence of such disability for the purposes of this Regulation.

25. Presumption:

The occurrence of an electrical accident resulting in loss of human or animal life or injury to human beings or animals shall, for the purposes of assessing the liability of a licensee for compensation, be presumed to be probablising the licensee failing to meet the safety standards of performance specified in clause No.4 herein and the burden of proving to the contrary shall lie on the licensee.

26. Interest:

The quantum of compensation determined by the final orders of the Chairman and Managing Director of the licensee concerned shall be paid at any rate within six months from the date of the electrical accident and if such payment is delayed further for any reason, the same shall be paid from that date with interest at 18% per annum till the date of payment.

27. Disputes about entitlement:

If there is any dispute or difference regarding the entitlement to compensation on the death of a human being in an electrical accident or the ownership of an animal or property involved in an electrical accident which cannot be satisfactorily decided in accordance with this Regulation, the Chairman and Managing Director of the licensee concerned may refer the disputants to a civil court of competent jurisdiction.

28. Payment from reserve fund:

The payment of compensation ordered under this Regulation shall be from the reserve fund provided in the Aggregate Revenue Requirement for the Retail Supply business of the distribution licensees in the Order on tariff determination for retail sale of electricity for that financial year by the relevant orders of the Andhra Pradesh Electricity Regulatory Commission:

Provided that any such compensation payable in respect of an electrical accident involving the Transmission Corporation of Andhra Pradesh Limited shall be paid by the distribution licensee having territorial jurisdiction over the place of the electrical accident and the same shall be deducted by the said distribution licensee from the transmission tariff payable to the Transmission Corporation of Andhra Pradesh Limited.

Provided further that for the above purpose, the Chairman and Managing Director of the Transmission Corporation of Andhra Pradesh Limited shall communicate his final orders fixing the quantum of compensation and the persons entitled to the same to the Chairman and Managing Director of the distribution licensee concerned for implementation.

29. Jurisdiction of Consumer Grievances Redressal Forum and Vidyut Ombudsman:

Any person aggrieved by the final orders of the Chairman and Managing Director of the licensee concerned on the quantum or entitlement to compensation shall be deemed to have a grievance within the meaning of Regulation 2.7 of Andhra Pradesh Electricity Regulatory Commission Consumer Grievances Redressal Forum, Vidyut Ombudsman and Consumer Assistance Regulation, 3 of 2016 and shall be entitled to make a complaint to the Consumer Grievances Redressal Forum having jurisdiction over the place of the electrical accident and the said complaint shall be dealt with and decided in accordance with the said Regulation:

Provided that the order of the Consumer Grievances Redressal Forum shall be further subject to a representation to the Vidyut Ombudsman which shall also be dealt with and decided in accordance with the said Regulation. Provided further that the chapter-IV / Consumer Assistance of the said Regulation shall be squarely applicable to all matters arising under this Regulation and the nodal officer of the licensee under that Regulation shall be deemed to be the nodal Officer of the distribution licensee concerned and the Joint Managing Director of the Transmission Corporation of Andhra Pradesh Limited designated by the Chairman and Managing Director of the transmission Licensee shall be the nodal officer for the said purpose under this Regulation .

30. Consequences of non-compliance:

Non-compliance with the orders or directions of the Commission under this Regulation and contravention of any of the provisions of the Statutes or the Rules or Regulations made thereunder concerning the subject matter of this Regulation shall be deemed to be non-compliance and contravention within the meaning of Sections 142 and 146 of Electricity Act, Central Act 36 of 2003.

31. Information to the Commission:

The licensees shall submit to the Andhra Pradesh Electricity Regulatory Commission by 15th of every succeeding month, the details of the electrical

accidents occurring within their respective jurisdictions and action taken thereon in accordance with this Regulation.

32. Assistance to dependents and victims:

The licensee concerned shall ensure extending all possible assistance and help to the dependents of a deceased human being or the victims of an electrical accident to the extent possible to get over the consequences of an electrical accident, more particularly, medical treatment and physical rehabilitation.

CHAPTER - V
MISCELLANEOUS

33. Residuary Provisions:

- (i) The provisions of this Regulation shall be in addition to and not in derogation of the provisions of any other law or rules or regulations or scheme or contract for the time being in force.
- (ii) Nothing in this Regulation shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Commission.
- (iii) Nothing in this Regulation shall bar the Commission from adopting a procedure which is at variance with any of the provisions of this Regulation, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient.
- (iv) Nothing in this Regulation shall, expressly or impliedly, bar the Commission to deal with any matter or exercise any power under the Electricity Act, Central Act 36 of 2003 for which no Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it deems fit.
- (v) Subject to the provisions of the Electricity Act, Central Act 36 of 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of this

Regulation and procedure to be followed on various matters which the Commission has been empowered by this Regulation to specify or direct.

- (vi) The Commission may, at any time add, vary, alter, modify, delete or amend any provisions of this Regulation.
- (vii) If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Electricity Act, Central Act 36 of 2003, which appears to it to be necessary or expedient for the purpose of removing the difficulties.
- (viii) The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties; to dispense with the requirements of any of the clauses in this Regulation in a specific case or cases subject to such terms and conditions as may be specified.

ANNEXURE I
OCCURRENCE REPORT

1. Date & Time of accident:
2. Place of accident: (Village/Town, Mandal, District)
3. Designation of the Officer-in-charge of the Licensee in whose jurisdiction the accident occurred:
4. Nature & Details of the accident:
5. Details of Victim(s) (Fatal/Non-Fatal):
 - (a) Human
 - (b) Animal
 - (c) Property
6. Detailed causes leading to the accident: (Use a separate sheet and attach it to this form, if needed):
7. Details of the persons who witnessed the accident: (Name, designation, address etc.):
8. Action Taken:
9. Any other information:

Signature

Name & Designation

ANNEXURE II
CLAIM FORM FOR PAYMENT OF COMPENSATION

1. Date & Time of accident:
2. Place of accident:
3. Details of the accident:
4. Details of the deceased or Injured person(s):
 - a. Name (s):
 - b. Age:
 - c. Sex:
 - d. Address:
 - e. Occupation:
5. Details of the dead or injured animal(s)
 - a. Description:
 - b. Age:
 - c. Value:
6. Details of the Property:
 - a. Description:
 - b. Value:
7. In case of non-fatal accidents, details of temporary/permanent/total/partial disabilities suffered, if any: (Enclose a certificate issued by the relevant District Medical Board or the Appellate Authority)
8. Details of the dependents:
9. Whether or not an FIR is registered by the Police:

Signature of the claimant(s)

Name of the claimant(s)

Relationship with the deceased/injured/animal/property

To be enclosed to the extent they can be reasonably secured apart from any other information which the claimant(s) feel relevant:

For Humans:

1. Proof of identity of the claimant
2. A copy of the FIR, if registered
3. A copy of the post mortem report, if conducted
4. A copy of the inquest report/ panchanama, if conducted
5. A copy of the Death certificate or wound certificate, if issued
6. A copy of any photo of the deceased or injured person (after the accident), if available
7. Evidence of relationship with the deceased
8. Evidence of expenses of hospitalization and treatment.

For Animals:

1. Proof of identity of the claimant
2. A copy of the FIR, if registered.
3. A copy of the post mortem report, if conducted.
4. A copy of the inquest report/ panchanama, if conducted.
5. A copy of the Death certificate or wound certificate, if issued.
6. A copy of any photo of the deceased or injured animal (after the accident), if available
7. Evidence of ownership and value of the animal(s).

For Property:

1. Proof of identity of the claimant.
2. A copy of the FIR, if registered.
3. A copy of the panchanama, if conducted.
4. Evidence of ownership and value of property.

(BY ORDER OF THE COMMISSION)

Hyderabad
27.05.2017

Dr. A.SRINIVAS,
Secretary (i/c)

REGULATION NO. 3 OF 2017

Andhra Pradesh Electricity Regulation Commission
(Power Evacuation from Captive Generation, Co-generation and Renewable
Energy Source Power Plant) Regulation, 2017

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr.No.APERC / Secy / F.No.S-19 /17. Dated : 05-06-2017

Power Evacuation from Captive Generation, Cogeneration
and Renewable Energy Source Power Plants

(Regulation No. 3 of 2017)

1. Introduction:

Transmission Corporation of Andhra Pradesh Limited (APTRANSCO), Eastern Power Distribution Company of Andhra Pradesh Limited (APEPDCL) and Southern Power Distribution Company of Andhra Pradesh Limited (APSPDCL) made a proposal, seeking power evacuation guidelines covering different types of Power generation plants like Solar, Wind, Small hydro, Bio-mass and Municipal Solid Waste:

The Commission considered the proposals submitted by the DISCOMs and APTRANSCO and having identified the need for issuing a comprehensive regulation on Power evacuation, a draft regulation was prepared and the draft Regulation was hosted in the Commission's web site for seeking comments/suggestions from interested persons and all stakeholders. Considering all the comments/ suggestions, the Commission makes the following Regulation:

- 2.** In exercise of the powers conferred by Section 30, Section 86 (1) (e) and read with sub-section (1) of Section 181 and clause (zp) of sub-section (2) of Section 181 of the Electricity Act, 2003 (36 of 2003) and clause 5.2.26 of National Electricity Policy and clause 5.12 of National Tariff Policy and all other powers enabling it in that behalf, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following Regulations, namely:

3. Short Title, commencement and extent:

- a) This Regulation shall be called the "Andhra Pradesh Electricity Regulatory Commission (APERC) Regulation on Power Evacuation from Captive Generation, Cogeneration and Renewable Energy Source Power Plants (Regulation No. 3 of 2017)".

- b) This Regulation shall come into force with effect from the date of its publication in the Andhra Pradesh Gazette.
- c) This Regulation shall apply to Distribution Licensees, Transmission Licensees, captive generating plants, cogeneration power plants and all Renewable Energy source power plants.
- d) In case of any inconsistency between the provisions of this Regulation and any other Regulation, order or Practice Directions of the Commission, the provisions of this Regulation will prevail.

4. **Definitions:**

- (1) **"Act"** means the Electricity Act, 2003 (36 of 2003) ;
- (2) **"Authority"** means the Central Electricity Authority referred to in sub-section(1) of Section 70 ;
- (3) **"APTRANSCO"** means, a transmission company having transmission licence granted under Section 14 of the Act, authorized to undertake transmission activity in the State.
- (4) **"Captive generating plant"** means a power plant as defined U/s 2 (8) and shall comply with qualifications prescribed under Rule 3 of the Electricity Rules notified by Central Government U/s 3 of Act as amended from time to time.
- (5) **"CERC"** means the Central Electricity Regulatory Commission established under Section 76 of the Act;
- (6) **"Cogeneration"** means a process which simultaneously produces two or more forms of useful energy (including electricity) ;
- (7) **"APERC" or "Commission"** means the Andhra Pradesh Electricity Regulatory Commission;
- (8) **"Conservation"** means any reduction in consumption of electricity as a result of increase in the efficiency in supply and use of electricity ;
- (9) **"Dedicated feeder (line)"** means any electric supply-line for point to point transmission which are required for the purpose of connecting electric plants of a Captive Generation Plant, Cogeneration Plant or Renewable Energy Source Power Plant like Solar, Wind, Small Hydro, Bio-mass and Municipal Solid Waste (MSW) to APTRANSCO/DISCOM

sub-stations.

- (10) **"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;
- (11) **"Grid"** means transmission network or distribution network of APTRANSCO/ DISCOM.
- (12) **"Licence"** means a licence granted under Section 14 of the Act, 2003;
- (13) **"SLDC"** or "State Load Dispatch Centre" means the centre established under Section 31 of the Act ;
- (14) **"State"** means the State of Andhra Pradesh.
- (15) **"State Grid Code"** means the grid code specified by the Commission.
- (16) **"Power evacuation"** means a facility that allows generated power to be immediately transmitted from a generating plant to the grid for further transmission/ distribution to load centers.
- (17) **"Reform Act"** means the Andhra Pradesh Electricity Reform Act, 1998.
- (18) **"Regulations"** means the regulations made by the Commission under the provisions of the Act;
- (19) **"Renew able Energy Sources"** (hereinafter called 'RE Sources') means renewable energy sources such as small hydro, wind, solar, biomass, bio fuel co-generation (including bagasse based co-generation), municipal solid waste and such other sources as recognized or approved by the MNRE or State Government ;
- (20) **"Year"** means a period of twelve months from 1st April of a calendar year to 31st March of the following calendar year.
- (21) Words and expressions used in this Regulation and not defined herein but defined in the Electricity Act, 2003 shall have the meaning as assigned to them under the Act.

5. General Terms and Conditions

- (1) The Generating Plant shall establish, operate and maintain Generating Station, sub-station, tie lines and dedicated transmission lines connected thereto in accordance with :
 - (a) the technical standards for construction of electrical plants, electric lines and connectivity with the grid as specified by

- the Authority;
- (b) safety requirements for construction, operation and maintenance of electrical plants and electric lines as specified by the Authority;
- (c) Andhra Pradesh Electricity Grid Code or Indian Electricity Grid Code (IEGC) ;

6. Power Evacuation:

- (1) Independent projects at a particular location shall normally be connected to the nearest grid substation (SS) of APTRANSCO /DISCOM, as the case may be.
- (2) The Solar and Wind power projects developed in cluster will be connected from the pooling bus/substation of the Solar/Wind farm by erection of 11 kV line or 33 kV line or EHT line for connecting to the existing nearest grid substation of APTRANSCO /DISCOM, as the case may be.

7. Criteria for determining the power carrying capacity of conductors:

The calculations are based on Continuous current (Thermal loading) limit at 45 °C ambient temperature and Maximum Conductor Temperature (MCT) at 75°C for ACSR and 85°C AAAC as per IS 802 (Part1-Sec-1) -1995. The types of conductors mentioned hereunder are illustrative only and not exhaustive. A PTRANSCO/DISCOMs/Project Developers are free to use any equivalent conductor such as All Aluminum Conductors (AAC) or A L 59 or any other conductors that may come in future with technological advancement, depending upon the power to be evacuated. While evacuating power from these power plants, the Power Developers/A PTRANSCO/DISCOMs shall select conductors of proper size based on the power capacity to be evacuated.

8. Power Evacuation capacities using different types of conductors for 11 kV, 33 kV and EHT voltages:

- (1) Power evacuation at 11kV level to the existing 33/11 kV SS shall be limited to 3 MW only and power evacuation at 33 kV level to the existing 33/11kV SS shall be limited to 10MW only, due to limitation

of substation capacity.

- (2) Power evacuation at 33 kV level to the EHT SS shall be limited to 40 MW subject to availability of transformation capacity. Power evacuation may be in one or more circuits depending upon availability of bays in that substation and loading per circuit can go upto 25 MW in case of wind power plants and whereas in case of other than wind power plants, loading per circuit shall not exceed 20 MW per circuit.
- (3) If required, the DISCOMs/A PTRAs/NSCO shall do augmentation of power transformer capacity or bus bar capacity or erection of new bays within three months for 33kV and six months for EHT and provide connectivity to the prospective power developers for power evacuation.
- (4) To arrive at transmission line capacity, thermal loading limit at 2 km/hr wind speed is considered for other than wind power projects.
- (5) As mentioned in Central Electricity Authority (CEA) "Manual on Transmission Planning Criteria, January 2013", Solar/Wind power being intermittent power, for evacuation of power from Solar/Wind power projects, 'N-I' criteria is not applied for the immediate connectivity of solar/wind farms with the intra state grid i.e., the line connecting the farm to the grid and the step-up of transformers at the grid substation.
- (6) As mentioned in CEA "Manual on Transmission Planning Criteria, January 2013", the wind and solar farms shall maintain a power factor of 0.98 (absorbing) at their grid interconnection point for all dispatch scenarios by providing adequate reactive compensation.

9. Power evacuation other than wind power projects:

- (a) **Power evacuation at 11kV level:**

Table-1				
SI.No	Conductor	Type	Current at 45 °C Ambient temp of 75°C MCT	Power at 45° C ambient temp & MCT of 75°C (0.95 PF) in MW
1	Rabbit	ACSR	153	2.77
2	Raccoon	ACSR	194	3.51
3	Dog	ACSR	230	4.16
* MCT - Maximum Conductor temperature				

Table-2				
SI.No	Conductor	Type	Current at 45 °C ambient Temp & MCT of 85°C	Power at 45°C ambient temp & MCT of 85°C (0.95 PF) in MW
1	Rabbit	AAAC	188	3.40
2	Racoon	AAAC	239	4.33
3	Dog	AAAC	274	4.96
* MCT - Maximum Conductor temperature				

(b) Power evacuation at 33 kV level:

Table -3				
SI.No	Conductor	Type	Current at 45°C Ambient temp of 75°C MCT	Power at 45°C ambient temp & MCT of 75 °C (0.95 PF) in MW
1	Rabbit	ACSR	153	8.31
2	Raccoon	ACSR	194	10.53
3	Dog	ACSR	230	12.49
4	Wolf	ACSR	3 15	17.10
5	Panther	ACSR	369	19.87
* MCT - Maximum Conductor temperature				

Table - 4				
SI.No	Conductor	Type	Current at 45 °C ambient Temp & MCT of 85°C	Power at 45°C ambient temp & MCT of 85 °C (0.95 PF) in MW
1	Rabbit	AAAC	188	10.21
2	Racoon	AAAC	239	12.98
3	Dog	AAAC	274	14.88
4	Wolf	AAAC	388	21.07
5	Panther	AAAC	458	24.87

* MCT - Maximum Conductor temperature

(c) Power evacuation at EHT level:

The power evacuation capacities from pooling Substation (SS) to EHT SS for different conductors such as Panther ACSR and Zebra ACSR and other Zebra equivalent conductors at 132 kV and 220 kV level are mentioned below in the Table 5 and Table-6.

Table-5						
Continuous Power (Thermal loading) at 45°C ambient temp. and MCT at 75°C						
Conductor	No. of Circuits	Thermal Current (Amps)	Voltage (kV)	v3	PF	Power (MW)
Panther ACSR	SC		132	1.732	0.95	79
	DC	732	132	1.732	0.95	159
Zebra ACSR	SC	560	220	1.732	0.95	202
	DC	1120	220	1.732	0.95	405
* MCT - Maximum Conductor temperature						

Power evacuation capacities from pooling SS to EHT SS at EHT voltage using some of zebra equivalent size conductors:

Table-6						
Continuous Power at 45°C ambient temp and MCT at 85°C (zebra equivalent conductors)						
Conductor	No. of Circuits	Thermal Current (Amps)	Voltage (kV)	v3	PF	Power (MW)
AL S9 (383 sq.mm)	SC	643	132	1.732	0.95	139
	DC	1286	132	1.732	0.95	279
AAAC (479 sq.mm)	SC	700	220	1.732	0.95	253
	DC	1400	220	1.732	0.95	507
* MCT - Maximum Conductor Temperature						

10. Power Evacuation for wind power projects:

a) Power Evacuation at 11kV level:

The CEA "Manual on Transmission Planning Criteria, January 2013", states that 12 km/hour wind speed may be considered to arrive at the transmission capacity. Since, the height of 11kV and 33 kV line is around 9 to 11 meters, to arrive at the line capacity, 3 km/hr (25% of 12km/hr) wind speed is considered.

Table-7				
SI.No	Conductor	Type	Current at 45 °C Ambient temp of 75°C MCT	Power at 45° C ambient temp & MCT of 75° C (0.95 PF) in MW
1	Rabbit	ACSR	176	3.19
2	Raccoon	ACSR	225	4.07
3	Dog	ACSR	267	4.83
* MCT - Maximum Conductor Temperature				

Table-8				
SI.No	Conductor	Type	Current at 45 °C Ambient temp of 85°C MCT	Power at 45° C ambient temp & MCT of 85° C (0.95 PF) in MW
1	Rabbit	AAAC	212	3.84
2	Racoon	AAAC	270	4.89
3	Dog	AAAC	307	5.56
* MCT - Maximum Conductor Temperature				

b) Power evacuation at 33 kV level:

Table - 9 Line capacity at 3 km/hr wind speed				
SI.No	Conductor	Type	Current at 45 °C Ambient temp of 75°C MCT	Power at 45°C ambient temp & MCT of 75 °C (0.95 PF) in MW
1	Rabbit	ACSR	176	9.56
2	Raccoon	ACSR	225	12.22
3	Dog	ACSR	267	14.50
4	Wolf	ACSR	364	19.76
5	Panther	ACSR	428	23.24
* MCT - Maximum Conductor Temperature				

Table – 10 Line capacity at 3 km/hr wind speed				
SI.No	Conductor	Type	Current at 45 °C ambient Temp & MCT of 85°C in Amps	Power at 45°C ambient temp & MCT of 85 °C (0.95 PF) in MW
1	Rabbit	AAAC	212	11.51
2	Racoon	AAAC	270	14.66
3	Dog	AAAC	307	16.67
4	Wolf	AAAC	430	23.35
5	Panther	AAAC	514	27.91

* MCT - Maximum Conductor Temperature

- (d) Power evacuation capacities from pooling SS to EHT SS at EHT voltage using ACSR:

The CEA "Manual on Transmission Planning Criteria, January 2013", states that 12 km/hour wind speed may be considered to arrive at the transmission capacity. Since 12 km/hour wind speed may not prevail all along the transmission line, to arrive at the transmission line capacity, thermal loading limit at 6 km/hr (1.6666 m/s) wind speed is considered.

The power evacuation capacities from pooling Substation (SS) to EHT SS for different conductors such as Panther ACSR and Zebra ACSR and other Zebra equivalent conductors at 132 kV and 220 kV level are mentioned below in the Table- 11 and Table-12.

Table-11						
Continuous Power at 45°C ambient temp.						
Wind speed = 6 km/hr (1.6666 m/s)						
Conductor	No. of Circuits	Thermal Current (Amps)	Voltage (kV)	v3	PF	Power (MW)
Panther ACSR	SC	535	132	1.732	0.95	116.20
	DC	1070	132	1.732	0.95	232.40
Zebra ACSR	SC	810	220	1.732	0.95	293.21
	DC	1620	220	1.732	0.95	586.42
* MCT - Maximum Conductor temperature at 75°C						

Power evacuation capacities from pooling SS to EHT SS at EHT voltage using some of zebra equivalent size conductors :

Table-12						
Continuous Power at 45°C ambient temp for zebra equivalent conductors at 6 km/hour (1.6666 m/s) wind speed.						
Conductor	No. of Circuits	Thermal Current (Amps)	Voltage (kV)	v3	PF	Power (MW)
AL 59 (383 sq.mm)	SC	1050	220	1.732	0.95	380.09
	DC	2100	220	1.732	0.95	760.17
AAAC (479 sq.mm)	SC	820	220	1.732	0.95	296.83
	DC	1640	220	1.732	0.95	593.66
MCT - Maximum Conductor Temperature at 85°C						

The above capacities are calculated based on the following assumptions:

- Solar radiations = 1045 W/m²:
- Absorption Coefficient = 0.8
- Emissivity Coefficient = 0.45

11. Metering arrangement and energy accounting:

Installation of meters shall be done in accordance with the Central Electricity Authority (installation and operation of meters) Regulations, 2006 as amended time to time. However, for existing projects the present metering arrangement may be continued.

Before installation, the meters shall be tested by testing agencies having "National Accreditation Board for Testing and Calibration Laboratories" (NABL), accreditation. The Meters shall be installed and sealed by the authorized Officers of APTRANSCO and DISCOMs only.

(a) Individual projects:

- i) Metering for Small hydro, Bio-mass and Municipal Solid Waste projects for energy accounting shall be provided at the outgoing 33 kV or 11kV feeder of a Power project connected through 33 kV or 11 kV line to the 33/11kV SS or EHT SS.
- ii) Metering point for Solar/Wind individual power projects connected to EHT pooling substation for energy accounting shall be provided after the pooling substation HV bus bar side in Pooling substation.
- iii) For Single owner Solar/Wind Projects that are connected to DISCOM/ APTRANSCO SS through a 33 kV (11 kV) line with a pooling bus of 33 kV (11 kV) at the project, metering for energy accounting shall be provided at the outgoing feeder of pooling bus. If pooling bus is not made available by the project developer, the metering for energy accounting shall be provided at incoming feeder of the 33 kV or 11 kV bus bar sides of the grid substation and this substation shall be treated as pooling substation.
- iv) Multiple Solar/Wind project developers having meters at HV (33 kV) side of individual generator(s) with a pooling bus at the project, common metering point for energy accounting shall be provided at the outgoing feeder of pooling bus. If pooling bus is

not made available by the project developer, the common metering point for energy accounting shall be provided at incoming feeder i.e., just before the 33 kV bus bar side of the grid substation and this substation shall be treated as pooling substation. As such, each Solar/Wind power project will have two metering points, one at Project's switchyard and another metering point is common metering point.

The energy to be billed to each Solar/Wind power project towards energy produced shall be calculated as per the formula mentioned below:

Delivered Energy to be billed for an individual project = $X_1 - (X_1 \times Z \%)$

Where

X_1 is the energy reading of the energy meter installed at the Project Site.

Z is the percentage line loss incurred in the 33 kV line between the Project and the Pooling bus or pooling (Receiving) Station and shall be:

$$Z\% = \left\{ \frac{(X_1 + X_2 + X_3 + X_4 + \dots) - Y}{(X_1 + X_2 + X_3 + X_4 + \dots)} \right\} \times 100$$

Where

Y is the energy reading of the common meter and X_1, X_2, X_3, X_4 etc., are the energy readings of the energy meters installed at the various individual projects connected to the grid substation.

- (b) For Solar/Wind Power Projects under Cluster Scheme upto 10 MW connected to 33/11 kV SS through 33 kV line:

The common metering (energy accounting meter) for Solar/Wind projects connected to a 33 kV SS shall be provided at the outgoing feeder of pooling bus. If pooling bus is not made available by the project developer, the common metering point for energy accounting

shall be provided at incoming feeder i.e, just before the 33 kV bus bar side of the grid substation and this substation shall be treated as pooling substation.

Also, metering for each individual project shall be provided at Project's switchyard (on HV side of Generator Transformer). As such, each Solar/Wind power project will have two metering points, one at Project's switchyard and another metering point is common metering point. The energy settlement to each project shall be done as per the formula mentioned in the above para.

- (c) For Solar/Wind projects under cluster scheme connected to EHT pooling SS: The common metering (energy accounting meter) for Solar/Wind projects connected to a Pooling Substation (SS) shall be provided after the pooling substation HV bus bar side in Pooling SS. Also, metering for each individual project shall be provided at Project's switch yard (on 33 kV side of Generator Transformer). As such, each Solar/Wind power project will have two metering points, one at Project's switchyard and another metering point is common metering point for energy accounting at EHT Pooling SS.

Energy accounting: The energy to be billed to each Solar/Wind power project towards energy produced shall be calculated as per the formula mentioned below: Delivered Energy to be billed for an individual project = $X1 - (X1 \times Z\%)$

Where

X1 is the energy reading of the energy meter installed at the Project Site.

Z is the percentage line loss incurred in the electrical network between the project and the EHT side of the Pooling (Receiving) Station and shall be:

$$Z\% = \left\{ \frac{(X_1 + X_2 + X_3 + X_4 + \dots) - Y}{(X_1 + X_2 + X_3 + X_4 + \dots)} \right\} \times 100$$

Where

Y is the energy reading of the common meter installed on EHT side of the Pooling SS and X1, X2, X3, X4 etc., are the energy readings of the energy meters installed at 33 kV level for the various individual Wind projects connected to the Pooling Station.

12. Cost bearing mechanism of power evacuation:

- (a) Individual Solar, Wind, Bio-mass, Municipal Solid Waste (MSW) and cogeneration projects:

The entire cost of evacuation shall be borne by the Power Producer along with metering facility.

- (b) Solar or Wind power projects under cluster scheme at 33 kV level:

The Cluster Project Developers shall bear the entire cost of 33 kV pooling SS and 33 kV line for connecting 33 kV Pooling SS with the DISCOM network. The cost of individual metering at project site and cost of common metering at 33 kV side and cost of 11 kV network for connecting individual Solar or Wind power projects to the 33 kV Pooling SS shall also be borne by Project Developer.

- (c) Solar or Wind power projects under cluster scheme at EHT Level:

The Cluster Project Developers shall bear the entire cost of EHT pooling SS and EHT line for connecting EHT pooling SS with the grid. The cost of individual metering at project site and cost of common metering at HV bus bar side of EHT pooling SS and cost of 33 kV networks for connecting individual Solar or Wind power projects to the EHT Pooling SS shall also be borne by Project Developer.

- (i) Small Hydro Power:

APTRANSCO or DISCOMs shall provide connectivity as close as possible such that no Small Hydro Power Project is required to construct transmission line of more than 2 km length from the power plant to the nearest interconnection point. If the transmission line is not available closet to the upcoming hydro power station, then the APTRANSCO/ DISCOM shall

construct the transmission line at their own cost.

13. Power evacuation scheme finalization:

APTRANSCO/DI SCOM shall submit a model single line diagram (drawing) of power evacuation scheme for 33 kV/132 kV/220 kV for Commission approval.

The Project Developer shall approach APTRANSCO/DISCOM in respect of EHT/ DISCOM network, with the details of propose power project scheme, which shall include power capacity, Project location, proposed site & capacity of Pooling SS, nearest APTRANSCO/DI SCOM grid to which the project is intended for interconnection, connecting line, voltage level etc.

APTRANSCO/DISCOM(s) will study the proposed scheme and will dispose the proposals for the technical feasibility for evacuation within 14 days from the date of receipt of application. Any upstream system strengthening requirement shall be borne by APTR ANSCO/ DISCOM(s) on a priority basis.

14. Execution of Power evacuation work:

The Developer shall abide by the orders, rules, regulations and terms and conditions as approved by APERC from time to time with regard to power evacuation, transmission and wheeling of energy and operation of Captive Generation/Cogeneration /Solar/Wind/Small Hydro/ MSW power plants .

All electrical installations within the farm site and upto pooling sub-station shall be as per the statutory requirements and shall be certified by the Chief Electrical Inspector General (CEIG) or any other statutory authority.

The developer shall have the discretion in choosing the conductor for connecting the generator to the pooling bus/substation of the developer confirming to CEA Regulations and CEA guidelines, subject to the CEIG approval.

Individual Projects of Bio-mass and Municipal Solid waste Projects:

APTRANSCO/DISCOM will take up the erection of 11 kV, 33 kV or EHT line work from Metering point (Outgoing feeder of power project) to grid substation on payment of total estimated cost by the Project Developer or Power Producer. APTRANSCO/DI SCOM is not entitled to levy supervision

charges on their internal works.

Alternatively, the Project Developer or Power Producers can take up the work on their own by paying 10% supervision charges to APTRANSCO/DISCOM. After completion of work, the ownership of 11kV, 33 kV or EHT Line from metering point (Outgoing feeder of power project) to APTRANSCO/DI SCOM grid shall be transferred to APTRANSCO/ DISCOM and APTRANSCO /DISCOM shall carryout O&M of 33kV/ EHT line whichever is applicable.

Solar/Wind Projects (For both individual and cluster Scheme projects):

APTRANSCO/DI SCOM is not entitled to levy supervision charges on their internal works within the Solar/wind farm site and upto pooling sub-station.

The ownership of 11kV or 33 kV network along with Pooling SS (33 kV or EHT) will be with the Power Producers. It shall be the duty of the Power Producers, being the owners of the generating companies to operate and maintain the 11kV or 33 kV network and Pooling SS (33 kV or EHT) as per the rules and regulations made for the purpose.

APTRANSCO/DI SCOM will take up the erection of EHT or 33 kV line work from Pooling SS to grid substation on payment of total estimated cost by the Project Developer or Power Producers.

Alternatively, the Project Developer or Power Producer can take up the work on their own by paying 10% supervision charges to APTRANSCO/DISCOM. After completion of work, the ownership of 11 kV or 33 kV or EHT Line from common metering point of Pooling SS/Pooling bus to APTRANSCO/DISCOM grid shall be transferred to APTRANSCO/DISCOM and APTRANSCO/ DISCOM shall carryout O&M of EHT/33 kV line whichever is applicable.

15. Testing, Commissioning and Synchronisation with the Grid:

The Project Developer/ Power Producer shall file an application with DISCOM and obtain Temporary Power Supply for construction purpose. The Project Developer shall have to pay all applicable charges for availing temporary power supply.

After complete erection of the power evacuation infrastructure, the concerned Officers of APTRANSCO & DISCOMs shall inspect the same and confirm readiness for energisation.

Power supplied from the grid to Projects during testing and commissioning period shall be charged at the tariff rates as determined by the commission from time to time. The Officers of APTRANSCO & DISCOM will witness testing and satisfactory performance of Generating Companies.

The concerned APTRANSCO/DISCOM will issue permission for synchronization of Power Project with the Grid for Commercial Operation and date on which the 1st machine of the Power Project synchronizes with the grid shall be the Commercial Operation Date (COD) of the project.

16. Maintenance of Transmission lines and Equipment:

- (1) The Generating Plant shall be responsible for the maintenance of terminal equipment at the generating station.
- (2) The Distribution Licensee or the Transmission Licensee or the State Transmission Utility, as the case may be, shall be responsible for maintenance of transmission lines and of the terminal equipment(s) at the sub-station of the concerned Licensee. The operation and maintenance cost shall be considered as pass through by the Commission while determining the wheeling and transmission charges of the concerned Licensee or State Transmission Utility, as the case may be.

17. Extension of power supply for startup operations or for plant maintenance:

APTRANSCO/DISCOMs shall extend power supply to all these generating plants either at Low Tension (LT) or at High Tension (HT) as desired by the power producer/ Developer for maintenance, startup operations and lighting purpose. The tariff for these plants for FY2017-18, shall be charged at the rate of Rs 11.77/unit without any fixed charges and minimum charges. The DISCOMs shall file tariff proposals under section 62 of the Electricity Act, 2003 in the ARR proposals of FY 2018-19, for supply of electricity to this

type of generating plants.

18. Issue of orders and Practice Directions:

Subject to the provisions of the Act, the A.P Electricity Reform Act, 1998, and this Regulation, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of this Regulation, the procedure to be followed and other matters, which the Commission has been empowered by this Regulation to specify or direct.

19. Power to remove difficulties:

If any difficulties arise in giving effect to any provisions of these Regulations, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, or the Reform Act or the rules, regulations or codes made there under, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

This Order is signed by the Andhra Pradesh Electricity Regulatory Commission on 05/06/ 2017

(BY ORDER OF THE COMMISSION)

Hyderabad
05.06.2017

Dr. A. SRINIVAS
Secretary (i/c)

REGULATION NO. 4 OF 2017

Andhra Pradesh Electricity Regulation Commission
(Forecasting, Scheduling and Deviation Settlement of Solar and Wind
Generation) Regulation, 2017

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr.No. APERC/Secy/F.No.S-19/ 2017, Dated: 19-08-2017

NOTIFICATION

"APERC FORECASTING, SCHEDULING AND DEVIATION SETTLEMENT OF
SOLAR AND WIND GENERATION REGULATION, 2017"

(REGULATION No. 4 of 2017).

In exercise of the powers conferred under sub-section (3) of Section 32, sub-section (4) of Section 33 clause (h) of sub-section (1) of Section 86 and clauses (g) and (zp) of sub-section (2) of Section 181 of the Electricity Act, 2003, (Central Act 36 of 2003) and all other powers hereunto enabling and after previous publication, the Andhra Pradesh Electricity Regulatory Commission hereby make the following Regulation, namely:

1. SHORT TITLE AND COMMENCEMENT

- 1.1 This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation Regulation, 2017.
- 1.2 This Regulation shall come into force with effect from the twenty first (21st) day of August, 2017:

Provided that Forecasting, Scheduling and Deviation settlement in accordance with this Regulation shall commence from the first (1st) day of January, 2018 while the levy and collection of deviation charges shall commence from the first (1st) day of July, 2018.

2. DEFINITIONS AND INTERPRETATION

- 2.1 In this Regulation, unless the context otherwise required
 - (a) '**Absolute Error**' means the absolute value of the error in the actual injection of wind or solar generators with reference to the scheduled generation and the 'Available Capacity' (AvC), a calculated using the following formula for each fifteen(15) minute time block:

Absolute Error (%) = 100 x [Actual Injection-Scheduled Generation] / (AvC);

- (b) '**Act**' means the Electricity Act, 2003 (Central Act 36 of 2003);
- (c) '**actual injection**' in a time-block means electricity generated or supplied by the seller, as the case may be, measured by the Interface meter;
- (d) '**APTRANSCO**' means the Transmission Corporation of Andhra Pradesh Limited having transmission license granted under Section 14 of the Act to transmit electricity in the State;
- (e) '**Available Capacity or AvC**' means for a wind generating station, the cumulative capacity rating of wind turbines that are capable of generating power in a given time-block and for a solar generating station the cumulative capacity rating of solar inverters that are capable of inverting power in a given time-block;
- (f) '**Beneficiary**' means a person procuring electricity generated from a Solar or Wind generating station including solar/wind captive generating station;
- (g) '**buyer**' means a person, including a beneficiary purchasing electricity from a Solar or Wind generating station through a transaction scheduled in accordance with the regulations applicable for short-term open access, medium-term open access and long-term access, as the case may be;
- (h) '**CERC**' means the Central Electricity Regulatory Commission referred to in sub-section (1) of section 76 of the Act;
- (i) '**Commission**' means the Andhra Pradesh Electricity Regulatory Commission constituted under sub-section (1) of Section 82 of the Act;
- (j) '**deviation**' in a time-block for a seller means its total actual injection minus its total scheduled generation;
- (k) '**DISCOM**' means either the Eastern Power Distribution Company of Andhra Pradesh Limited (APEPDCL) or the Southern Power Distribution Company of Andhra Pradesh Limited (APSPDCL) as

the case may be;

- (l) **'Forecasting Tools'** for the purposes of this regulation include Data Telemetry, Communication System and Data Acquisition System for transfer of information to SLDC and appropriate meters for energy accounting;
- (m) **'gaming'** in relation to this regulation, shall mean an intentional mis-declaration of available capacity or schedule by any seller in order to make an undue commercial gain through deviation charges;
- (n) **'Grid'** means transmission network of APTRANSCO and distribution network of DISCOMs;
- (o) **'interface meters'** means interface meters as defined by the Central Electricity Authority under the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006.
- (p) **'pooling station'** means the sub-station where pooling of generation of individual wind or solar generator is done for interfacing with the APTRANSCO / DISCOM Sub-station:

Provided that where there is no separate pooling station for a wind/solar generator and the generating station is connected through common/dedicated feeder and terminated at a sub-station of APTRANSCO/DISCOM the sub-station of APTRANSCO/DISCOM shall be considered as the pooling station for such wind/solar generator, as the case may be;

- (q) **'Qualified Coordinating Agency or QCA'** means the mutually agreed agency registered with SLDC, to act as a coordinating agency on behalf of wind or solar generator connected to a pooling station and one of such generators can also be such agency;
- (r) **'scheduled generation'** at any time or for a time block or any period means schedule of generation in MW or MWh ex-bus;
- (s) **'seller'** means a person, including a generating station either

selling power to DISCOM or supplying electricity for captive use or through a transaction scheduled in accordance with the regulation applicable for short-term open access, medium-term open access and long-term access;

- (t) **'State'** means the State of Andhra Pradesh;
- (u) **'State Grid Code'** mean the Andhra Pradesh Code of Technical Interface (Grid Code), 2001 approved by the Commission vide proceedings No. APERC / Dir-Engg. /Grid Code /20, dated 26-05-2001 under the Andhra Pradesh Electricity Reform Act, 1998 (State Act 30 of 1998);
- (v) **'State Entity'** means an entity which is in the SLDC control area and whose metering and energy accounting is done at the State level.
- (w) **'SLDC' or 'State Load Dispatch Centre'** means the centre established under Section 31 of the Act;
- (x) **'State Pool Account'** means a separate account to be maintained by SLDC for receipt and payments on account of deviations specified under this regulation;
- (y) **'STU'** means the APTRANSCO notified by the State Government as the State Transmission Utility under sub-section (l) of Section 39 of the Act;
- (z) **'time-block'** means a time block of fifteen (15) minutes, for which specified electrical parameters and quantities are recorded by special energy meter, with first time block starting at 00:00 hrs;
- (aa) **'Virtual Pool'** mean the virtual grouping of various pooling stations wherein the generator in such pooling station have an option for accounting their deviations in an aggregated/combined manner through a QCA for the purpose of availing the benefit of larger geographical area and diversity.

- 2.2 Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires words and expressions used in this Regulation and not defined, but defined in the Act, or the Andhra Pradesh Electricity Reform Act, 1998 (State Act 30 of 1998), or the rules, or the regulation made thereunder or the State Grid Code shall have the meanings assigned to them respectively therein.

3. GENERAL

3.1 Objective

The objective of this regulation is to facilitate large-scale grid integration of solar and wind generating stations while maintaining grid stability and security as envisaged under the State Grid Code through forecasting, scheduling and deviation settlement of these generators.

3.2 Applicability

This Regulation is applicable to all wind and solar generator connected to the Grid, including those connected through pooling station and supplying power to the DISCOMs, or to third parties through open access or for captive consumption through open access, and selling power within or outside the State.

4. FORECASTING AND SCHEDULING

- 4.1 The methodology for day-ahead scheduling of wind and solar energy generating stations which are connected to the Grid and re-scheduling them on one and half hourly basis, and the methodology of handling deviations of such wind and solar energy generating station shall be as stated hereunder and accordingly Forecasting Tools shall be provided by the generator concerned.
- 4.2 (a) Wind and Solar generators, either by themselves or represented by Qualified Coordinating Agencies or QCAs, shall provide to the SLDC the technical specification of the generating unit and all other associated equipment of the wind/solar farm in such format as may be prescribed by the SLDC, by the first (1st) day of

January, 2018 or the date of Commercial Operation as the case maybe and thereafter, whenever there is any change in such technical specifications.

(b) The data relating to power generation parameters and weather related data as applicable shall also be provided by the generators concerned to the SLDC in real time thereafter.

(c) The SLDC shall give appropriate directions under sub-section (1) of Section 33 of the Act, in consonance with this Regulation about the information required on technical specifications and protocol for sharing information on or before the first (1st) day of December, 2017.

4.3 Forecasting shall be done by every wind and solar generator connected to the Grid, either by itself or by a QCA on its behalf. The SLDC shall also undertake forecasting of wind and solar power that is expected to be injected into the Grid with the objective of ensuring secure Grid operation by planning for the requisite balancing resources. The forecast by a wind or solar generator or the QCA, as the case may be, shall be provided separately for each Pooling station. The wind or solar generator or QCA will have the option of accepting the SLDC's forecast for preparing its schedule or provide the SLDC with a schedule based on its own forecast. Each QCA shall coordinate the aggregation of schedules of all its generators connected to a pooling station and communicate the same to the SLDC.

4.4 Every wind and solar generator or a QCA shall submit a day-ahead and week-ahead schedule for each generating station or each pooling station as the case may be. Day-ahead schedule shall contain wind or solar energy generation schedule at intervals of fifteen (15) minutes time-block for the next day, starting from 00:00 hour of the day, and prepared for all ninety six (96) time-block. Week-ahead schedule shall contain the same information for the next seven days:

Provided that the wind and solar generators, as the case may be,

having multiple transactions under a Power Purchase Agreement and intra-state and / or inter-state Open Access with a common interface meter shall submit schedules with respect to such approved capacities allocated and such capacities alone shall be treated as AvCs for the purpose of these transaction under this Regulation.

- 4.5 (a) The Schedule of wind and solar generators connected to the Grid, excluding collective transactions may be revised by giving advance notice to the SLDC. Such revisions shall be effective from the fourth (4th) time block, the first being the time-block in which notice was given.
- (b) In respect of wind generators, there may be one revision for each time slot of one and half hour starting from 00:00 hours of a particular day subject to a maximum of sixteen (16) revisions during the day.
- (c) In respect of solar generator there may be one revision for each time slot of one and half hour starting from 5:30 hour up to 19:00 hours of a particular day subject to a maximum of nine (9) revisions during the day.
- 4.6 The SLDC shall give appropriate direction under sub-section (1) of Section 33 of the Act, in consonance with this Regulation about the Forecasting Tools, alternative mean of communication in case of telemetry or other equipment failure, formats of forecast submission and other detail on or before the first (1st) day of December, 2017.
- 4.7 Any commercial impact on account of deviation from schedule based on the forecast shall be borne by the wind or solar generator either by itself or through the representing QCA.
- 4.8 (a) A wind or solar generating station which is already in commercial operation as on the date of commencement of this Regulation or which may commence its commercial operation before the first (1st) day of January, 2018 shall establish the Forecasting Tools either by itself or through a QCA by the first

(1st) day of January, 2018.

- (b) A wind or solar generating station commencing commercial operation on or after the first (1st) day of January, 2018 shall not be allowed to be commissioned unless it has established the Forecasting Tools either by itself or through a QCA.

5. ROLE OF QCA

5.1 QCA shall be the single point of contact with SLDC on behalf of its coordinated generator(s) connected to a pooling station for the following purposes:

- (i) providing schedules with periodic revisions on behalf of the Wind/ Solar generators.
- (ii) coordinating with DISCOM/STU/SLDC for metering, data collection, communication and issuance of instructions for despatch/curtailment.
- (iii) undertaking commercial settlement on behalf of the generator pertaining to generation deviation including payment of deviation charges to the State Pool Account.
- (iv) undertaking de-pooling of payment received on behalf of the generator from the State Pool Account and settling them with the individual generator .
- (v) undertaking commercial settlement of any other charges on behalf of the generators connected to a pooling station as may be mandated from time to time.
- (vi) all other ancillary and incidental matter .

5.2 The SLDC shall give appropriate directions under sub-section (1) of Section 33 of the Act in consonance with this Regulation about the guideline for registration of QCAs, the data / information to be exchanged between the QCA, SLDC and the generator, the protocol for sharing the same etc., on or before the first (1st) day of December, 2017.

6. ENERGY ACCOUNT AND DEVIATION SETTLEMENT

- 6.1 Energy accounting and payment for the energy generated to the wind and solar generator connected to the Grid shall be in accordance with the procedure prescribed and specified therefor.
- 6.2 A wind or solar generator or a QCA, as the case may be, shall have the option of accepting the SLDC's forecast for preparing its schedule or provide the SLDC with a schedule based on its own forecast, and such schedule shall be used as reference for deviation settlement.
- 6.3 In the event of actual injection of a generating station or a pooling station as the case may be, being less or more than the scheduled generation, the deviation charges for shortfall or excess generation shall be payable by the Wind or Solar generator or QCA, as the case may be, to the State Pool Account, as per the Table below:

Table: Deviation Charges in case of under or over-injection for sale / supply of power within the State

S. No.	Absolute Error in the 15 min. time block	Deviation Charges payable to State Pool Account
1	$\leq 15\%$	None
2	$> 15\% \text{ but } \leq 25\%$	At Rs. 0.50 per unit for the shortfall or excess energy for absolute error beyond 15% and up to 25%
3	$>25\% \text{ but } \leq 35\%$	At Rs. 0.50 per unit for the shortfall or excess energy for absolute error beyond 15% and up to 25% + Rs. 1.0 per unit for balance energy beyond 25% and up to 35%
4	$> 35\%$	At Rs. 0.50 per unit for the shortfall or excess energy for absolute error beyond 15% and up to 25%+ Rs. 1.0 per unit for balance energy beyond 25% and up to 35% + Rs. 1.50 per unit for balance energy beyond 35%

- 6.4 The deviation charge for under or over injection by wind or solar generator connected to the Grid and supplying power outside the State shall be payable or receivable as per the **Appendix-I**. The accounting for this purpose shall be done by the SLDC.

- 6.5 Deviations for Inter-State and Intra-State transactions at Pooling Station shall be accounted for separately.
- 6.6 The SLDC shall provide separate Energy and Deviation accounts for inter-State and intra-State transactions to QCA or the wind or solar generators.
- 6.7 QCA shall separately settle Deviation Charge with Wind or Solar Generator for inter-State and intra-State transaction.
- 6.8 QCA shall also de-pool energy deviations as well as deviation charges to each of the generators connected to the pool. The de-pooling of the energy deviations at the pooling station amongst different generators connected to the pool can be apportioned on the basis of the deviations of each generator.
- 6.9 In order to aggregate the forecasting and scheduling of different pooling stations to avail the benefit of larger geographical area and diversity a QCA in agreement with the generators in different pooling stations shall have the freedom to go for the option of Virtual Pool. Under a 'Virtual Pool ', the declaration of the availability / schedule in respect of the generator shall be made available pooling station wise to SLDC, in order to maintain the sanctity of a control area. However, while computing the deviations, they shall be considered as a combined pool and the QCA shall be responsible for de-pooling the deviations, first amongst the different pooling station and then amongst the different generators of the respective pooling station.
- 6.10 The SLDC shall maintain all necessary and required records, registers and accounts in respect of forecasting, scheduling and deviation settlement in accordance with this Regulation.
- 6.11 The SLDC shall give appropriate direction under sub- section (1) of Section 33 of the Act in consonance with this Regulation on the manner of making the State Pool Account settlement and dealing with the default in respect of the same; the manner of de-pooling of energy deviation and deviation charges, operation of virtual pool and State

Pool Account on or before the first (1st) day of December, 2017.

- 6.12 APTRANSCO being the STU operating the SLDC under the first proviso to sub-section (2) of Section 31 of the Act shall provide required manpower, funds and infrastructure to the SLDC for due implementation of this Regulation.

7. REPEAL

The second proviso to clause 4.1 of the Andhra Pradesh Electricity Regulatory Commission (Interim Balancing and Settlement Code) Regulation 2006, (Regulation 2 of 2006) shall hereby stand repealed in so far as it relates to the wind based and solar based open access generator.

8. POWER TO ISSUE DIRECTIONS

If any difficulty arises in giving effect to this Regulation, the Commission may on its own motion 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 this Regulation.

(By Order of the Commission)

Hyderabad,
21.08.2017.

Dr.A .SRINIVAS
Secretary (i/c)

APPENDIX - I

Framework for deviation charges for under or over injection by wind or solar generators connected to the Grid and supplying power outside the State.

The energy supplied by wind or solar generators outside the State boundary and connected to the Grid shall be settled as per Scheduled Generation.

- a) In the event of actual injection being less than the scheduled generation, the deviation charges for shortfall in generation shall be payable by such wind or solar generators, or the QCA on their behalf, as the case may be, to the State Pool Account as given in Table - I below:

Table - I: Deviation Charges in case of under injection

S. No.	Absolute Error in the 15 minute time block	Deviation Charges payable to State Pool Account
1	$\leq 15\%$	At the Fixed Rate for the shortfall energy for absolute error up to 15%
2	$>15\%$ but $\leq 25\%$	At the Fixed Rate for the shortfall energy for absolute error up to 15% + 110% of the Fixed Rate for balance energy beyond 15% and up to 25%
3	$>25\%$ but $\leq 35\%$	At the Fixed Rate for the shortfall energy for absolute error up to 15% + 110% of the Fixed Rate for balance energy beyond 15% and up to 25% + 120% of the Fixed Rate for balance energy beyond 25% and up to 35%
4	$> 35\%$	At the Fixed Rate for the shortfall energy for absolute error up to 15%+ 110% of the Fixed Rate for balance energy beyond 15% and up to 25% + 120% of the Fixed Rate for balance energy beyond 25% and up to 35% + 130% of the Fixed Rate for balance energy beyond 35%

- b) In the event of actual generation being more than the scheduled generation the Deviation Charges for excess generation shall be payable to the wind or solar generator, or to the QCA, as the case may be from the State Pool Account a given in Table - II below:

Table - II: Deviation Charges in case of over injection

Sl. No.	Absolute Error in the 15 minute time block	Deviation Charges payable to wind or solar generator
1	$\leq 15\%$	At the Fixed Rate for excess energy up to 15%
2	$> 15\%$ but $\leq 25\%$	At the Fixed Rate for excess energy up to 15% + 90% of Fixed Rate for excess energy beyond 15% and up to 25%
3	$> 25\%$ but $\leq 35\%$	At the Fixed Rate for the excess energy up to 15% + 90% of the Fixed Rate for excess energy beyond 15% and up to 25% + 80% of the Fixed Rate for excess energy beyond 25% and up to 35%
4	$> 35\%$	At the Fixed Rate for excess energy up to 15%+ 90% of the Fixed Rate for balance energy beyond 15% and up to 25% + 80% of the Fixed Rate for excess energy beyond 25% and up to 35% + 70% of the Fixed Rate for excess energy beyond 35%

Note: The Fixed Rate in Tables-I and II above shall be the Power Purchase Agreement (PPA) rate as determined by the Appropriate Commission under section 62 of the Act or the rate adopted by the Appropriate Commission under section 63 of the Act. In case of multiple PPAs, the weighted average of the PPA rates shall be taken as the Fixed Rate. The wind and solar generators shall furnish the PPA rates on affidavit to the SLDC, supported by a copy of the PPA, for the purpose of Deviation charge account preparation.

Fixed Rate for Open Access participants selling power which is not accounted for Renewable Purchase Obligation compliance of the buyer, and the captive wind or solar plants shall be the Average Power Purchase Cost (APPC) rate at the national level, as determined by the CERC from time to time.

- c) With reference to clauses (a) and (b) as above, for balancing of deemed Renewable Purchase Obligation (RPO) compliance of buyers with respect to schedule, deviations by all wind and solar generators which are selling power outside the State boundary shall first be netted off for the entire pool on a monthly basis and any remaining shortfall in renewable energy generation must be balanced through purchase of equivalent solar and non-solar Renewable Energy Certificates (RECs),

as the case may be, by SLDC by utilising funds from the State Pool Account. For positive balance of renewable energy generation, equivalent notional REC shall be credited to the State Pool Account and carried forward for settlement in future.

- (d) 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 any other action under the Act or Regulations there under, disallow any charges for Deviation received by such generating company or the seller during the period of such gaming.

(By Order of the Commission)

Hyderabad,
21.08.2017.

Dr.A .SRINIVAS
Secretary (i/c)

REGULATION NO. 2 OF 2020

Andhra Pradesh Electricity Regulation Commission
(Terms and Conditions of Appointment and Payment of Remuneration to
Empanelled Advocate) Regulation, 2020

Amendment

1. First Amendment vide Regulation No. 02 of 2021, dated 18-02-2021

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No. APERC/Secy/F.No.S-19/2020 (Vol-2) Date: 27.10.2020

NOTIFYING THE APERC REGULATION

REGULATION NO. 2 OF 2020

INTRODUCTION

This Commission has, by way of APERC (Adaptation) Regulation, 2014 adapted all the Regulations made by the erstwhile Andhra Pradesh Electricity Regulatory Commission. Accordingly, the following two Regulations were being followed by this Commission since its constitution consequent to the bifurcation of the united State of Andhra Pradesh:

1. The Advocate on Record for Andhra Pradesh Electricity Regulatory Commission in Supreme Court (Appointment, condition of appointment and Remuneration) Regulations 1999. (Regulation No.5 of 1999)
2. Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions of Appointment and Payment of Remuneration to Standing Counsel/ Counsel) Regulation, 2013 (Regulation 8 of 2013).

As the above two Regulations have become quite dated and there arose a need to have a consolidated Regulation on the subject matter, the Commission decided to frame a new Regulation. Accordingly, a draft Regulation was prepared and put up in Public domain on 15.09.2020 inviting comments from the Public by 09.10. 2020. No comments / views were received from the Public on the proposed draft Regulation.

Therefore, in exercise of the powers conferred on it by Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it on that behalf, the Andhra Pradesh Electricity Regulatory Commission notifies the following Regulation.

Andhra Pradesh Electricity Regulatory Commission (Terms & Conditions of Appointment and Payment of Remuneration to Empanelled Advocate) Regulations, 2020

PART I

Title and Commencement

1. Short title & commencement

- (i) These regulations may be called the "Andhra Pradesh Electricity Regulatory Commission (Terms & Conditions of Appointment and Payment of Remuneration to Empanelled Advocate) Regulations,

2020".

- (ii) They shall come into force with effect from their date of publication in the official gazette.

2. Definitions:

- (i) **'APTEL'** means the Appellate Tribunal for Electricity established under Section 111 of the Electricity Act, 2003 by the Government of India.
- (ii) **'Commission'** means Andhra Pradesh Electricity Regulatory Commission and includes any other officer authorized by the Andhra Pradesh Electricity Regulatory Commission.
- (iii) **'Advocate'/ 'Legal Practitioner'** shall have the meaning assigned to it in clause (i) of Section 2 of the Advocates Act, 1961 (25 of 1961)
- (iv) **'Advocate-on-Record'** means an advocate who is entitled under order IV of Supreme Court Rules, 2013 to act as well as to plead for a party in the Supreme Court.
- (v) **'Empanelled Advocate'** means an advocate who is empanelled by the Commission to represent it before the Supreme Court, APTEL or the High Court of Andhra Pradesh.
- (v) **'Senior Advocate'** is any Advocate so designated under sub-section(2) of Section 16 of the Advocates Act, 1961.

PART II Supreme Court

3. Appointment:

- a) The Commission may prepare a panel of Advocates on Record, who shall have a minimum standing of ten years in the Supreme Court to represent it in the Supreme Court.
- b) Period of appointment: a) the validity of the panel of advocates shall be for a period of three years in the first instance and may be continued for such time as the Commission may by order direct.
- c) Deletion from panel: The empanelment of an Advocate on Record, to represent the Commission before the Supreme Court, is terminable any time on three months' notice in writing on either side and the Commission is not required to give reasons for such termination.

PART III

APTEL

4. Appointment:

- a) The Commission may prepare a panel of advocates, who shall have a minimum standing of ten years at the bar to represent it before the APTEL.
- b) Period of appointment: The validity of the panel of advocates shall be for a period of three years in the first instance and may be continued for such time as the Commission may by order direct.
- c) Termination of appointment: The empanelment of an advocate, to represent the Commission before the APTEL, is terminable on three months' notice in writing on either side and the Commission is not required to give reasons for such termination.
- d) The Commission may choose to empanel an advocate to represent it both before the Supreme Court and APTEL.

PART IV High Court

5. Appointment:

- a) The Commission may prepare a panel of advocates, who shall have a minimum standing of ten years in the High Court, to represent it before the High Court of Andhra Pradesh.
- b) Period of appointment: The validity of the panel of advocates shall be for a period of three years in the first instance and may be continued for such time as the Commission may by order direct.
- c) Termination of appointment: The empanelment of an advocate, to represent the Commission before the High Court of Andhra Pradesh, is terminable on three months' notice in writing on either side and the Commission is not required to give reasons for such termination.

PART-V Senior Advocate

6. Appointment :

- a) The Commission, if it so desires, or on the advice of the Empanelled Advocate, who is representing the Commission, may appoint a Senior Counsel in any case.
- b) The quantum of fees payable to the Senior Advocate and terms of

engagement shall be fixed on a case to case basis.

PART-VI
Duties and Responsibilities

7. The following are the duties and responsibilities of the Empanelled Advocate:

- (a) The Empanelled Advocate before all the fora shall appear only when the case is specifically entrusted to him for entering appearance. They are not entitled to claim any fees, unless they enter appearance on instructions.
- (b) The Empanelled Advocate shall not appear against the Commission in the case or cases, which are entrusted to them and in the cases which have similar issues. They shall not represent or give opinion or advise others in such cases against the interests of the Commission, either directly or indirectly.
- (c) The Empanelled Advocate shall have the right to represent for and on behalf of any other client in any case or matter, which shall not, however, interfere with or be in conflict with the issues involved in the cases entrusted to him to represent the Commission.
- (d) The Empanelled Advocate shall not advise any party or accept any case or matter against the Commission, any member or its officers or employees, or any case or matter in which he has appeared or tendered his advice.
- (e) The Empanelled Advocate, unless instructed in writing by the Commission, shall not delegate any case, brief or assignment given to him to any other advocate other than his office colleagues in usual course but shall deal and necessarily appear for the effective hearings by himself.
- (f) The Empanelled Advocate shall coordinate or cooperate with any other advocate that may be engaged to appear in any case or matter by the Commission.
- (g) The Empanelled Advocate shall maintain absolute secrecy and confidentiality about the case or matter of the Commission.
- (h) The Empanelled Advocate shall accept such other terms and conditions of the empanelment as may be determined by the Commission from time to time.
- (i) Cases involving similar issues or matters or otherwise interlinked or

clubbed may be entrusted to the same Empanelled Advocate as far as possible, unless otherwise found necessary.

- u) The Empanelled Advocate shall not necessarily be for a particular Court and shall accept any case or matter assigned to him and shall not refuse to accept any professional task without reasonable cause.
- (k) The Empanelled Advocate shall not refuse to accept any assignment otherwise than on grounds of ill health, conflict of interest or any other reason to the satisfaction of the Commission.
- (1) The engagement or allotment of cases or matters to the Empanelled Advocate shall be at the discretion of the Commission.
- (m) During the term of the empanelment and thereafter, any confidential information relating to the Commission, any officer, employee or representative of the Commission obtained by the Empanelled Advocate, under or by virtue of the empanelment, shall be maintained as professional communication within the meaning of Section 126 of the Indian Evidence Act, 1872 (1 of 1872) and he shall not disclose the information to any person without the prior written consent of the Commission, unless such information is required to be disclosed in pursuance of an order of any competent court, tribunal exercising jurisdiction.
- (n) The Empanelled Advocate shall appear in the cases assigned to him and also appear before Trial courts, Tribunals and any other statutory bodies as and when required.
- (o) The Empanelled Advocate must submit quarterly reports of the Commission matters pending with them and keep the Commission informed about the important developments in the case from time to time particularly with regard to drafting, filing of papers, dates of hearing of the case, order etc.
- (p) The Empanelled Advocate must prepare the draft of the Application/Petition/Counter Affidavits which are to be filed before the adjudicating authorities. However, the same shall be filed after obtaining the prior written approval of the Commission.
- (q) Upon termination, suspension or non-renewal of empanelment, as the case may be, the Empanelled Advocate shall handover the case file or matter forthwith to another Empanelled Advocate appointed by the Commission along with all documents and records connected thereto duly marked and flagged with his no objection certificate.
- (r) Mere empanelment of an advocate shall not bind the Commission necessarily to assure him of engagement in any case or to obtain any

service from him or to pay any fee or charges therefor.

- (s) The allotment of a case or matter to an Empanelled Advocate shall be solely at the discretion of the Commission.

PART-VII

Fees and Expenses

8. **Supreme Court:** The scale of fees and expenses payable to the Empanelled Advocate representing the Commission shall be as specified in the Schedule-I appended.
9. **APTEL:** The scale of fees and expenses payable to the Empanelled Advocate representing the Commission shall be as specified in the Schedule-II appended.
10. **High Court:** The scale of fees and expenses payable to the Empanelled Advocate representing the Commission shall be as specified in the Schedule-III appended.
11. Notwithstanding the above, the Commission reserves its power to fix special fees to the counsel engaged by it before any court or forum having regard to the importance of the case(s) and the standing/stature of the counsel so engaged. Further the Commission may at its discretion, pay enhanced fees to the Empanelled Advocate if it is satisfied that the counsel was required to devote substantial professional time and make special efforts for preparation and presentation of a case.
12. **Expenses:** The expenses reimbursable shall be as specified in the Schedule-IV appended.
13. **Legal Opinions:** The scale of fees payable for legal opinion is as specified in the Schedule-V appended.
14. Where the Empanelled Advocate is required to visit any Court situated outside his ordinary place of practice in connection with any case or matter, he shall be entitled to claim expenses as mentioned in the applicable appended Schedule.
15. Commission shall decide the fee or reimbursement of expenses in cases that are not covered in the Schedule.
16. **Payment of Reduced Fees in certain Cases:**
 - (a) A reasonable fee will be allowed when the Court awards only proportionate costs recoverable by the Commission from the other party.

- (b) No fee shall be paid for non-appearance in a Court by the Empanelled Advocate or where he seeks adjournment without any instruction for adjournment from the Commission or on account of his personal reason or where the case got adjourned due to non functioning of Court for whatever reason.
- (c) Only one set of fees shall be payable to the Empanelled Advocate where more parties than one on behalf of the Commission are in the array of parties.

17. Payment of Reasonable fees when engagement becomes terminated in pending cases:

In case the engagement of the Advocate in any case or cases or generally on behalf of the Commission becomes terminated either by reason of resignation or giving up of the case by the Commission or by the expiry of the term or by the Commission terminating the services of the Empanelled Advocate for any reason and the case is still pending for completion, the Commission shall have the full discretion to fix such fees irrespective of the case or cases as it considers reasonable having regard to the work done in the case or cases till the date of such termination of service.

18. No retainer fee shall be paid to any Empanelled Advocate.

19. Method of Payment of fee:

- (a) The Empanelled Advocate, if the engagement is on lump sum basis, shall submit the professional fee bill claiming 50% of the fees as per the Schedule during pendency of the case and the balance 50% shall be claimed after its disposal, which shall be claimed by an invoice along with the certified copy of order or judgment.
- (b) Where the bill relates to a claim for appearance fee, Empanelled Advocate shall submit a professional fee bill, indicating the date of appearance and also provide the details of such hearing.
- (c) Where the bill relates to legal opinion or other reference, the Empanelled Advocate shall submit a professional fee bill, by duly enclosing the legal opinion along with the copy of the request or reference sought by the Commission.
- (d) The claim for reimbursement of expenses or expenditures for outstation conveyance, boarding and lodging shall be claimed by producing necessary voucher or bill or undertaking to the satisfaction of the Commission.
- (e) The Commission shall process payment of bills within a period of two months from the date of submission if the claim is complete in all respects.

- (f) The payments shall be subject to tax deduction at source, goods and service tax or such other taxes as applicable from time to time.
- (g) An Empanelled Advocate shall be paid in advance, the filing expenses namely court fee, photocopying /cyclostyling charges etc., on a rough estimate filed with the Commission. The Empanelled Advocate shall however, file with the Commission an account of monies received from the Commission quoting the Commission's communication of sanction of such monies.
- (h) All claims of fees and expenses shall be accompanied by necessary proof in support of the claims made.

PART VIII

Miscellaneous

20. Interpretation:

If any question arises relating to the interpretation of this Regulation, the decision of the Commission shall be final.

21. Termination:

All previous appointments of counsel, in whatever name were made before the commencement of these Regulations shall stand terminated on the commencement of these Regulations.

22. Power to Amend:

The Commission may, at any time add, vary, alter, modify, revise, and amend any provisions of this Regulation.

23. Power to remove difficulties:

The Commission may by order make such provisions or give such directions as it may deem necessary for the removal of any difficulty that may arise in giving effect to the provisions of this Regulation.

24. Repeal & Savings:

- (a) The Advocate on Record for Andhra Pradesh Electricity Regulatory Commission in Supreme Court (Appointment condition of appointment and Remuneration) Regulation, 1999 (Regulation No.5 of 1999) & Andhra Pradesh Electricity Regulatory Commission Terms

and Conditions of Appointment and Payment of Remuneration to Standing Counsel (Regulation 8 of 2013) stand repealed on the date of publication of this Regulation in the A.P. Gazette.

- (b) Notwithstanding such repeal, in respect of the pending cases, fees and expenses shall be payable as per 1) The Advocate on Record for Andhra Pradesh Electricity Regulatory Commission in Supreme Court (Appointment condition of appointment and Remuneration) Regulations 1999 (Regulation No. 5 of 1999) & 2) Andhra Pradesh Electricity Regulatory Commission Terms and Conditions of Appointment and Payment of Remuneration to Standing Counsel (Regulation 8 of 2013), as the case may be.
- (c) These Regulations apply to the cases filed before different fora on and/or from the date of their coming into force.

¹[SCHEDULE -I

An Empanelled Advocate engaged by the Commission to appear in the Supreme Court shall be paid fee as follows:

- (a) A daily fee of Rs. 35,000/- in each appeal during the final hearing. Where 2 or more appeals involving similar points are coming up for final hearing, the following amounts shall be payable for each day of appearance subject to a Maximum fee of Rs. 1,20,000/-.
 - (i) After the first case, from case no. 2 to 50 an amount of Rs. 15,000/- per case.
 - ii) Where the number of cases exceeds 50 but does not exceed 100, a fee of Rs. 7,500 /- per case no. 51 to 100.
 - iii) Where the number of cases exceeds 100 but does not exceed 200 a fee of Rs. 3,000/- per case no. 101 onwards.

Provided that the amount payable for a batch shall be subject to a maximum of Rs. 70,000/- per day and for 6 days in all.

- (b) A daily fee of Rs. 20,000/- in each appearance in miscellaneous matters like special leave petition, civil miscellaneous petition for stay etc subjected to a maximum fees of Rs. 1,20,000/-. Where 2 or more SLPs/ appeals are coming up for the miscellaneous hearing the following amounts shall be payable for each day of appearance:

¹ Sub. Schedule – I vide Reg No.02 of 2021

- (i) After the first case, from case no. 2 to 50 an amount of Rs. 10,000/- per case.
- (ii) Where the number of cases exceeds 50 but does not exceed 100 a fee of Rs. 5,000/- from case no. 51 to 100.
- (iii) Where the number of cases exceeds 100 but does not exceed 200 a fee of Rs. 2, 500/- from case no. 101 onwards.

Provided that the amount payable for a batch shall be subject to a maximum of Rs.50,000/- per day and for 6 days in all.

- (c) A separate reading fee @ 25% on the fees payable shall be paid if the reading material is more than 250 pages and above.]

²[SCHEDULE -II

An Empanelled Advocate engaged by the Commission to appear in the APTEL shall be paid fee as follows:

- a) In case of a single appeal, an amount of Rs. 20,000/- per appearance per day subject to a Maximum fee of Rs. 1,20,000/- will be paid.
- b) In case of more than one appeal, involving similar issue(s), an amount of Rs.10,000/- each per appearance per day in respect of each appeal shall be paid. For second and subsequent appeals subject to limiting the total of maximum fee of Rs. 40,000/- per day including the fee for the first case where a batch of cases are filed and heard together and for subject to a Maximum fee for Six days in all.
- c) No separate amount shall be payable in the IA's or towards any other expenditure and the same has to be met from the fee itself.
- d) A separate reading fee @ 25% on the fees payable shall be paid if the reading material is more than 250 pages and above.]

SCHEDULE-III

An Empanelled Advocate engaged by the Commission to appear in the High Court shall be paid fee as follows:

- a) In case of a single contesting writ petition or writ appeal, an amount of Rs. 20,000/- shall be paid; Rs. 10,000/- upon filing of Vakalat and balance amount of Rs. 10,000/- after disposal of the case. A separate fee of Rs. 5,000/- is payable when a counter affidavit is drafted and filed on the remarks furnished by the Commission.
- b) In a batch of contested cases i.e., where counters are filed, involving

² Sub. Schedule – II vide Reg No.02 of 2021

similar issues, an amount of Rs. 20,000/- shall be paid in respect of the 1st case only. For the second and subsequent cases the following amount is payable upon final disposal of the matter:

2 to 50	Rs. 5,000/- per case
51 to 100	Rs. 2,500/- per case
101 and above	Rs. 1,000/- per case
Subject to a maximum of Rs. 2,00,000/- per batch.	

- c) In a single non-contesting case, i.e., where no counter is filed and only appearance is entered, an amount of Rs. 10,000/- shall be paid. This applies to cases where no relief is claimed against the Commission or where the Commission is only a proforma party and that no order shall be eventually passed against the Commission.
- d) In a batch of non-contested cases involving similar issues, an amount of Rs. 10,000/- shall be paid in respect of the 1st case only. For the second and subsequent cases the following amount is payable upon final disposal of the matter:

2 to 50	Rs. 2,500/- per case
51 to 100	Rs. 1,250/- per case
101 and above	Rs. 750/- per case
Subject to a maximum of Rs. 1,00,000/- per batch.	

- e) The Empanelled Advocates are entitled to payment of any fees as above, only in cases where they are specifically instructed to appear and they entered appearance.
- f) Whenever necessary, the Commission may permit the Empanelled Advocate to engage services of a junior advocate. The junior advocate is entitled to a fee of Rs. 10,000/-. If such engagement is in a batch of cases, then a fixed sum of Rs. 50,000/- or 10% of actual fee paid to the Empanelled Advocate, whichever is less shall be paid.

Provided that the payment of fee to the junior advocate shall be made directly by the Commission, for which the Empanelled Advocate should furnish all the details required by the Commission beforehand.

- g) No separate amount shall be payable towards any other expenditure and the same has to be met from the fee itself.

SCHEDULE-IV

An Empanelled Advocate is entitled to claim the following expenditure which will be reimbursed by the Commission, subject to the provisions in this regulation.

- a) Vakalath expenditure depending on the Forum (This includes both

- the court fee stamp and the welfare stamp expenditure)
- b) Court fee as may be applicable to the Forum (the relevant rule should be intimated to the Commission while claiming the same.)
 - c) Process Fee, as applicable in the Forum concerned.
 - d) Typing, photocopying and wherever necessary cyclostyling of necessary papers.
 - e) Conveyance charges in case of travel outside the headquarters (normal place of practice for Empanelled Advocates at Supreme Court/ APTEL is New Delhi and Empanelled Advocate before High Court of Andhra Pradesh is Amaravati).
 - f) Postal expenditure where large number notices have to be sent either by registered or speed post upon dasti service being permitted either by the Supreme Court or APTEL or High Court.
 - g) Expenses incurred for airlifting voluminous records available with the Empanelled Advocate which are to be airlifted, if such a need arises.
 - h) Travel expenses where the Commission requires the Empanelled Advocate to travel to Hyderabad to discuss an important matter to be carried in appeal to the Supreme Court from High Court or APTEL.
 - i) Travel expenses where the Commission requires an Empanelled Advocate to travel to New Delhi to discuss/ assist another Empanelled Advocate / Senior Advocate in an important matter carried or likely to be carried in appeal to the Supreme Court from the High Court or APTEL.

SCHEDULE-V

- a) The quantum of fees payable to an Empanelled Advocate for obtaining legal opinion shall be fixed at Rs.10,000/- per opinion.
- b) In cases where the Commission consults the Advocate General or a designated Senior Counsel for opinion, it may pay such higher fees as it feels appropriate having regard to the nature and importance of the issue referred for opinion.

(BY ORDER OF THE COMMISSION)

Hyderabad,
Date: 27.10.2020.

C. RAMAKRISHNA
Commission Secretary (i/c).

REGULATION NO. 1 OF 2022

Andhra Pradesh Electricity Regulation Commission

(Terms and Conditions for Procurement / Sale of Power on Short Term basis
by the Distribution Licensees) Regulation, 2022

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No.APERC/Secy/F.No.S-19 (Vol.II)/D.No.93/2022. Dt: 10.02.2022.

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS FOR PROCUREMENT / SALE OF POWER ON SHORT TERM BASIS BY THE DISTRIBUTION LICENSEES) REGULATION, 2022.

Regulation 1 of 2022

Introduction:

A draft regulation "for procurement/sale of power on short term basis by the Distribution Licensees" was placed along with the public notice on the website of the Commission on 24.11.2021 inviting views/suggestions/objections from the stakeholders on the same. In response to the said public notice, the Commission received views/suggestions/objections from a number of stakeholders. After considering the views/ suggestions/objections received from the stakeholders on the draft Regulation vide the Commission's Statement of Reasons Order dated 09.02.2022, the Commission finalised the regulation.

Accordingly, the Andhra Pradesh Electricity Regulatory Commission, in exercise of the powers conferred on it by section 181 of the Electricity Act, 2003 read with section 86(1) (b) and all other powers enabling it in that behalf hereby makes the following Regulation:

1. Short title, Extent and Commencement

- i. This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions for short-term procurement/sale of power) Regulation, 2022.
- ii. This Regulation shall extend to the whole State of Andhra Pradesh.
- iii. This Regulation shall come into force from the date of its publication in the AP State Gazette.
- iv. This Regulation supersedes all the stipulations/guidelines/directions issued by the Commission in the matter of short-term power procurement/sale.

2. Definitions -

- (1) In this Regulation, unless the context otherwise requires:

- (a) **'Act'** means the Electricity Act, 2003;
 - (b) **'APTRANSCO'** means the Transmission Corporation of Andhra Pradesh Limited, a State Transmission Utility, fully owned by the Government of Andhra Pradesh State;
 - (c) **'Benchmark Price for short-term power procurement'** for a particular year means the per unit weighted average power purchase price of the licensees determined by the Commission for that year from the approved sources in the Retail Supply Tariff Order;
 - (d) **'Commission'** means Andhra Pradesh Electricity Regulatory Commission;
 - (e) **'Day'** means the period between 00.00 hrs to 24.00 hrs of any day of the week or a duration of 24 hours if the period overlaps two days of the week;
 - (f) **'Exchanges'** mean the Energy Exchanges that are approved and regulated by the Central Electricity Regulatory Commission;
 - (g) **'Licensees'** mean the distribution licensees in the State of Andhra Pradesh;
 - (h) **'Month'** means calendar month or 30 days if the period overlaps two calendar months;
 - (i) **'Short-term'** means a period up to one year;
 - (j) **'SLDC'** means Andhra Pradesh State Load Despatch Center;
 - (k) **'State'** means the State of Andhra Pradesh;
 - (l) **'Week'** means the period from 00:00 hours of Monday to 24:00 hours of Sunday or a period of 7 days;
 - (m) **'Year'** means financial year or 365 days if the period overlaps two financial years;
 - (n) **'The surplus energy'** means energy available from approved sources in excess of requirement during any time period including the surplus energy from wind and solar power plants due to must-run status.
- (2) Save as aforesaid and unless repugnant to the context or if the subject-matter otherwise requires, words and expressions used in this Regulation and not defined, but defined in the Act or other Regulations made there under by the Commission shall have the

meanings assigned to them in the Act or other Regulations made by the Commission.

- (3) Reference to any Act, Rules, Regulations, or Guidelines shall include amendments.

3. Demand Estimation methodology

The monthly estimation of demand for each block of 15 minutes duration shall be carried out by SLDC based on historical data, demand forecasts by the licensees, latest available Artificial Intelligence (AI) tools like deep/machine learning (to be used by both the licensees and SLDC), etc. The weekly and day-ahead demand estimations by SLDC shall take into consideration weather forecasts also in addition to the above data. The efficacy of AI tools to forecast the demand accurately vis-a-vis the actual demand shall be assessed periodically and if necessary, improvements to algorithms may be carried out to improve the accuracy of the estimates.

4. Monthly Power Procurement

By the 10th of every month, each licensee shall separately communicate to SLDC its estimation of demand for each block of 15 minutes duration for the immediate following month. SLDC after assessing the demand based on its own estimate for the State (excluding OA demand) as a whole vis-a-vis demand communicated by all the licensees and availability of power from all the approved sources (after taking into account the maintenance schedules of generating stations, transmission constraints, generation and transmission capacities likely to be added in the next month) shall communicate to the licensees the power required to be procured by each of them on a short-term basis for the following month within three working days from the date of receipt of demand estimations from the licensees. Upon receipt of the communication from SLDC, the licensees shall float tenders on the national DEEP e-bidding portal and/ or bid from power exchanges to procure the power communicated by SLDC. Within three working days of the close of the bidding, the licensees shall place before the Commission the details of the quantum of power and prices offered by each of the bidders in response to their tenders along with the licensees' analysis on the bids received and also the quantum of power and the prices at which

they intend to purchase the same if the prices discovered are above the 'Benchmark Price for short-term power procurement' fixed by the Commission. After analysing the above information, the Commission will communicate its decision on whether to proceed with the procurement within a week's time indicating the quantum of power and the prices at which the power should be procured and the conditions, if any, to be complied with by the licensees. However, in cases where the discovered price per unit is less than the 'Benchmark Price for short-term power procurement' fixed by the Commission, the licensees may procure such power and seek ratification from the Commission within a fortnight of placing the orders.

5. Weekly Power Procurement

By the Wednesday of every week, SLDC after assessing the demand based on its own forecast for the whole State (excluding OA demand) and availability of power from all the approved sources including the availability of power from the sources on a short-term basis under the monthly power procurement plan and after taking into account the maintenance schedules of generating stations, transmission constraints, generation and transmission capacities likely to be added in the next week, shall communicate to the licensees the short-term power requirement for the immediate following week. The licensees may procure power as communicated by the SLDC in the power exchanges. All such weekly purchases shall be got ratified by the Commission fortnightly.

6. Day-ahead Power Procurement

Every day by 10 AM, SLDC after assessing the demand based on its own forecast all over the State (excluding OA demand) and availability of power from all the approved sources including the availability of power from the sources on a short-term basis under monthly & weekly power procurement plan after taking into account the maintenance schedules of generating stations and transmission constraints shall communicate the power requirement for the next day to the licensees. The licensees may procure power as communicated by the SLDC in the DAM (Day-Ahead Market in

power exchanges). All such Day Ahead purchases shall be got ratified by the Commission fortnightly.

7. Intraday purchases

The licensees/SLDC shall have modern software tools/ models in place to estimate the demand 8-10 time blocks ahead. When there is less generation from approved sources compared to the forecast /schedule leading to a gap between supply and demand during intraday, the licensees may meet the gap by procuring the required power from the Real-Time/ intraday market of the exchanges. The details of the quantum of energy procured time block wise during each day to meet the shortage, save power purchase cost and maintain grid security shall be maintained separately. All such intraday purchases shall be got ratified by the Commission fortnightly.

8. Bilateral Purchases & Procurement for more than a month

Under no circumstances, the licensees shall purchase energy through bilateral contracts except from the sources expressly approved by the Commission. For example, those sources where the PPAs have expired or through Banking /Swapping/ Forward contracts and if the licensees desire to procure power from such sources, they shall first approach the Commission with the proposal at least 15 days in advance before the date of commencement of power procurement. The Commission will then examine the proposal of the licensee(s) case by case and grant approval, if necessary, after considering all the relevant factors. Banking/ Swapping is permitted bilaterally with the prior approval of the Commission till the guidelines are issued by the Ministry of Power in this regard which the DISCOMs can then follow. The Licensees may also float tenders in DEEP e-bidding portal or bid from power exchanges for a period of more than a month and up to one year if they desire for a base capacity with the prior approval of the Commission.

9. Criteria for ratification of short term procurement/sales by the Commission

The short term power procurement shall not result in backing down of cheaper power from thermal power plants approved in the Retail Supply

Tariff Order in that year. However, backing down of the approved thermal power plants is permitted when the per unit landed price of short term power at AP state periphery is less than the marginal cost of the approved thermal station(s) in the merit order or there is a threat to grid security. The purchase of short term power in case its unit price exceeds 'the benchmark price' shall be justified by the licensees. Further, the sale of power shall not result in the imposition of load reliefs and additional financial burden on the DISCOMs. In addition to the above, the licensee shall strictly comply with the guidelines of MoP and regulations/directions of the Commission for short-term procurement/sales in all applicable cases.

10. Ministry of Power Guidelines on short-term power procurement

The guidelines/procedure prescribed by the Ministry of Power, GoI for short-term power procurement in various orders issued from time to time shall be scrupulously followed by licensees while procuring short-term power. These guidelines will not be applicable for energy purchases from the exchanges and through Banking/Swapping arrangements.

11. Placing of information on websites

The monthly/weekly/day-ahead power requirement communicated by SLDC to the licensees and the monthly/weekly/day-ahead/intraday power procurements/Sale by the licensees shall be made available on the websites of the licensees and SLDC within 48 hours of such procurements/sale with ease of access to the current as well as archived data.

12. Reserve shutdown

Under no circumstances, approved generators shall be kept under reserve shutdown on the pretext of saving power purchase costs unless such shutdowns result in saving of overall power purchase costs. All such "reserve shutdown/revival from shutdown" details shall be placed before the Commission within 48 hours of such shutdowns/revival with a detailed justification report for shutdowns till the Commission finalises regulations/guidelines on reserve shutdown of approved sources and their revival from reserve shutdown. The DISCOMs may conduct "unit commitment modeling exercise" on a weekly basis for taking informed

decisions on reserve shutdowns.

13. Sale of Surplus power

The licensees shall make all efforts to sell the surplus power that is available during certain time blocks/periods through the exchanges, DEEP e-bidding portal or through Banking/Swapping/Forward contracts provided such sales do not lead to the imposition of load reliefs and/or increase in overall power purchase costs. All such sales shall be got ratified by the Commission fortnightly.

14. Constitution of a dedicated cell

A common round the clock dedicated cell comprising at least one officer of the rank of General Manager from each DISCOM shall be constituted by the three DISCOMs within one month from the regulation coming into force. Each General Manager shall be assisted by one Executive Engineer and one Deputy" Executive Engineer to be available in each shift. The cell shall have the power to purchase/sell the energy in real-time, intraday, day-ahead, week ahead or any longer duration through Power Exchanges. The cell shall prepare weekly reports on the purchases, sales & savings in costs achieved and submit them to the Commission. The licensees shall frame suitable guidelines for the modus operandi of the dedicated cell in line with the spirit of this Regulation and seek the approval of the Commission for the same within 45 days from the coming into force of this Regulation.

15. Computation of landed prices of short-term procurement

While computing the per unit landed prices of short-term power at AP state periphery particularly when the power is procured from the power exchanges by backing down/reserve shutdown of the approved thermal stations with the intention of reducing the power purchase costs, the licensees shall add the per unit transmission costs, LDC/scheduling costs, energy losses converted into cash, transmission deviation charges plus 25 paise (towards other incidental /associated costs) to the per unit procurement price in the power exchanges provided that the approved sources under operation shall not be backed down to operate below the technical limits as specified in the

Indian Electricity Grid Code(IEGC), till the Commission finalises guidelines on the landed cost. The landed cost is not relevant when energy is purchased to meet the shortages and/or to maintain grid security.

16. Real-Time Data

The SLDC shall make available the real-time data of generation from all the sources/generators and demand to the dedicated monitoring cell of the licensees, and the Commission.

17. Furnishing of the information to the Commission

The licensees shall submit the following periodical information on short-term procurement to the Commission through email:

- a. The details of real-time/intraday/day-ahead market power procurements and sales (block-wise quantum of power and rate per unit) by the end of every day.
- b. The details of weekly power procurement and sales in TAM (Term Ahead Market) for the next week and power supply status for the immediate previous week by the end of Wednesday of the present week.
- c. The details of power procurements and sales for the next month and power supply status for the immediate previous month by the end of the 10th day of the present month.

The daily/weekly/monthly reports of the licensees shall also include the shut down/breakdown/generation details of the approved sources in the Retail Supply Tariff Order supported by the data furnished by the generators. Further, the reports shall clearly indicate day wise/block wise details of the breakup of the energy procured to meet the shortages, maintain grid security (intra-day) and save power purchase costs.

18. Power to relax time limits

The Commission may relax the time limits specified in this Regulation for various activities for sufficient reasons to be recorded in writing.

19. Powers to remove difficulties

If any difficulty arises in giving effect to the provisions of this Regulation, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

20. Power to amend

The Commission may, at any time, add, vary, alter, modify, delete or amend any provisions of this Regulation.

21. Power to dispense with the requirement of the Regulation

The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties, to dispense with the requirements of any provision of this Regulation in a specific case or cases subject to such terms and conditions as may be specified.

22. Savings

- (i) The provisions of this Regulation shall be in addition to and not in derogation of the provisions of any other law or rules or regulations or scheme or contract for the time being in force.
- (ii) Subject to the provision of the Act and this Regulation, the Commission may, from time to time, issue orders and practice directions with regard to the implementation of this Regulation and procedure to be followed on various matters which the Commission has been empowered by this Regulation to specify or direct.
- (iii) Nothing in this Regulation shall bar the Commission from adopting a procedure which is at variance with any of the provisions of this Regulation, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient.

(By order of the Commission)

Place: Hyderabad,
Date: 09.02.2022.

C. RAMAKRISHNA
Commission Secretary(i/c)

REGULATION NO. 5 OF 2022

Andhra Pradesh Electricity Regulation Commission
(Renewable Power Purchase Obligation – Compliance by Purchase of
Renewable Energy / Renewable Energy Certificates)
Regulation, 2022

Amendment

1. First Amendment vide Regulation No. 06 of 2023, dated 14-07-2023

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr.No.APERC/Secy F.No.S-19 (Vol.II) /D.No.598/2022 Date: 29-09-2022.

APERC RENEWABLE POWER PURCHASE OBLIGATION (COMPLIANCE BY PURCHASE OF RENEWABLE ENERGY / RENEWABLE ENERGY CERTIFICATES) REGULATIONS, 2022.

REGULATION No.5 OF 2022

Introduction:

Renewable Power Purchase obligation was specified by this Commission on the obligated entities for the period from 01.04.2017 to 31.03.2022 vide the APERC Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy/Renewable Energy Certificates) Regulations, 2017. Such an obligation needs to be specified for the period subsequent to FY 2021- 22 onwards. Therefore, in exercise of the powers conferred under sections 61(h), 66, 86(1) (e), and 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following Regulations for specifying the obligation for purchase of Renewable Power and its compliance by the purchase of Renewable Energy/Renewable Energy Certificates:

1. **Short title and commencement:**

- (i) These Regulations may be called the APERC Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy/ Renewable Energy Certificates) Regulations, 2022.
- (ii) These Regulations shall come into force with effect from the date of their publication in the official Gazette.
- (iii) These Regulations shall apply throughout the State of Andhra Pradesh.

2. **Definitions and Interpretation:** In these Regulations, unless the context otherwise requires,

- (a) '**Act**' means the Electricity Act, 2003 (36 of 2003) as amended from time to time;
- (b) '**Central Agency**' means the agency operating the National Load Dispatch Centre (NLDC) or such other agency as the Central Commission may designate from time to time;

- (c) **'Central Commission'** means the Central Electricity Regulatory Commission constituted under section 76 of the Act;
- (d) **'Commission'** means the Andhra Pradesh Electricity Regulatory Commission constituted under section 82 of the Act;
- (e) **'Hybrid Energy Sources'** means two or more Renewable Energy Sources used together or any single Renewable Energy Source coupled with any Storage Technology (Battery and/or Pumped Storage utilising renewable energy to store energy, etc.) to provide increased system efficiency as well as greater balance in energy supply.
- (f) **'MNRE'** means the Ministry of New and Renewable Energy;
- (g) **'Month '** means calendar month;
- (h) **'Obligated Entity'** means an entity obligated to purchase renewable power under clause (3) of these Regulations;
- (i) **'Open Access Consumer '** means a consumer availing open access under sub-section (2) of Section 42 of the Act;
- (j) **'Pooled Cost of Power Purchase'** means the weighted average pooled price at which the Distribution Licensee has purchased electricity in the previous year from all the long-term energy suppliers excluding the purchases based on the usage of liquid fuel or annual weighted average rate of market purchases by the DISCOMs whichever is lower. Provided that the purchases from renewable sources shall not be taken into account while determining the 'Pooled Cost of Power Purchase';
- (k) **'Power Exchange'** means a power exchange as defined under sub-clause (as) of clause (1) of Regulation 2 of the Central Electricity Regulatory Commission(Power Market) Regulations, 2021 as amended from time to time;
- (l) **'Renewable Energy Certificates (RECs)'** means the Renewable Energy Certificates issued by the Central Agency in accordance with the Regulations specified in the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 as amended from time to time;
- (m) **'Renewable Energy Sources'** means renewable sources such as cogeneration plants including WHRS (Waste Heat Recovery System)

plants irrespective of the type of fuel utilised, Hydel, Pumped Hydro Storage utilising Renewable Energy, Municipal Waste, Industrial Waste, Biomass, Bagasse, Wind, Solar, Hybrid Energy Sources, biofuel cogeneration, Geo- thermal, Tidal and such other sources as recognized or approved by MNRE;

- (n) **'RESCOs'** means Rural Electric Cooperative Societies in the State of Andhra Pradesh.
- (o) **'RPPO'** means Renewable Power Purchase Obligation specified under clause (3) of these Regulations;
- (p) **' State Agency'** means the State Load Despatch Centre of the State of Andhra Pradesh established under sub-section (1) of section 31 of the Act or any other agency so designated by the Commission under Clause (5.5) of these Regulations to act as the agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these Regulations;
- (q) **'Year'** means Financial Year;

Words and expressions used in these Regulations and not defined herein, but defined in the Act or the Rules or Regulations issued by the Central Commission or any other Regulations issued by the Commission, shall have the same meaning assigned to them respectively in the Act or the rules or such Regulations issued by the Central Commission or by the Commission.

3. Renewable Power Purchase Obligation (RPPO):

- 3.1 Every Distribution Licensee shall purchase from renewable energy sources at the tariff determined by the Commission under Section 62 of the Act or at tariffs discovered through a transparent process of bidding u/s 63 of the Act and adopted by the Commission, minimum quantities of electricity expressed as a percentage of its consumption of energy for different periods as specified in Table-I below.

TABLE-I

Period	From the date of publication of these Regulations in the official gazette to the end of FY 2022-23	FY 2023-24	FY 2024-25	FY 2025- 26	FY 2026-27
RPPO, i.e. the minimum quantity of renewable electricity to be purchased as a percentage of total consumption	18%	19%	20%	22%	24%

Provided that the consumption of renewable energy by a Distribution Licensee from its own sources shall also be counted towards the fulfillment of RPPO by such a Licensee;

Provided further that the purchase of renewable energy by a Distribution Licensee from Power Exchanges shall also be counted towards the fulfillment of RPPO by such a Licensee;

Provided further that the quantum of electricity generated by a Consumer from the Roof-top Solar PV System under the net metering arrangements shall, if such consumer is not an obligated entity, qualify towards meeting the RPPO of the Distribution Licensee.

The Distribution Licensee shall install, at its own cost and with the consent of the Consumer, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System, if it desires that such energy be counted towards meeting its RPPO. The Solar Generation Meter shall be maintained by the Distribution Licensee at its own cost.

Provided that the Distribution Licensee need not install separate meters if the existing meters at the appropriate locations in the roof-top solar plants meet the requirements specified in the CEA Metering Regulations

Provided further that the purchases made from solar roof-top projects under the gross metering scheme, purchases made at mutually agreed prices and all such renewable energy for which the generator(s) does/do not claim RECs shall also be counted towards the fulfilment of RPPO specified in Table-I;

Provided further that the purchase of renewable energy by a Distribution Licensee from other Distribution Licensees in the State of Andhra Pradesh shall also be counted towards the fulfillment of RPPO by such a licensee;

Provided further that the purchase of RECs issued under the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 as amended from time to time, shall also be counted towards fulfillment of RPPO specified in Table-I;

Provided further that if the Distribution Licensee intends to fulfil the RPPO for a particular financial year through self-retention of RECs obtained for that financial year, it shall apply to the State Agency for such self-retention;

Provided further that the Distribution Licensees are allowed to fulfil the RPPO for the last quarter of a financial year during the first quarter of the succeeding financial year;

Provided further that every Distribution Licensee in the State of Andhra Pradesh shall compulsorily procure 100% power produced from all the Waste-to-Energy plants geographically located in its area of supply, at the tariff determined by the Commission under Section 62 of the Act;

Provided further that the renewable energy purchased shall be offset towards the RPPO of the Distribution Licensees, only if the generator(s) from whom the Licensee purchases such energy does/do not claim RECs on such energy.

Provided further that the renewable power procured by the Distribution Licensees from renewable energy sources bundled with coal/lignite based thermal generation shall be counted towards the fulfilment of RPPO;

Provided further that the energy consumption of a RESCO, if any, located in the area of a Distribution Licensee shall be taken into account for calculating the energy consumption of that Distribution Licensee for the purpose of computing its RPPO under these Regulations. There shall be no separate RPPO on the RESCOs;

Provided further that the State Agency shall submit the details of the surplus renewable energy purchased by the Distribution Licensees in a particular financial year as per clause 3.1 of these Regulations that is over and above their RPPO, to the Commission within one month from the end of that financial year;

Provided also that the Commission may, either on its own motion or on the recommendation of the State Agency or on receipt of an application from the Distribution Licensee(s), revise for any year the RPPO percentages specified in Table-I of these Regulations as deemed appropriate.

- 3.2 Every Open Access Consumer in the State of Andhra Pradesh shall purchase from renewable energy sources, minimum quantities of electricity expressed as a percentage of his consumption of energy through open access for different periods as specified in TABLE- I under clause 3.1 of these Regulations.

Provided that the purchase of renewable energy by the Open Access Consumer from Power Exchanges shall also be counted towards the fulfilment of RPPO by such an Open Access Consumer;

¹[Provided that the purchase of Renewable Energy by the Open Access Consumer from the Distribution Licensee as per the procedure stipulated in clause 3.4 of this regulation shall also be counted towards the fulfillment of RPPO by such an Open Access Consumer];

Provided further that the quantum of electricity consumed by the Open Access Consumer from the Roof-top Solar PV System under the Net Metering Arrangement shall qualify towards compliance of RPPO;

The Open Access Consumer shall install, at his own cost, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System, if he desires such energy to be counted towards meeting his RPPO;

Provided that the renewable power procured by the Open Access consumers from renewable energy sources bundled with coal/lignite based thermal generation shall be counted towards the fulfillment of RPPO;

Provided further that the renewable energy purchased shall be offset towards the RPPO of the Open Access Consumer only if the generator(s) from whom he purchased such energy does/do not claim RECs on such energy;

Provided further that the purchase of Renewable Energy Certificates issued under the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2022 as amended from time to time, shall also be treated as the fulfillment of the RPPO specified in Table-I;

Provided further that if the Open Access Users intend to fulfil their RPPO for a particular financial year through self-retention of RECs obtained for that financial year, they shall apply to the State Agency

¹ Ins. from [Reg.No.6 of 2023](#), dated 14.07.2023

for such self-retention;

Provided further that the Open Access Users are allowed to fulfil the RPPO of last quarter of a financial year during the first quarter of the succeeding financial year;

Provided further that the State Agency shall submit the details of the surplus renewable energy purchased by the Open Access Consumers in a particular financial year that is over and above their RPPO, to the Commission within one month from the end of that financial year;

Provided further that the Commission may, either on its own motion or on the recommendation of the State Agency or on receipt of an application from the Open Access User(s), revise for any year the RPPO percentages specified in Table-I of these Regulations as deemed appropriate.

- 3.3 Every consumer owning a captive generating plant of installed capacity of One (1) MW and above and Connected to the Grid, shall purchase from Renewable Energy sources / consume from his captive Renewable Energy Sources, minimum quantities of electricity expressed as a percentage of his consumption of energy from such captive generating plant for different periods as specified in TABLE-I under clause 3.1 of these Regulations.

Provided that the purchase of renewable energy by the Captive Consumer from Power Exchanges shall also be counted towards the fulfillment of RPPO by such a Captive Consumer;

²[Provided further that the purchase of Renewable Energy by the captive consumer from the Distribution Licensee as per the procedure stipulated in clause 3.4 of this regulation shall also be counted towards the fulfillment of RPPO by such a captive Consumer];

Provided further that the quantum of electricity consumed by the

² Ins. from [Reg.No.6 of 2023](#), dated 14.07.2023

Captive Consumer from the Roof-top Solar PV System under the Net Metering Arrangement shall qualify towards compliance of RPPO.

The Captive Consumer shall install, at his own cost, a Solar Generation Meter conforming to the applicable CEA Regulations at an appropriate location to measure the energy generated from the Roof-top Solar PV System, if he desires such energy to be counted towards meeting his RPPO.

Provided further that the renewable power procured by the Captive Consumers from renewable energy sources bundled with coal/lignite based thermal generation shall be counted towards the fulfillment of RPPO;

Provided further that the renewable energy purchased shall be offset towards the RPPO of the Captive User only if the generator(s) from whom he purchased such energy does/do not claim RECs on such energy;

Provided further that the purchase of RECs issued under the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 as amended from time to time, shall also be counted towards the fulfillment of RPPO specified in Table-I of these Regulations;

For the purpose of these Regulations, "Connected to the Grid" shall mean that the captive generating plant is connected with the network of the Distribution Licensee or the Transmission Licensee, as the case may be and is being operated in parallel with the network.

Provided that any generating plant not meeting the eligibility condition for a Captive Generating Plant as prescribed in Indian Electricity Rules, 2005, but having self-consumption, is also required to meet the RPPO as specified in Table- I of these Regulations;

Provided further that if the Captive Consumer intends to fulfil his RPPO for a particular financial year through self-retention of RECs obtained for the financial year, he shall apply to the State Agency for such self-retention;

Provided further that the Captive Consumers are allowed to fulfil the RPPO of the last quarter of a financial year during the first quarter of the succeeding financial year;

Provided further that the Commission may, either on its own motion or on the recommendation of the State Agency or on receipt of an application from the Captive Consumers, revise for any year the RPPO percentages specified in Table-I of these Regulations as deemed appropriate.

Note: - In case an obligated entity(ies) other than the distribution licensees intends/intend to install a co-located renewable energy generating plant within the premises of the its consumption so as to utilise the generation from such plant towards the fulfillment of RPPO, then such entity(ies) shall install meters of appropriate class of accuracy at appropriate locations for measurement of gross generation, Auxiliary consumption & Captive Consumption, and have them duly sealed by the concerned licensees. The concerned licensees shall take monthly readings, including MRI dumps for all such meters, for the purpose of accounting the energy towards RPPO of such obligated entity(ies).

³[3.4 Renewable Energy procurement from Distribution Licensee by obligated entities/ non-obligated entities at Green Tariff without need to change of category.

The obligated /non-obligated entities may purchase Renewable Energy from the Distribution Licensee in the following manner:

- i Any entity may elect to purchase Renewable Energy either up to a certain percentage of the consumption or its entire consumption and accordingly, they shall place a requisition for this with their distribution licensee, three months before the date of the commencement of the financial year during which the

³ Ins of new sub.clause 3.4 from [Reg.No.6 of 2023](#), dated 14.07.2023

entities intended to procure from FY 2024-25. For the balance period of FY 2023-24, the entities may place a requisition with their distribution licensee within one month from the date of this regulation coming in to force. Then, the distribution licensee shall procure such quantity of Renewable Energy and supply it to the entities concerned.

- ii. The obligated entities may purchase on a voluntary basis, more renewable energy than their obligation and up to a hundred percent. The percentage of renewable energy requisite by obligated/non-obligated entities from the distribution licensees shall not be less than RPO specified by the Government of India/APERC for the obligated entities whichever is higher for that financial year.
- iii. The Green Tariff for the Renewable Energy supplied by the distribution licensee for FY 2023-24 shall be 75 paise over and above the normally applicable tariff for respective entities as per the RST Order for FY 2023-24 issued by the Commission. This tariff for future years will be as per RST Orders to be issued by the Commission. The energy consumed at 75 paise over and above the normally applicable tariff out of the total energy consumed by the entities from the distribution licensees shall be treated as the Renewable Energy supplied by the distribution licensee during that billing month. The Distribution Licensee shall issue the monthly digital certificate (physical certificate on specific request) to such consumers certifying the quantity of Renewable Energy out of the total consumption.
- iv. All electricity consumers in the State have the option to source 100% Renewable Energy power by additionally paying above stated Green Tariff at their respective categories without to opt a separate category "Green Power" that is already in place as per RST Order approved by the Commission.
- v. Any requisition for Renewable Energy from a distribution licensee shall be for a minimum period of one year from FY 2024-25 and a balance period for FY 2023-24 and accordingly, month-wise energy shall be specified.

- vi. The Renewable Energy purchased from the distribution licensee in excess of the Renewable Purchase Obligation of an obligated entity and 100 percent of energy procured by the non-obligated entities shall be counted towards Renewable Purchase Obligation compliance of the distribution licensee;
- vii. The revenue earned by the distribution licensee from the sale of renewable energy to entities/consumers under the Green Tariff shall be considered as revenue from the sale of power. The Distribution Licensee shall separately maintain tariff category and sub-category wise accounting of no. of consumers, connected load, sale, and revenue from sale under the Green Tariff for consumers and the same shall be shown separately by the distribution licensees at the time of ARR filings, and truing up.
- viii. The distribution licensee shall give a green stars certificate on a yearly basis to the entities for the green energy supplied by it for Renewable Energy beyond the renewable purchase obligation (RPO) for obligated entities notified by the government of India/APERC whichever is higher. The entities/consumers shall be given Green Stars Rating based on Renewable Energy procurement during the financial year as below:
 - 100 percent of consumption : 5 Green Stars
 - 75 percent of consumption : 4 Green Stars
 - 50 percent of consumption : 3 Green Stars

Accordingly, the distribution licensee shall issue a "**Green Stars Certificate**" to all the eligible entities within three months after the completion of that financial year. The certificate format shall be as approved by the Commission. Such green stars shall be also indicated in their monthly bills based on the month wise requisitions for renewable energy and total consumption of the month as per the percentages indicated above.

- ix. Non-obligated entities of any category including the domestic consumers at any voltage level may opt to procure the Renewable Energy as per the procedure stated above.
- x. The Distribution licensees shall give wide publicity at regular intervals during the year about the availability of RE power

through newspapers/media/interaction meetings with the industrial consumers based on their Renewable Power procurement status.

- xi. The Commission will undertake a review of the Green Tariff, the above modalities during Retail Supply Tariff proceedings from time to time].

4. Certificates under the Regulations of the Central Commission:

- 4.1 The procurement by the obligated entity(ies) of RECs issued under the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2022 as amended from time to time, shall be subject to such directions as the Commission may issue from time to time.
- 4.2 The RECs purchased by the obligated entity(ies) from the power exchange, or the Purchase Certificate(s) issued by the State Agency in case of self-retention of RECs, shall be deposited by the obligated entity(ies) with the State Agency.
- 4.3 Notwithstanding the above, the State Agency can also independently verify the RECs purchased by the obligated entities from power exchanges, through the Renewable Energy Certificate Registry of India website, and consider the same towards fulfillment of their RPPO.

5. State Agency:

- 5.1 The State Agency shall function in accordance with the directions issued by the Commission and shall act in consistent with the procedures /rules laid down by the Central Agency for discharge of its functions under the Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2022 as amended from time to time.
- 5.2. The obligated entities shall submit the details of the compliance of RPPO for every month by the end of the succeeding month and for the

entire financial year including the last quarter by the end of July of the succeeding financial year to the State Agency.

- 5.3 The State Agency shall submit quarterly status to the Commission in respect of compliance of RPPO by the obligated entities in the format as stipulated by the Commission and may suggest appropriate action to the Commission if required, for compliance with the RPPO by the obligated entities.
- 5.4 The Commission may from time to time fix the remuneration and charges payable to the State Agency for discharge of its functions under these Regulations.
- 5.5 If the Commission is satisfied that the State Load Despatch Centre of the State of Andhra Pradesh is not able to discharge its functions satisfactorily, it may by general or special order, and by recording reasons in writing, designate any other agency to function as State Agency as it considers appropriate.

6. Eligibility and Registration for Certificates:

- 6.1 The eligibility and registration of certificates shall be governed by the Central Electricity Regulatory Commission (Terms and conditions for Renewable Energy Certificates for Renewable Energy generation) Regulations, 2022 as amended from time to time.
- 6.2 Determination of Pooled Cost of Power Purchase:
 - (1) For determination of Pooled Cost of Power Purchase for a particular financial year, the Distribution Licensee shall submit a petition for computation of Pooled Cost of Power Purchase to the Commission by 30th September of the succeeding financial year. Till the issue of order regarding the Pooled Cost of Power Purchase, the Pooled Cost of Power Purchase of the previous year shall continue to be valid as Provisional Pooled Cost of Power Purchase. After the issue of the order for the Pooled Cost of Power Purchase by the Commission, the difference between

the final Pooled Cost of Power Purchase and the Provisional Pooled Cost of Power Purchase shall be adjusted equally in the bills of the next two months or as decided by the Commission in the order determining the Pooled Cost of Power Purchase for that financial year.

- (2) The standard PPA approved in terms of Note (2) at clause 6 (b) of Regulation 1 of 2012 shall continue to be applicable.

7. Consequences of default:

- 7.1 If the obligated entity(ies) does not fulfil the RPPO as provided in clause (3) of these Regulations during any year, the State Agency, on being directed by the Commission, shall serve notices to the obligated entity(ies) to deposit into a separate fund, to be created and maintained by the State agency, such amount arrived on the basis of the shortfall in units of the RPPO and the maximum REC price traded through the power exchanges during the corresponding year including taxes and levies, besides barring permission to the defaulting entity(ies) from availing Power through Open Access;

Provided that the fund so created shall be utilised by the State Agency for purchase of certificates or as may be directed by the Commission;

Provided further that the Commission may empower an officer of the State Agency to procure from the Power Exchange the required number of certificates to the extent of the shortfall in the fulfilment of the obligations, out of the amount in the fund.

- 7.2 Where any obligated entity(ies) fails/ fail to comply with the obligation specified in clause (3) of these Regulations, it shall, in addition to the compliance of the directions under clause (7.1) above, be liable for penalty as may be decided by the Commission under section 142 of the Act;

8. Saving:

- 8.1 Anything done or action taken or purported to have been done in pursuance of the provisions of the earlier RPPO Regulation 1 of 2017

and its amendments shall be considered to be legal and valid.

8.2 Any rights and liabilities arising out of the earlier Regulation shall be settled within its framework.

9. Power to remove difficulties:

The Commission, suo-motu or on an application from any person generating electricity from renewable sources or an entity mandated under these Regulations to fulfil the RPPO, may review, add, amend or alter these Regulations and pass appropriate orders to remove any difficulty in exercising the provisions of these Regulations.

10. Miscellaneous:

10.1 Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuse of process of the Commission.

10.2 Nothing in these Regulations shall bar the Commission from adopting a procedure that is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for doing so while dealing with such a matter or class of matters.

(By Order of the Commission)

Place: Hyderabad
Date: 29.09.2022

K. RAJA BAPAI AH,
Commission Secretary (i/c).

REGULATION NO. 6 OF 2022

Andhra Pradesh Electricity Regulation Commission
(Recruitment, Control and Service Conditions of Staff)
Regulation, 2022

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr.No.APERC/Secy/F.No.S-19 (Vol.II)/D.No.749/2022 Date: 29.11.2022

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION (RECRUITMENT, CONTROL AND SERVICE CONDITIONS OF STAFF) REGULATIONS, 2022.

Regulation No.6 of 2022

In exercise of powers conferred by Sections 91(2) and 91(3) of the Electricity Act, 2003 and in supersession of Andhra Pradesh Electricity Regulatory Commission (Method of Recruitment and Conditions of Service of officers and staff, Regulations, 1999 (hereinafter called "the Principal Regulation") as amended from time to time (including the Supplementary Regulation to the Principal Regulation i.e., Regulation 5 of 2013), the Andhra Pradesh Electricity Regulatory Commission, with the approval of the State Government, do hereby make the following regulations, namely:-

CHAPTER I PRELIMINARY

1. Short Title and Commencement

- a. These regulations may be called the Andhra Pradesh Electricity Regulatory Commission (Recruitment, Control and Service Conditions of Staff) Regulations, 2022.
- b. These regulations shall come into force with effect from the first day of January 2023.

2. Application

These regulations shall apply to the staff of Andhra Pradesh Electricity Regulatory Commission mentioned in regulation 5 of these regulations:-

Provided that every officer or other employee of the Commission appointed to a post before the commencement of these regulations and performing duties attached to the post, shall on such commencement be deemed to have been appointed under the relevant provisions of these regulations to the same post as he was holding immediately before such commencement.

3. Definitions

In these regulations, unless the context otherwise requires,

- (a) "Act" means the Electricity Act 2003;
- (b) "Appointing Authority" , means
 - (i) Chairperson, in respect of all Group A posts; and
 - (ii) Commission Secretary in respect of all other posts.
- (c) "Chairperson" means the Chairperson of the Commission;
- (d) "Commission" means the Andhra Pradesh Electricity Regulatory Commission;
- (e) "Disciplinary Authority" means -
 - (i) Chairperson, in respect of all Group A posts
 - (ii) Commission Secretary in respect of all other posts.
- (f) "Function" means and includes all work related to the activities of the Commission;
- (g) "Member" means a Member of the Commission;
- (h) "Staff" includes both officers and employees of all categories appointed whether on Direct Recruitment, Deputation on foreign service terms or on short-term contract basis;
- (i) "Short term contract" means the method of recruitment of officers, serving or retired, belonging to Non-Government organizations e.g., Universities, recognized research institutions, public sector undertakings etc., on Deputation on foreign service terms or otherwise to the Commission for a limited period.

Words and expressions used in these regulations but not defined shall have the same meaning as respectively assigned to them under the Act.

CHAPTER II CLASSIFICATION OF POSTS/SANCTIONED STRENGTH

- 4. Classification of Posts** - The posts in the Commission shall be classified as follows:-

S. No.	Description	Classification of Posts
1	A post carrying pay in the pay grade 24 and above.	Group "A"
2	A post carrying pay in the pay grades 21 to 23	Group "B"
3	A post carrying pay in the pay grades 11 to 20	Group "C"
4	A post carrying pay in the pay grade 10 and below	Group "D"

5. Sanctioned Strength & Pay Scales

The number of sanctioned posts in the Commission, the pay grades and scales applicable to them and the corresponding levels in the State Government against each category are as given in the table below:

S. No.	Name of the Post	No. of Posts	Category	Pay Grade	Pay Scale	Equivalent Level under State Government
1	Commission Secretary	1	A	32	133900-179000	Additional Secretary to Government
2	Director (Tariff)	1	A	32	133900-179000	Additional Secretary to Government
3	Director (Engineering)	1	A	32	133900-179000	Additional Secretary to Government
4	Joint Director (Tariff)	1	A	30	112610-174790	Jt. Secretary to Government
5	Joint Director (Law)	1	A	30	112610-174790	Jt. Secretary to Government
6	Joint Director (Engineering)	1	A	30	112610-174790	Jt. Secretary to Government
7	Joint Director (Administration)	1	A	30	112610-174790	Jt. Secretary to Government
8	Deputy Director (Law)	1	A	27	87480-170580	Deputy Secretary to Government
9	Deputy Director (Information Technology)	1	A	27	87480-170580	Deputy Secretary to Government
10	Deputy Director (Tariff - Engineering)	1	A	27	87480-170580	Deputy Secretary to Government
11	Deputy Director (Tariff - Economics)	1	A	27	87480-170580	Deputy Secretary to Government
12	Deputy Director (Personnel)	1	A	27	87480-170580	Deputy Secretary to Government

13	Deputy Director (Transmission)	1	A	27	87480-170580	Deputy Secretary to Government
14	Deputy Director (Distribution)	1	A	27	87480-170580	Deputy Secretary to Government
15	Deputy Director (Pay & Accounts)	1	A	27	87480-170580	Deputy Secretary to Government
16	Assistant Director (Law)	1	A	24	70850-158880	Assistant Secretary to Government
17	Assistant Director (Information Technology)	1	A	24	70850-158880	Assistant Secretary to Government
18	Assistant Director (Tariff - Engineering)	1	A	24	70850-158880	Assistant Secretary to Government
19	Assistant Director (Tariff - Economics)	1	A	24	70850-158880	Assistant Secretary to Government
20	Assistant Director (Personnel)	1	A	24	70850-158880	Assistant Secretary to Government
21	Assistant Director (Transmission)	1	A	24	70850-158880	Assistant Secretary to Government
22	Assistant Director (Distribution)	1	A	24	70850-158880	Assistant Secretary to Government
23	Assistant Director (Pay & Accounts)	1	A	24	70850-158880	Assistant Secretary to Government
24	Private Secretary	3	B	21	57100-147760	Private Secretary to Government
25	Senior Assistant	4	C	18	45830-130580	Assistant Section Officer (S.C)
26	Junior Personnel Officer	1	C	18	45830-130580	Assistant Section Officer (S.C)
27	Cashier	1	C	18	45830-130580	Assistant Section Officer (S.C)
28	Stenographer	3	C	11	32670-101970	Steno-Typist
29	Junior Assistant	3	C	11	32670-101970	Steno-Typist

30	Receptionist - cum - Telephone Operator	1	C	11	32670-101970	Steno-Typist
31	Caretaker	1	D	6	23780-72810	Motorcycle Messenger
32	Messenger	2	D	6	23780-72810	Motorcycle Messenger
33	Driver	3	D	6	23780-72810	Motorcycle Messenger
34	Office Subordinate	6	D	2	20600-63660	Dafedar

6. Mode of appointment

- a) Appointments against the sanctioned posts in the Commission may be made either through direct recruitment or on short-term contract basis or on Deputation on foreign service terms or by promotion as under:

S. No.	Name of the Post	Mode of Appointment
1	Commission Secretary	Direct recruitment or Deputation on foreign service terms or short-term contract
2	Director	i) Fifty percent by promotion from Joint Directors failing which by Direct recruitment or Deputation on foreign service terms or short-term contract ii) Fifty percent by deputation on foreign service terms or short-term contract
3	Joint Director	i) Fifty percent by promotion from Deputy Directors failing which by Direct recruitment or Deputation on foreign service terms or short-term contract ii) Fifty percent by deputation on foreign service terms or short-term contract
4	Deputy Director	i) Fifty percent by promotion from Assistant Directors failing which by Direct recruitment or Deputation on foreign service terms or short-term contract ii) Fifty percent by deputation on foreign service terms or short-term contract
5	Assistant Director	Direct recruitment or Deputation on foreign service terms or short-term contract
6	Private Secretary	Promotion from posts having a Pay Grade of 18 or above failing which Direct recruitment or Deputation on foreign service terms

7	Senior Assistant	Promotion from posts having a Pay Grade of 11 or above failing which Direct recruitment or Deputation on foreign service terms
8	Junior Personnel Officer	Promotion from posts having a Pay Grade of 11 or above failing which Deputation on foreign service terms
9	Cashier	Promotion from posts having a Pay Grade of 11 or above failing which Deputation on foreign service terms
10	Stenographer	Direct recruitment or Deputation on foreign service terms or short-term contract
11	Junior Assistant	Direct recruitment or Deputation on foreign service terms or short-term contract
12	Receptionist - cum - Telephone Operator	Promotion from posts having a Pay Grade of 6 or above failing which Direct recruitment or Deputation on foreign service terms
13	Caretaker	Promotion from Office Subordinates failing which Direct recruitment or Deputation on foreign service terms
14	Messenger	Promotion from Office Subordinates
15	Driver	Direct recruitment
16	Office Subordinate	Direct recruitment

- b) The appointment on a short-term contract basis shall be made usually for a period not exceeding three years. Extension beyond this period would be considered on an as needed basis.
- c) The appointment on Deputation on Foreign Service terms basis shall be made initially for a period of one year. Extension beyond this period may be considered one year at a time, ensuring that the combined total period of deputation with the Commission does not exceed 5 years at a stretch.

Provided that the staff appointed on Deputation on Foreign Service terms and willing to get permanently absorbed in the Commission may on completion of two years of Deputation on Foreign Service terms exercise their option for permanent absorption in the Commission and the appointing authority may in its discretion, take such decision, as it considers appropriate.

- d) The Officers and staff appointed on regular basis in the Commission immediately before the commencement of these regulations shall be

deemed to have been appointed under these regulations.

- e) Selection/non-selection posts: Posts mentioned against Serial Numbers 1 to 5 in a) above, are selection posts. Remaining posts are non-selection posts. Promotion to selection posts shall be made on the basis of merit cum seniority. Promotion to non-selection posts shall be made on seniority and fitness basis.

7. Allocation of posts

The inter-se allocation of the sanctioned posts among different functional areas shall be as decided by the Commission from time to time.

8. Power to keep posts vacant

Nothing in regulation 5 shall be construed as requiring the Commission to have at all times, staff serving in all the categories or posts.

**CHAPTER III
PROCEDURE FOR RECRUITMENT AND APPOINTMENT**

9. Appointing Authority

All appointments of staff shall be made by the appointing authority as specified in clause (b) of regulation 3 of these regulations.

10. Eligibility criteria for appointment

The eligibility criteria for appointment shall be as given in Appendix- I.

11. Announcement of vacancies

The Commission shall announce in such manner, as it deems fit the number of vacancies to be filled by Deputation on foreign service terms/short-term contract basis or through direct recruitment and invite applications for appointment in the Commission. The Commission may also publicize such vacancies through the issue of such advertisements, as it deems fit. In the case of appointment by direct recruitment wide publicity shall be given to the vacancies through the print media.

Provided that where the Commission decides to fill a post on short-term

contract basis by considering someone who has been in the Commission's employment earlier, the announcement of the vacancy may be dispensed with.

12. Prescription of forms and conditions for application

The Commission may prescribe, as it deems fit, the form in which application shall be submitted, the documents and certificates to be submitted with the application, the mode of submission, the last date for receipt of applications and the designated officer for submission of applications.

13. Processing of Application

The Selection Committee shall consider the applications received in the Commission and may shortlist candidates, based on the requirements of the job and the curriculum vitae of the candidates, for further processing.

14. Mode of selection

The Selection Committee may prescribe the mode of selection including written test or interview or any other method, for assessing the suitability of the shortlisted candidates.

15. Constitution of Selection Committee

There shall be a Selection Committee for short listing the candidates and making recommendations for appointment.

- (a) For selection to all the Group A posts mentioned in regulation 5, the Selection Committee shall consist of the following :-

Chairman: Chairperson of the Commission.

Members: Two Members of the Commission.

Convenor: Secretary of the Commission.

Note.: Chairman of the Selection Committee may also co-opt one subject-Specialist / Director concerned as a member of the Selection Committee.

- (b) For selection to all posts equivalent to Group B, C & D posts mentioned in regulation 5, the Selection Committee shall consist of the following :-

Chairman: Secretary of the Commission.

Member: Two Directors /Jt. Directors nominated by the Chairman of the Commission.

Convenor: Assistant Director (Personnel) of the Commission.

16. Select list of candidates

On the recommendation of the Selection Committee the appointing authority shall prepare a select list of candidates arranged in order of merit which shall remain valid for a period of one year for such extended period as the appointing authority may specify.

The validity of the select list will expire with the joining of the selected candidate in the post and the remaining candidates in the list shall have no claim whatsoever on the post thereafter.

17. Selection of candidates

- a. Offers of appointment to candidates on the select list shall be issued in the order of merit shown in the select list specifying a time limit within which the candidate must join service, which may be extended at the discretion of the Appointing Authority.
- b. The letter of offer of appointment shall specify the conditions to be fulfilled by the candidate, prior to appointment.
- c. The appointing authority may withdraw its offer of appointment if the selected candidate fails to fulfill any of the conditions prescribed prior to appointment or if the candidate fails to join service within the specified time.
- d. All appointments by direct recruitment shall be subject to verification of character and antecedents.
- e. Where an offer of appointment is withdrawn, in the manner prescribed in clause(c) above, an offer of appointment shall be issued to the candidate next below in the order of merit in the select list.

CHAPTER IV PAY, ALLOWANCES AND CONDITIONS OF SERVICE

18.1. Pay fixation in respect of Deputationist on foreign service terms and Short-term contract

The scale of pay applicable and the corresponding levels of the State Government service against each post are set out in regulation 5 of these regulations.

- a. In the case of appointments on Deputation on Foreign Service terms, the pay shall be fixed as per the standard terms and conditions of the lending organization.
- b. In the case of appointments on short-term contract, the terms and conditions of appointment shall be as decided by the Commission at the time of appointment.
- c. Dearness Allowance, House Rent Allowance, Transport Allowance, City Compensatory Allowance shall be as prescribed by the State Government from time to time for the officers and staff of the Secretariat.
- d. Pension/Provident Fund - The provisions of Pension /General Provident Fund as applicable to State Government servants of corresponding level shall apply to the staff of the Commission absorbed permanently. Medical facilities shall be admissible in accordance with the State Government rules in force.
- e. Any other allowances available in State Government shall accordingly be admissible as per State Government rules.
- f. Reimbursement of residential and/or mobile telephone bills and newspaper bills shall be as decided by the Commission from time to time.

18.2. Pay fixation (Direct recruitment)

The determination of pay and other allowances for the persons appointed through direct recruitment will be as per the State Government rules. The provisions of Pension/General Provident Fund as applicable to the State Government servants of corresponding level shall apply to the staff appointed on direct recruitment basis.

18.3. Pay fixation (Promotions)

The determination of pay and other allowances for the persons appointed through promotion will be as per the State Government rules. The provisions

of Pension/General Provident Fund as applicable to the State Government servants of corresponding level shall apply to the staff appointed on promotion.

18.4. Finalization of terms and conditions on Deputation on foreign service terms/short- term contract:-

Deputation on Foreign Service terms and conditions (other than scale of pay) shall be decided mutually between APERC and lending organization. The terms of service, e.g. in relation to Leave Salary contribution, gratuity, pension contribution, CPF, may, with the approval of the Chairperson be allowed as admissible to a candidate in his/her parent organization.

The terms and conditions of service for staff recruited on short-term contract basis shall be decided by the Chairman at the time of making the appointment.

19. Staff on Deputation on foreign service terms/absorption

- a. The counting of past service of all staff members on Deputation on Foreign Service terms or absorption basis from State Government/Public Sector Undertakings/Autonomous bodies, as the case may be, shall be governed as per instructions issued by Government of AP from time to time.
- b. Such allowances as are not admissible to the regular employees of corresponding status in the Commission, shall not be admissible to the officer on Deputation on Foreign Service terms, even if they were admissible in the parent organization.
- c. Staff joining on Deputation on Foreign Service terms shall be eligible for contribution to the respective Provident Fund to which they are subscribing in their parent organization. Where a Deputationist has been a member of a Contributory Provident Fund the Commission shall bear the cost of the employer's contribution as applicable in each case.
- d. When the Commission determines that the services of the Deputationist are no longer required, he will be repatriated to his parent department even before completion of his sanctioned period of Deputation on Foreign Service terms. As and when a situation arises

for premature reversion to the parent cadre of the Deputationist, his services could be so returned after giving advance intimation of reasonable period to the lending organization and the employee concerned.

20. Placement of staff

- a. The posting of staff, at any time, shall be as decided by the appointing authority in any post, not lower in the scale of pay than the post for which the staff member was recruited.
- b. A staff member may hold more than one post for which no extra remuneration shall be paid except as otherwise provided by the State Government.

CHAPTER V
ANNUAL ASSESSMENTS, DISCIPLINARY PROCEEDINGS AND PENALTIES

21. Confidential reports

In the matter of the annual confidential reports of staff, the instructions issued by the State Government from time to time in regard to State Government employees will be suitably adapted by the Commission.

22. Disciplinary proceedings and imposition of penalties

In the matter of conduct, discipline and imposition of penalties, the AP Civil Services (Conduct) Rules, 1964 and the AP Civil Services (Classification, Control and Appeal) Rules, 1991 and the instructions issued by the State Government from time to time will be suitably adapted by the Commission. The disciplinary authority in each case will be as specified in paragraph 3(e) of these regulations.

CHAPTER VI
MISCELLANEOUS

23. Training

- a. Staff may be required to undergo such training as may be prescribed by the Commission.
- b. A staff member charged with misconduct during the period of training may be withdrawn from training and should be liable for appropriate

disciplinary proceedings, as the appointing authority deems fit. Penalty in such cases may include recovery of the amount spent on the training by the Commission.

24. Other conditions of service

- a. Staff shall retire from service on attaining the age of superannuation as prescribed by the Government of Andhra Pradesh from time to time.

Provided that appointees on short term contract basis can be serving the Commission till they attain the age of 68 years.

- b. Staff appointed on direct recruitment basis and those absorbed in the service of the Commission will be entitled for Automatic Advancement Scheme (AAS) as applicable to the State Government employees from time to time. The AAS scales applicable to the posts in each of the pay grades shall be as applicable to the Government of AP employees from time to time.
- c. All service conditions which are not specifically envisaged in these Regulations shall be as applicable to the Government employees of the State of Andhra Pradesh.

25. Power of Relaxation

The Commission may in the public interest and after recording reasons in writing, relax any of the provisions of these regulations.

26. Interpretation

If any question arises relating to the interpretation of these regulations, the decision of the Commission shall be final.

(By Order of the Commission)

Hyderabad,
Date: 29.11.2022,

K. RAJA BAPAI AH
Commission Secretary i/c)

APPENDIX-I

ELIGIBILITY CRITERIA FOR APPOINTMENT

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
1	2	3	4	5	6	7
1	Commission Secretary	32	Post Graduate Degree in any faculty from a recognised university	Minimum: 55 Years Maximum: 62 Years	a) Demonstrated ability to resolve complex tasks b) Significant professional experience in managing staff, budget and projects c) Excellent written and verbal communication skills d) Knowledge or experience in a regulated industry e) Experience with a regulatory body in Power Sector is preferable	a) Holding analogous posts on regular basis; or b) With three years regular service in pay grade 30 or equivalent; or c) Overall experience of 20 years' post qualification experience

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
2	Director (Engineering)	32	Degree in Electrical or Power Engineering	Minimum: 55 Years Maximum: 62 Years	a) Engineering experience in large power utilities with generation / transmission / distribution facilities. b) Good knowledge of electricity laws c) Familiarity with the latest technological developments in transmission, generation, distribution and techno-economic appraisal. Hands on or design and planning experience in any of these areas. d) Good written and verbal communication skills e) Experience in setting up and critically reviewing performance standards	a) Holding analogous posts on regular basis; or b) With three years regular service in pay grade 30 or equivalent; or c) Overall experience of 20 years' post qualification experience

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
3	Director (Tariff)	32	MBA in Finance or certified Chartered Accountant or Certified Cost Accountant preferably with Engineering Degree or Post Graduate Degree in Economics	Minimum: 55 Years Maximum: 62 Years	a) Experience of Economic Analysis, modeling and Statistical techniques. b) Experience in the development of tariffs in public utilities is preferable. c) Demonstrated capability in analytical modeling. d) Good knowledge of electricity laws	a) Holding analogous posts on regular basis; or b) With three years regular service in pay grade 30 or equivalent; or c) Overall experience of 20 years' post qualification experience
4	Joint Director (Tariff)	30	MBA in Finance or certified Chartered Accountant or Certified Cost Accountant preferably with Engineering Degree or Post Graduate Degree in Economics	Minimum: 50 Years Maximum: 57 Years	a) Experience of Economic Analysis, modeling and Statistical techniques. b) Experience in the development of tariffs in public utilities is preferable. c) Demonstrated capability in analytical modeling.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 27 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
					d) Good knowledge of electricity laws	
5	Joint Director (Engineering)	30	Degree in Electrical or Power Engineering	Minimum: 50 Years Maximum: 57 Years	a) Engineering experience in large power utilities with generation / transmission / distribution facilities. b) Good knowledge of electricity laws c) Familiarity with the latest technological developments in transmission, generation, distribution and techno-economic appraisal. Hands on or design and planning experience in any of these areas. d) Good written and verbal communication skills e) Experience in setting up and	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 27 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
					critically reviewing performance standards	
6	Joint Director (Law)	30	Degree in Law preferably with specialisation in regulation	Minimum: 50 Years Maximum: 57 Years	a) Fifteen years professional experience in Judicial/Quasi-Judicial legal matters including proceedings, petitions, pleadings, familiarity with case laws etc. b) Experience in Regulatory matters is preferable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 27 or equivalent.
7	Joint Director (Administration)	30	Post Graduate degree in any discipline	Minimum: 50 Years Maximum: 57 Years	Experience in dealing with General Administration matters, Personnel Management and Human Resources Development.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 27 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
8	Deputy Director (Tariff - Engineering)	27	MBA in Finance with Engineering Degree	Minimum: 45 Years Maximum: 52 Years	a) Experience of Economic Analysis, modeling and Statistical techniques. b) Experience in the development of tariffs in public utilities is preferable. c) Demonstrated capability in analytical modeling. d) Good knowledge of electricity laws	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.
9	Deputy Director (Tariff - Economics)	27	Post Graduate Degree in Economics with specialisation in Econometrics or Post Graduate in Mathematics with specialisation in O.R. (Operations Research) or Post Graduate Degree in Statistics	Minimum: 45 Years Maximum: 52 Years	Application of regulatory Economics, demand forecasting or modelling	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
10	Deputy Director (Transmission)	27	Degree in electrical engineering.	Minimum: 45 Years Maximum: 52 Years	a) Professional experience in a power utility with transmission facilities. b) Experience in Commercial issues. c) Familiarity with electricity tariff issues is desirable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.
11	Deputy Director(Distribution)	27	Degree in electrical engineering.	Minimum: 45 Years Maximum: 52 Years	a) Professional experience in a power utility with distribution facilities. b) Experience in Commercial issues. c) Familiarity with electricity tariff issues is desirable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.
12	Deputy Director (Law)	27	Degree in Law preferably with specialisation in regulation	Minimum: 45 Years Maximum: 52 Years	a) Ten years professional experience in Judicial/Quasi-Judicial legal matters including proceedings, petitions, pleadings, familiarity case laws etc. b) Experience in Regulatory	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
					matters is preferable.	
13	Deputy Director (Information Technology)	27	BE/B. Tech. in Computer/ Communications Tech. or BE/B. Tech. with a Post Graduate Diploma in Computer Applications or Post Graduate Degree in Computer Application with Graduate Degree in Science	Minimum: 45 Years Maximum: 52 Years	Adequate knowledge and demonstrated capability in IT implementation, website management and electronic data management	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.
14	Deputy Director (Personnel)	27	Graduate degree in any discipline	Minimum: 45 Years Maximum: 52 Years	Experience in dealing with General Administration matters, Personnel Management and Human Resources Development.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 24 or equivalent.
15	Deputy Director (Pay & Accounts)	27	Graduate Degree preferably in Commerce	Minimum: 45 Years Maximum: 52 Years	Having knowledge of procedural details for budget, drawing and disbursement, receipts and payments, statutory	a) Holding analogous posts on regular basis; or b) With 3 years regular

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
					recoveries, funds etc. their accounting & financial control.	service in pay grade 24 or equivalent.
16	Assistant Director (Tariff - Engineering)	24	MBA in Finance with Engineering Degree	Minimum: 32 Years Maximum: 40 Years	a) Experience of Economic Analysis, modeling and Statistical techniques. b) Experience in the development of tariffs in public utilities is preferable. c) Demonstrated capability in analytical modeling. d) Good knowledge of electricity laws	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.
17	Assistant Director (Tariff - Economics)	24	Post Graduate Degree in Economics with specialisation in Econometrics or Post Graduate in Mathematics with specialisation in O.R. (Operations Research) or Post Graduate Degree in	Minimum: 32 Years Maximum: 40 Years	Application of regulatory Economics, demand forecasting or modelling	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
			Statistics			
18	Assistant Director (Transmission)	24	Degree in electrical engineering.	Minimum: 32 Years Maximum: 40 Years	a) Professional experience in a power utility with transmission facilities. b) Experience in Commercial issues. c) Familiarity with electricity tariff issues is desirable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.
19	Assistant Director (Distribution)	24	Degree in electrical engineering.	Minimum: 32 Years Maximum: 40 Years	a) Professional experience in a power utility with distribution facilities. b) Experience in Commercial issues. c) Familiarity with electricity tariff issues is desirable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.
20	Assistant Director (Information Technology)	24	BE/B. Tech. in Computer/ Communications Tech. or BE/B. Tech. with a Post Graduate Diploma in Computer Applications or Post Graduate Degree in	Minimum: 32 Years Maximum: 40 Years	Adequate knowledge and demonstrated capability in IT implementation, website management and electronic data management	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
			Computer Application with Graduate Degree in Science			
21	Assistant Director (Law)	24	Degree in Law preferably with specialisation in regulation	Minimum: 32 Years Maximum: 40 Years	a) Five years professional experience in Judicial/Quasi-Judicial legal matters including proceedings, petitions, pleadings, familiarity with case laws etc. b) Experience in Regulatory matters is preferable.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.
22	Assistant Director (Personnel)	24	Graduate in any discipline	Minimum: 32 Years Maximum: 40 Years	Experience in dealing with General Administration matters, Personnel Management and Human Resources Development.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 23 or equivalent.
23	Assistant Director (Pay & Accounts)	24	Graduate Degree preferably in Commerce	Minimum: 32 Years Maximum:	Having knowledge of procedural details for budget, drawing and disbursement,	a) Holding analogous posts on regular basis; or

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
				40 Years	receipts and payments, statutory recoveries, funds etc. their accounting & financial control.	b) With 3 years regular service in pay grade 23 or equivalent.
24	Private Secretary	21	Graduate and must be Computer literate and proficient in using MS Office or Google Workspace	Minimum: 25 Years Maximum: 35 Years	Must have works as PA under any Head of the Department in Government or Public Sector undertaking for at least 3 years; Must have an experience of 15 years in regular service.	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 18 or equivalent.
25	Senior Assistant	18	Graduate and must be Computer literate and proficient in using MS Office or Google Workspace	Minimum: 25 Years Maximum: 35 Years	Experience in establishment / administration/ accounts	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 11 or equivalent.
26	Junior Personnel Officer	18	Graduate and must be Computer literate and proficient in using MS Office or Google Workspace	Minimum: 25 Years Maximum: 35 Years	Experience in personnel and administrative matters.	a) Holding analogous posts on regular basis; or b) With 3 years regular

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
						service in pay grade 11 or equivalent.
27	Cashier	18	Graduate in Commerce and must be Computer literate and proficient in using MS Office or Google Workspace	Minimum:25 Years Maximum: 35 Years	Experience in Accounting procedures in any Government / Public Sector Organization	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 11 or equivalent.
28	Stenographers	11	Graduate in any discipline. Must be computer literate. Proficient in using MS office or Google Workspace. English shorthand speed of 80 word per minute and typing speed of 40 words per minute in computer	Minimum:25 Years Maximum: 35 Years	Experience in any organization in the central or state government or public sector undertaking or private organisation.	a) Holding analogous posts on regular basis; or b) 1 year regular service.
29	Junior Assistants	11	Graduate and must be Computer literate and proficient in using MS Office	Minimum:25 Years Maximum: 35 Years		

S.No	Post	Pay Grade	Minimum Educational Qualification	Age	Nature of Experience	Qualifying Service
30	Receptionist - cum - Telephone Operator	11	Graduate in any discipline, proficiency in English and Telugu. Basic Knowledge of computer operation essential and must possess experience and ability in reception, intercom connection care taking and EPABX	Minimum: 25 Years Maximum: 35 Years	Experience of manning a front desk in any organisation	a) Holding analogous posts on regular basis; or b) With 3 years regular service in pay grade 6 or equivalent.
31	Caretaker	6	S.S.C from recognized Board of School Education. Should possess a valid two wheeler driving licence.	Minimum: 21 Years Maximum: 35 Years	Must be able to read and write and have good physique.	Minimum 3 years experience in pay grade 2 or equivalent.
32	Messenger	6	S.S.C from recognized Board of School Education Should possess a valid two wheeler driving licence.	Minimum: 21 Years Maximum: 35 Years	Must be able to read and write and have good physique.	Minimum 3 years experience in pay grade 2 or equivalent.
33	Driver	6	S.S.C from recognized Board of School Education and should possess light motor vehicle (4 wheeler) driving licence	Minimum: 21 Years Maximum: 35 Years	Should possess sufficient knowledge about traffic rules, maintenance of vehicles and should be able to undertake minor repair works required for normal running of the vehicle	Five years experience as a driver preferably in a reputed company.

REGULATION NO. 4 OF 2023

Andhra Pradesh Electricity Regulation Commission

(The Grid Interactive Solar Rooftop Photovoltaic System under Gross/Net
Metering) Regulation, 2023

Amendment

1. First Amendment vide Regulation No. 10 of 2025, dated 08-12-2005

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

(The Grid Interactive Solar Rooftop Photovoltaic System under Gross/Net Metering)
Regulation, 2023

(Regulation 4 of 2023)

Introduction

Hitherto, the Grid Interactive Solar Rooftop Photovoltaic Systems of a prosumer in the State of Andhra Pradesh are regulated by the Guidelines approved by the Commission from time to time. The guidelines last prepared by APEPDCL in its letter dated 04.02.2019 were approved by the Commission by its Order dated 25.05.2019. Subsequently, the Government of India issued the Electricity (Rights of Consumers) Rules 2020 inter alia envisaging the promotion of Solar Rooftop power plants. The Commission is also vested with the responsibility to promote the generation of electricity from Renewable sources, captive, and co-generation of energy in the state of Andhra Pradesh under the Electricity Act, 2003 (Act No.36 of 2003). Further, many consumers have brought to the notice of the Commission during public hearings of the RST Order for FY 2023-24 certain issues relating to the Solar Rooftop Photovoltaic plants and the implementation of Solar Rooftop guidelines by DISCOMS. The DISCOMS have also addressed a letter to the Commission expressing some concerns in the implementation of the Solar Rooftop Guidelines. In view of the foregoing, the Commission issued a comprehensive draft Grid Interactive Solar Rooftop Photovoltaic Systems under gross/net metering regulation to address the various issues raised by the consumers & some of the concerns raised by the DISCOMS effectively, align to the extent possible with the various provisions of the Government of India Rules, and to promote the distributed Renewable Energy generation in the state of Andhra Pradesh in the place of existing guidelines. After considering all the views/objections/suggestions in this regard as discussed in the Order dated 22.02.2024 in exercise of powers under Sections 9, 61, 66, 86 (1) (e) and 181 of the Electricity Act, 2003 conferred on it and all other powers enabling it in this behalf, the Commission makes the final Regulation as under:

1. Short title, Applicability, and Commencement:

- 1.1 This regulation shall be called the Andhra Pradesh State Electricity Regulatory Commission (**The Grid Interactive Solar Rooftop Photovoltaic Systems under Net/Gross Metering**) Regulation, 2023.
- 1.2 This Regulation shall come into force from the date of its publication in the Official Gazette.
- 1.3 This Regulation shall be applicable to all the Grid-Interactive Solar Rooftop Photovoltaic systems with/ without Battery Energy Storage Systems (BESS), installed and commissioned in the areas of Distribution licensees, Andhra Pradesh as per the provisions stipulated herein.

2. Definitions and interpretations:

- 1.1 In this regulation, unless the context otherwise requires,
 - (i) “**Act**” means the Electricity Act, 2003 (Act No.36 of 2003) as amended from time to time;
 - (ii) “**Agreement**” means an agreement entered into by a Distribution Licensee and a consumer for executing a Net Metering/Gross Metering connection;
 - (iii) “**Billing Cycle or Billing Period**” means the period for which the regular electricity bills are prepared for different categories of consumers by the Distribution licensee as specified by the Commission;
 - (iv) “**Commission**” means the Andhra Pradesh Electricity Regulatory Commission constituted under the Act;
 - (v) “**Consumer**” means a consumer as defined in sub-section (15) of Section 2 of the Act;
 - (vi) “**Contracted load / Contracted demand**” means as defined in the General Terms and Conditions of Supply (GTCS) approved by the Commission;
 - (vii) “**Distribution Licensee**” means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;
 - (viii) “**ESCO**” means energy service company.
 - (ix) “**Gross Meter**” means a Bi/Unidirectional meter used for accounting and billing of electricity supplied to/from the Distribution licensee by a prosumer(s).
 - (x) “**Gross-metering**” means a mechanism whereby the total energy exported from the Grid-Interactive Solar Rooftop Photovoltaic system and the total energy consumed by the prosumer from the DISCOM is measured

separately through appropriate metering arrangements and for the billing purpose, the total energy consumed by the prosumer is accounted for at the applicable retail tariff as per Tariff Order and total energy exported to the DISCOM is accounted for at feed-in tariff as fixed by the Commission

- (xi) ¹**“Virtual Net Metering”** means a mechanism whereby total energy exported from the Grid-Interactive Solar Rooftop Photovoltaic system of a group of prosumers/society is exported to the grid through a **net** meter. The exported such energy is adjusted in the electricity service connection(s) of the same Group (society) prosumers in proportion to the share in their Grid-Interactive Solar Rooftop Photovoltaic system in units (kWh/kVAh) to arrive at the net imported or exported energy by an individual prosumer in the Group/Society from/to the Distribution licensee during the applicable billing period/cycle located within the same Electricity Revenue Office (ERO) of distribution licensee’s area of supply. The net energy imported by the prosumers is billed by the distribution licensee on the basis of the applicable retail tariff as per the Tariff Order. The net energy exported by the prosumers is paid by the Distribution licensee at the Feed-In-Tariff as fixed by the Commission.”

In case the prosumer(s) is/are in the ambit of the Time of Day (ToD) tariff, the share of exported energy of such prosumer(s) under virtual net metering shall be netted off against his/their electricity consumption during the respective ToD slots in the following manner:

- Surplus energy injected into the grid during peak ToD slots shall first be adjusted against consumption within peak slots, and any balance remaining shall next be adjusted during normal slots, followed by off-peak slots;
- Surplus energy injected into the grid during normal slots shall first be adjusted against consumption within normal slots, and any remaining balance shall be adjusted during off-peak slots; and
- Surplus energy injected into the grid during off-peak slots shall be adjusted only against consumption during off-peak slots.

The applicable T&D losses and Distribution/wheeling charges as per MYT order of the Commission applicable for relevant periods from the injection

¹ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

point to the drawl point shall be deducted while adjusting the generation against the consumption.

Provided that Distribution/wheeling charges shall be waived if the injection and withdrawal of power occur at the same voltage levels.

The Distribution Licensee shall claim the waivers under Section 65 of the Electricity Act, 2003, from the Government of Andhra Pradesh.

- (xii) **“Group Net Metering”** means a mechanism whereby energy exported from the Grid-Interactive Solar Rooftop Photovoltaic system of an individual Prosumer at one or more points is adjusted in consumption by multiple electricity service connection(s) of her/him in units (kWh/kVAh) to arrive at the net imported or exported energy from/to the Distribution licensee during the applicable billing period/cycle located within the same Electricity Revenue Office (ERO) distribution licensee’s area of supply. The net energy imported by the prosumer is billed by the distribution licensee on the basis of the applicable retail tariff as per the Tariff Order. The net energy exported by the prosumer is paid by the Distribution licensee at the Feed-In-Tariff as fixed by the Commission. The Solar PV System under Group Net Metering may be installed at the premises of any of the service connections or at any other premises or land within the same Distribution Licensee’s area of supply. The energy exported from the Solar Rooftop Photovoltaic system under Group Net Metering shall be measured by a separate Net meter.

In case the service connection(s) is/are in the ambit of the Time of Day (ToD) tariff, the share of exported energy of such service connection(s) under Group Net Metering shall be netted off against it/it’s electricity consumption during the respective ToD slots in the following manner:

- Surplus energy injected into the grid during peak ToD slots shall first be adjusted against consumption within peak slots, and any balance remaining shall next be adjusted during normal slots, followed by off-peak slots;
- Surplus energy injected into the grid during normal slots shall first be adjusted against consumption within normal slots, and any remaining balance shall be adjusted during off-peak slots; and

² First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

- Surplus energy injected into the grid during off-peak slots shall be adjusted only against consumption during off-peak slots.

The applicable T&D losses and Distribution/wheeling charges as per MYT order of the Commission applicable for relevant periods from the injection point to drawl point shall be deducted while adjusting the generation against the consumption.

Provided that Distribution/wheeling charges shall be waived if the injection and withdrawal of power occur at the same voltage levels.

The Distribution Licensee shall claim the waivers under Section 65 of the Electricity Act, 2003, from the Government of Andhra Pradesh.”

- (xiii) “Individual net-metering” means a mechanism whereby energy exported to the Grid from the Grid-Interactive Solar Rooftop Photovoltaic system of an individual Prosumer is adjusted from energy imported from the DISCOM in units (kWh/kVAh) to arrive at the net imported or exported energy from/to the Distribution licensee during the applicable billing period/cycle using a Net Meter at the point of supply. The net energy imported by the prosumer is billed by the distribution licensee on the basis of the applicable retail tariff as per the Tariff Order. The net energy exported by the prosumers is paid by the Distribution licensee at the Feed-In-Tariff as fixed by the Commission.;

Provided that in case the prosumer is in the ambit of the Time of Day (ToD) tariff, the exported energy of such prosumer under individual net metering shall be netted off against his/her electricity consumption during only off-peak hours.

- (xiv) **“Interconnection point”** means the interface of the Solar Rooftop Photo Voltaic System with the network of distribution licensee/Transco;
- (xv) **“Net Meter”** means a Bi-directional meter used for accounting and billing of electricity supplied to and from the prosumer(s) by a Distribution licensee.
- (xvi) **“kWp”** means kilo Watt peak;
- (xvii) **“Prosumer”** means a person who consumes electricity from the grid and also injects electricity into the grid of a distribution licensee.
- (xviii) **“RESCO” means** the Renewable energy service company.
- (xix) “Solar Rooftop Photovoltaic Power Plant” or “Solar Rooftop Photovoltaic System” “(SRTPVS)” means the Grid Interactive Solar Photovoltaic Power

Plant that uses the sunlight for direct conversion into electricity through photovoltaic technology, which is owned and operated by a prosumer(s) with his/her/their own investment/third-party investment installed on his/her/their rooftops or walls or open land/space within their premises or any open land outside the premises of the consumer(s) in case of group and virtual net metering.

- (xx) **“Tariff Order”** means the Retail Supply Tariff Order issued by the Commission from time to time.
- (xxi) **“Third-party investment”** means an investment by any third party developer for exporting the energy from the Grid Interactive Solar Rooftop Photovoltaic system under the gross/net metering/net billing or net feed-in on a rooftop/wall/open space within the consumer’s premises or any open space outside the consumer(s) premises through a commercial agreement between such consumer(s) and third party.
- (xxii) **“Feed in Tariff”** means the tariff fixed by the Commission at which the exported energy under Net/Gross metering or Net billing/Net feed-in arrangement shall be paid by the distribution licensee to the prosumers;
- (xxiii) **“Net-billing or Net feed-in”** means a single bidirectional energy meter used for net-billing or net feed-in at the point of supply wherein the energy imported from the Grid and energy exported from Grid-Interactive Rooftop Solar photovoltaic system of a Prosumer are valued at two different tariffs, where-
 - (i) the monetary value of the imported energy is based on the applicable retail tariff;
 - (ii) the monetary value of the exported solar energy is based on a feed-in tariff determined by the Commission;
 - (iii) the monetary value of the exported energy is deducted from the monetary value of the imported energy to arrive at the net amount to be billed (i.e., credited);
- (xxiv) **“Distributed Energy Resources Aggregator or DERA”** means an entity registered/ appointed with/by the distribution licensee to provide aggregation of one or more services like demand response services under

³ First Amendment vide Regulation no 10 of 2025 dated 08-12-2025

the demand response mechanism, Distributed Generation, Energy Storage, etc., within a license area. The aggregators shall assist the DISCOMs, inter alia, in the promotion of Distributed Generation/storage like Solar Rooftop projects with/without storage for all categories of consumers by managing, dispatching, metering, and settling the individual Distributed Energy Resources (DERs) energy, disbursement of rooftop subsidies, within their aggregation, as well empanelling of vendors, and construction of systems, etc.

- 2.1 The words and expressions used and not defined in this Regulation but defined in the Act, shall have the meanings assigned to them in the Act. Expressions used herein but not specifically defined in this Regulation or in the Act but defined under any regulations made by the Commission or under any law passed by a competent legislature and applicable to the electricity industry in the State shall have the meaning assigned to them in such law.

3. General

- 3.1 The Solar **Rooftop Photovoltaic Power Plant**” or “**Solar Rooftop Photovoltaic System**” shall be hereinafter referred to as “**S RTPVS**”
- 3.2 The distribution licensee shall offer the provision of net metering / gross metering / Net billing or Net feed-in arrangement to the consumer, who intends to install the grid-interactive S RTPVS, in its area of supply on a non-discriminatory and first come first serve basis.
- 3.3 The consumer is eligible to install the grid-interactive **S RTPVS** of the rated capacity as specified under these Regulations; A Minimum vacant roof area of 10 sq mtr. (or) 100 sq. ft is required for the installation of 1 KWp system.
- 3.4 The consumer may install an S RTPVS with or without Battery storage. Provided that the battery charging shall be either from an S RTPVS or from DISCOMS’s supply. In the later case, the consumer shall pay charges for the power consumed at the DISOM’s tariff.
- 3.5 The consumers of the EHT network shall approach the Transco through the DISCOM for connecting the S RTPVSs under the Gross Metering.
- 3.6 The prosumer shall be responsible for the safe operation, maintenance,

and rectification of any defect in the **SRTPVS** up to the point of Net/Gross Meter.

- 3.7 The Distribution Licensee shall have the right to disconnect the SRTPVS from its network at any time in the event of any threat of accident or disturbance from such System to its distribution system so as to avoid any accident or damage to it or the prosumer violating any of the terms of this regulation or the terms of the agreement between it and the DISCOM.

When SRTPV is disconnected, the Distribution Licensee shall within 24 hrs of such disconnection call upon the prosumer to rectify the defect and immediately on such rectification the licensee shall restore connection to the SRTPV concerned.

- 3.8 The Grid Interactive S SRTPVS must have appropriate protection for islanding the SRTPVS from the Distribution Licensee's network to prevent any power feeding into the grid in case of failure of incoming supply from the Grid. The protection scheme shall be installed such that when there is no incoming supply owing to an outage in the network or load shedding by the DISCOM, under no circumstances, there be any power injection from the Solar Rooftop Plant or Battery System connected thereto into the Grid, to prevent back feeding of supply and thus accidents.

- 3.9 In the case of the establishment of the **SRTPVS** by an individual consumer/Group of consumers/Society with the Third Party Investment through a commercial agreement, a copy of such commercial agreement shall be furnished to the DISCOM before synchronization of such **SRTPVS** to the Grid.

- 3.10 ⁴For installation of Solar Rooftop Photovoltaic System for all categories of consumers, the Distributed Energy Resource (DER) aggregators shall be allowed for the DISCOMs. The DER Aggregators shall have a commercial agreement with the DISCOM and shall be paid a one-time Aggregator fee as approved by the Commission.

⁴ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

4. Eligibility

- 4.1 4.1 All consumers of AP Discom(s) are eligible for setting up of the Grid-Interactive SRTPVS with/without a Battery Energy Storage System with their investment or through third party investment.
- 4.2 The Consumer(s) are free to choose Net metering or Gross Metering or Net Billing/Net Feed-in option for the sale of power to DISCOM.

5. Capacity of Rooftop Systems

- 5.1 The capacity of the Grid-Interactive SRTPVS with/without Battery Energy Storage System under Net/Gross Metering or net billing mechanism or net feed-in to be installed at premises of any individual prosumer shall not be less than 1 kWp.
- 5.2 The capacity of the Grid-Interactive SRTPVS with/ without Battery Energy storage system under the multiple services of an individual consumer under Group Net Metering, and a group of consumers under the virtual net metering framework to be installed shall not be less than 5 kWp.”
- 5.3 The capacity of the Grid-Interactive SRTPVS with/without Battery Energy Storage System by any prosumer(s) under the Net Metering framework shall not be more than 500 kWp and under the net billing/net feed in framework to be installed shall not be more than 1000 kWp or the contracted maximum demand(s)(CMD) whichever is less.
- 5.4 The capacity of the Grid-Interactive SRTPVS with/ without Battery Energy Storage System under the Gross Metering framework to be installed by any consumer(s) shall not be more than 5000 kWp or the contracted demand(s) whichever is less.
- 5.5 Project of up to **5000 kWp** at a single location shall be permitted.

5.6 ⁵The summary of the capacities that are permissible under the Net/Gross metering is shown in the table below

Particulars	Capacity that can be availed		
	Min	Max	Capped Up to
<i>Individual Net Metering</i>	<i>1 kW</i>	<i>500 kWp</i>	<i>Contracted Load/ Contract ed Maximum Demand (CMD) of the consumer</i>
<i>Group Net Metering</i>	<i>1 kW</i>	<i>500 kWp</i>	
<i>Virtual Net Metering</i>	<i>5kWp</i>	<i>500 kWp</i>	
<i>Gross Metering</i>	<i>1kWp</i>	<i>5000 kWp</i>	
<i>Net Billing or Net feed-in</i>	<i>1kWp</i>	<i>1000</i>	

⁶Explanation:

1. Inverter capacity (AC Output capacity) is the basis for deciding the SRTPVS capacity, and there shall be no restriction on CUF/energy exported to the grid.
2. The SRTPVS capacity that can be availed under this Regulation shall not exceed the sum (GNM/VNM) of the Contracted Load, in the case of LT consumers or the Contracted Maximum Demand, in the case of HT consumers. In cases where there is a combination of both LT and HT service connections under VNM/GNM, the SRTPVS capacity that can be availed under this Regulation shall not exceed the sum of the Contracted Load and Contracted Maximum Demand. In any case the maximum capacity permissible is as mentioned in the table above or sum (GNM/VNM) of Contracted Load/CMD of the consumer(s), whichever is lower.
3. Under VNM/GNM, there is no restriction on the number of consumers/service connections.
4. The category of the service connections can be of the same or a different category under the GNM arrangement.
5. A single consumer may have multiple GNM arrangements.

⁵ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

⁶ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

- 5.7 The permissible capacity of the Grid-Interactive SRTPVS at various voltage levels where the SRTPVS is connected directly to the grid is shown in the table below.

Sl No.	Voltage	Phase	Capacity
1	LT, 240V	Single Phase	upto to 3kWp
2	LT, 415V	Three Phase	3kWp to 75kWp
3	HT, 11kV	Three Phase	76kWp to 1500kWp
4	HT, 33kV	Three Phase	1501kWp to 5000kWp
5	EHT, 132 kV and above	Three Phase	5000kWp

Note: Where the SRTPVS is integrated with consumers' load bus bar such as in net-metering or net billing, the above table does not apply.

- 5.8 The cumulative capacity of all Grid-Interactive SRTPVSs under Net/Gross Metering Arrangements connected to a particular Distribution Transformer shall not exceed 80% of its rated capacity and 100 % in respect of the feeder capacity.
- 5.9 The Distribution Licensee shall provide information on its website regarding the capacity available on each Distribution Transformer and 11/33 kV feeder of a substation for connecting the **SRTPVSs** under the Net/Gross Metering arrangements within three months from the notification of this Regulation. The Distribution Licensee shall thereafter update this information quarterly and also provide the Distribution Transformer-wise, 11/33 kV feeder-wise the cumulative capacity of the **SRTPVSs** installed under the Net/Group Metering arrangements category-wise at all voltage levels.

6. Interconnection with the Grid

- 6.1 The Distribution Licensee/Transco shall ensure that the inter-connection of the **SRTPVS** with their Network complies with the CEA (Technical Standard for Connectivity of the Distributed Generation Resources) Regulations, 2013, the CEA (Measures relating to Safety and Electric Supply), Regulations, 2010, and Andhra Pradesh State Electricity Regulatory Commission State Electricity Grid Code Regulation or any other relevant regulation, and amendments issued to all these

regulations from time to time.

- 6.2 The Solar rooftop developers/Vendors of SRTPVS/MNRE channel partners may be allowed to attend the departmental procedures on behalf of the applicant, except in the case of signing the agreement.
- 6.3 The SRTPVS to be connected to the network as per this regulation at any voltage level under gross metering at the same point of supply shall be provided the gross meter in the upstream network of the supply grid of the distribution licensee after the regular billing meter of the consumer concerned by making suitable modification without insisting a separate service wire/feeder. The modification expenditure is to be borne by the consumers.

7. Metering

- 7.1 All meters installed under Gross/Net metering at the **SRTPVS** shall comply with the CEA (Installation and Operation of Meters) Regulations, 2006, and subsequent amendments thereof.
- 7.2 All the consumers installing the SRTPVS have to bear the cost of Gross/Net Meter. The DISCOMS shall provide the information on the cost of the meter/metering equipment (CTPT sets etc,) with detailed specifications, applicable to SRTPVSs on their website within one month from the date of notification of this Regulation. The DISCOMS should provide the Gross/Net meter on payment of cost. When the meters are not available with the DISCOMS, the same shall be informed to the consumers at the time of communicating technical feasibility so that the consumers may procure the meter complying with the CEA (Installation and Operation of Meters) Regulations, 2006, and subsequent amendments thereof. All meters procured by the consumers may be installed after testing by the DISCOMs preferably in their meter testing laboratories or on verification of a third-party testing certificate from NABL. There shall be no requirement for the meter testing to be witnessed either at DISCOMS's or NABL's meter testing lab.
- 7.3 All HT consumers shall be provided with main and check meters under Gross/Net metering
- 7.4 The consumers shall raise a request as per the format shown in

ANNEXURE-X for metering equipment through online mode/ Mee seva by paying the requisite amount. The DISCOM shall subject to clause 7.2 deliver the metering equipment within 15 working days in case of LT/within 30 working days in case of HT/ within 90 working days in case of EHT. The consumers shall be responsible for the safekeeping of the metering equipment during the interim period until grid synchronisation.

7.5 Meter reading shall be done as per the prevailing procedure.

8. Feed-in Tariff

- 8.1 Feed-in Tariff as fixed by the Commission will be applicable for 25 years or the life of the SRTPVs whichever is less under both Net metering, net billing/net feed in and Gross metering for all categories of consumers.
- 8.2 The feed-in tariff shall be Rs.2.09 per unit under net metering/net billing or net feed-in.
- 8.3 The feed-in tariff shall be Rs.3.13 per unit under Gross metering in LT Supply.
- 8.4 The feed-in tariff shall be Rs.2.92 per unit under Gross metering in HT Supply up to 1500 kW of plant capacity.
- 8.5 The feed-in tariff shall be Rs.2.71 per unit under Gross metering in HT/EHT supply of plant capacity up to 5000 kW.
- 8.6 The feed-in tariff shall be Rs.4.17 per unit under Gross metering in HT/EHT Supply if SRTPVs supply the power during the peak hours as decided in the Tariff order with Battery Storage as per the requirement of the DISCOMS.
- 8.7 The feed-in tariff shall be the same for the total agreement period and shall not be subject to any variation.

9. Transmission and Distribution (Wheeling) Charges & losses.

No Transmission and Wheeling charges & losses shall be collected from the prosumers under the Gross/Net Metering, wherever the SRTPVSs and Consumption are at the same point of the grid. However, the applicable T&D losses and charges as per MYT orders of the Commission applicable for relevant periods from the injection point to the drawal point shall be deducted

while adjusting the generation against the consumption where the generation and consumption are at different points on the Grid. Further, in case the prosumer(s) is/are in the ambit of the Time of Day (ToD) tariff, the share of exported energy of such prosumer(s) under virtual net metering shall be netted off against his/their electricity consumption during off-peak hours. Furthermore, The Grid support charges as determined by the Commission in the tariff orders from time to time shall be applicable. In any case, the CSS is not applicable to the prosumers for the energy availed from SRTPVS established under this Regulation.

10. Subsidies

The consumers are entitled to avail of the applicable subsidies as per MNRE notifications/guidelines from time to time. The feed-in tariff fixed by the Commission under Gross/Net metering shall be after taking into account the subsidy provided by MNRE.

11. Application

11.1 ⁷The consumer shall make an application to Discom for setting up the SRTPVS by paying the requisite application fee either on AP Discoms websites and/or through designated mee seva centres or through National Portal for Solar Rooftop <https://solarrooftop.gov.in/>. The DISCOMS shall make ready their websites accordingly and also shall register at the National Portal for Solar Rooftop. The prescribed format for application is shown in the ANNEXURE-I of this Regulation. For Group Net Metering or Virtual Net Metering, the application shall be made to the Distribution Licensee in the prescribed format as per the MNRE Guiding/Helping Standard Operating Procedure (SOP) for the Implementation of Virtual Net Metering and Group Net Metering Mechanism, issued on 23.02.2023, and its subsequent amendments. Consumers intending to apply through the National Portal for Solar Rooftop shall use the applications in the portal.

11.2 ⁸The application fee as specified below shall be collected;

Capacities upto 5 kWp	: Nil
Capacities above 5 kWp and up to 100 kWp	: Rs. 1 000/-
Capacities above 100 kWp to 1000 kWp	: Rs. 10 000/-
Capacities above 1000 kWp	: Rs. 25 000/MWp

⁷ The First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

⁸ The First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

- 11.3 The Discom shall intimate the consumers for incomplete details if any in the application as per the format is shown in the ANNEXURE-II of this regulation within 7 working days. The Discom shall provide the acknowledgement as shown in ANNEXURE-III of this regulation indicating that it has received all the documents required for the establishment of **SRTPVS** within 7 working days if the information furnished in the application is as required. The DISCOMS shall provide a link on their website to track the application in respect of the establishment of **SRTPVS** right from registration to extension of subsidy till the commissioning of the project.

12. Technical Feasibility:

- 12.1 DISCOMS officers shall carry out and communicate the technical feasibility study on the application submitted by the consumers. This study shall be carried out and the technical feasibility approval shall be communicated to the applicants in the format shown in the ANNEXURE-IV within 7 working days in the case of the LT network, 15 working days for 11 kV and 33 kV networks, and 30 working days for the EHT network from the date of submission of the application in full shape. After undertaking the study as stated above, if technical feasibility is not possible, the same shall be communicated to the consumer by letter as per the format shown in ANNEXURE-V.
- 12.2 DISCOM shall communicate technical feasibility approval to consumers on a first come first serve basis duly following the capacity limits specified in this regulation. In case of deficiencies for issue of technical feasibility, the Distribution Licensee shall communicate to the consumer:
- (a) Particulars of deficiencies (as per the format shown in (ANNEXURE-VI) with reference to the interconnection of the proposed **SRTPVS** with the Distribution System of the Licensee/Transco;
 - (b) Cost estimate for removal of such deficiencies including augmentation of the transformer, distribution or transmission system as the case may be if required.
- 12.3 The Distribution Licensee/Transco, on receipt of the willingness of the consumer in the format shown in the ANNEXURE-VII and the estimated amount, shall promptly take steps to remove the deficiencies in the distribution system/ Transmission system including augmentation as per

the timelines stipulated in the standards of performance regulation notified by the Commission.

Provided that if the consumer is not willing to bear the estimated amount /not paid by the consumer from the date of receipt of such communication, the application shall stand cancelled and the application fee shall be forfeited.

- 12.4 On removal of deficiencies if any in the system including augmentation of the distribution/transmission network, the distribution licensee shall immediately convey the approval for interconnection of the proposed **SRTPVS** to the consumer. A copy of such approval shall also be forwarded to the State Nodal Agency and the Chief Electrical Inspector if necessary by the distribution licensee for necessary action by them as per this Regulation.
- 12.5 In the absence of any intimation from the DISCOM on technical feasibility within the timelines specified in this regulation, the application shall be considered as deemed approval. The feasibility so communicated shall be valid for a period of four (4) months unless extended by the Distribution Licensee for a reasonable cause.

Provided that the feasibility communicated by the Distribution Licensee shall not exceed a period of Ten (10) months including the extended time from the date of the first feasibility communication.

- 12.6 In the case of the requirement of APSLDC permission for synchronization of any **SRTPVS**, such permission shall be given by APSLDC within 7 working days from the date of request received from the DISCOM/Consumer.
- 12.7 Before rejecting any application for setting up an SRTPVS at a particular location of the consumer for any defects in his installation, the Distribution Licensee shall serve the applicant with a notice to rectify the defects in the consumer's installation within 15 working days or such longer period as may be necessary as per the format shown in ANNEXURE-VIII.

13. Agreement and Completion time of the project

- 13.1 The agreement (Annexure-IX (A) /(B) as applicable) duly filled and signed in by the consumer shall be submitted to DISCOM within four months from the date of receipt of the technical feasibility and DISCOM shall provide the

acknowledgement for the same. The agreement is deemed to have come into force if there are no remarks communicated by DISCOM within two weeks from the date of receipt of the agreement. In case, within four months of issuing Technical feasibility, if the Agreement is not submitted by the consumer, the application is deemed to be cancelled. The officers designated for the release of new services of supply as per present DISCOMS's orders in vogue shall sign the agreement. ⁹For Group Net Metering or Virtual Net Metering, the agreement shall be in the prescribed format as per MNRE Guiding/Helping Standard Operating Procedure (SOP) for Implementation of Virtual Net Metering and Group Net Metering Mechanism issued on 23.02.2023 and its amendments. The Eligible Consumers under VNM/GNM shall have the right to amend the list of consumers or change the Sharing Ratio provided in the List of Consumers/Services once every financial year by sending notice at least 1 month in advance to the DISCOM.

- 13.2 The SRTPVS by the consumer shall be installed within three (3) months from the date of the Agreement up to 100 kWp, (6) months from 101 kWp to 1 000 kWp, and one year from 1001 kWp to 5000 kWp. In case of any delay, a one-time extension of another three months for plants up to 1000 kWp and 6 months from 1001 kWp to 5000 kWp shall be provided after which the agreement shall be deemed to be terminated without any reason.
- 13.3 The agreement shall be in force for 25 years or up to the life of the project whichever is earlier, from the date of commencement of the agreement for all categories of consumers.

Provided that If the agreement of Consumer for supply with Discom is terminated, then the agreement of Consumer for SRTPVS is deemed to have been terminated. For the bill stopped service with SRTPVS to be restored, the consumer shall enter a new agreement with DISCOM for the balance agreement period from the date of first commissioning of the project”.

14. Pre-commissioning check and commissioning of the SRTPVSSs

- 14.1 Post installation of the SRP, the consumer shall make an online request for inspection as per the format shown in ANNEXURE-XI along with the work completion report in the format shown in ANNEXURE-XII. The DISCOM personnel shall inspect the system within 10 working days, decide and

⁹ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

communicate approvals or otherwise as the case may be. In the absence of the response within the stipulated time, it shall be considered as deemed inspection approval. In case, any deficiency is identified by the Discom, the same shall be intimated to the consumer as per the format specified in ANNEXURE-XIII

Provided that Post installation of SRP and receipt of the request for inspection from the concerned if the DISCOM fails to take further action as stipulated in this Regulation, the same may be treated as the SRP being installed behind the meter under Section 9 of the Electricity Act, 2003 with intimation to the DISCOM. If any energy is injected into the grid during such period from such SRP, the same shall be treated as inadvertent energy.

- 14.2 The SRP shall be synchronized within seven (7) working days of inspection approval. Before synchronization of the SRP with the grid, the DISCOM shall test-check the meter, seal the meter, and ensure the installation of safety features/precautions. A commissioning certificate would be issued by DISCOM as per the format shown in ANNEXURE-XIV after synchronisation.
- 14.3 The officers concerned shall send commissioning reports of the SRP along with the agreement to the concerned ERO. The billing process shall start within one month/ next Billing cycle of commissioning of the SRP. In the case of HT services, Dy.EE/EE operation shall send the Commissioning Report to the Senior Accounts Officer of the concerned circle.
- 14.4 DISCOMs have reserved the right to inspect the **SRTPVS** routinely at any time during the term of the Agreement.

15. ¹⁰Provisions applicable to prosumers

Subject to the provisions of this Regulation, all the provisions of GTCS, the Supply Code, and other relevant regulations /guidelines applicable to the consumers, in general, shall also apply to prosumers. The SRTPVS behind the prosumer/consumer's meter, without any capacity limitation and without injection to the grid, and not involving either a co-located Net Metering Arrangement or a Net Billing Arrangement, may be installed with prior intimation to the concerned DISCOM, not less than seventy-two (72) hours before installation. The Distribution Licensee shall verify and certify

¹⁰ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

that the SRTPVS installed behind the meter is configured to prevent any export of power to the grid.

The prosumer/~~consumer~~ shall furnish an undertaking to pay the applicable charges, as determined by the Commission from time to time, for ~~the~~ capacity of SRTPVS installed behind the meter.

In case the ~~prosumer~~/consumer installs SRTPVS behind the ~~prosumer's~~ meter without prior intimation to the DISCOM concerned, or ~~if~~ such installation does not conform to Central Electricity Authority (Technical Standards for Connectivity of the Distributed Generation Resources) Regulations, 2013 the SRTPVS shall be disconnected from the Grid after ~~due~~ notice to the prosumer. ~~The System may be reconnected after addressing the remarks outlined in the notice, after due inspection by the DISCOM.~~

For SRTPVS behind the meter already connected to the electricity system on the date of commencement of this regulation, the ~~prosumer~~/consumer shall take all necessary steps to meet the technical standards specified by CEA within sixty days of the coming into force of this Regulation and intimate the same to the DISCOM concerned.

16. Energy Settlement and Billing:

- 16.1 Energy settlement and Billing shall be done on a monthly basis.
- 16.2 The Distribution Licensee shall show, separately, the energy units exported, the energy units imported, and the net energy units billed to the prosumers in their bill for the respective billing period.
- 16.3 All prosumers have to submit their bank details and payments shall be made through electronic transfer by APDISCOMs. The prosumer shall submit a cancelled cheque with bank a/c No. & IFSC Code along with Application form
- 16.4 **Net Metering:** The energy exported from the **SRTPVS** shall be adjusted against the consumption of energy from the DISCOM in every billing month. In the case of different rooftops belonging to a single owner in a city or town, the combined energy exported from **SRTPVSs** shall be adjusted against the combined consumption recorded in various multiple connections of the same consumer. In the case of a group of persons/societies setting up

SRTPVSs, the generation from such SRP shall be treated as a collective generation for the supply of power to the households of each society /group member. Such energy generated from **SRTPVSs** shall be prorated as per the installed capacity share indicated in the Agreement between the group/society and DISCOM. This computed energy share shall be adjusted against the consumption of energy for each consumer of such group in every billing month. In the case of Apartments/Group Houses, a common service meter may be used for net metering.

- 16.5 In case of excess import/consumption over the export of energy in any billing month, payment shall be made by the prosumers for the net import energy at the applicable retail supply tariff as determined by the Commission. In case of excess export of energy over the import of energy in any billing month, payment shall be made by the Discom monthly for such net Export excess energy at the Feed-in Tariff as fixed by the Commission”

Provided that in case the net energy drawn by the prosumers is less than the minimum energy specified in RST Orders issued from time to time, then payment shall be made by the prosumers for minimum energy at the applicable retail supply tariff as determined by the Commission from time to time.

- 16.6 The quantum of electricity units exported by the prosumers shall be measured in kVAh in case the applicable tariff to the respective prosumers provides for energy billing on a kVAh basis.
- 16.7 Where a prosumer is within the ambit of the Time of Day (ToD) tariff, the electricity consumption in each time block during the off-peak hours in the billing month is netted off with the total export quantum of electricity injected during the billing month divided by the number of time blocks during the off-peak hours in a billing month”
- 16.8 In case of net billing, the billing shall be done as defined in the definitions.
- 16.9 Gross Metering: The payment for energy exported from the SRTPVSs will be computed at Feed-in Tariff as fixed by the Commission. This shall be adjusted against the total billing demand for consumption of energy by the prosumers from DISCOM in every billing month. In case gross energy exported from SRP billing amount exceeds the billing demand of the

DISCOMS during any billing month, such an excess amount shall be paid by the Discom to the prosumers.”

17. Capacity Targets to DISCOMS

As the DISCOMS’ overall RE power procurement is over and above the RPO specified by it, the Commission is not inclined to fix any capacity-specific targets under Group/Net Metering. However, the Commission will review the cumulative capacities of **SRTPVSs** from time to time based on the information furnished by the DISCOMS on the cumulative capacities achieved during each financial year keeping in view its advantages to the overall power system and future energy requirements.

18. 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, relax or waive any of the provisions of these Regulations on its own motion or on an application made to it by any interested person.

19. Issue of orders and practice directions:

Subject to the provisions of the Electricity Act, 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions about the implementation of the Regulation and procedure to be followed and various matters which the Commission has been empowered by this Regulation to specify or direct.

20. Power to Remove difficulties:

If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, by a general or special order, do or undertake or direct the Licensees to do or undertake things which in the opinion of the Commission are necessary or expedient for removing the difficulties.

21. Power to Amend:

- (1) The Commission may at any time, vary', alter, modify, or amend any provisions of the Regulation.
- (2) In particular the Commission may review after three years from the date

of notification of this regulation or at any other time if considered necessary. However, This Regulation shall continue to be in force until it is modified based on such review.

22. ¹¹Repeal and Savings

The **S RTPVSs** already Commissioned and those under various stages of construction, including the cases wherein a feasibility report was issued under the provisions of earlier/existing Guidelines shall stand governed by those guidelines till the completion of the term of such agreements in all respects, including the feed-in tariff. However, in the cases where, after the issue of technical feasibility, the projects are not completed **within the** timelines stipulated in the existing guidelines as of the date of this Regulation coming into force, all such projects shall come under the purview of this Regulation. The internal procedures of the DISCOMS specified in existing guidelines on S RTPVSs by EPDCL letter dated 04.01.2019, approved **by the** Commission **in** its order dated 25.05.2019 and not in conflict with the present regulation shall stand saved. **Notwithstanding anything contained in the future Regulations or any amendments issued hereafter to this Regulation, all agreements entered into under the provisions of this Regulation (with the waivers, relaxations, or concessions such as waiver of wheeling charges, CSS etc., and feed-in tariff as applicable) shall remain operative and protected for the term stipulated in the respective Net/Gross Metering agreements.**

- 23.** The Commission will review this Regulation in all aspects after one year from the date of notification in the Gazette.

(BY ORDER OF THE COMMISSION)

Place: Hyderabad
Date: 22.02.2024

P.MURALI KRISHNA
Commission Secretary (I/C)

¹¹ First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

ANNEXURE-I: APPLICATION FORM

APPLICATION FORM FOR GRID INTERACTIVE SOLAR ROOF-TOP PHOTOVOLTAIC SYSTEM

**Affix recent Passport
size photo of the
Applicant**

For Office Use:

Reg. No.: -----

Date: -----

Application fee details:

DD No.: -----

-

**To.
The**

(Designated Officer)

1	Name of the applicant	
2	Applicant full Address	H.No.:
		Street Name:
		Village Name
		Mandal name
		District Name
		Pin code
3	Phone/Mobile No	
4	Email ID	
5	Social Group	(SC/ST/BC/Others)
6	Applicant has to submit self-attested photo ID proof (Voter ID card/ Passport /PAN card/Aadhar card/ Driving licence & etc.,)	
	Type of ID card submitted	
	ID card No.	

Site details

7	Address of the site for installation	H.No.:
		Street Name:
		Village Name
		Mandal name
		District Name
		Pin code
8	SCNo.	
9	Category	
10	Contracted Load	----- KW
11	Distribution/Section	
12	If Non-Domestic, Specify type of building (Shop/ Industry/ Govt./ Educational/ others (specify))	
13	Pole No. if known	
14	DTR Code/Location if known	
15	a) Shade free area available for installation for solar panel (Minimum requirement is nearly 15 m ²)	----- m ²
	b) Proposed Capacity of SRTPVs	-----KWp
16	Average monthly consumption of electricity	----- Units
17	Applying for Net Metering/Net Billing or Net Feed-in/Gross Metering.	

DECLARATION

I hereby declare that the information furnished above is true to the best of my knowledge and behalf. If false, ...(DISCOM) has the right to reject/cancel the application. Further, I hereby agree with the specifications, terms and conditions stipulated by(DISCOM)for the selection and installation of roof-top solar power plant.

Place:

Date:

Signature:

Name:

CHECK LIST:

1. Copy of photo ID card (YES/NO)
2. Copy of electricity bill (YES/NO)
3. Demand Draft (YES/NO)
4. Self-addressed Rs. Stamped envelope (YES/NO)

ANNEXURE-I (A) : DECLARATION FOR GROUPS/SOCIETIES

DECLARATION FOR GROUPS/SOCIETIES

We hereby declare that the information furnished above is true to the best of my knowledge and belief. If found false, ...(DISCOM) has the right to reject/cancel the application. Further, I hereby agree with the specifications, terms and conditions stipulated by(DISCOM) for the selection and installation of roof-top solar power plant.

Place:

Date:

S. No.	Consumer Name	Installation capacity share (%)	Consumer Service Number	Signature for consent

ANNEXURE-II: FORMAT FOR REMOVAL DEFICIENCY IN APPLICATION

Intimation for Removal of Deficiency in the Application

(To be filled by DISCOM)

To:

(Consumer applicant's name) M/S / Mr. / Mrs. ____

Date: _____

Ref: Your application No. _____ dated _____

Subject: Intimation for Removal of Deficiency in Application

This is to inform you that we have received your above mentioned application and on scrutiny have found that:

The application is not complete and the following are the lacunae observed:



..... (others, if any)

Please complete the application formality by fulfilling the above lacunae within 7 working days of receipt of this letter. In case you have not completed the formality within this period your application shall stand cancelled and paid fees, if any, shall not be refunded.

Based on this communication, the applicant can:

1. Either submit the above details;
2. Or, withdraw the application.

Signature of Officer:

Designation

ANNEXURE III: ACKNOWLEDGEMENT FORMAT

ACKNOWLEDGEMENT by the Distribution Licensee

Your application for setting up of Grid Interactive solar rooftop system under the APREC (The Grid Interactive Solar Rooftop Photovoltaic System under Gross/Net Metering) Regulation, 2023 and amended from time to time, has been received along with registration fee.

The following Registration Number has been allotted to your application.

Registration Number	
Date of Registration	

Designated Officer/DISCOM

ANNEXURE IV: TECHNICAL FEASIBILITY APPROVAL LETTER FORMAT

**Approval Letter for Consumer with respect to the Application for Net Metering
/Net Billing or Net Feed in/Gross Metering for Grid Connectivity of Grid
interactive Solar PV System
(To be filled by the DISCOM)**

Date:

To:

(Applicant's name) M/s / Mr. / Mrs. _____

(Consumer

No.) _____

Ref: Your application No. _____ dated _____

With reference to your above mentioned application number, approval is herewith accorded for installing Grid Interactive Solar Rooftop Photovoltaic System of _ _ _ _ _ KWp Capacity in your premises under Net Metering/Net Billing or Net Feed-in / Gross Metering (as applied for) as per following terms and conditions;

1. It is recommended that you select an empanelled system installer of your choice to install the SRTPV system from the list of empanelled installers of grid-connected SRTPVS with MNRE/NREDCAP/DISCOMS. " The list of vendors registered is available under the 'Vendors in my area' tab of the beneficiary interface at National Portal after login.
2. All components of the SRTPV system must comply with applicable BIS/IEC standards.
3. Applicant must submit a copy of Manufacturers Test Certificates for all components for having complied with relevant BIS/IEC standards of the selected model along with a work completion report.
4. In case of any changes required at the premises of the proposed site due to this proposed installation, these shall be performed by the applicant at his /her own cost.
5. The grid connectivity of the system shall be in accordance with the Solar Rooftop Regulations of the APERC and any amendments thereof from time to time.
6. The required meter for the installation of SRTPVS is available with the DISCOM. The Cost of the meter is Rs. ____/- (in words).

The consumer should intimate the same to DISCOM by filling Format in ANNEXURE-X along with the meter fee at least 30 days prior to the expected installation (fee details & technical specifications can be found on the website of

DISCOM).

(or)

The required meter for the installation of SRTPVS is not available with the DISCOM. The consumers may procure the meter which shall comply with the CEA (Installation and Operation of Meters) Regulations, 2006, and subsequent amendments thereof. All meters procured by the consumers shall be installed after testing by the DISCOMs or on verification of a third-party testing certificate from NABL.

7. The Discom shall follow the same procedure in respect of SRTPVS as being followed in the release of New Services in respect of safety aspects.
8. Installed systems must comply with safety requirements as stated in CEA/APERC Regulations and all standards referred to in those regulations.
9. Please submit the following documents after installation of the SRTPV system:
 - a. Work Completion report in the provided format;
 - b. Test Certificate of Net meter if applicable;
 - c. Copy of signed Net Metering/Net billing or Net feed-in/Gross Metering Interconnection Agreement.
 - d. Any other document required as per APERC Regulation.

This approval is valid for 120 days from the date of this letter and the SRTPV system is to be commissioned within this period, failing which the approval will be treated as cancelled.

You may download all technical specifications, standards and other requirements of the solar rooftop system from the website of MNRE.

Signature of Officer:

Designation:

Date & Stamp:

ANNEXURE-V: FORMAT FOR INTIMATION FOR NON-FEASIBILITY

Intimation for Non-Feasibility and termination of the Application

(To be filled by DISCOM)

To:

(Consumer applicant's name) M/S / Mr. / Mrs. _____

Date: _____

Ref: Your application No. _____ dated _____

Subject: Intimation for Non-feasibility and termination of Application

This is to inform you that we have received your above mentioned application and on Technical scrutiny have found that:

The application is not feasible at this stage due to the following reasons:

- _____
- _____(others, if any)

The application hereby stands terminated. The application fee shall be refunded within 7 days from the date of issue of this letter.

Signature of Officer:

Designation:

ANNEXURE-VI:
**FORMAT FOR INTIMATING DEFICIENCIES for issue of TECHNICAL
FEASIBILITY**

(To be filled by DISCOM)

To:

(Consumer applicant's name) M/S / Mr. / Mrs. ____

Date: _____

Ref: Your application No. _____ dated _____

Subject: Intimation for Removal of Deficiency

This is to inform you that we have received your above mentioned application and on technical feasibility verification have found that:

The following deficiencies are observed/augmentation is required for technical feasibility:



(others, if any)

Further, it is found that due to above mentioned constraints it is not feasible for the DISCOM to provide connectivity. However, the above deficiencies can be removed if you are ready to bear the costs approximately

Based on this communication, the applicant can either approach the DISCOM (Division Office) to process the case Or, withdraw the application. If you withdraw the application, the fee paid by you will be refunded within 7 working days from the date of the withdrawal letter.

Signature of Officer:
Designation

**ANNEXURE VII: RESPONSE FOR REMOVAL OF DEFICIENCIES
FORMAT**

**Response of the Applicant for Removal of Deficiencies/system
augmentation**

(To be filled by Applicant)

To:

The Concerned Engineer of DISCOM

_____ (Distribution Licensee Name)

_____ (Name of the Division)

_____ (Name / Address of office)

Date:

Subject: Willingness to bear the costs for removal of deficiencies or
augmentation of the system.

I accept the connectivity by paying the costs as intimated by you for removal
of deficiencies/ augmentation of the system and request the DISCOM to process
the application for technical feasibility;

Name and Signature of Applicant:

Application Number:

**ANNEXURE-VIII: INTIMATION FOR REMOVAL OF DEFICIENCIES IN
CONSUMER'S INSTALLATION**

(To be filled by the DISCOM)

To:

(Consumer applicant's name) M/S / Mr. / Mrs. _____

Date:_____

Ref: Your application No._____ dated _____

Subject: Intimation for Removal of Deficiency in consumer installation

With reference to your application dated For the installation of _____kWp system, inspected your installation and we have found the following deficiencies in the the installation:

- a)
- b)
- c) etc

We request you to attend to the above deficiencies within 15 working days and submit a request for inspection to issue technical feasibility certificate.

Signature of Officer:

Designation

ANNEXURE -IX (A): AGREEMENT FOR INDIVIDUAL CONSUMER

(Individual Consumer)

Solar Rooftop Net Metering/Net billing or Net Feed-in /Gross Metering
Connection Agreement

(On Non-Judicial stamp paper worth Rs. 100/-)

This Agreement is executed and entered into at (location) _____ on this (date)____ day _____ of____(month)____(Year)between _____ the _____ consumer, M/s/Mr./Mrs._____, S/o, D/o, W/o _____ residing at _____(address) _____ which means their/his/its/ theirs, successors as first party AND _____Power Distribution Company Ltd. (hereinafter called as Discom) and having its registered office at _____(address) _____ as a DISCOM incorporated under the provisions of Companies Act 1956 consequent to the AP Electricity Reforms Act, 1998 (Which means its authorized representatives assigns, executors and its successors) as other party hereinafter called the 'Discom'.

Whereas, the consumer has taken the responsibility to set up or facilitate the requisite Photovoltaic system and injection of Power into the Discom's grid

And whereas, the Discom agrees to benefit the consumer for the electricity generated and as per conditions of this agreement and Solar rooftop Regulations of the APERC.

Both the party hereby agrees to as follows:

1. Eligibility

- 1.1 All consumers of AP Discom(s) are eligible for setting up of the Grid-Interactive SRTPVS with/ without Battery Energy Storage System with their investment or through third party investment.
- 1.2 The Consumer(s) are free to choose Net metering or Gross Metering or Net Billing/Net Feed-in option for the sale of power to DISCOM.

2. Capacity of the Solar Rooftop Photovoltaic System and Maximum Contracted Load of the Premises

The consumer is proposing to install a rooftop solar power plant of ____kWp capacity under Solar ____Net metering/Net billing or Net Feed-in/ Gross metering facility at D.No. ____,Street____, ____(V), ____(M),____(Dist) having electrical service Connection No.____,Category____,Distribution____ for a contracted load of ____kW/HP/KVA.

3. Governing Provisions

The consumer hereby undertakes to comply with all the requirements of the Electricity Act, 2003, the Rules and Regulations framed under, provisions of the tariffs, applicable Charges and General Terms and Conditions of Supply prescribed by the Discom with the approval of the Andhra Pradesh Electricity Regulatory Commission hereinafter called as “Commission” from time to time and agree not to dispute the same.

4. Technical and Interconnection Requirements

- 4.1 The consumer hereby agrees to comply with CEA (Technical Standard for Connectivity of the Distributed Generation Resources) Regulations, 2013, the CEA (Measures relating to Safety and Electric Supply), Regulations, 2010, CEA (Grid Standards) Regulations, 2010 and Andhra Pradesh State Electricity Regulatory Commission State Electricity Grid Code Regulation or any other relevant regulation, and amendments issued to all these regulations from time to time.
5. The consumer hereby inter alia agrees that Metering and synchronization of Solar Rooftop Photovoltaic System, feed-in tariff, Energy Settlement and Billing as per the APERC (Grid Interactive Rooftop Solar Photovoltaic System Regulations, 2023 and its amendments thereof.

6. Liabilities

- 6.1 The consumer and Discom will indemnify each other for damages or adverse effects from either party's negligence or intentional misconduct in the connection and operation of the photovoltaic system or Discom's distribution system.

- 6.2 Discom and the consumer will not be liable to each other for any loss of profits or revenues, business interruption losses, loss of contract or loss of goodwill, or for indirect, consequential, incidental or special damages, including, but not limited to, punitive or exemplary damages, whether any of the said liability, loss or damages arise in contract, or otherwise.
- 6.3 Discom shall not be liable for delivery or realization by the consumer for any fiscal or other incentive provided by the central /State government.

7. Duration of the Agreement

The agreement shall be in force for 25 years or up to the life of the project whichever is earlier, from the date of commencement of the agreement for all categories of consumers.

Provided that If the agreement of Consumer for supply with Discom is terminated, then the agreement of Consumer for SRTPVS is deemed to have been terminated. For the bill stopped service with SRTPVS to be restored, the consumer shall enter a new agreement with DISCOM for the balance agreement period from the date of the first commissioning of the project.

8. Dispute Resolution

Any disputes arising under/ out of this agreement entered into in accordance with APERC (Grid Interactive Solar Rooftop Photovoltaic System Gross/Net Metering) Regulation, 2023 shall be resolved promptly in good faith and in an equitable manner by both the parties. Failing resolution of the dispute, the party may approach the Commission under Section 86 (1) (f) of EA 2003.

9. Termination

- 9.1 Discom has the right to terminate the Agreement on 30 days prior written notice, if the consumer breaches a term of this Agreement and does not remedy the breach within 30 days of receiving written notice from Discom of the breach.
- 9.2 The consumer can terminate the agreement at any time by providing Discom with 90 days prior notice.
- 9.3 The consumer agrees that upon termination of this Agreement, he must disconnect the photovoltaic system from Discom's distribution system in a timely manner and to Discom's satisfaction. However, he is not prevented from connecting his system under any other applicable provisions of the Electricity Act, 2003.

10. Re-Sale of Electric Power

The consumer shall not sell electricity generated from his solar rooftop plant under this agreement to any party without the sanction in writing obtained from the DISCOM.

11. Obligation of Consumer to pay all charges levied by DISCOM

The Consumer shall abide by the rules and shall pay the Maximum Demand Charges, energy charges, surcharges and other charges, if any, to the DISCOM in accordance with the notified Tariff besides the applicability of the General Terms and Conditions of Supply prescribed by the APERC from time to time.'

The consumer shall also abide by any other charges applicable with respect to the Connection of the Solar Rooftop Power Plant to the grid as per APERC Regulations.

12. Theft of electricity or unauthorized use of electricity

The consumer found indulging in theft of electricity or unauthorized use of electricity shall pay the penal/additional charges as may be levied by the DISCOM besides disconnection of supply as per the provisions of IE Act 2003 and General Terms and Conditions of supply.

13. Knowledge of facts and rules

Knowledge of Facts and Rules The consumer shall be deemed to have full knowledge of the provisions of the Electricity Act, 2003, the A.P. Electricity Reform Act, 1998 and all regulations and notifications made thereunder, as also all laws relating to the supply of electricity.

In the witness, where Mr. _____ for and on behalf of _____
(consumer) and Mr. _____ for and on behalf of _____
(Discom) agree to this agreement.

Signature of the Consumer

Signature of the Discom Representative

Date:

Date:

Witness 1:

Witness 2:

Signature:

Signature:

Name & Address:

Name & Address:

Date:

Date:

**ANNEXURE-IX (B) : AGREEMENT FOR GROUP OF CONSUMERS/
SOCIETIES**

(Group of Consumers/ Societies)

Solar Rooftop Net Metering/Net billing or Net Feed-in /Gross Metering
Connection Agreement

(On Non-Judicial stamp paper worth Rs. 100/-)

This Agreement is made and entered into at (location) _____ on this (date) ____
day of _____(month) ____ (Year) between The Group of persons/society (herein
after called as Eligible /Consumer), Represented by Sri/Smt
_____S/o, _____ residing at
_____(address) _____ as first party
AND _____Power Distribution Company of Andhra Pradesh Ltd. (herein after
called as Discom) and having its registered office at
_____(address) _____ as a DISCOM
incorporated under the provisions of Companies Act 1956 consequent to the
AP Electricity Reforms Act, 1998 (Which means its authorized representatives
assigns, executors and its successors) as other party here in after called the
“DISCOM”.

Whereas, the consumer has taken the responsibility to set up or facilitate the
requisite Solar Photovoltaic system and injection of Power into the Discom's
grid

And whereas, the Discom agrees to benefit the consumer for the electricity
generated and as per conditions of this agreement and Solar rooftop Regulations of
the APERC.

Both the party hereby agrees to as follows:

1. Eligibility

1.1 All consumers of AP Discom(s) are eligible for setting up of the Grid-Interactive SRTPVS with/ without Battery Energy Storage System with their investment or through third party investment.

1.2 The Consumer(s) are free to choose Net metering or Gross Metering or Net Billing/Net Feed-in option for the sale of power to DISCOM.

2. Capacity of the SPV Plant and Maximum Contracted Load of the Premises

2.1 The Group of persons/society is proposing to install a rooftop solar power plant of ____kWp capacity under Solar _____Net metering/Net billing or Net Feed-in/ Gross metering facility at D.No. ____,Street____, ____V, ____ (M)____(Dist) against Common Service Connection No_____,Category____,Distribution_____ and having individual electrical service connections details furnished in the table below for a total contracted load of ____kW/HP/KVA and individual installed capacity share.

2.2 The installed capacity shares of members of the Group of persons/societies are as follows:

Sl.No.	Consumer Name	Installed Capacity share	Consumer Service number

2.3. The Share can be revised only once in a financial year.

3. Governing Provisions

The consumer hereby undertakes to comply with all the requirements of the Electricity Act, 2003, the Rules and Regulations framed under, provisions of the tariffs, applicable Charges and General Terms and Conditions of Supply prescribed by the Discom with the approval of the Andhra Pradesh Electricity Regulatory Commission hereinafter called as "Commission" from time to time and agree not to dispute the same.

4. Technical and Interconnection Requirements

The consumer hereby agrees to comply with CEA (Technical Standard for Connectivity of the Distributed Generation Resources) Regulations, 2013, the CEA (Measures relating to Safety and Electric Supply), Regulations, 2010, CEA (Grid Standards) Regulations, 2010 and Andhra Pradesh State Electricity Regulatory Commission State Electricity Grid Code Regulation or any other relevant regulation, and amendments issued to all these regulations from time to time.

5. The consumer hereby agrees that Metering and synchronization of Solar Rooftop Photovoltaic System, feed-in tariff, Energy Settlement and Billing as per the APERC (Grid Interactive Rooftop Solar Photovoltaic System Regulations, 2023 and

its amendments thereof.

6. Liabilities

- 6.1 The consumer and Discom will indemnify each other for damages or adverse effects from either party's negligence or intentional misconduct in the connection and operation of the photovoltaic system or Discom's distribution system.
- 6.2 Discom and the consumer will not be liable to each other for any loss of profits or revenues, business interruption losses, loss of contract or loss of goodwill, or for indirect, consequential, incidental or special damages, including, but not limited to, punitive or exemplary damages, whether any of the said liability, loss or damages arise in contract, or otherwise.
- 6.3 Discom shall not be liable for delivery or realization by the consumer for any fiscal or other incentive provided by the central /State government.

7. Duration of the Agreement

The agreement shall be in force for 25 years or up to the life of the project whichever is earlier, from the date of commencement of the agreement for all categories of consumers.

Provided that If the agreement of Consumer for supply with Discom is terminated, then the agreement of Consumer for SRTPVS is deemed to have been terminated. For the bill stopped service with SRTPVS to be restored, the consumer shall enter a new agreement with DISCOM for the balance agreement period from the date of the first commissioning of the project.

8. Dispute Resolution

Any disputes arising under/ out of this agreement entered into in accordance with APERC (Grid Interactive Solar Rooftop Photovoltaic System Gross/Net Metering) Regulation, 2023 shall be resolved promptly in good faith and in an equitable manner by both the parties. Failing resolution of the dispute, the party may approach the commission under Section 86 (1) (f) of EA 2003.

9. Termination

- 9.1 Discom has the right to terminate the Agreement on 30 days prior written notice, if the consumer breaches a term of this Agreement and does not remedy the breach within 30 days of receiving written notice from Discom of the breach.
- 9.2 The consumer can terminate the agreement at any time by providing Discom with 90 days prior notice.

- 9.3 The consumer agrees that upon termination of this Agreement, he must disconnect the photovoltaic system from Discom's distribution system in a timely manner and to Discom's satisfaction. However, he is not prevented from connecting his system under any other applicable provisions of the Electricity Act, 2003.

10. Re-Sale of Electric Power

The consumer shall not sell electricity generated from his solar rooftop plant under this agreement to any party without the sanction in writing obtained from the DISCOM.

11. Obligation of Consumer to pay all charges levied by DISCOM

The Consumer shall abide by the rules and shall pay the Maximum Demand Charges, energy charges, surcharges and other charges, if any, to the DISCOM in accordance with the notified Tariff besides the applicability of the General Terms and Conditions of Supply prescribed by the APERC from time to time.'

The consumer shall also abide by any other charges applicable with respect to the Connection of the Solar Rooftop Power Plant to the grid as per APERC Regulations.

12. Theft of electricity or unauthorized use of electricity

The consumer found indulging in theft of electricity or unauthorized use of electricity shall pay the penal/additional charges as may be levied by the DISCOM besides disconnection of supply as per the provisions of IE Act 2003 and General Terms and Conditions of supply.

13. Knowledge of facts and rules

Knowledge of Facts and Rules The consumer shall be deemed to have full knowledge of the provisions of the Electricity Act, 2003 the A.P. Electricity Reform Act, 1998, and all regulations and notifications made thereunder, as also all laws relating to the supply of electricity

In the witness, where of Mr. _____ for an on behalf of _____ (Eligible consumer) and Mr. _____ for and on behalf of _____ (Discom) agree to this agreement.

Signature of the Office-bearer of
Group/ Society

Signature of the Discom
Representative

Date:

Date:

Witness 1:

Witness 2:

Signature:

Signature:

Name & Address:

Name & Address:

Date:

Date:

ANNEXURE-X : INTIMATION FOR METER PROCUREMENT

Intimation of Meter Procurement

(To be filled by Applicant)

To,

_____ (Concerned Authority)

_____ (Name of the DISCOM)

_____ (Date)

Ref: Application No. _____ dated _____

Dear Sir,

With reference to above- mentioned my Application number and receiving the Letter of the technical feasibility, I/we intend to install ___KWp of RTSPV system. In this regard, I/we request DISCOM to provide a meter/metering equipment _____ for SRTPV installation. The meter shall be as per the Net metering/Net Billing or Net Feed-in/ Gross metering clause in Solar Rooftop Regulations of the APERC.

I/We agree to pay fee of INR _____ - as mentioned in DISCOM website via online mode/ DD _____ / cheque _____.

Name of Consumer/Sign

**ANNEXURE-XI: INTIMATION TO DISCOM FOR READINESS OF SYSTEM
CHECK**

**Intimation to the DISCOM for readiness of the system for System Check
Synchronisation with the DISCOM grid and Installation of Meters.**

(To be submitted by the Applicant)

To,
The Executive Engineer
----- (Name of the Division)

----- (Name of the DISCOM)

----- (Address of the Division Office)

Sir/Madam,

Sub:

1. System Checks;
2. Synchronisation with the DISCOM Grid;
3. Installation of Meter(s);

Ref: Our Application No.: _____

With reference to the above, I hereby confirm to you that the Solar Rooftop Photovoltaic System has been installed as per the technical and safety standards laid out by CEA/ APERC/ DISCOM.

The system is ready for synchronisation with the DISCOMs grid and installation of meter(s).

Name of the Applicant: _____

Signature: _____

Enclosures:

1. NOC from CEI/EI, if applicable
2. A copy of the Work Completion Report along with the details of all components of SRTPVS
3. Manufacturer's test certificate of all the components used in the installation of the Solar Rooftop Photovoltaic System.

ANNEXURE-XII: WORK COMPLETION REPORT

Work Completion Report

(To be submitted by the applicant for systems inspection)

To,

Sir/Madam,

Sub: Submission of work completion report (to be submitted by the applicant) for system documentation requirements.

Ref: Our Application No.: _____ dated: _____

With reference to the above, I hereby confirm to you that we have completed the work of installation of the renewable energy system and submit the following basic information for your perusal and request you to arrange to inspect and Commission the system at the earliest:

A. Details of the Solar PV module

1.	Model No.	
2.	Name and address of manufacturer	
3.	Capacity of each Module (Wp)	
4.	No. of Modules	
5.	Total Capacity (kWp)	
6.	Date of Installation	
7.	Applicable Standard (BIS/IEC)	

B. Details of the Inverter

1.	Name and address of the inverter manufacturer	
2.	Brand Name of the inverter	
3.	Model No.	
4.	AC capacity of individual inverter (kW)	
5.	No. of inverters installed	
6.	Total AC capacity of inverter (kW)	
7.	Serial Nos.	
8.	Date of Installation	

9.	Applicable Standard (BIS/IEC)	
10.	Is anti-islanding protection provided?	Yes/No

C. Module Mounting Structure

1.	Does the Module Mounting Structure withstand wind capacity up to 150 kmph?	Yes/No
2.	Is the total load of the structure + panel less than 60 kg/m ² ?	Yes/No
3.	Applicable Standard (BIS/IEC)	

D. Details of the Cables: DC

1.	Make / Name of manufacturer	
2.	Size & Type	
3.	Applicable Standard (IEC)	

E. Details of the AC wiring

1.	Make / Name of manufacturer	
2.	Size & Type	
3.	Applicable Standard (IEC)	

F. Details of the DC distribution box

1.	Make / Name of manufacturer	
2.	Sl. No.	
3.	High quality suitable capacity MOVs/ SPDs along with suitable reverse blocking diodes	
4.	MCB / Isolator quantity & capacity	
5.	Size & Type	
6.	Applicable Standard (IEC)	

G. Details of the AC distribution box

1.	Make / Name of manufacturer	
2.	Sl. No.	
3.	AC Surge Protection Device	

4.	MCB /MCCB quantity & capacity	
5.	Size & Type	
6.	Applicable Standard (IEC)	

H.Details of the Earthing

1	Earth resistance (shall be less than 5 ohms)	
2	Size of the Earth wire / flat*	
3	Three separate Earthing points	Yes / No
	Modules, mounting structure & DC Surge protection device	Yes / No
	Inverter, AC Surge protection device	Yes / No
	Lightening Arrester	Yes / No
4	Size & Type	
5	Applicable Standard (BIS/IEC)	

Note:*Earthing shall be done in accordance IS 3043-1986, provided that Earthing conductors shall have a minimum size of 4 mm² copper wire or 10 mm² aluminium wire or 3 mm² X 70 mm² hot dip galvanized iron flat strip.

I. Details of the Net/Gross meter details, if purchased by the consumer (please enclose the test report of the net meter tested at the laboratory of the DISCOM/designated agency)

1.	Make	
2.	Serial No.	
3.	Procured from DISCOM/ Outside Agency	
4.	Manufacturer's Name	
5.	Capacity	
6.	Type / Model	
7.	Single ph./Three ph.	
8.	Rated Current & CT Ratio	
9.	Reference Voltage & PT Ratio	
10.	Date of Test by MT, DISCOM	
11.	Applicable Standard (BIS/IEC)	
12.	Month & Year of Manufacture	
13.	Class of meter	

J. Details of the Caution Signage

K. Provision of manual and automatic switches: Yes / No

L. G.P.S. Coordinates of the SRTPV System Installation

(i) Latitude:

(ii) Longitude:

M. Whether Operation and Maintenance Manual provided to the consumer: Yes/ No

Certified that the above said SRTPV system was installed and the equipment used comply with the Technical and Safety standards as specified by the MNRE/ CEA/ DISCOM under net metering program.

Signature of the Applicant

Name and Signature of the System
Installer

Name:

Name of the firm and address:

Address

Seal

Date:

Date:

Enclosures:

1. Test report of net/gross meter tested at the laboratory of the DISCOM.
2. Copy of the IEC/IS Test certificates of PV modules, Inverter, Cable etc.
3. Data sheets/Drawing for the array mounting System.
4. Staad Pro report – Module mounting structure. (If required)
5. Actual Single line wiring diagram (SLD) of the Solar Rooftop Photovoltaic System and estimated energy generation report.
6. Copy of Maintenance & Operation information manual provided by the System Installer
7. Copy of commercial agreement with the third party if any.
8. Certificate from CEI / EI, if applicable.

ANNEXURE-XIII: INTIMATION FOR REMOVAL OF SYSTEM DEFICIENCY

Intimation for Removal of Deficiency in the system installed

(To be filled by the DISCOM)

To:

(Consumer applicant's name) M/S / Mr. / Mrs. _____

Date:_____

Ref: Your application No._____ dated _____

Subject: Intimation for Removal of Deficiency found during inspection

As requested by you in the letter dated to carry out inspection & synchronization of your_____KWp system, inspected the premises and we have found the following deficiencies in the system:

- a)
- b)
- c) etc

We request you to attend the above deficiencies within 15 working days and submit a re-request for inspection.

Signature of Officer:
Designation

ANNEXURE-XIV: SYNCHRONISATION CERTIFICATE

Synchronisation with the DISCOM grid, Installation of Meter(s) and COD.

(To be filled by the DISCOM)

To,

(Applicant's name) M/s / Mr. / Mrs. _____

(Consumer No.) _____

Ref: Your application No. _____ dated _____

Sir/Madam,

Sub:

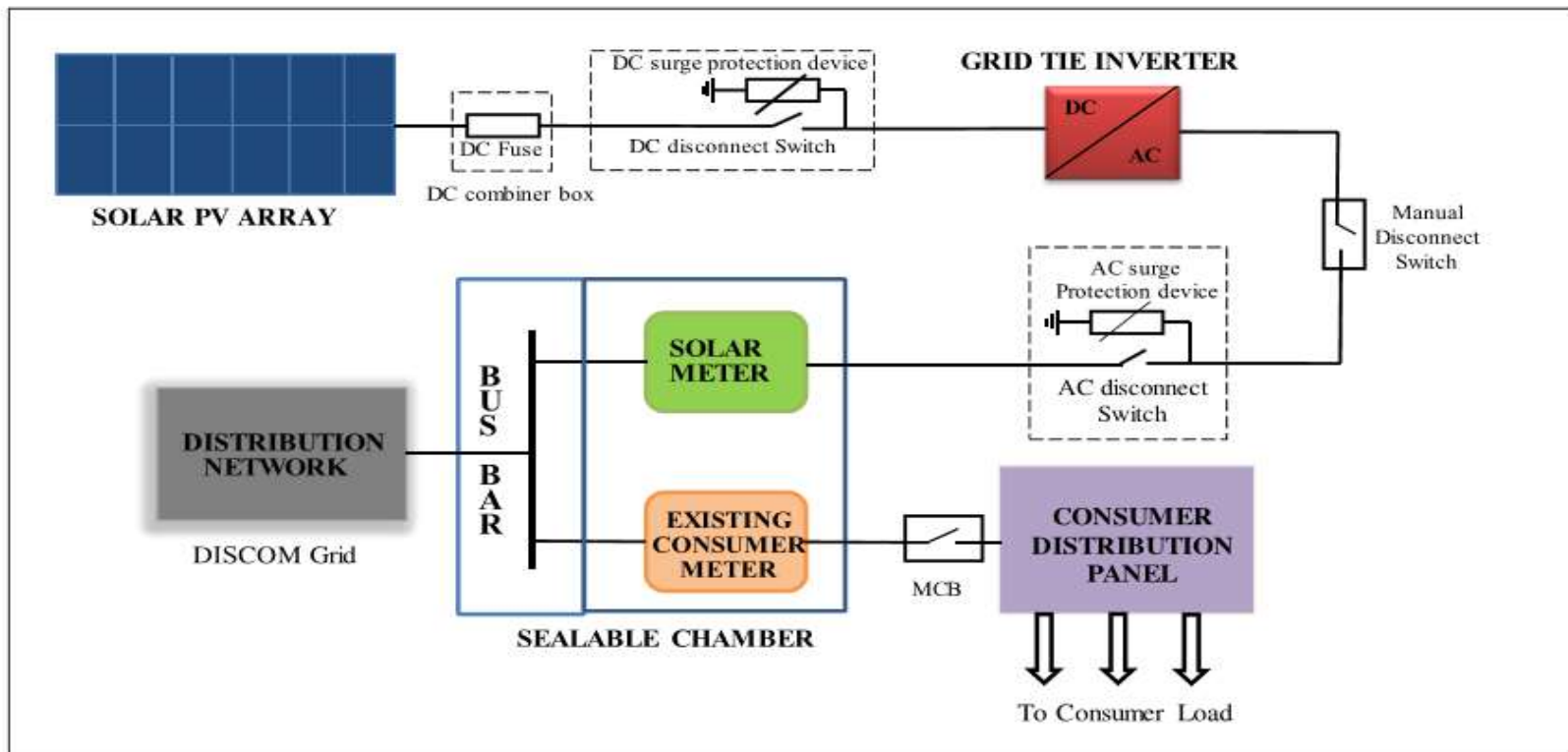
1. Synchronization with the DISCOM Grid;
2. Installation of Meter(s);
3. Commercial Operation Date.

Synchronization test of Solar Rooftop PV system of _____ kWp, installed on the roof of your installation bearing Application No _____ has been conducted and your RTSPV system found satisfactory and successfully synchronized with the grid. Meter with no has been installed and sealed.

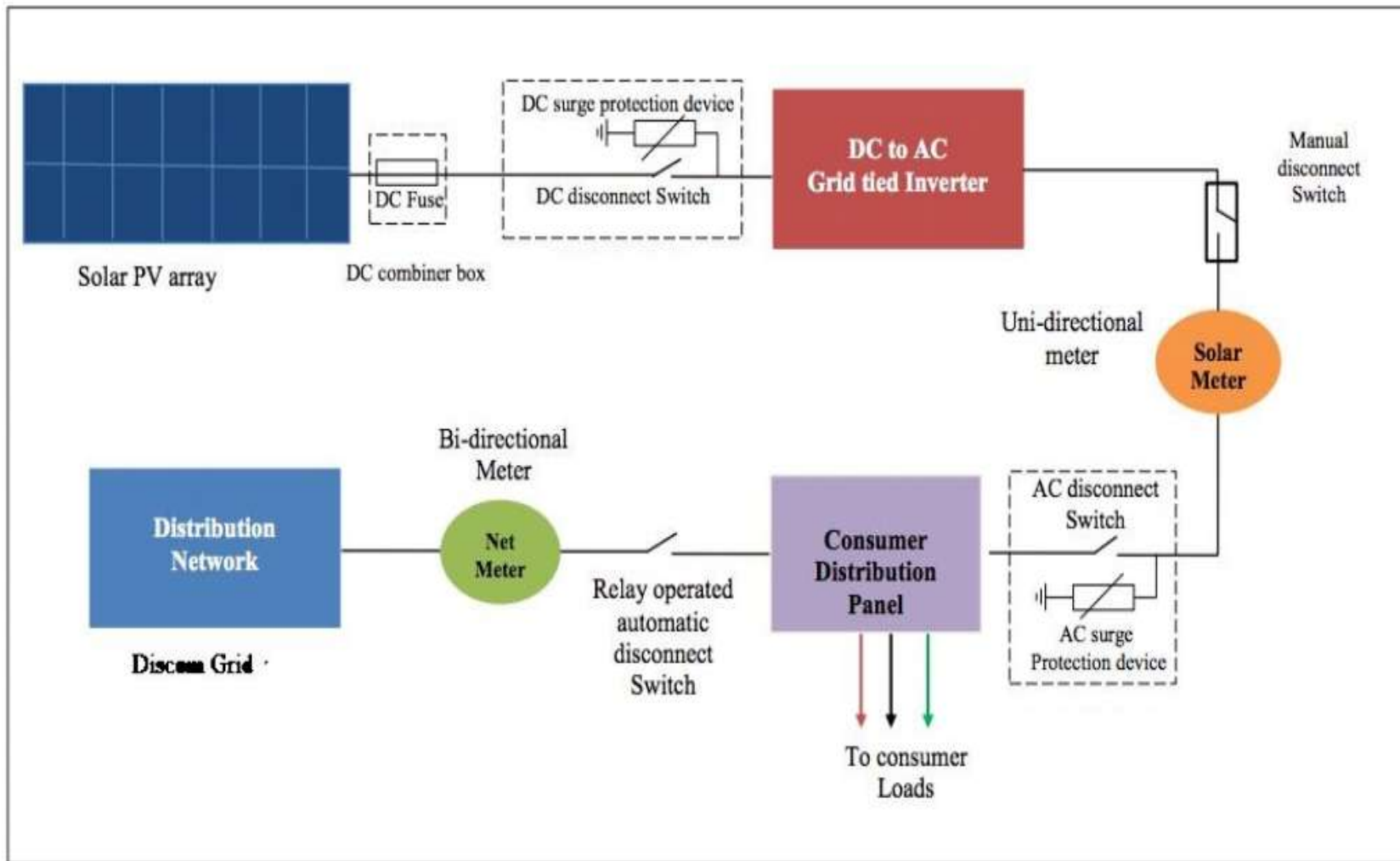
Yours faithfully,

Signature of Officer:
Designation

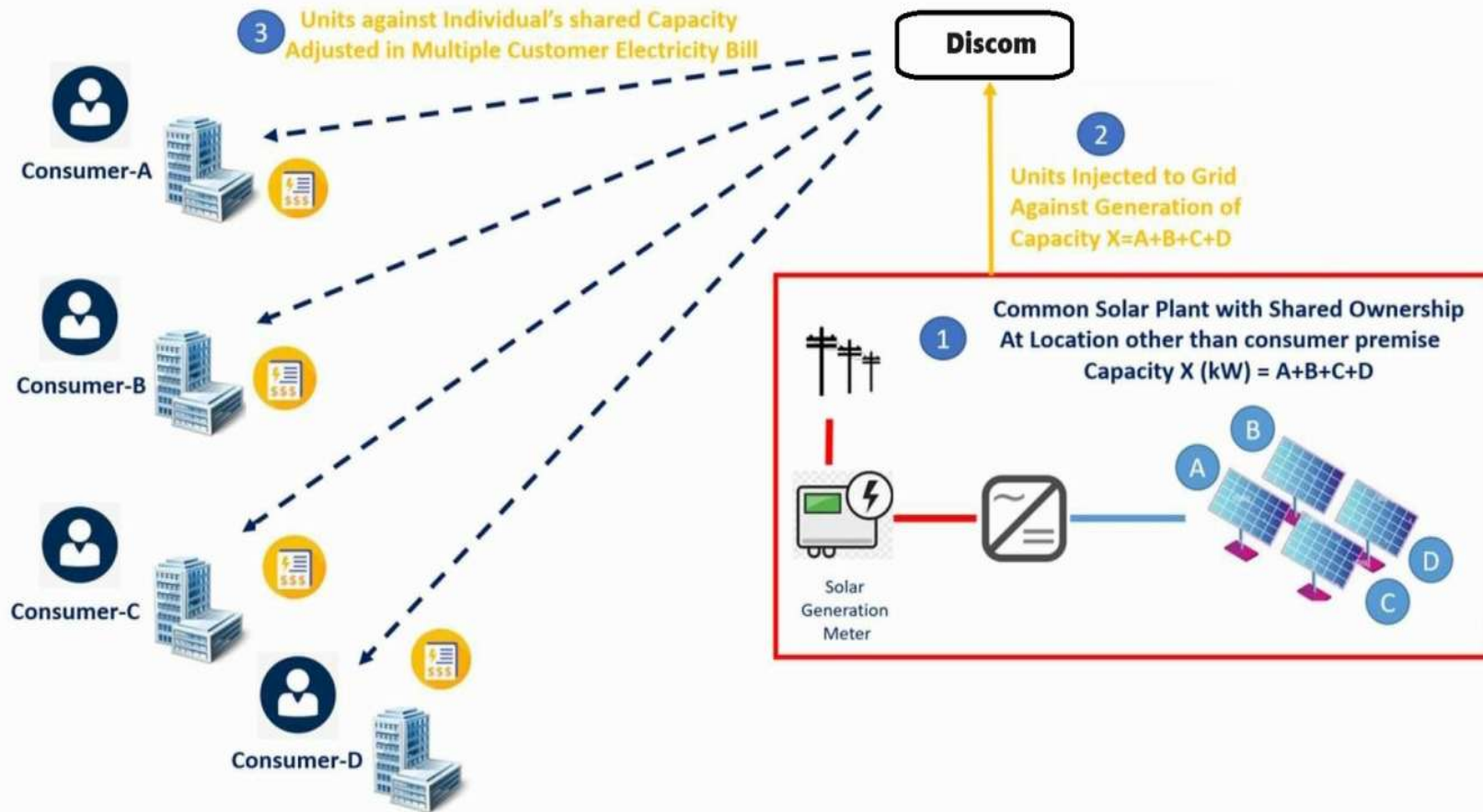
Schematic Diagram of Rooftop Facility for Gross Metering Interconnection



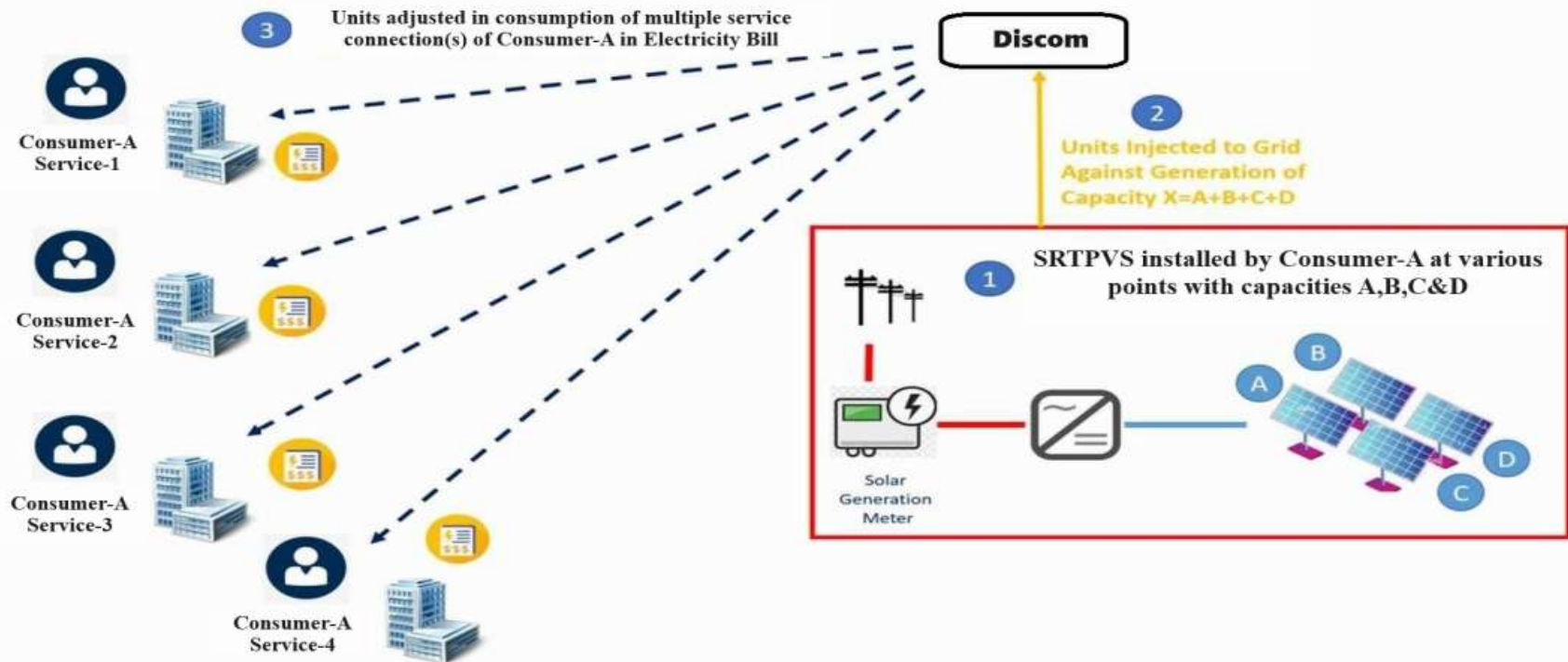
Single Line Diagram of Rooftop Facility for Net Metering Interconnection



Virtual Net Metering



Group Net Metering



Illustrations of Net Metering/Net Billing or Net Feed In/Gross metering

Assumption-1: Applicable Retail Tariff as per TO FY 2023-24

Assumption 2: Feed In Tariff

For Net Metering/Net Billing projects	2.09
Gross Metering at LT Supply	3.13
Gross metering in HT Supply up to 1500 kWp	2.92
Gross metering in HT/EHT Supply of plant capacity from 1501 kWp to 5000 kWp	2.71
Gross metering in HT/EHT Supply with Battery Storage	4.17

Assumption 3: 65% of Energy Generated from SRTPVS is exported to the grid in case of Net Metering and Net Billing.

Assumption 4: This illustration is for individual cases under LT Supply, whereas, the losses and charges as per the Orders of the Commission shall be accounted for while netting of the energy/bill in the Case of Group/Virtual Net Metering.

Prior to SRTPVs installation

Month	Energy Requirement of Consumer (i.e., Energy Consumption from Discom prior to installation of SRTPVS	Retail Supply Tariff for LT-III (A) Industrial-General Category	Actual Energy Charges without SRTPV System (Rs)
Jan	425	6.70	2,848
Feb	525	6.70	3,518
Mar	575	6.70	3,853

Case 1: Net Metering

Energy Generated by SRTPVS	Self Consumption	Exported Units by SRTPVS to DISCOM (Units)	Billed Demand/Consumption from DISCOM (Units)	# Net Energy (Units)	FIT (Rs./kWh)	Net Monthly Payment by DISCOM to Consumer in Bill (Rs.)	Retail Supply Tariff for LT-III (A) Industrial-General Category	Net Monthly Payment by Consumer to DISCOM in Bill (Rs.)
A	B	C=A-B	D	E=D-C	F	G=E*F (if C>D)	H	I=D*H (if C<D)
500	175	325	250	-75	2.09	156	6.70	-
500	175	325	350	25	2.09	0	6.70	168
500	175	325	400	75	2.09	0	6.70	503

#If +VE, Consumer has to pay to DISCOM vice versa

Case 2: Net Billing or Net Feed-In

Month	Energy Generated by SRTPVS	Self Consumption	Energy injected to DISCOM at Net Meter (Units)	Consumption from DISCOM recorded at net Meter (Units)	Retail Supply Tariff for LT-III (A) Industrial-General Category	Monetary value of the Imported Energy by the Consumer (Rs.)	FIT (Rs./kWh)	Monetary Value of the Exported Energy @ FIT (Rs)	Net Monthly Payment by Consumer to DISCOM in Bill (Rs.)#
	A	B	C=A-B	D	E	F=D*E	G	H=C*G	I=F-H
Jan	500	175	325	250	6.70	1,675	2.09	678	997
Feb	500	175	325	350	6.70	2,345	2.09	678	1,667
Mar	500	175	325	400	6.70	2,680	2.09	678	2,002

#If +VE, Consumer has to pay to DISCOM vice versa

Case 3: Gross Metering

Month	Energy Generated by SRTPVS and injected to DISCOM through Gross Meter (Units)	Consumption from DISCOM (Units)	FIT (Rs./kWh)	Retail Supply Tariff for LT-III (A) Industrial-General Category	Monthly Credit Amount to be paid by DISCOM to Consumer (Rs.)	Monthly Bill Amount to be paid by Consumer to DISCOM (Rs.)	Net Monthly Payment by Consumer to DISCOM in Bill (Rs.)
	A	B	C	D	E=A*C	F=B*D	G=F-E
Jan	500	425	3.13	6.70	1,564	2,848	1,284
Feb	500	525	3.13	6.70	1,564	3,518	1,954
Mar	500	575	3.13	6.70	1,564	3,853	2,289

- All the Figures rounded off up to two decimals

12Annexure-III

Illustrations

The following illustrations are shown only for the prosumer(s) who are covered under the ambit of the Time of Day (ToD) tariff. These illustrations do **not** include technical or distribution losses. The applicable losses, as prescribed under the relevant Regulation/Orders/DISCOM procedures, shall apply during actual implementation.

1. VNM - Settlement Mechanism

This example illustrates the allocation of total generation among participating consumers (A, B, and C) based on allocation ratios, followed by slot-wise netting of energy within and across ToD slots.

Assumptions:

(i) **S RTPVS Generation under VNM**

ToD Slot	Total VNM Generation (E_{Total})
Peak	700 kWh
Normal	300 kWh
Off-Peak	2,000 kWh
Total Generation	3,000 kWh

(ii) **Allocation ratios as per the VNM agreement:**

Consumer	A	B	C	Total
Allocation Ratio	40%	30%	30%	100%

(iii) **Allocated Exported Energy from S RTPVS under VNM to participating consumers as per the ratios in the VNM agreement.**

ToD Slot	E_{Total} (kWh)	Consumer A (40%)	Consumer B (30%)	Consumer C (30%)
Peak E_P	700	280	210	210
Normal E_N	300	120	90	90
Off-Peak E_O	2,000	800	600	600

(iv) **Participating Consumer's consumption:**

Consumer	Peak Consumption	Normal Consumption	Off-Peak Consumption	Total Consumption
A	300 kWh	500 kWh	700 kWh	1,500 kWh
B	600 kWh	400 kWh	600 kWh	1,600 kWh
C	110 kWh	90 kWh	200 kWh	400 kWh

¹² First Amendment vide Regulation No. 10 of 2025 dated 08-12-2025

(v) Energy Settlement for participating consumers.

Consumer A:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/ Export(-)
Peak (P)	300	E _P =280	C _P = 300 - 280 = 20 S _{P1} = 0	(N/A)	(N/A)	20 (Consumption from DISCOM)
Normal (N)	500	E _N =120	C _{N1} = 500 -S _{P1} = 500 S _{P2} = 0	C _{N2} = C _{N1} (500) -120 = 380 S _N = 0	(N/A)	380 (Consumption from DISCOM)
Off-peak (O)	700	E _O =800	C _{O1} =700 - S _{P2} = 700	C _{O2} = 700 - S _N = 700	C _{O3} = 700 - 800 = 0 S _O = 100	-100 (Feed-in-tariff paid to consumer)

Consumer B:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/ Export(-)
Peak (P)	600	E _P =210	C _P = 600 - 210 = 390 S _{P1} = 0	(N/A)	(N/A)	390 (Consumption from DISCOM)
Normal (N)	400	E _N =90	C _{N1} = 400 -S _{P1} (0) = 400 S _{P2} = 0	C _{N2} = 400-90=310 S _N = 0	(N/A)	310 (Consumption from DISCOM)
Off-peak (O)	600	E _O =600	C _{O1} =600 - S _{P2} (0) = 600	C _{O2} = 600 - S _N (0) = 600	C _{O3} = 600 - 600 = 0	0

Consumer C:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/ Export(-)
Peak (P)	110	E _P =210	C _P = 110 - 210 = 0 S _{P1} = 100	(N/A)	(N/A)	0
Normal (N)	90	E _N =90	C _{N1} = 90 -S _{P1} (100) = 0 S _{P2} = 10	C _{N2} = 0 S _N = 90	(N/A)	0
Off-peak (O)	200	E _O =600	C _{O1} = 200 - S _{P2} (10) = 190	C _{O2} = 190 - S _N (90) = 100	C _{O3} = 100 - 600 = 0 S _O = 500	-500 (Feed-in-tariff paid to consumer)

*S= Surplus, C= Consumption, C_P= Net consumption during Peak slot, C_{N1}= Net consumption during Normal slot (Step 1), C_{N2}= Net consumption during Normal slot (Step 2), C_{O1}= Net consumption

Off-peak slot (Step 1), **C₀₂**= Net consumption Off-peak slot (Step 2), **C₀₃**= Net consumption Off-peak slot (Step 3), **S_{P1}**= Net Peak Surplus in Peak slot, **S_{P2}**= Balance Net Peak Surplus in Normal slot, **S_N**= Net Surplus in Normal slot, **S_O**= Net Surplus in Off-peak slot.

2. GNM - Settlement Mechanism

This illustration demonstrates the slot-wise accounting for a single prosumer with multiple service connections/meters (Meter 1, Meter 2, and Meter 3) under a Group Net Metering arrangement. Service connections/meters may or may not be under the same category.

The total energy exported from the rooftop solar plant is allocated among the meters according to ratios mentioned in the GNM agreement, and each meter's net energy position is determined through sequential adjustments within and across ToD slots.

Assumptions:

(i) **SRTPVS Generation under GNM**

ToD Slot	Total Exported Energy (E _{Total})
Peak (P)	700 kWh
Normal (N)	300 kWh
Off-Peak (O)	2,000 kWh
Grand Total	3,000 kWh

(ii) **Allocation ratios as per the GNM agreement:**

Service Connection/ Meter	1	2	3	Total
Allocation Ratio	40%	30%	30%	100%

(iii) **Allocated Exported Energy from SRTPVS under GNM to Service connections/meters as per the ratios in the GNM agreement.**

Slot	E _{Total} (kWh)	Meter 1 (40%) (E1)	Meter 2 (30%) (E2)	Meter 3 (30%) (E3)
Peak E _P	700	280	210	210
Normal E _N	300	120	90	90
Off-Peak E _O	2,000	800	600	600

(iv) **Service Connection's consumption:**

Service Connection/ Meter	Peak Consumption (C _P)	Normal Consumption (C _N)	Off-Peak Consumption (C _O)	Total Consumption
1	300 kWh	500 kWh	700 kWh	1,500 kWh
2	600 kWh	400 kWh	600 kWh	1,600 kWh
3	110 kWh	90 kWh	200 kWh	400 kWh

(v) **Energy Settlement for Service connections/meters**

Meter 1:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/Export(-)
Peak (P)	300	E _P =280	C _P = 300 - 280 = 20 S _{P1} = 0	(N/A)	(N/A)	20 (Consumption from DISCOM)
Normal (N)	500	E _N =120	C _{N1} = 500 - S _{P1} = 500 S _{P2} = 0	C _{N2} = C _{N1} (500) - 120 = 380 S _N = 0	(N/A)	380 (Consumption from DISCOM)
Off-peak (O)	700	E _O =800	C _{O1} =700 - S _P = 700	C _{O2} = 700 - S _N = 700	C _{O3} = 700 - 800 = 0 S _O = 100	-100 (Feed-in-tariff paid to consumer)

Meter 2:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/Export(-)
Peak (P)	600	E _P =210	C _P = 600 - 210 = 390 S _{P1} = 0	(N/A)	(N/A)	390 (Consumption from DISCOM)
Normal (N)	400	E _N =90	C _{N1} = 400 - S _{P1} (0) = 400 S _{P2} = 0	C _{N2} = 400-90=310 S _N = 0	(N/A)	310 (Consumption from DISCOM)
Off-peak (O)	600	E _O =600	C _{O1} =600 - S _{P2} (0) = 600	C _{O2} = 600 - S _N (0) = 600	C _{O3} = 600 - 600 = 0	0

Meter 3:

Slot	Cons. (C)	Export (E)	Step 1 (P → P → N → O)	Step 2 (N → N → O)	Step 3 (O → O)	Final Net Import(+)/Export (-)
Peak (P)	110	E _P =210	C _P = 110 - 210 = 0 S _{P1} = 100	(N/A)	(N/A)	0
Normal (N)	90	E _N =90	C _{N1} = 90 - S _{P1} (100) = 0 S _{P2} = 10	C _{N2} = 0 S _N = 90	(N/A)	0
Off-peak (O)	200	E _O =600	C _{O1} = 200 - S _{P2} (10) = 190	C _{O2} = 190 - S _N (90) = 100	C _{O3} = 100 - 600 = 0 S _O = 500	-500 (Feed-in-tariff paid to consumer)

***S**= Surplus, **C**= Consumption, **C_P**= Net consumption during Peak slot, **C_{N1}**= Net consumption during Normal slot (Step 1), **C_{N2}**= Net consumption during Normal slot (Step 2), **C_{O1}**= Net consumption Off-peak slot (Step 1), **C_{O2}**= Net consumption Off-peak slot (Step 2), **C_{O3}**= Net consumption Off-peak slot (Step 3), **S_{P1}**= Net Peak Surplus in Peak slot, **S_{P2}**= Balance Net Peak Surplus in Normal slot, **S_N**= Net Surplus in Normal slot, **S_O**= Net Surplus in Off-peak slot

3. Individual Net-Metering

The net exported energy during the Peak, Normal and Off-Peak ToD slots in the Net Meter shall be adjusted as shown in above illustrations of the VNM and GNM.

Disclaimer: The above illustrations are provided for explanatory and reference purposes only, to facilitate a clear understanding of the slot-wise settlement sequence and adjustment hierarchy for both VNM, GNM and Individual Net Metering systems. Actual settlements shall be carried out in accordance with the actual metering data for generation, consumption, and allocation ratios in VNM/GMM agreements. Allocation ratios and the list of consumers/service connections may be amended once in a financial year. In case there is any conflict between the illustrations and wordings of this Regulation, the Regulation would prevail.

Commission Secretary

REGULATION No 3 of 2024

Andhra Pradesh Electricity Regulatory Commission
(Green Energy Open Access, Charges, and Banking)
Regulation, 2024

Amendment

1. First Amendment vide Regulation No.11 of 2025, dated 08-12-2005

Andhra Pradesh Electricity Regulatory Commission

(Green Energy Open Access, Charges, and Banking)

Regulation, 2024

(Regulation No. 3 of 2024)

Preamble:

The Government of India (GoI) has set an ambitious target of achieving carbon neutrality by the year 2070. In pursuit of this goal, the GoI has established a target to install a Renewable Energy (RE) capacity of 500 GW by 2030. To facilitate and promote the adoption of renewable energy sources, the Ministry of Power (MoP) has issued the Electricity (Promotion of Renewable Energy Through Green Energy Open Access) Rules in 2022. These rules aim to provide regulatory clarity and simplify the process of granting Open Access to both renewable energy generators and consumers.

As per section 181 (1) of the Electricity Act, 2003, the State Commissions may, by notification, make Regulations consistent with the Act and the Rules generally to carry out the provisions of the Act. Therefore, in the interest of promoting the growth of Renewable Energy within the state of Andhra Pradesh, fostering regulatory certainty, and streamlining the Open Access process for RE generators and consumers, fulfilling the objective of the Electricity Act, 2003 for the promotion of efficient and environmentally benign policies, and in the interest of ensuring a better environment for the public at large, in exercise of its powers conferred under Section 86(1)(e) of the Electricity Act, 2003, which envisages promotion of co-generation and generation of electricity from renewable sources of energy, by providing suitable measures for connectivity with the grid and sale of electricity to any person and read with Sections 181, 39(2)(d), 40(c), 42(2, 3), 86(1)(c) of the Electricity Act, 2003, and all other powers enabling in this behalf, after considering all the objections in this regard as detailed in Order dated 01.05.2024, the Commission has framed the following Regulation.

1. Short title, commencement, and extent of application:

- i. This Regulation shall be called the Andhra Pradesh Electricity Regulatory Commission (Green Energy Open Access, Charges, and Banking) Regulation, 2024.
- ii. This Regulation shall come into force from the date of its publication in the Andhra Pradesh State's Gazette.

- iii. This Regulation shall extend to the whole State of Andhra Pradesh
- iv. This Regulation shall be applicable for allowing Open Access to electricity generated from Renewable Energy Sources, for use of Intra-State Transmission System/s (InSTS) and/or distribution system/s of licensee/s in the State, including such Intra-State Transmission and/or distribution system/s, which are incidental to Inter-State Transmission of electricity.
- v. This Regulation supersedes all the earlier Regulations/Stipulations/Guidelines/Directions issued by the Commission in the matter of Open Access to Green Energy.

2. **Definitions :**

(1) In this Regulation, unless the context otherwise, requires:

- a. **“Act”** means the Electricity Act, 2003 (36 of 2003);
- b. **“Banking”** means a facility through which the unutilized portion of energy (under utilisation by the consumer or excess generation over and above the schedule by the generator) from any of the Green Energy Sources ¹(wind, solar, wind-solar hybrid, and Mini-hydel) during a billing month is kept in a separate account and such energy accrued shall be treated in accordance with the conditions laid down in this Regulation;
- c. **“Central Nodal Agency”** means the nodal agency as specified by the Government of India as per the rules;
- d. **“CERC”** means the Central Electricity Regulatory Commission;
- e. **“Commission”** means the Andhra Pradesh Electricity Regulatory Commission;
- f. **“Entity”** means any consumer who has contracted demand or sanctioned load of hundred kW or more either through a single connection or through multiple connections aggregating to a hundred kW or more located in the

¹ First Amendment vide Regulation No. 11 of 2025 w.e.f 08-12-2025

same electricity division of a distribution licensee, except for captive consumers:

Provided that in the case of captive consumers, there shall not be any load limitation;

Provided further that the entity may be without a supply agreement with the DISCOMS.

- g. **“Forum of Regulators (FOR)”** means the forum as referred to in sub-section (2) of section 166 of the Act;
- h. **“Fossil Fuel”** means fuels such as coal, lignite, gas, liquid fuel or a combination of these as its primary source of energy, which are used in generating stations for generating electricity;
- i. **“Green Energy”** means the electrical energy from renewable sources of energy;
- j. **“Obligated Entity”** means the entities mandated to fulfil Renewable Power Purchase Obligation, which includes distribution licensee, captive users, and open access consumers, as specified under Andhra Pradesh Electricity Regulatory Commission Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy/Renewable Energy Certificates) Regulation, 2022, as amended from time to time;
- k. **“Open Access”** means the non-discriminatory provision for the use of transmission lines or distribution systems or associated facilities with such lines or systems by any licensee or consumer or a person engaged in generation in accordance with the Regulations issued by the Andhra Pradesh Electricity Regulatory Commission;
- l. **“Reform Act”** means the Andhra Pradesh Electricity Reform Act, 1998;
- m. **“Renewable Sources of Energy”** means renewable sources of energy such as small hydro, wind, solar, biomass, biofuel, cogeneration (including bagasse-based cogeneration), municipal solid waste, RE Hybrid, hydro, storage (if the storage uses renewable energy) and such other

sources/mechanism as recognised and approved by the GoI or State Government;

- n. **“Rules”** shall mean the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 as may be amended from time to time;
- o. **“SLDC”** means the State Load Dispatch Centre established under sub-section (1) of section 31 of the Act;
- p. **“Standby Charges”** means the charges applicable to green energy open access consumers towards the standby arrangement provided by the distribution licensee, in case such green energy open access consumers are unable to procure/schedule power from the generating sources with whom they have the agreements to procure power due to outages of the generator, transmission systems and the like;
- q. **“State Grid Code”** shall mean the Grid Code issued by the Andhra Pradesh Electricity Regulatory Commission for the State of Andhra Pradesh.
- r. **“State Transmission Utility”** means the Board or the Government company specified as such by the State Government under sub-section (1) of section 39 of the Act;
- s. **“State Nodal Agency”** means the nodal agency notified by this Regulation for the purpose of green energy open access.

(2) Words and expressions used and not defined in this Regulation but defined in the Act shall have the meanings assigned to them in the Act. Expressions used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law.

3. **Criteria for allowing GEOA:**

- i. The long-term GEOA shall be allowed in accordance with the transmission planning criteria and distribution planning code stipulated in the State Grid Code.

- ii. The Short-Term/Medium-Term open access shall be allowed, if the request can be accommodated, by utilizing
 - a. Inherent design margins
 - b. Margins available due to variation in power flows and
 - c. Margins available due to in-built spare transmission system capacity and/or distribution system capacity created to cater to future load growth;

Provided that the above criteria is not applicable if open access by any consumer is sought within the CMD with the DISCOMS.

4. **Categorization of Open Access:**

The open-access consumers shall be classified into the following categories based on the duration of use of the intra-state transmission and/or distribution system:

- i. Long-term Open Access consumers- persons availing or intending to avail the open access for a period equal to or more than five years.
- ii. Medium-term Open Access consumers- persons availing or intending to avail the open access for a period of more than one year and less than 5 years.
- iii. Short-term Open Access consumers- persons availing or intending to avail the open access for a period of up to one year.

Provided that the short-term open access consumer shall be eligible & re-eligible to obtain fresh reservation on the filing of application after the expiry of his term and subject to availability. Such eligibility shall be on priority fixed on the basis of the date of application.

5. **Priority over Fossil based plants:**

The Green Energy Open Access Consumers shall be given priority over fossil-based open access consumers in connectivity and open access in general and also in case of system constraints and availability of limited transmission/distribution system capacity while granting approval for connectivity or open access.

6. Preference and Curtailment Priority:

Among the GEOA consumers, long-term GEOA consumers shall have preference followed by Medium term and short-term, at any given time.

Provided that, the decision for allowing the open access shall be on the basis of first come first served.

In case of constraints in the transmission system or distribution system, the curtailment priority shall be as follows:

- a. Short-term open-access consumers other than Green Energy Open Access consumers shall be curtailed first followed by short-term Green Energy Open Access consumers. Further, the GE open access consumers under the temporary connection agreement shall be curtailed first followed by permanent connection. Also, bilateral transactions shall be curtailed first followed by collective transactions under the day-ahead market followed by collective transactions under the real-time market.
- b. Medium-open-access consumers other than Green Energy Open Access consumers shall be curtailed first followed by Medium term Green Energy Open Access consumers.
- c. Long-term open-access consumers other than Green Energy Open Access consumers shall be curtailed first followed by Long-term Green Energy Open Access consumers.

7. Eligibility criteria for Green Energy Open Access:

Subject to the provisions of this Regulation and system availability, all the entities shall be eligible to take power through Green Energy Open Access for third-party sale or captive use from any Green energy generator.

Provided that such entities or generators, having been declared insolvent or bankrupt or having undisputed outstanding dues against them for more than two months billing of the distribution/transmission licensee or having a case of undisputed unauthorized use of electricity/theft of electricity pending against them at the time of application, shall not be eligible for open access.

Provided further that any entity/generator which is revived through the Resolution process of NCLT or any other law would also be eligible for open access.

²“Provided further that EV charging stations shall be permitted to procure input power through Green Energy Open Access (GEOA) generator(s).”

8. Nodal Agency, the procedure for granting green energy open access:

- (1) Andhra Pradesh State Load Despatch Centre (APSLDC) shall operate as the State Nodal Agency (SNA) for short-term green energy open access.
- (2) The State Transmission Utility (STU) shall operate as the State Nodal Agency (SNA) for the grant of long-term and medium-term term green energy open access.
- (3) All the applications related to green energy open access shall be submitted directly to the respective State Nodal Agencies or through the single window portal set up by the Central Nodal Agency as per the Green Energy Open Access Rules.
- (4) The applications received directly or through the Central Nodal Agency by the State Nodal Agency (SNA) shall be processed as per the procedures and formats devised by SNAs. The SNAs shall develop detailed procedures, and timelines for green energy open access and submit the same to the Commission within 30 days from the date of notification of this Regulation in the Gazette. The procedures and the timelines shall be devised to the extent possible in consonance with the procedures notified by the central agency, and the Green Energy Open Access Rules. However, the existing procedures under Open Access Regulation 2005 of APERC in the interim shall be followed in granting GEOA till the Commission finalises the specific procedures and timelines for GEOA. Further, the timelines in the procedures notified by the central agency, and the Green Energy Open Access Rules would prevail over the timelines specified in Regulation 2005 of APERC. The procedure specified for LTOA may also be followed for MTOA.

² First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

- (5) The SNAs shall coordinate with all other utilities concerned to make available all relevant information regarding green energy open access to the public on the portal of the Central Nodal Agency.

9. **Connectivity, and Energy Settlements:**

39(1): Connectivity

“Connectivity for all new green energy generators shall be granted as per the provisions of APERC Regulation on Power Evacuation from Captive Generation, Co-generation and Renewable Energy Source Power Plants (Regulation No. 3 of 2017).”

49(2): Energy Settlement

“All the Green Energy Open Access (GEOA) generator(s) shall furnish day-ahead schedules, and the settlement of energy shall be carried out on a 15-minute block-wise basis based on the day-ahead schedule, duly considering the actual energy injection. If the energy injected into the grid from wind, solar, wind-solar hybrid, and Mini-hydel exceeds the OA schedule/under-utilisation by the consumer in any time block, such excess/underdrawn energy shall be banked, following the banking conditions in this regulation. Energy injected over and above the approved Open Access quantum shall be treated as inadvertent energy.

In cases where generation data is available in 15-minute time blocks and consumer data in 30-minute time blocks, the generation for two consecutive 15-minute time blocks shall be aggregated to match the corresponding 30-minute time blocks at the consumer end for settlement purposes. Where both generation and consumer data are in 30-minute time blocks, settlement shall be done directly on a 30-minute time block basis.

If additional capacity is required under GEOA for existing Generator(s), a separate meter may be installed for such additional capacity. Where an existing generator's additional capacity is permitted through the same interface meter under GEOA, the energy recorded in the interface meter shall be apportioned between the existing capacity and the additional GEOA capacity based on their respective schedules during the month.

³ First Amendment vide Regulation No. 11 of 2025, dated 08-12-2025

⁴ First Amendment vide Regulation No. 11 of 2025, dated 08-12-2025

Energy settlements and deviations for intra-state Renewable Energy generators for interstate transactions shall be done as per the relevant CERC Regulations. Deviations of all intra-state Wind and solar Generators' schedules shall be settled as per APERC Regulation No. 4 of 2017. Deviations of all other intra-state RE generators not covered under APERC Regulation No. 4 of 2017 shall be settled following the CERC DSM Regulations 2024, as amended from time to time, until the Commission issues a comprehensive Regulation in this regard.

Except for the amendments mentioned above, the remaining provisions of APERC Regulation 2 of 2006, which are not inconsistent with the above, as amended from time to time, are applicable for the settlement of energy. Further, for the wind, solar, wind-solar hybrid and Mini-hydel plants availing open access (including STOA) prior to the issuance of APERC GEOA Regulation No. 3 of 2024, their energy settlement and banking shall be as per Regulation 2 of 2006 only till the applicable period mentioned in respective policies/agreements, whichever is higher.”

10. **⁵Treatment for existing entities and new ones:**

[The Green Energy consumer(s) and generator(s) who were granted Open Access in accordance with Regulation No. 2 of 2005, prior to the notification and commencement of the APERC Green Energy Open Access (GEOA) Regulation No. 3 of 2024, shall continue to be governed by the existing agreements or government policy for the period specified in those agreements or policies, to the extent they are not inconsistent with the Act.

For the Green Energy consumer(s) and generator(s) who were granted Open Access under the ambit of the GEOA Regulation No. 3 of 2024, and before the effective date of this First Amendment to Regulation No. 3 of 2024, the provisions of the GEOA Regulation, 2024, read with the clarifications issued by the Commission and any subsequent orders shall apply subject to Judgement of the Hon'ble High Court, for settlement of energy till the notification of this first amendment. Thereafter, this first amendment is applicable.

⁵ First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

The Green Energy projects already commissioned and those under various stages of construction, under the provisions of earlier Regulations, shall stand governed by those Regulations till the completion of the term of such agreements in all respects. However, in cases where, after the issue of approvals, the projects are not completed within the timelines stipulated in approvals, all such projects shall come under the purview of the GEOA principal Regulation and its amendments.

For the Green Energy Consumer(s) and generator(s) who are granted Open Access under the ambit of this First Amendment to Regulation No. 3 of 2024, the provisions of this amended Regulation shall apply.

The Green Energy Open Access for the period after expiry of the existing agreement in respect of such consumer(s)/generator(s) shall be governed by the provisions of this First Amendment to Regulation No. 3 of 2024 and any amendments thereof.

The existing Open Access consumer(s) may avail any additional power other than the existing sources through Green Energy Open Access under this First Amendment to Regulation No. 3 of 2024 and any amendments thereof.

Any general amendments regarding changes in Names, Entry/Exit points, voltage upgradations, and contracted capacities as per the provisions of the existing Open Access agreements, till the expiry of such agreements, shall not be considered for the application of APERC GEOA Regulation No. 3 of 2024 and its amendments. All new applications, applications for additional capacity and applications for renewal (not inconsistent with the above) of the existing OA generator shall be covered by the GEOA Regulation 2024.

For energy settlement purposes, the effective date of this First Amendment to Regulation No. 3 of 2024 shall be the first day of the next billing cycle following its notification in the Andhra Pradesh Gazette.”]

11. **Metering:** Metering shall be done in accordance with the provisions of CEA (Installation and Operation of Meters) Regulations 2006 as amended from time to time. Further, the practice directions and the Regulations issued by this Commission in accordance with the metering Regulations of CEA shall also be complied with.

“A Smart meter shall be mandatory for consumers/prosumers under LT supply to avail Open Access under this Regulation. The check meter and standby meter are not mandatory for the LT consumers/prosumers.”

12. **Charges to be levied for Green Energy Open Access:**

- a) Transmission charges: Transmission charges as applicable, and determined by the Commission in Multi-Year Tariff Orders for the relevant period in accordance with APERC (Terms and Conditions for Determination of Transmission Tariff) Regulation, 2005 and its amendments from time to time shall be paid by the GEOA consumers.
- b) Wheeling charges: Wheeling charges as applicable, and determined by the Commission in Multi-Year Tariff Orders for the relevant period in accordance with APERC (Determination of Tariff for Wheeling and Retail Sale of Electricity) Regulation, 2005 and its amendments from time to time shall be paid by the GEOA consumers.
- c) Cross subsidy Surcharge as applicable, and determined by the Commission in Retail Supply Tariff Order from time to time or any other order of the Commission shall be paid by the GEOA consumers.
- d) ⁷**Standby charges:** The standby charges shall apply only to Long-term GEOA consumers who request a standby arrangement from the DISCOM for demand in excess of their CMD, either at the time of entering into the Open access agreement or subsequently. The standby arrangement shall also be provided for the co-located power plants upon request to the concerned DISCOM, and the DISCOM shall approve such request within 1 week from the date of receipt of the request, in accordance with this Regulation and its amendments.

If the green energy open access is availed within the CMD of the DISCOMs, and energy from the generator is not injected for any period in a billing cycle, the

⁶ First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

⁷ First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

MD & total energy drawn from the grid by the consumer during such period shall be deemed to be the consumption from the DISCOMs and shall be billed as per RST orders. For such consumers, the standby arrangement and its corresponding LC shall not be applicable.

The consumer shall promptly inform the DISCOM about availing the standby supply when their OA source fails.

The Standby Charges shall be 120% of the normal tariff (on both demand and energy) of the consumer category without any penalty for exceeding the CMD with the DISCOMS (as per clause 8.4 of Regulation 2 of 2006) for a duration not exceeding 72 hours cumulatively for all events (each continuous failure of OA supply shall be treated as 1 event) in a billing month.

When the standby supply is required for more than 72 hours continuously in any event, the consumer shall issue a notice to the DISCOM within 48 hours of availing the standby supply. For co-located consumption from captive power plants, if consumers request a standby arrangement, it shall be provided by the DISCOMs only upon prior notice of two hours. The DISCOM shall provide the standby supply subject to power availability with the DISCOM and in the Real Time Market (RTM). The Standby Charges shall be 120% of the normal tariff on energy or the maximum tariff of energy purchased from the exchanges/market (during the standby period), whichever is higher, is applicable.

The MD and energy charges shall be billed based on the Open Access demand & energy corresponding to the open access demand for the duration of the standby arrangement. MD charges shall be determined on a block-wise basis.

Regarding the standby arrangement required by consumers, an LC for three days of open access consumption shall be furnished. Where the standby requirement extends beyond seventy-two (72) hours, the LC amount shall be dynamically enhanced by the consumer to the DISCOM to ensure continued payment security failing which, the standby charges shall be 150% of the the normal tariff on energy or the maximum tariff of energy purchased from the exchanges/market (during the standby period), whichever is higher is applicable.

The standby arrangement shall not be applicable when R&C measures are in place.

The standby tariff and other terms and conditions defined in this Regulation shall apply from the date of notification of this Regulation until 31.03.2026. The Commission shall determine the standby charges and their terms and conditions in the RST Orders, from FY 2026-27 onwards.”

- e) Banking charges wherever applicable: As specified in this Regulation.
- f) SLDC fees and Charges: As determined by the Commission in accordance with APERC (Levy and Collection of Fees and Charges by State Load Despatch Centre) Regulation, 2006 from time to time.
- g) Scheduling and Deviation settlement charges: Till the Commission issues a comprehensive Regulation on Deviation settlement, the charges shall be collected as per the CERC DSM Regulations, 2022 and its amendments from time to time.
- h) Reactive Energy Charges: The Generators availing of Green Energy Open Access shall pay for the reactive energy in accordance with provisions of the State Grid Code notified by the Commission. If the Commission has not specified rates in the State Grid Code, the rates specified in CERC Regulations/Orders shall be applicable.
- i) Losses between entry and exit points of open access: Losses as applicable as per the Orders/Regulations of the Commission.
- j) The processing fee for Green Energy Open Access under Long-term, Medium-term and short-term shall be Rs.1,50,000, Rs.1,00,000 and Rs.50,000 respectively.
- k) In addition to the above, any Other Charge may be levied as decided by the Commission.

13. CROSS SUBSIDY SURCHARGE AND ADDITIONAL SURCHARGE:

Cross Subsidy Surcharge, and Additional Surcharge: The Cross Subsidy Surcharge, and Additional Surcharge shall be determined as per the provisions of

the Electricity Act, 2003 and the National Tariff Policy notified by the Central Government under the Act.

Provided that cross subsidy surcharge and additional surcharge shall not be leviable in case open access is provided to a person who has established a captive generating plant for carrying the electricity to the destination of his own use. The captive status of the consumer shall be determined based on the Electricity Rules notified by the Government of India.

Provided also that cross subsidy surcharge and additional 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 an additional surcharge shall not be applicable in case electricity is produced from offshore wind projects, which are commissioned up to December 2032 and supplied to the Consumers under open access.

⁸“Provided further that the Cross Subsidy Surcharge and Additional Surcharge shall be exempted for Green Hydrogen production and its derivatives projects. Additionally, Solar Module and Wind Turbine manufacturing projects shall be exempt from the Cross Subsidy Surcharge, while Battery Manufacturing projects shall be exempt from the Additional Surcharge. These projects shall source renewable energy through third-party open access within the State. Further, these exemptions shall be applicable for ten years from the commissioning date of the aforementioned projects, during the operative period of the policy outlined in GO.Ms.No.37, dated 30.10.2024.

The Distribution Licensee shall claim the waivers under Section 65 of the Electricity Act, 2003, from the Government of Andhra Pradesh.”

14. **Banking:** Banking facility shall be provided to the consumers availing Green Energy Open Access which shall be subject to the following conditions.

(1) ⁹The Banking shall be on a monthly billing cycle basis. Each calendar month shall be **considered** as one billing cycle. The banked energy shall be utilized within

⁸ First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

⁹ The First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

the same billing cycle. The unutilized energy at the end of the billing cycle shall be paid at the rate of 75% of the last discovered SECI tender rate for the given RE source as notified by APERC every year and the benefit of RPO/RCO shall be given to the distribution licensee for the corresponding unutilized banked energy. In case SECI tariffs are not available for the RE technology, the tariffs decided by the Commission will apply.

The tariffs applicable for unutilized banked energy for projects achieved CoD in FY 2025-26 are as follows:

- Solar: Rs. 2.25 per unit.
- Wind: Rs. 2.98 per unit.
- Wind-solar hybrid: Rs. 2.44 per unit.
- Mini-hydel: Rs. 2.43 per unit.

The above tariff shall remain fixed for the period till which the banking arrangement is in place in accordance with their agreements.”

(2) The Banking charges in kind shall be 8% of the energy banked at the consumer end. If Transmission/Wheeling Charges and Losses have been levied on the full quantum to determine transmitted/wheeled energy, then no further wheeling charges and losses shall be levied on banked energy during drawl.

(3) ¹⁰The Green Energy Open Access consumers shall be permitted to bank only thirty percent of their total monthly consumption of electricity from the distribution licensee during the billing period. The banked energy in excess of the said thirty percent shall be considered as lapsed. Such lapsed energy shall be deducted first from the off-peak hours, followed by normal hours, and peak hours.

Provided that, for such lapsed surplus energy above the said thirty percent at the end of each billing cycle, the renewable energy generating station shall be entitled to get a Renewable Energy Certificate (REC).

Provided further that, the lapsed unutilised surplus banked energy entitled for RECs, if not claimed by the renewable energy generating station, the DISCOMs

¹⁰ The First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

shall account for such lapsed energy to meet their Renewable Purchase Obligation (RPO) or Renewable Consumption Obligation (RCO) compliance.”

¹¹(4) The banking and drawal shall be allowed throughout the billing cycle. The credit for energy banked shall be adjusted during the same banking cycles as per the energy injected in the respective Time of Day (TOD) slots determined by the Commission in its Retail Supply Tariff Orders.

The banked energy shall be settled as specified below.

- Energy banked during peak hours shall only be drawn/adjusted during peak, normal, and off-peak hours. The energy banked during peak ToD slots shall be adjusted first against peak ToD slots, and leftover banked energy in peak ToD slots, if any, shall be drawn/adjusted during normal TOD slots, followed by off-peak ToD slots.
- Energy banked during off-peak hours shall only be drawn/adjusted during off-peak (solar) hours.
- Energy banked during normal hours shall only be drawn/adjusted during normal hours and off-peak hours. The energy banked during normal ToD slots shall be adjusted first against normal ToD slots, and leftover banked energy in normal ToD slots, if any, shall be drawn/adjusted during off-peak TOD slots.

Provided that the drawl of banked energy during the peak load hours, as approved by the Commission in Retail Supply Tariff Orders, shall not be permitted if R&C measures are in force.

Provided further that the APSLDC shall carry out a Grid Level Study every year to determine peak grid demand and allow 5% of the peak demand as a banking limit at the state level. The SLDC shall notify the allowable maximum generation capacity at the grid level for the ensuing financial year before 1 March every year. The Open Access users shall apply, along with the duration, and receive from the nodal agency an allocation as per the procedure stipulated by it, within the limits stipulated by SLDC, to avail of the banking facility. However, the generator

¹¹ The First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

capacities under the existing OA agreements, prior to the issue of the APERC GEOA Regulation 2024, shall be excluded from the above capacity.

Provided that the peak demand to be considered shall be as per the estimated peak demand projected by the State Load Despatch Centre (SLDC), and in the absence of such projection, the peak demand approved in the Multi-Year Tariff (MYT) Order shall be considered.”

(5) Settlement of open-access energy at the consumer end shall be in the following order of priority:

- a) Open Access Power through Exchange / Bi-lateral transactions
- b) Captive Power/Third party (Non RE)
- c) RE generation after deduction of losses.
- d) Banked Energy
- e) DISCOM's power

Settlement of open-access energy for the Generator shall be in the following order of priority:

- a) Open Access Power through Exchange / Bi-lateral transactions
- b) Open Access Power through intrastate consumer transactions

(6) The energy accounts of all banking transactions shall be maintained by SLDC. Model illustrations of energy settlements, Banking methodology, Banking Charges and banking settlement for different scenarios shall be placed on its website for easy understanding by various stakeholders.

15. **Green certificates & RECs:** The distribution licensee shall provide a green certificate on a yearly basis to the consumers who purchased the green energy from them as per the APERC Renewable Power Purchase Obligation (Compliance by the purchase of Renewable Energy/Renewable Energy Certificates) Regulation, 2022 and its amendments from time to time. The obligated entities may be issued RECs if their purchases from the RE sources other than from the DISCOMS exceed the RPO specified by this Commission as per the CERC REC Regulations 2022 duly following the stipulated Procedure.

16. **Collection and Disbursement of Charges:**

The procedure stipulated in APERC Regulation 2 of 2005 shall be followed for the collection and disbursement of charges as per this Regulation from/to GEOA consumers

17. **Dispute Resolution:**

No application for open access shall be denied unless the applicant has been given an opportunity of being heard in the matter.

All disputes and complaints shall be referred to the Nodal Agency for resolution. Provided that when the Nodal Agency is itself a party to the dispute, the dispute shall be referred for resolution to the Consumer Grievances Redressal Forum (CGRF).

Provided further that in case of open access of power from the generating plants, the dispute shall be adjudicated upon by the Commission.

18. **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 suo moto relax any of the provisions of this Regulation or on an application made before it by an interested person.

19. **Issue of orders or directions:** Subject to the provisions of the Act and this Regulation, the Commission may, from time to time, issue orders and procedural directions with regard to the implementation of this Regulation and specify the procedure to be followed on various matters, which the Commission has been empowered by the Regulations to direct and matters incidental thereto.

20. **Power to amend and review:** The Commission may, at any time, add, vary, modify amend, or review any of the provisions of this Regulation.

21. **Power to remove difficulties:** If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, by general or special order, make such provisions, which in the opinion of the Commission are necessary or expedient to do so.

22. **Savings:**

- a) Notwithstanding superseding of all the Regulations/Stipulations/Guidelines/Directions of the Commission on Green Energy Open Access, anything done or any action taken or purported to have been done or taken under the said Regulations/Stipulations/Guidelines/Directions, in so far as it is not inconsistent with the provisions of the Act or rules and Regulations made thereunder, have been saved.
- b) Nothing in this Regulation shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuse of the process of the Commission.
- c) Nothing in this Regulation shall bar the Commission from adopting a procedure at variance with any of the provisions of this Regulation, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient in order to deal with such a matter or class of matters.
- d) ¹²Notwithstanding anything contained in the future Regulations or any amendments issued hereafter to this Regulation, all agreements entered into under the provisions of this Regulation (such as banking and its period, waivers, etc.) shall remain operative and protected for the term stipulated in the respective GEOA agreements/Policy Period, whichever is higher.”

(BY ORDER OF THE COMMISSION)

Place: Hyderabad
Date: 01.05.2024

P. KRISHNA
Commission Secretary

¹² The First Amendment vide Regulation No. 11 of 2025 dated 08-12-2025

REGULATION NO. 4 OF 2024

Andhra Pradesh Electricity Regulation Commission
(Transmission License Regulation) Regulation, 2024

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No. APERC/Secy/F.No.S-19 (Vol-III)/D.No.1036 Date: 17.05.2024

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION TRANSMISSION LICENCE REGULATION, 2024.

Regulation No. 4 of 2024

Preamble:

The Andhra Pradesh Electricity Regulatory Commission (APERC), hereinafter referred to as "the Commission", granted a Transmission Licence to APTRANSCO vide O.P No. 1/2000 under the provisions of the Andhra Pradesh Electricity Reform Act, 1998. Further, in accordance with Section 16 of the Electricity Act, 2003, the APERC notified APERC (Deemed Licence Conditions) Regulation, 2004 (Regulation 8 of 2004) to adopt the 'General and Special Conditions' of licenses granted under the AP Electricity Reform Act, 1998, to comply with the Electricity Act, 2003. The procedure for the grant of the licence and exemption from the licence is prescribed by the APERC Conduct of Business Regulation, and its amendments from time to time.

To consolidate the procedure of granting the transmission licence, general and special conditions to take care of the present day requirements, particularly in the context of the development of intra-state transmission systems under Section 63 of the Electricity Act, 2003 through Tariff-Based Competitive Bidding (TBCB), the Commission is of the view that it is necessary to frame an exclusive and separate Regulation on transmission licence. Accordingly, in exercise of the powers conferred under Section 181 read with Sections 14 to 22 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in that behalf, after considering all objections/suggestions/views from the stakeholders in this regard as detailed in the Order dated 16.05.2024, the Commission frames the Regulation as under:

CHAPTER - 1 PRELIMINARY

1. Short Title, Extent and Commencement

- a. This Regulation shall be called the Andhra Pradesh Electricity Regulatory Commission (APERC) Transmission Licence Regulation, 2024.
- b. This Regulation shall apply to all transmission licensees in the State and in respect of all applications for Transmission Licence including

applications pending before the Commission on the date of publication of this regulation.

- c. This Regulation shall be applicable to all Transmission Licensees who were granted a license under the AP Electricity Reforms Act, 1998 in the State of Andhra Pradesh.
- d. This Regulation shall come into force on the date of its publication in the Andhra Pradesh Gazette.
- e. This Regulation supersedes all the earlier Regulations/stipulations/guidelines/directions issued by the Commission in the matter of Transmission Licence.

CHAPTER - 2 GENERAL

2. Definitions, Interpretation, and Review

(1) In this Regulation, unless the context otherwise requires: -

- a) **"Act"** means The Electricity Act, 2003 (36 of 2003);
- b) **"Acts"** means The Electricity Act, 2003 (36 of 2003 and The Andhra Pradesh Electricity Reform Act, 1998;
- c) **"Accounting Statement"** means for each financial year, accounting statements separately in respect of the Licensed Business and the Other Business, comprising;
 - i. balance sheet, prepared in accordance with the form contained in Part I of Schedule VI to the Companies Act, 1956;
 - ii. profit and loss account, complying with the requirements contained in Part II of Schedule VI to the Companies Act, 1956;
 - iii. cash flow statement, prepared in accordance with the Accounting Standard on Cash Flow Statement (AS-3) of the Institute of Chartered Accountants of India;
 - iv. report of the statutory auditors' of the Transmission Licensee;
 - v. cost records prescribed by the Central Government under Section 209(1)(d) of the Companies Act, 1956.

- d) **"Applicant"** means a person who has made an application for the grant of licence for intra-state transmission of power;
- e) **"Area of Activity" or "Area of Licence"** means the area of activity stated in the Transmission Licence within which the Transmission Licensee is authorised to operate and maintain transmission lines;
- f) **"Allocation Statement"** means for each financial year, a statement in respect of each of the separate businesses of the Transmission Licensee, showing the amounts of any revenue, cost, asset, liability, reserve or provision, which has been either:
 - (i) charged from or to any Other Business together with a description of the basis of that charge; or
 - (ii) determined by apportionment or allocation between the Transmission Business and any Other Business of the Transmission Licensee, together with a description of the basis of the apportionment or allocation;
- g) **"Auditors"** means the Transmission Licensee's auditors, and if the Transmission Licensee is a company, auditors holding office in accordance with the requirements of the Companies Act 1956 (1 of 1956), as amended from time to time;
- h) **"Business Plan"** means a plan in relation to the Licensed Business, containing all the details specified in this Regulation;
- i) **"Commission"** means the Andhra Pradesh Electricity Regulatory Commission;
- j) **"Conduct of Business Regulations"** means the Andhra Pradesh Electricity Regulatory Commission's Conduct of Business Regulations notified by the Commission;
- k) **"Deemed licensee"** means a person authorised under sub-section (a) of Section 14 of the Act and also under the first, second, third, and fifth provisos to Section 14 of the Act to operate and maintain an intra-State Transmission system(s) of electricity;
- l) **"Financial Year"** means a period of twelve months from 1st April of a calendar year to 31st March of the following

calendar year;

- m) **"Guidelines for competitive bidding"** means the guidelines issued by the Central Government from time to time in terms of Section 63 of the Act for the development of transmission projects;
- n) **"Grid Code"** means the Grid Code specified by the Commission under clause (h) of sub-section (1) of Section 86 of the Electricity Act and includes the Indian Electricity Grid Code issued by the Central Electricity Regulatory Commission (CERC) as applicable from time to time;
- o) **"Licence"** means the licence granted under Section 14 of the Act to establish or operate transmission lines;
- p) **"Licensed Business"** means the business of establishing or operating transmission lines;
- q) **"Major Incident"** means an incident associated with the transmission of electricity which results in a significant interruption of service, substantial damage to equipment, or life or significant injury to human beings or as otherwise specified by the Commission and shall also include any other incident which the Commission declares to be a major incident.
- r) **"Other Business"** means such other business as is referred to in Section 41 of the Act;
- s) **"Reform Act"** means the Andhra Pradesh Electricity Reform Act, 1998.
- t) **"Secretary"** means the Secretary of the Andhra Pradesh Electricity Regulatory Commission;
- u) **"Standards"** means the technical standards, safety requirements and grid standards specified by the Central Electricity Authority (CEA) under Section 73 of the Act;
- v) **"State"** means the State of Andhra Pradesh;
- w) **"State Grid Code"** means the State Grid Code issued by the Commission under clause (h) of sub-section (1) of Section 86 of the Electricity Act;
- x) **"Transmission Licence"** means a Licence granted to establish or operate transmission lines in the area specified in the

Licence, and "Transmission Licensee" shall be construed accordingly;

- y) **"Transmission charges"** means the transmission charges approved or adopted, as the case may be, by the Commission for the transmission system(s);
- z) **"Transmission plan"** means the 5-year plan and/or indicative plan for the following 5 years prepared by the State Transmission Utility and approved by the Commission.

(2) Interpretation

- a. Words and expressions used and not defined in this Regulation but defined in the Act shall have the meanings assigned to them in the Act. Expressions used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law.
- b. In the interpretation of this Regulation, unless the context otherwise requires:
 - i. words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
 - ii. references herein to the "Regulation" shall be construed as a reference to this Regulation as amended or modified by the Commission from time to time in accordance with the applicable laws in force;
- c. the headings are inserted for convenience and may not be taken into account for the purpose of interpretation of this Regulation;
- d. references to the statutes, regulations or guidelines shall be construed as including all statutory provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be, referred to.

(3) Review

This Regulation may be reviewed by the Commission from time to time, *inter alia* for securing harmonization with the regulation of

open access and/or to cater to the needs of developing power markets, in accordance with Section 66 of the Act.

CHAPTER - 3

PROCEDURE FOR GRANT OF TRANSMISSION LICENCE

3. All proceedings under this regulation shall be governed by the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, as amended from time to time.

4. **Eligibility for Transmission Licence**

The applicants for the Transmission Licence shall meet the technical and financial qualifications prescribed by the Ministry of Power, Government of India in the Standard REQUEST FOR PROPOSAL (RFP) for Selection of Bidder as Transmission Service Provider from time to time.

5. **Application for Grant of Transmission Licence**

- i. The application for the grant of a Transmission Licence shall be submitted to the Commission in the form specified in Schedule I of this Regulation and shall be accompanied by an application fee as prescribed by the Andhra Pradesh Electricity Regulatory Commission (Fees) Regulation, as amended from time to time and an affidavit as specified in Schedule III. The fee shall be payable by way of a Bank Draft/ Pay Order drawn in favour of the Secretary, A.P. Electricity Regulatory Commission.
- ii. Every application for the grant of a Transmission Licence shall be signed by or on behalf of the Applicant by a duly Authorised Person and shall be addressed to the Secretary of the Commission. The application shall be filed in five (5) sets.
- iii. The application for grant of Transmission Licence, along with enclosures thereto, shall be submitted to the Secretary of the Commission also on a compact disc (CD) after taking necessary measures for data protection, virus detection etc.
- iv. The Applicant shall post the complete application along with enclosures on its own website or where it does not have such website; on any other website and provide access to the application through

the Internet.

- v. The Applicant simultaneously shall forward a copy of the application to the State Transmission Utility (STU).

6. Receipt and Acknowledgement of Application

Upon receipt of the application for grant of Transmission Licence, the Secretary of the Commission shall enter the particulars thereof in a register to be maintained for this purpose and allot a reference number to the application. The Secretary shall send an acknowledgement to the Applicant at the address stated in the application including the date of receipt and the reference number.

7. Public Notice of Application

The Applicant shall, within seven days after making such application, publish a notice as specified in Schedule IV in one English and one Telugu daily newspaper having wide circulation in the area of Transmission for which the Licence is sought, with the following particulars:

- a. Name of the Applicant in bold at the top clearly bringing out whether the Applicant is an individual, or a partnership firm registered under the Indian Partnership Act, 1932 (9 of 1932), or a private limited company or a public limited company, incorporated under the Companies Act, 1956, (1 of 1956) or any other incorporated or unincorporated body giving full particulars of its office address and also the registered office address, if any;
- b. A statement that the Applicant has submitted an application to the Commission for grant of a Transmission Licence under Section 15 of the Act;
- c. Proposed Area of Transmission Licence;
- d. Financial and technical strength, management profile, and shareholding pattern, if any, of the Applicant;
- e. A statement to the effect that the application and other documents filed before the Commission from time to time, are available with the Applicant for inspection by any person;
- f. The names, addresses, and other necessary details of the person(s) nominated by the applicant in the area of the proposed Transmission

licence, who can make available the said documents for inspection, the application and other documents or from whom they can be purchased in person, or by post at reasonable charges, not exceeding photocopying charges;

- g. Brief particulars of the proposed Transmission Licence;
- h. A statement to the effect that the completed application is available on the website of the Applicant or any other authorised website and can be downloaded free of cost;
- i. A statement that objections, if any, may be filed before the Secretary, A.P. Electricity Regulatory Commission within 30 days of publication of the notice giving the address of office of the Commission.

Provided that the Applicant may request the Commission to permit it to refrain from publishing any of the above information in order to protect its business interests or rights in intellectual property with sufficient and reasonable grounds and the Commission may grant or reject such request after due consideration.

Provided further that the Applicant may be required to publish in the manner specified, a non-confidential summary of the above information.

8. Public Inspection of Application and Documents

- i) From the date of publication of notice in accordance with clause 6 above, the Applicant shall make available at its own office and the office/s of its agents (if any) and also with every local authority as may be specified by the Commission from time to time, copies of the application and all the documents submitted therewith.
- ii) The Applicant shall furnish, to all persons applying, printed copies of its application, together with the attachments thereto, at the reasonable cost of photocopying such material.

9. Scrutiny of Application and Calling for Additional Information

- i) The Secretary or any other officer designated by the Commission for this purpose, may, upon scrutiny of the application, require the Applicant to furnish, such additional information or documents as may be considered necessary for the purpose of dealing with the

application, within a period of thirty (30) days from the date of receipt of application.

- ii) the Secretary or designated officer finds that the application and the accompanying documents are complete in all respects and after the applicant has complied with the procedure prescribed for validly submitting an application, the Secretary/designated officer shall certify that the application is complete for being considered for grant of a Transmission Licence in accordance with the procedure mentioned in these Regulations.

10. Objections and Suggestions

- i) Any person intending to object/suggest to the grant of the Transmission Licence shall file objections/suggestions within 30 days from the date of issue of the first advertisement referred to in clause 7 above. The objections/suggestions shall be addressed to the Secretary of the Commission, with a copy to the Applicant.
- ii) Where an objection is received from any local authority concerned, the Commission shall, if in its opinion the objection is untenable, record the opinion in writing and communicate it to such local authority along with reasons therefore.
- iii) Upon receipt of such objections/suggestions, the Secretary/designated officer shall imprint the reference number of the concerned application for grant of Transmission Licence on the same and shall place such objections in the file relating to the concerned application, and also post the same on the Commission's website.
- iv) The Applicant shall submit comments on the objections or suggestions received in response to the notice under clause 7 above within 15 days of the expiry of the 30 day notice period mentioned in (i) above.
- v) In case of an application for a Transmission Licence for an area including the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard, or camp or of any building or place in the occupation of the Central Government for defence purposes, before granting Transmission Licence, the Commission shall ascertain that there is no objection, on the part of the Central Government, for grant

of such Transmission Licence.

- vi) Provided that in case there is no response from the Central Government in this regard within 30 days, the Commission may, at its discretion, proceed further in accordance with the Law.

11. Recommendations of STU

The State Transmission Utility shall within thirty days after the receipt of the copy of the application referred to in clause 5 (v), send its recommendations, if any to the Commission.

Provided that the recommendation of STU shall not be binding on the Commission.

12. Local Inquiry

- i) The Commission may, if it considers necessary upon a perusal of the objections and/or comments thereon, or at any time during the course of proceedings for the grant of Transmission Licence, cause a local inquiry to be held, of which notice in writing shall be given to both the Applicant and the objector.
- ii) Where a local inquiry is ordered and held under clause (i) above, the Commission shall, in its order requiring the local inquiry, or by further order in writing, specify the time within which the local inquiry is to be completed.

Provided that the Commission may, for reasons to be recorded in writing, extend the time fixed by it for the local inquiry.

- iii) Where a local inquiry is ordered and conducted under clause (i) above, a memorandum of the results of the said local inquiry shall be prepared and shall be signed by the Applicant, the officer or person designated for the purpose of carrying out the inquiry and such other person as the Commission may direct.
- iv) The results of the local inquiry shall be considered by the Commission while hearing the application for the grant of a Transmission Licence.

13. Hearing of Application and Grant of Transmission Licence/Refusal

- i) After compliance by the Applicant with all the conditions pertaining to the submission of documents, obtaining of permissions and publication of notices and after the expiry of the time for receiving objections, the Commission may proceed further to consider the objections and replies of the Applicant thereto.
- ii) After inquiry, if any, and the hearing of the application, if conducted, the Commission may decide to grant or refuse the Transmission Licence.

iii) Refusal of Transmission Licence

Suppose the Commission is not inclined to grant the Transmission Licence. It shall record in writing, the reasons for rejection, if such application does not conform to the provisions of the Act, Reform Act, Rules/ Regulations made there under, or the provisions of any other law for the time being in force or such other reasons which in the Commission's view are germane for rejection.

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.

The Secretary of the Commission shall inform the applicant of the refusal of the Transmission Licence along with the reasoned Order of the Commission.

iv) Grant of Transmission Licence:

If the Commission is inclined to grant the Transmission Licence, the Commission shall publish a notice of its proposal to grant the Transmission Licence in two such daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the Transmission Licence, with such other details as the Commission considers appropriate.

The Commission shall consider all suggestions or objections received before granting the Transmission Licence.

When the Commission decides to grant the Transmission Licence, the Secretary shall inform the Applicant, in the form specified in Schedule V or in such other form as the Commission may direct from time to time.

- v) When the Commission has approved a licence, the Secretary shall inform the Applicant, within fourteen (14) days of the date of grant of approval, of such approval and of the form in which it is proposed to grant the Transmission Licence and the conditions to be satisfied by the Applicant, including the fees to be paid for the grant of Transmission Licence.
- vi) The Secretary shall, immediately after the issue of the licence not later than one week, forwards a copy of the licence to the Energy Department, Government of Andhra Pradesh and the Central Electricity Authority.
- vii) The Commission shall, as far as practicable, grant the Transmission Licence or reject the application seeking grant of a Transmission Licence, within ninety days of having received the said application.

14. The deemed licensees shall make an application in the form specified in Schedule 2 to the Commission to get identified as the deemed Licensee. Provided that nothing in clauses 4 to 13 shall apply to deemed licensees.

15. Commencement of the Transmission Licence

The Transmission Licence shall commence from such date as the Commission may specify.

16. Duration of the Transmission Licence

The Transmission Licence shall be valid for a period of twenty-five years from the date of its commencement unless it is duly suspended or revoked by the Commission by an order.

17. Deposit of Maps

When a Transmission Licence has been granted, three sets of maps of the proposed Area of Licence on a scale of not less than a km or such other scale as may be approved by the Commission in a specific case shall be signed by the Secretary and dated to correspond with the date of the notification of the grant of the Transmission Licence. One set of the maps shall be deposited with the Commission and the other two sets shall be given to the State Transmission Utility.

18. Deposit of Copies of Transmission Licence

- i) Every person who is granted a Transmission Licence shall within thirty days of the grant thereof:
 - i. have an adequate number of copies of the Transmission Licence printed;
 - ii. have an adequate number of maps prepared to show the Area of Licence;
 - iii. arrange to exhibit a copy of such Transmission Licence and maps for public inspection during work hours at its head office, its local office/s (if any) and at the office of every local authority within the Area of Licence.
- ii) Every Transmission Licensee shall, within the aforesaid period of thirty days, supply free of charge, one copy of the Transmission Licence and the relevant maps to every local authority, as may be specified by the Commission in this regard within the Area of Licence and shall also make necessary arrangements for the sale of printed copies of the Transmission Licence to all persons applying for the same, at a price not exceeding normal and reasonable photocopying charges per copy.

19. Amendment of a Transmission Licence

- i) Where in its opinion and the public interest so requires, the Commission may, on the application of the Transmission Licensee or of a local authority concerned or otherwise, make such amendments in the terms and conditions of a Transmission Licence as it thinks fit, having regard to the object and purposes of the Act:

Provided that no such amendments shall be made, except with the consent of the Transmission Licensee, unless such consent has, in the opinion of the Commission, been unreasonably withheld.

- ii) Where a Transmission Licensee has made an application for amendment of its Transmission Licence, the Transmission Licensee shall, within seven (7) days of making such application, publish a notice in one English and one Telugu daily newspaper having wide circulation in the area of operation of Transmission Licence sought to

be amended giving following particulars:

- i. Brief details of existing Transmission Licence;
 - ii. Proposed amendments to the existing Transmission Licence;
and
 - iii. Reasons for the amendment;
 - iv. The names, addresses and other necessary details of the person(s) nominated by the applicant in the area of the proposed Transmission licence, who can make available for inspection the application and other documents or from whom they can be purchased in person or by post at reasonable charges, not exceeding photocopying charges;
 - v. A statement that any person, desirous of making any suggestion or objection with reference to the application to the Commission, may do so by way of written intimation (six copies) addressed to the Secretary within 30 days from the date of the first publication of the notice.
- iii) All objections to an application for amendment pursuant to publication of notice under clause (ii) above shall be considered by the Commission if received within thirty (30) days from the date of first publication of the notice.
- iv) Where an amendment to a Transmission Licence is proposed by the Commission suo-motu, the Commission shall publish a notice in one issue each of a daily newspaper in English language and one daily newspaper in Telugu language having wide circulation in the area of operation of Transmission licence sought to be amended giving following particulars:
- i. Name of the Transmission Licensee and address of the main office in the area of supply;
 - ii. Description of alteration or amendment proposed to be made by the Commission;
 - iii. Brief Reasons for proposed alteration or amendment;
 - iv. A statement that any person, desirous of making any suggestion or objection with reference to application to the Commission, may do so by way of written intimation (five copies) addressed to the Secretary within thirty days from the date of the first

publication of the notice.

All objections to the proposed amendment, received within thirty days from the date of the first publication of the notice, shall be considered by the Commission before effecting or rejecting the proposed amendment.

- v) The provisions of this Regulation relating to the grant of Transmission Licence shall, as far as may be practicable and necessary, apply to consideration and disposal of an application for amendment of Transmission Licence.
- vi) In the case of an application proposing an amendment in an Area of Licence comprising the whole or any part of the cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission shall not make the amendment except with the consent of the Central Government.

20. Revocation of the Transmission Licence

- i. The Commission may revoke a Transmission Licence in accordance with the applicable provisions of the Act and the Reform Act, in any of the following circumstances, namely:-
 - a. where the Transmission Licensee, in the opinion of the Commission, makes willful and prolonged default in doing anything required of it by or under the Act or the Reform Act or the rules or regulations made there under;
 - b. where the Transmission Licensee has breached any of the terms or conditions of its Transmission Licence, the breach of which is expressly declared by such Transmission Licence to render it liable to revocation;
 - c. where the Transmission Licensee fails, within the period fixed in this behalf by its Transmission Licence, or any longer period which the Commission may have granted there for -
 - (1) to show, to the satisfaction of the Commission, that it is in a position fully and efficiently to discharge the duties and obligations imposed on it by the Transmission Licence; or
 - (2) to make the deposit or furnish the security, or pay the fees

- or other charges required by the Transmission Licence;
- d. where in the opinion of the Commission, the financial position of the Transmission Licensee is such that it is unable fully and efficiently to discharge the duties and obligations imposed on it by its Transmission Licence by the Commission.
 - e. where the Transmission Licensee, in the opinion of the Commission, made a default in complying with a direction given by the Commission.
- ii. Where in its opinion the public interest so requires, the Commission may, on application, or with the consent of the Transmission Licensee, revoke its Transmission Licence as to the whole or any part of its Area of Licence upon such terms and conditions as it thinks fit.
 - iii. No Transmission Licence shall be revoked under clause (i) above, unless the Commission has given to the concerned Transmission Licensee, not less than three months' notice, in writing, stating the grounds on which it proposes to revoke the Transmission Licence, and has considered any cause shown by the concerned Transmission Licensee within the period of that notice, against the proposed revocation.
 - iv. The Commission may, instead of revoking a Transmission Licence under clause (i) above, permit it to remain in force subject to such further terms and conditions as it thinks fit to impose, and any further terms or conditions so imposed shall be binding upon and be observed by the Transmission Licensee and shall be of like force and effect as if they were contained in the Transmission Licence.
 - v. Where the Commission revokes a Transmission Licence under this Regulation, it shall serve a notice of revocation upon the Transmission Licensee and fix a date on which the revocation shall take effect.
 - vi. Where the Commission has given notice for revocation of a Transmission Licence under clause (iv) above, without prejudice to any penalty which may be imposed, or prosecution proceeding which may be initiated, under the Act and/or the Reform Act, the Transmission Licensee may, after prior approval of the Commission, sell its utility/business to any person who is found eligible by the

Commission for grant of a Transmission Licence.

21. Suspension of Transmission Licence and sale of utility

- i) If at any time the Commission is of the opinion that the Transmission Licensee-
 - a) has persistently failed to maintain an uninterrupted Supply of electricity conforming to standards regarding the quality of electricity to the consumers; or
 - b) is unable to discharge the functions or perform the duties imposed on it by or under the provisions of the Act or the Reform Act; or
 - c) has persistently defaulted in complying with any direction given by the Commission under the Act or the Reform Act; or
 - d) has breached any of the terms and conditions of the Transmission Licence, and circumstances exist which render it necessary for the Commission in the public interest so to do, the Commission may, for reasons to be recorded in writing, suspend, for a period not exceeding one year, the Transmission Licence of the Transmission Licensee and appoint an Administrator to discharge the functions of the Transmission Licensee in accordance with the terms and conditions of the Transmission Licence.

Provided that before suspending a Transmission Licence under clause 21, the Commission shall give a reasonable opportunity to the Transmission Licensee to make representations against the proposed suspension of the Transmission Licence and shall consider the representations, if any, of the Transmission Licensee.

22. Payment of Licence Fees

- i) Within 30 days, or such other period as the Commission may allow after the commencement of the Licence, the Licensee shall pay an Initial Licence fee as may be specified.
- ii) For each subsequent Year that the Licence remains in force, the Licensee shall, by 15th April of every year or such further period as

the Commission may allow, pay to the Commission an annual licence fee (rounded to the nearest thousands) as per the APERC Fee Regulation issued under Section 86(l)(g) of the Act. The Commission shall be entitled to review and revise the annual licence fee if required after every block of three years for the next block of three years and the Licensee shall be liable to pay such revised annual licence fee.

- iii) Where the Transmission Licensee fails to pay any of the fees due under sub- clauses (i), or (ii) above by the dates specified:
- a) The Transmission Licensee shall be liable to pay interest on the outstanding amount at the prevailing bank rate, the interest is payable for the period beginning on the day after which the amount becomes due, and ending on the day on which the payment is made, and
 - b) The Transmission Licensee shall be subject to proceedings for the recovery of the fees, and
 - c) The Commission may revoke the Transmission Licence pursuant to the applicable provisions of the Act and the Reform Act.

Provided that nothing contained in this clause shall be deemed to discharge any liability that the Transmission Licensee may be subject to under the Act and/or the Reform Act or any other law for the time being in force.

CHAPTER - 4 **CONDITIONS OF LICENCE**

- 23.** The licensee shall build and operate the Transmission System, so as to ensure that the Transmission System is capable of providing an efficient, coordinated and economical system of Transmission as per section 40 of the Act. In particular, the licensee shall build its Transmission System in accordance with the Transmission System Planning and Security Standards as notified by the Central Electricity Authority under the Act together with the Grid Code as specified by the Commission
- 24.** The Licensee shall not commence any new provision of services to third parties for the transportation of electricity through the Licensee's Transmission System, except with the general or special approval of the

25. Open Access:

The Transmission Licensee shall arrange for the provision of non-discriminatory open access to its Transmission system to any persons in accordance with the Open Access Regulations issued by the Commission under Section 42 of the Act.

26. Prohibition of Undue Preference :

- i) The Transmission Licensee shall not, in providing services required of it under the Transmission Licence and in the general conduct of the Licensed Business, show undue preference to any person or class of persons and shall not unreasonably discriminate against any person or class of persons or Licensee or generating company or its consumers or other Licensee's consumers.

Provided that the Transmission Licensee shall not be deemed to be in breach of its obligations under the Transmission Licence if any undue preference results from compliance with any in the implementation of any order passed by the Commission, pursuant to any directions of the State Government under the Act or otherwise in accordance with the provisions of the Act.

- ii) Any question as to the meaning of undue preference or unreasonable discrimination shall be decided by the Commission, whose decision in this regard shall be final.

27. Acts Requiring Prior Consent

- i) The Transmission Licensee shall not do the following acts without the prior written approval of the Commission –
 - a. undertake any transaction to acquire, by purchase or takeover or otherwise, the utility of any other Licensee;
 - b. merge its utility with the utility of any other Licensee; or
 - c. assign the Transmission Licence or transfer its utility or any part thereof, by sale, lease, exchange or otherwise

Provided that approval shall not be required if the utility referred to in sub-clause (a) or sub-clause (b) above is situated in a State other than the State of Andhra Pradesh.

- ii) Any agreement relating to any transaction specified under clause (i) above, unless made with the prior approval of the Commission, shall be void.
- iii) The Transmission Licensee shall, before filing an application for approval under clause (i) above, give not less than one month's notice to every other Licensee who transmits or distributes electricity in its Area of Licence.
- iv) Where such prior approval is required, the Transmission Licensee shall file a suitable application with the Commission disclosing relevant facts in that behalf. The Commission may within 3 months of the application being filed, approve the arrangement subject to such terms and conditions or modifications as are considered appropriate or reject the same for reasons to be recorded in writing.
- v) Provided that no such application shall be rejected unless the applicant has been given an opportunity of being heard.

28. Other Business of the Transmission Licensee

- i) The Transmission Licensee, with prior intimation to the Commission, may engage in any Other Business, only so long as such activity is likely to result in the optimum utilisation of the assets and infrastructure comprising the Transmission system and subject to the following conditions:
 - a. that the Licensed Business and the conduct thereof by the Transmission Licensee is not prejudiced and/ or adversely affected in any manner;
 - b. that a proportion of the revenues derived from such Other Business, as may be specified by the Commission, shall be utilized for reducing the Transmission charges of the Transmission Licensee;
 - c. that the Transmission Licensee shall maintain separate accounts for each of such Other Business to ensure that the Licensed Business neither subsidises such Other Business undertaking in

any way nor encumbers its Transmission assets in any way to support such business;

- d. the Transmission Licensee shall always comply with APERC (Treatment of Other Business of Transmission Licensees and Distribution Licensees) Regulation,2005 and such guidelines as the Commission may specify in this regard.
- ii) The Transmission Licensee shall seek approval of the Commission before contracting any loans to, or issuing any guarantee for any obligation of any person, where the same is either beyond the permissible limits imposed by the Companies Act, 1956 or cannot be construed as being an exception and/ or exemption under the Companies Act, 1956. Loans to employees pursuant to their terms of service and advances to suppliers in the ordinary course of business are excluded from the requirement to seek such approval.

29. Anti-competitive practices:

The Commission may issue such directions as it considers appropriate to a Transmission Licensee if such Transmission Licensee enters into any agreement or abuses its dominant position or enters into a combination which is likely to cause or causes an adverse effect on competition in the electricity industry.

30. Compliance with Regulations, Codes, Orders and Directions

- i) The Transmission Licensee shall always comply with the Regulations, Grid Code, the Standards of Performance of Licensees, Orders, Guidelines and Directions issued by the Commission from time to time as may be considered appropriate by the Commission for achieving the purposes of the Act and the Reform Act and shall act in accordance with the conditions of its Transmission Licence, except where the Transmission Licensee obtains the approval of the Commission for any deviation from such directions and conditions.
- ii) The Transmission Licensee shall monitor its compliance with the terms of the Transmission Licence and any order, code, guideline or regulations it is required to comply with, and if the Transmission

Licensee becomes aware of a material breach, on its part, of the Transmission Licence or any order, code, guideline or regulations, the Transmission Licensee shall notify the Commission of the material breach as soon as possible.

31. Standards of Performance:

- i) If a Transmission Licensee fails to meet the standards specified by the Commission in the "Licensees Standards Of Performance" regulation issued under Section 57 of the Act, as applicable to the Transmission Licensee, then, without prejudice to any penalty that may be imposed or prosecution that may be initiated, such Transmission Licensee shall be liable to pay such compensation to the person affected as may be determined by the Commission, by Regulations or otherwise.

Provided that before the determination of compensation, the concerned Transmission Licensee shall be given a reasonable opportunity of being heard.

- ii) The compensation determined under clause (i) shall be paid by the concerned Transmission Licensee within ninety (90) days of such determination.
- iii) The Transmission Licensee shall, within the period specified by the Commission, furnish to the Commission the following information, namely:-
 - a) the level of performance achieved under clause (i) above;
 - b) the number of cases in which compensation was paid under clause (ii) above and the aggregate amount of the compensation.
- iv) The Commission shall at least once every year publish, in such form and manner as it considers appropriate, such of the information furnished to it under clause (iii) above.

32. Co-operation with State Transmission Utility, State Load Despatch Centre and other Licensees

- i) The Transmission Licensee shall provide to the State Load Despatch Centre and State Transmission Utility and/or other Licensees, such information as may reasonably be required by them to perform their functions and exercise their powers under the Act and/ or the Reform Act.
- ii) The Transmission Licensee shall always comply with the directions of the State Load Despatch Centre, Regional Load Despatch Centre and State Transmission Utility issued under the Act and/or the Reform Act.
- iii) The Transmission Licensee shall cooperate with generating companies, other Licensees and the State Load Despatch Centre for the efficient and coordinated operation of the power system.

33. Metering

- i) The Transmission Licensee shall follow the Regulations (Installation and Operation of Meters) issued by the Central Electricity Authority under Section 55 of the Act
- ii) For proper accounting and audit in the generation, transmission and distribution or trading of electricity, the transmission licensee shall install meters at such stages of transmission or trading of electricity at such locations as may be directed by the Central Electricity Authority.

34. State Electricity Plan & Transmission Plan

- i) The State Transmission Utility shall prepare and submit to the Commission year-wise demand forecast derived from load forecast within its Area of Supply for two control periods; in accordance with the guidelines/ regulations issued by the Commission from time to time;
- ii) The State Transmission Utility shall submit the State Electricity Plan in coordination with other Distribution Licensees and SLDC based on the demand forecast projected. It shall also submit a Transmission

Plan based on the demand forecast and power procurement plan of the Distribution Licensees as per the guidelines of the Commission.

- iii) The Transmission Licensee shall cooperate with the State Transmission Utility of the State and AP State Load Dispatch Centre (SLDC) in the preparation of the Transmission Plan for the state of Andhra Pradesh;

35. Capital Investments

- i) The Transmission Licensees shall submit a long-term investment plan for 10 years in which the Licensees shall furnish a detailed investment plan for five (5) years, year by year in accordance with the Load Forecast and Demand Forecast.

For the purposes of the Load and Demand Forecasts and investment plan, the year shall begin on April 1st and end on 31st March. Each Licensee shall submit its Load and Demand Forecasts along with a detailed investment plan to the Commission in the month of April of each year, and/or at such other times as the Commission may require. The Licensee shall make any investment under any scheme or schemes except in an economical and efficient manner and in terms of this Regulation and in accordance with the Regulations, guidelines, directions and orders the Commission may issue from time to time.

- ii) The Transmission Licensee shall promptly notify the Commission of all the Investments by 31st March of every year pertaining to the Transmission System which the Transmission Licensee proposes to implement for subsequent Financial Year together with relevant details in brief, including the estimated cost of such investment schemes, which are in line with the investment plan. The Licensee shall furnish to the Commission such further details and clarifications as to the investments proposed, as the Commission may require from time to time.

36. Transfer of Assets

- i) Save as provided in this Regulation, the Transmission Licensee shall not, in a single transaction or a set of related transactions, transfer or relinquish Operational Control over any asset whose book value at the time of the proposed Transfer exceeds the amount decided by Commission by directions or by a general or special order.
- ii) The Transmission Licensee shall give to the Commission prior written notice of its intention to transfer or relinquish Operational Control over any asset whose value exceeds the amount decided by the Commission above and the Transmission Licensee shall disclose to the Commission full details of the assets, the reasons for disposal and all other relevant facts to the Commission.

Provided that the Commission may, within thirty (30) working days of the receipt of the notice, seek further information in support of the transaction and shall, generally within thirty (30) working days of such further information being submitted by the Transmission Licensee, and where no such further information is sought by the Commission as above, within sixty (60) days of the filing of the application, approve the Transfer arrangement subject to such terms and conditions or modifications as is considered appropriate or reject the same, for reasons recorded in writing.

- iii) The Transmission Licensee may Transfer or relinquish Operational Control over any asset referred to above, where:
 - a) the Commission confirms in writing that it consents to such Transfer or relinquishment of Operational Control subject to such conditions or restrictions as the Commission may impose;
or
 - b) the Commission does not inform the Transmission Licensee in writing of any objection to such Transfer or relinquishment of Operational Control within the period referred to in Regulation and the transfer is effected by adopting the transparent process specified by the Commission in other applicable Regulations.

Provided that the Transmission Licensee shall provide full details of such transactions to the Commission as part of his application to the

Commission, for calculation of the aggregate revenue requirement and expected revenue from tariffs and charges in accordance with the Regulations of the Commission specifying the terms and conditions for the determination of tariff.

- iv) The Transmission Licensee may also Transfer or relinquish Operational Control over any asset where:
 - a) the Commission has issued directions for the purposes of this Regulation containing a general consent to:
 - (1) the transactions of a specified description, and/or
 - (2) the Transfer or relinquishment of Operational Control over assets of a specified description, and/or
 - (3) the Transfer or relinquishment of Operational Control is in accordance with any conditions to which the consent is subject, or
 - b. the Transfer or relinquishment of Operational Control in question is required by or as mandated under any other law for the time being in force; or
 - c. the asset in question was acquired and used by the Transmission Licensee exclusively in connection with any Other Business and does not constitute a legal or beneficial interest in land, or otherwise form part of the Transmission System or is not otherwise an asset related to or required for the Licensed Business.
- v. The Transmission Licensee shall be entitled to utilise the assets for facilitating financing its investment requirement subject to the conditions:
 - a. that the Transmission Licensee will inform the Commission about such arrangements at least fifteen (15) working days prior to the effective date of the relevant agreements.
 - b. that the financing arrangement is for a period not exceeding seven (7) years or such other period as the Commission may specifically direct;
 - c. the Transmission Licensee acts in a prudent and reasonable manner in such utilisation of assets; and

- d. The transmission Licensee retains the Operational Control over assets in the Transmission System.
- vi) Where the transmission licensee relinquishes the Operational Control over any asset whose book value at the time of relinquishment falls below the amount decided by the Commission by directions or by a general or special order, the Commission may direct STU or Transmission licensee owned by the State Government to take over such asset for further operation

37. Business Plan:

Subject to other regulations notified by the Commission, the Transmission Licensee shall submit a Business Plan within three (3) months of the Transmission Licence coming into force for such period as the Commission may direct and shall update such plan annually. The Business Plan shall inter alia contain (i) year wise Transmission loss reduction proposal along with a specific action plan, (ii) a metering plan for metering interface points, (iii) a treatment of previous losses, (iv) cost reduction plan, and (v) other important financial analysis or parameters.

The Transmission Licensee shall submit full details to the Commission, by the end of first quarter of each financial year, regarding the progress made in implementing the Business Plan of the previous financial year with the comparison of actual implementation vis-a-vis the Plan as approved by the Commission.

38. Protection of Railways, Highways, Telegraphic Lines etc.

- i) The Transmission Licensee shall not, in the course of Transmission of electricity, in any way injure any railway, highway, airport, tramway, canal or water-way or any dock, wharf or piers vested in or controlled by a local authority, or obstruct or interfere with the traffic on any railway, airway, tramway, canal or water-way.
- ii) The Transmission Licensee shall take all reasonable precautions in constructing, laying down and placing its electric lines, electrical plant and other works and in working its system, so as not to injuriously affect, whether by induction or otherwise, the working of

any wire or line used for the purpose of telegraphic, telephone or electric signaling communication, or the currents in such wire or line.

- iii) Where any difference or dispute arises between the Transmission Licensee and the telegraph authority as to whether the Transmission Licensee has constructed, laid down or placed its electric lines, electrical plant or other works, or worked its system, in contravention of clause (ii) above or as to whether the working of any wire, line or current is or is not injuriously affected thereby, the matter shall be referred to the Central Government.
- iv) The Central Government, unless it is of the opinion that the wire or line has been placed in unreasonable proximity to the electric lines, electrical plant or works of the Transmission Licensee after the construction of such lines, plant or works, may direct the Transmission Licensee to make such alterations in, or additions to, its system as may be necessary in order to comply with the provisions of this Regulation, and the Transmission Licensee shall make such alterations or additions accordingly:

Provided that nothing in clause (iii) above and this clause (iv) shall apply to the repair, renewal or amendment of any electric line or electrical plant so long as the course of the electric line or electrical plant and the amount and nature of the electricity transmitted thereby are not altered.

- v) Where the Transmission Licensee makes a default in complying with the requirements of this section, it shall pay full compensation for any loss or damage incurred by reason thereof, and, where any difference or dispute arises as to the amount of such compensation, the matter shall be determined by arbitration conducted in accordance with Section 158 of the Act.

Explanation - For the purposes of this Regulation, a telegraph line shall be deemed to be injuriously affected if telegraphic, telephonic or electric signaling communication by means of such line is, whether through induction or otherwise, prejudicially interfered with by an electric line, electrical plant or other work or by any use made thereof.

39. Information to the Commission:

- i) The Transmission Licensee shall furnish to the Commission, without delay, such information, documents and details related to the Licensed Business or any Other Business of the Transmission Licensee, as the Commission may require from time to time, for its own purposes or for the purposes of the Central Government, State Government, the Central Electricity Regulatory Commission, the Central Electricity Authority, the Regional Load Dispatch Centre, State Load Dispatch Centre, the Central Transmission Utility and the State Transmission Utility. The information shall be furnished in such form as may be specified by the Commission.
- ii) The Transmission Licensee shall notify the Commission as soon as possible and in no case later than one week after the occurrence of any Major Incident affecting any part of the Transmission system and shall, within one month of the date of such Major Incident:
 - a) Submit a report giving full details of the facts within the knowledge of the Transmission Licensee regarding the Major Incident and its cause. The Commission in its own discretion may require the submission of a report to be prepared by an independent person at the expense of the Transmission Licensee; and
 - b) give copies of the report to the Commission and to all parties involved in the Major Incident as the Commission may direct.
- iii) The Commission may by order direct the Transmission Licensee to provide such amount of compensation as the Commission may specify to any person who suffers substantial injury or to the heirs of those who have lost their lives, where a Major Incident has been caused by any act of commission, omission or negligence on the part of any of the employees or agents of the Transmission Licensee.
- iv) The decision of the Commission as to what constitutes a "Major Incident" shall be final.
- v) The Transmission Licensee shall, as soon as practicable, report the

following to the Commission:

- a) Any significant change in circumstances which may affect the Transmission Licensee's ability to meet its obligations;
- b) Any material breach of the provisions of the Act, the Reform Act, the rules, regulations and codes made thereunder, directives and orders issued by the Commission and the terms of agreements/ arrangements entered into by the Transmission Licensee with other Licensees or generating companies or consumers; and/or
- c) Any major change in the shareholding pattern or in the ownership, control or management of the Transmission Licensee.

40. Other obligations of the Transmission Licensee

The Commission may additionally require the Transmission Licensee to:

- i) enter into an agreement with another person permitting such person to use electric lines, electrical plants and associated equipment operated by the Transmission Licensee;
- ii) furnish information and documents which the Commission may require for its purpose;
- iii) refer a dispute arising under the Transmission Licence for determination by the Commission or by an arbitrator appointed by the Commission;
- iv) transmit electricity to other Licensees or exemption holders in the State.
- v) comply with any direction given by the Commission; and
- vi) act in accordance with the terms and conditions of the Transmission Licence.

41. Accounts of the Transmission Licensee

- i) The Transmission Licensee shall:
 - a. Maintain separate information and statement of accounts for the Licensed Business;
 - b. Maintain the statement of accounts in such form and containing such particulars as may be specified by the

Commission and till such time as these are specified by the Commission, the accounts shall be maintained in accordance with the Companies Act, 1956 (1of1956) as amended from time to time, where applicable, and in accordance with standard accounting practice in all other cases;

- c. Keep the accounts of the Licensed Business separate from the accounts of any Other Business carried on by the Transmission Licensee, whether licensed or otherwise;
 - d. Prepare on a consistent basis from such records, accounting statements for each Year comprising a profit and loss account, a balance sheet and a statement of source and application of funds together with notes thereto and showing separately the amounts of any revenue, cost, asset, liability, reserve, or provision which has been charged from or to any Other Business together with a description of the basis of that charge; or together with a description of the basis of such apportionment or allocation.
 - e. Provide in respect of the accounting statements prepared in accordance with the foregoing clauses, a report by the auditors in respect of each year, stating whether in their opinion the statements have been properly prepared and give a true and fair view of the revenues, costs, assets, liabilities and reserves attributable to the business to which the statements relate, and
(f) submit to the Commission copies of the accounting statements and auditor's report not later than six months after the end of the year to which they relate.
- ii) Any person authorised by the Commission shall be entitled to inspect and verify the accounts of the Transmission Licensee and the Transmission Licensee shall render all necessary assistance to such person.

42. Certain powers of the Commission:

Punishment for non-compliance of directions by the Commission: The Licensee shall be liable for action under Section 142 of the Act, for

contravening any provisions of the Act or the rules or Regulations made thereunder including the conditions stipulated in this Regulation.

43. Investigation and Inspection

- i. The Commission may, on being satisfied that the Transmission Licensee has failed to comply with any of the conditions of the Transmission Licence or has failed to comply with any of the provisions of the Act or the Reform Act or rules or regulations made thereunder, at any time, by order in writing, direct any person (hereafter in this section referred to as Investigating Authority) specified in the order to investigate the affairs of the Transmission Licensee and to report to the Commission on any investigation made by such Investigating Authority.
- ii. The Investigating Authority shall conduct the investigation in accordance with the provisions of the Act.
- iii. On receipt of the investigation report from the Investigating Authority, the Commission may, in accordance with the provisions of the Act and after giving such opportunity to the Transmission Licensee to make a representation in connection with the report as in the opinion of the Commission seems reasonable, by order in writing
 - a. require the Transmission Licensee to take such action in respect of any matter arising out of the report as the Commission may think fit; or
 - b. cancel the Transmission Licence. In the event, that the license is cancelled, the Commission may entrust by an Order the takeover of such transmission asset maintained by the cancelled entity to STU or any other transmission licensee to ensure continuity of Transmission service and the Commission may also take any other action in accordance with the provisions of the Act.
- iv. The Commission may specify the minimum information to be maintained by the Transmission Licensee in its books, the manner in which such information shall be maintained, the checks and other

verifications to be adopted by the Transmission Licensee in that connection and all other matters incidental thereto, as are, in its opinion, necessary to enable the Investigating Authority to discharge satisfactorily its functions under this Regulation

- v. All expenses of, and incidental to, any investigation made under this Regulation shall be defrayed by the Transmission Licensee and shall have priority over other debts due from the Transmission Licensee and shall be recoverable as arrears of land revenue.
- vi. For the purposes of preventing the contravention of any of the terms of the Transmission Licence or provisions of the Act or the Reform Act or rules or regulations made thereunder, the Commission may, in accordance with Sections 28 and 29 of the Reform Act, or Section 142 of the Act, pass necessary an interim order or a final order or convert an interim order into a final order.

44. Introduction of Competition:

Subject to the provisions of the Act, the Commission may grant a Transmission Licence to any person(s) in the same area of Licence as that of the existing Transmission Licensee. To ensure cooperation and coordination between the different Transmission Licensees in the same area of Licence, the Commission may issue such appropriate orders modifying or amending the Transmission Licence as it may deem fit:

Provided that no such order shall be passed unless the Commission provides a reasonable opportunity to the Transmission Licensee of being heard on the proposed modification or amendment

45. Expected Revenue Calculation and Tariffs

- i. The Transmission Licensee shall follow the methodology, procedures and directions included in the Tariff Regulations and in other orders of the Commission as may be issued from time to time while filing the statement of Aggregate Revenue Requirement (ARR) from charges and for proposing or amending any or all of its tariffs.
- ii. The amount that the Transmission Licensee is permitted to recover in the form of its tariffs in any financial year is the amount that the Commission determines/ adopts in accordance with Section

46. Provisions applicable to Deemed Licensees

These conditions shall apply to Transmission Licensees and to all deemed Transmission Licensees.

47. Renewal of licence:

At least one year before the expiry of the tenure of the licence granted to any person(s) as per the provisions of the Electricity Act, 2003, they may apply to the Commission for renewal of the licence, and the Commission may renew the licence at its discretion for such further period as the Commission may deem fit following the due regulatory process.

Provided that when the licensee does not make an application for an extension of licence beyond the tenure, the Commission may, in the public interest, issue such directions or formulate such scheme as it may deem necessary for the operation of the transmission assets for the remaining part of its useful life:

**CHAPTER - 5
MISCELLANEOUS**

- 48.** All issues arising in relation to interpretation of licence conditions shall be a matter for the determination of the Commission and the decision of the Commission on such issues shall be final.

49. Specific Conditions

The Commission may specify, specific conditions applicable additionally to a specific Transmission Licensee or class of licensees and such conditions shall be deemed to be conditions of licence of such Licensee or class of Licensees.

50. Power to dispense with the requirement of the Regulation

The Commission shall have the power, for reasons to be recorded in writing to dispense with the requirements of any provision of this Regulation in a specific case or cases.

51. Savings

- i. Save as provided in clause (iii) below, the conditions specified in the existing Licence issued under the Reform Act, by the Commission on December 29, 2000 is hereby repealed;
- ii. The transitory Regulation, namely, the A.P. Electricity Regulatory Commission (Deemed Licence Conditions) Regulation, 2004 shall stand repealed from the date of coming into force of these Regulations to the extent of Transmission Licenses issued by the Commission.
- iii. Notwithstanding the repeal, anything done or any action taken or purported to have been done or taken under the repealed regulations, in so far as it is not inconsistent with the provisions of the Act or rules and regulations made thereunder, be deemed to have been taken under this Regulation.
- iv. Nothing in this Regulation shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuse of process of the Commission.
- v. Nothing in this Regulations shall bar the Commission from adopting a procedure at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient in order to deal with such a matter or class of matters.

52. Power to remove difficulties

If any difficulties arise in giving effect to any provisions of these Regulations, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, or the Reform Act or the rules, regulations or codes made there under, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

53. Power to Relax

The Commission may, by general or special order, for reasons to be recorded in writing and after affording an opportunity for a hearing to the parties likely to be affected, relax or waive any of the provisions of these Regulations

on its own motion or on an application made to it by any interested person.

54. Issue of orders and practice directions:

Subject to the provisions of the Electricity Act, 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions about the implementation of the Regulation and procedure to be followed and various matters which the Commission has been empowered by this Regulation to specify or direct.

55. Power to Amend:

The Commission may at any time, add, vary, alter, modify, or amend any provisions of this Regulation.

(By Order of the Commission)

Place: Hyderabad
Date: 16.05.2024

P.KRISHNA
Commission Secretary (i/c)

SCHEDULE - 1

APPLICATION FORM FOR GRANT OF TRANSMISSION LICENCE

Particulars of Applicant

1. Name of the Applicant :
2. Form of Incorporation, if any :
3. Address:
4. Name, Designation & Address of the contact person:
5. Contact Tel. Nos. :
6. Fax No. :
7. E-mail ID:
8. Place of Incorporation/ Registration :
9. Year of Incorporation/ Registration :
10. Geographical Area within which :
- the applicant proposes to undertake Transmission:
11. The information on the following along with proof of the documents
 - a. Certificate of registration/ incorporation.
 - b. Certificate for commencement of business.
 - c. Memorandum of Association and Articles of Association.
 - d. Original power of attorney of the signatory to commit the Applicant or its promoter.
 - e. Details of Income Tax Registration.

Details of Financial Data of Applicant

12. Net worth (in equivalent Indian Rupees-conversion to be done at the rate of exchange prevailing at the end of each year) for the immediate past 5 (five) financial years. (Specify financial year as applicable).

Copies of Annual Reports or certified audited results are to be enclosed in support of the above.
13. Annual turnover (in equivalent Indian Rupees - conversion to be done at the rate of exchange prevailing at the end of each year) for the immediate past 5 (five) financial years. (Specify financial year as applicable). Copies of Annual Reports or certified audited results are to be enclosed in support of the above.
14. Certificate of Credit Rating
15. Certificate of Standard 'borrowal account'
16. Certificate stating that RBI has not classified the Applicant as a willful defaulter.
17. (a) Whether Applicant himself shall be financing the proposed Transmission of electricity fully on its own balance sheet
(b) if, yes, proposed equity from the Applicant
 - (i) Amount :
 - (ii) Percentage :

18. In case the Applicant proposes to tie up with some other Agency for equity, then name & address of such agency:

- (a) Name, designation and address of reference person of the other Agency. :
- (b) Contact Tel. No. :
- (c) Fax No. :
- (d) E-mail ID :
- (e) Proposed equity from the other Agency
 - (i) Amount :
 - (ii) Percentage of total equity :
 - (iii) Currency in which the equity is proposed :
- (f) Consent letter of the other agency to associate with the Applicant for equity participation to be enclosed.
- (g) Nature of proposed tie-up between the Applicant and the other agency.

19. Details of debt proposed for the Transmission activity:

- (a) Details of lenders:
- (b) Amount to be sourced from various lenders:
- (c) Letters from the lenders in support of the above to be enclosed.

20. Organisational & Managerial Capability of the Applicant:

21. Approach & Methodology:

(The Applicant is required to describe the approach & methodology for setting up its Transmission system and conduct of the business of Transmission of electricity as proposed by it. This should contain a statement of the Applicant's plan for the conduct of the business of Transmission of electricity during the first year after the grant of licence and future plans for the said business during the next five years.)

22. Data relating to the applicant's future business

- (i) Five-year Business Plan for transmission or Transmission of electricity for which the application is being made and funding arrangements for meeting its obligations under the proposed licence for maintenance, operation, improvement and expansion for future load growth.
- (ii) Five-year annual forecasts of costs, sales, revenues and project financing stating the assumptions underlying the figures provided.

(Signature of the Applicant)

Date:

List of Documents to Accompany or information to be furnished:

- (a) To mention whether the Applicant is an individual, or a partnership firm registered under the Indian Partnership Act 1932 (9 of 1932), or a private limited company or a public limited company, incorporated under the Companies Act, 1956,(1 of 1956) or any other incorporated or unincorporated body giving full particulars of its office address and also the registered office address, if any.
- (b) A map of the proposed Area of Licence on a scale of not less than 10 cm to a km or, if no such maps are available, of not less than that of the largest scale ordinance maps available or such other scale as may be approved by the Commission in a specific case.
- (c) A list of all the local authorities vested with the administration of any portion of the Area of License.
- (d) A statement approximately describing any lands which the Applicant proposes to acquire for the purpose of the Transmission Licence and the means of such acquisition.
- (e) A statement of the capital proposed to be expended in carrying on the Licensed Business in the Area of Licence and such other particulars as the Commission may require.
- (f) A copy of the Memorandum and Articles of Association of the company, where the Applicant is a body corporate and similar applicable documents of incorporation, registration or agreement in case of other business entities.
- (g) Annual accounts of the Applicant for the previous three years or other similar documents as may be required.
- (h) An affidavit by the Applicant verifying the correctness of the information disclosed in the application.
- (i) Where the Applicant is a body corporate, details of any group company(ies) engaged in the business of generation, Transmission, transmission or trading of electricity, whether within the State of Andhra Pradesh or in any other State.
- (j) Where the Applicant is not a body corporate, details of any business of generation, Transmission, transmission or trading of electricity, whether within the State of Andhra Pradesh or in any other State, in which the Applicant is directly or indirectly interested.

- (k) Details of any financial holdings of the Applicant in the power sector.
- (l) Brief history of the promoters in case the Applicant is a body corporate.
- (m) Technical qualification and past experience of the Applicant, which shall be considered by the Commission in order to decide as to whether or not the Applicant can successfully discharge its obligations under the Transmission Licence and is, therefore, fit for granting of the Transmission Licence.
- (n) Such other documents or information as the Commission may seek.
- (o) Proof of Service of the Copy of Application on State Transmission Utility (STU).

SCHEDULE - 2

APPLICATION FORM FOR DEEMED LICENCE

1. Details of Applicant :
 - (a) Full name of Applicant :
 - (b) Address of Applicant :
 - (c) Application fee (DD details) :
 - (d) Registered Office Address :
 - (e) Local Office Address / Administrative Office Address :
 - (f) Contact Tel. Nos. :
 - (g) Fax No. :
 - (h) E-mail ID :
 - (i) Details of Authorized Signatory :
 - (j) Form of Incorporation, if any '#' :
 - (k) Place of Incorporation/ Registration '#' :
 - (l) Year of Incorporation/ Registration '#' :
 - (m) Information on the following along with documents '#'
 - (i) Certificate of registration/incorporation
 - (ii) Certificate for commencement of business
 - (iii) Memorandum of Association and Articles of Association (Duly mentioning Power Transmission is one of the Business Activity)
 - (iv) Original power of attorney of the signatory to commit the Applicant or its promoter
 - (iv) Details of Income tax Registration:
2. Names and addresses of Directors/
Competent Officers (Furnish details, if applicable) :
3. Principal shareholders/Partners/Members.'#' :
4. Principal Business Activity'#' :
5. Geographical Area within which Applicant proposes to undertake Transmission (to mention boundaries referring to the attached map when necessary)

6. Funding:
 - (a) Funding arrangements for maintenance, operation, improvements and expansion to meet future load growth, supply obligations, etc.:
 - (b) Whether Applicant himself will be financing the proposed Transmission of electricity fully on its own balance sheet
If, yes, proposed equity from the Applicant
 - (i) Amount :
 - (ii) Percentage :
7. Organizational and Managerial Capability of the applicant:
(The applicant is required to enclose proof of its Organizational & Managerial Capability, proposed organizational structure and curriculum- vitae of various executives, proposed office etc.)
 - (i) Management Capability:
 - (ii) Financial Strength:
 - (iii) Ability to discharge supply function in a sustainable manner:
8. Period of License:
 - (a) Date from which Deemed License is sought:
 - (b) Period for which Deemed License is sought:
9. Detailed justification for seeking License:
10. Other Information
 - (a) Whether the applicant or any of his partners or promoters or Directors or Associates has been declared insolvent and has not been discharged. If so, the details thereof.
 - (b) Details of cases resulting in conviction of fraud or economic offences of the applicant, any of his partners, promoters or Directors or Associates during the three years proceeding the year of making an application.
 - (c) Details of all pending cases involving the applicant, any of his partners or promoters or Directors or Associates, which shall include the nature of the dispute, whether civil or criminal, the name of the other party or parties, the court before whom pending and the latest status.
 - (d) Whether the applicant or any of his partners, or promoters or Directors or Associates were ever refused a license. If so, give the details of the date

of making the application, date of refusal and reasons for refusal.

11. List of Documents enclosed:

- (i)
- (ii)

Place:

Date : (Signature of the authorized person)

Note: '#' not applicable for the Government of India and the Government of Andhra Pradesh departments / Ministries

List of Documents to Accompany:

- (1) Certificate of Incorporation from Registrar of Companies.
- (2) Copies of the Company's Memorandum/Articles of Association/Partnership deed etc.
- (3) Proof of Authorization to sign the application form.
- (4) Data relating to management and Financial Capability
 - (a) Managerial:
 - (i) Senior management's curriculum vitae
 - (ii) Cadre strength for different categories, technical and non-technical
 - (b) Financial:
 - (i) Bank references asserting that the Applicant is financially solvent.
 - (ii) Most recent Balance Sheet.
 - (iii) Audited accounts for the Applicant and any Holding Company, Subsidiary or affiliated company for each of the three most recent financial years.
 - (iv) Any accompanying notes and certifications on the above Statements from a reputed chartered accountant.
- (5) Data relating to the Applicant's Future Business
 - (i) Five-year Business Plan for the business for which the application relates
 - (ii) Five-year annual forecasts of costs, sales, revenues and project financing stating the assumptions underlying the figures provided.

- (6) Detailed Map(s) of the proposed area of Transmission
Detailed map(s) showing the area of Transmission and the configuration of the Transmission/ Sub-transmission and Transmission System, including information on Substations. The map shall clearly distinguish between the existing System and any new facilities that are or will be required for the purposes of providing Supply.
The map shall indicate the streets and roads in which the power is transmitted and distinguish between public and private.
- (7) Proof of Service of the Copy of Application on State Transmission Utility (STU).
- (8) Reasons for not furnishing any of the above documents thereof.
- (9) Details of Income tax Registration:
- (10) Any other relevant information.

**SCHEDULE - III
AFFIDAVIT**

BEFORE THE ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Application No

Case No

IN THE MATTER OF:

(To be filled by the Commission office)

An application for grant of a licence for Transmission

(Names and full address of the Applicant)

Affidavit verifying the application

I,.....Son/daughter of
.....aged.....residing at.....
..... do solemnly affirm and state that:-

1. I am the Applicant in the above matter.

Or

I am the duly authorized representative of the said Applicant & make this affidavit on his behalf.

2. That the statement made in paras of the application are true to the best of my knowledge and statement made in paras are based on my information and I believe them to be true.

(Signature and name of Deponent)

Verified, this day of that the contents of the above affidavit are true to my knowledge and belief and no part of it is false and nothing material has been concealed therein.

(Signature and name of Deponent)

SCHEDULE - IV

(FORM OF PUBLIC NOTICE)

Monogram, if any, of the Applicant Name of the Applicant

(In bold letters) Address of the Applicant (In bold letters)

NOTICE (In bold letters)

(Under sub-section (2) of Section 15 of the Electricity Act, 2003)

(In bold letters)

(To be published in two daily newspapers in English and Telugu languages having wide circulation in the State of Andhra Pradesh.)

1. (Give here the name of the Applicant in BOLD LETTERS), having its Registered Office at(Give the address in BOLD LETTERS), which is incorporated under the Companies Act, 2013, has made an application before the Andhra Pradesh Electricity Regulatory Commission, Hyderabad under sub-section (1) of Section 15 of the Electricity Act, 2003 for the grant of a transmission licence.

2. Complete application and other documents filed before the Commission are available on the website of APERC (www.aperc.gov.in) and Applicants website(Give web site address) for access by any person. The application can also be inspected at the office of the Company at..... (Give address or reference to address, if given in the monogram) with (Give the name of the person authorised to allow inspection) or Office of the Commission in accordance with the procedure specified by the Commission.

3. Objections or suggestions, if any, be filed before the Secretary, APERC, (Give the address of the Office of the Commission), with a copy of the objection(s)/ suggestion(s) to the Applicant or its authorized agent, within 30 days of the publication of the notice in the newspaper.

Place: Name and Designation of the Authorised signatory

Date:

SCHEDULE - V

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION Transmission Licence

1. The Andhra Pradesh Electricity Regulatory Commission (hereinafter referred to as the Commission) , in exercise of the powers conferred under Section 14 of the Electricity Act, 2003, hereby grants this licence to (hereinafter referred to as the licensee) to transmit electricity in the area of Transmission as specified below, subject to the provisions made in the Acts, the rules, general conditions of Transmission Licence specified under the A.P. Electricity Regulatory Commission (Transmission Licence) Regulations, and other Regulations specified by the Commission (hereinafter referred to as Regulations) , including statutory amendments, alterations, modifications, re-enactments thereof, which shall be read as part and parcel of this licence.
2. Area of Transmission

The area of Transmission shall be the whole of the area bounded as follows:
North - By
East - By
South - By
West - By
3. This licence is not transferable, except in accordance with the provisions of the Acts, the Rules and the Regulations.
4. (1) The licensee shall not without prior approval of the Commission-
 - (a) undertake any transaction to acquire by purchase or take over or otherwise, the utility of any other licensee; or
 - (b) merge its utility with the utility of any other licensee;
 - (2) The licensee shall not at any time assign its licence, or transfer its utility, or any part thereof, by sale, lease, exchange or otherwise without the prior approval of the Commission
 - (3) Any agreement relating to any transaction referred to in sub-clause (1) and sub-clause (2) unless made with the approval of the Commission, shall be void.

5. The grant of this licence to the licensee shall not in any way hinder or restrict the right of the Commission to grant a licence to any other person within the same area for Transmission of electricity. The licensee shall not claim any exclusivity.
6. This licence shall commence on the date of its issue and unless revoked earlier, shall continue to be in force for a period of 25 (twenty-five) years.
7. The licensee may with prior intimation to the Commission, engage in any business for optimum utilisation of its assets.

Provided that the licensee shall not engage in the business of distribution of electricity.

8. The licensee shall pay the license fee as per the regulation issued by the Commission.
9. The provisions contained in the Acts shall apply to the licensee with regard to revocation of licence and sale of his utility.
10. **Other specific Conditions:**

COMMISSION SECRETARY

REGULATION NO. 5 OF 2024

Andhra Pradesh Electricity Regulation Commission
(Threshold Limit for the Development of Intra-State Transmission Projects
under the Tariff Based Competitive Bidding)
Regulation, 2024

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No. APERC/Secy/F.No. S-19(Vol-III)/D.No.1036 Date: 17.05.2024

THE ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
(THRESHOLD LIMIT FOR THE DEVELOPMENT OF INTRA-STATE TRANSMISSION
(INST) PROJECTS UNDER THE TARIFF BASED COMPETITIVE BIDDING)
REGULATION, 2024.

Regulation No. 5 of 2024

Introduction:

The erstwhile APERC (Andhra Pradesh Electricity Regulatory Commission) of the undivided Andhra Pradesh State notified the Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Transmission of Electricity) Regulation, 2005 (Regulation 5 of 2005) under Sections 61, 62, and 63 of the Electricity Act, 2003, wherein it approved the Approach, Framework, Procedure, Filings and Principles for computation of Aggregate Revenue Requirement (ARR) and the determination of Transmission Tariff. This Regulation was published in the AP Extraordinary Gazette on 30.11.2005. Clause 21 of the said Regulation provides for the determination of tariff of intra-state transmission projects under the bidding process.

The Commission has taken cognizance of the Hon'ble Supreme Court Judgment dated 23rd November 2022 in Civil Appeal No. 1933 of 2022 (TATA power vs MERC), wherein the Hon'ble Supreme Court directed all State Electricity Regulatory Commissions (SERCs) to frame Regulations under Section 181 of the Act on the terms and conditions for determination of tariff. The Hon'ble Supreme Court further directed that Appropriate Commission(s) while framing the guidelines on the determination of tariff shall be guided by the principles specified under Section 61 of the Electricity Act, 2003, which encompasses the National Electricity Policy (NEP) and Tariff Policy (TP).

As per Tariff Policy 2016, the tariff of all new generation and transmission projects of companies owned or controlled by the Central Government shall continue to be determined based on competitive bidding following the Tariff Policy notified on 6th January 2006 unless otherwise specified by the Central Government on a case to case basis. Further, the Tariff Policy specifies that intra-state transmission projects shall be developed by the State Government through the competitive bidding process for projects costing above a threshold limit which shall

be decided by the SERCs. The National Electricity Policy specifies that all efforts have to be made to bring the power industry under competition as early as possible in the overall interest of consumers.

On March 15, 2021, the Ministry of Power issued a letter in which it recommended to the State Governments the adoption of Tariff Based Competitive Bidding (TBCB) for the development of intra-state Transmission Systems. Furthermore, on August 21, 2023, in reference to the ruling of the Hon'ble Supreme Court mentioned earlier, the Ministry of Power sent a letter requesting the SERCs to notify the threshold limit for awarding Transmission Projects through TBCB.

In light of the above considerations, to foster competition and minimise the intra- state transmission tariff to the advantage of consumers, and considering the already established Tariff Based Competitive Bidding projects for Transmission Services at the national level and within various states, as well as the Ministry of Power (MoP) Guidelines that encourage competition in the development of transmission projects, along with the threshold limits set by other SERCs and the investment portfolio of the STU, in exercise of the powers conferred under sub-sections (zd), (ze), (zf), and (zp)of Section 181(2) read with Sections 61, 63, and 86 (4) of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, after considering all views/objections/suggestions as discussed in the Order dated 16.05.2024, the Commission frames the Regulation as below.

1. Short title, commencement and interpretation

- (i) This Regulation may be called "The Andhra Pradesh Electricity Regulatory Commission (Threshold Limit for the Development of Intra-State Transmission Projects under Tariff Based Competitive Bidding) Regulation 2024".
- (ii) This Regulation shall come into force from the date of its publication in the Andhra Pradesh State's Gazette.

2. Definitions:

- a) **"Act"** means The Electricity Act, 2003 (36 of 2003);
- b) **"Bid Process Coordinator or BPC"** means an agency notified by the State Government to coordinate the process of inviting bids for

procurement of services for intra-state transmission of electricity through Tariff Based Competitive Bidding (TBCB) in accordance with the "Guidelines for competitive bidding" issued by the Central Government under Section 63 of the Act;

- c) **"Commission"** means the Andhra Pradesh Electricity Regulatory Commission;
- d) **"Control Period"** means a multi-year period comprising one or more financial years, as may be fixed by the Commission from time to time usually 5 years for which the principles for the determination of revenue requirement are stipulated;
- e) **"Empowered Committee"** means the Committee constituted by the State Government under the "Guidelines for Encouraging Competition in Development of Transmission Projects" issued by the Central Government for encouraging competition in the Development of intrastate transmission projects;
- f) **"Guidelines for competitive bidding"** means the guidelines issued by the Central Government from time to time in terms of Section 63 of the Act for the development of transmission projects;
- g) **"Financial Year"** means a period of twelve months from 1st April of a calendar year to 31st March of the following calendar year;
- h) **"New Intra State Transmission Projects"** means projects to be taken up for execution in the State of Andhra Pradesh (excluding the schemes involving the upgradation/augmentation of Assets forming part of the existing Transmission Licensee or STU & Deposit works whose funds are accounted for under consumer contribution) with effect from the date of notification of this Regulation;
- i. **"Project"** means an element or elements of the intra-state transmission system included in the transmission plan prepared by the State Transmission Utility (STU) for the control period, and approved by the Commission;
- j. **"STU"** means the Transmission Utility notified by the Government of Andhra Pradesh under section 39 (1) of the Electricity Act, 2003;
- k. **"TBCB"** means Tariff Based Competitive Bidding.

Words and expressions used and not defined in this Regulation but defined in the Act shall have the meanings assigned to them in the Act. Expressions

used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them under such law.

3. Threshold Limit

- 3.1. The Commission hereby fixes the Threshold Limit of above Rupees two hundred and fifty (250) Crores excluding land cost for the new Intra-State transmission (InST) projects to be awarded under TBCB. Accordingly, all new Intra-State Transmission Projects costing above Rupees two hundred and fifty (250) Crores formulated by STU and approved by the Commission shall be implemented through TBCB by the bid process coordinators as per the recommendations of the empowered committee to be constituted by the Government of Andhra Pradesh following the guidelines for competitive bidding notified by the Central Government from time to time
- 3.2. The Threshold Limit fixed in this Regulation shall be applicable for all new Intra-State Transmission Projects for which approval is yet to be accorded by the Commission.
- 3.3. The entire Intra-State independent transmission projects including any upstream/downstream project shall be designed as a single project for inviting bids for the development of the project through TBCB.
- 3.4. In case the STU intends to implement any Intra-State Transmission System above the Threshold Limit through a cost-plus approach under Section 62 of the Act, due to some specific reasons such as the project being of a critical nature (e.g., Transmission System being developed for Defence, Railways, Airport, etc.) or there are issues involved in ownership or interface issues, i.e., where the ownership of new Intra-State Transmission System cannot be delineated from the assets of existing transmission assets, the STU shall obtain prior approval of the Commission for the same. Further, in case the STU intends to implement any Intra-State Transmission System below the Threshold Limit through Tariff Based Competitive Bidding, due to some specific reasons, the STU may implement such projects through

Tariff Based Competitive Bidding if there are valid reasons to do so, with prior approval of the Commission.

4. Power to Relax

The Commission may, by general or special order, for reasons to be recorded in writing and after affording an opportunity for a hearing to the parties likely to be affected, relax or waive any of the provisions of these Regulations on its own motion or on an application made to it by any interested person.

5. Issue of orders and practice directions:

Subject to the provisions of the Electricity Act, 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions about the implementation of the Regulation and procedure to be followed and various matters which the Commission has been empowered by this Regulation to specify or direct.

6. Power to Remove Difficulties:

If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, by a general or special order, do or undertake or direct the STU to do or undertake things which in the opinion of the Commission are necessary or expedient for removing the difficulties.

7. Power to Amend:

The Commission may at any time, add, vary, alter, modify, or amend any provisions of this Regulation.

(By Order of the Commission)

Place: Hyderabad
Date: 16.05.2024

P.KRISHNA
Commission Secretary (i/c)

Regulation No.7 of 2024

Andhra Pradesh Electricity Regulatory Commission
(Demand Side Management) Regulation, 2024

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Andhra Pradesh Electricity Regulatory Commission
(Demand Side Management) Regulation, 2024.

Regulation No.7 of 2024

In exercise of powers conferred by clause (zp) of sub-section (2) of Section 181 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in that behalf, the Commission issues a DSM Regulation for the advancement and implementation of cost-effective DSM initiatives in the State of Andhra Pradesh, as below.

1. Short title, extent and commencement

- i) This Regulation shall be called the Andhra Pradesh Electricity Regulatory Commission (Demand Side Management) Regulation, 2024.
- ii) This Regulation shall extend to the whole State of Andhra Pradesh.
- iii) This Regulation shall come into force from the publication date in the Andhra Pradesh Gazette.

2. Definitions and interpretation

- i) In this Regulation, unless the context otherwise requires:
 - a) **"Act"** means the Electricity Act, 2003 (36 of 2003) and subsequent amendments thereof;
 - b) **"Baseline Data"** means the initial base level consumption and/or demand for electricity before a DSM program begins to provide a starting point for comparison for assessing program impact;
 - c) **"Bureau"** means the Bureau of Energy Efficiency established under sub-section (1) of Section 2 of the Energy Conservation Act, 2001;
 - d) **"Commission"** means the Andhra Pradesh Electricity Regulatory Commission;
 - e) **"Demand Side Management (DSM)"** means the actions of a Distribution Licensee beyond the consumer's meter to alter the end-use of electricity - whether it is to decrease demand, shift

it between high and low peak periods, or manage it when there are intermittent load demands-in the overall interests of reducing Distribution Licensee costs;

- f) **"Demand-Side Resource"** means a saving consumption (kWh) and/or demand (kW/kVA) available as a result of the implementation of DSM programmes, expressed in terms of:
 - (i) Quantum - as to how much is available (kWh and/ or kW);
 - (ii) Time - as to when it is available (at what time of day, on what days, in what season); and
 - (iii) The Cost - as to at what cost;
- g) **"DSM Resource Acquisition"** means a mechanism for the Distribution Licensee to implement DSM programmes through Consumers, Energy Service Companies, Aggregators, manufacturers/ suppliers, or other organisations, etc., for the resultant energy and load reduction;
- h) **"Energy Efficiency Measures" or "Energy Efficiency Programs"** means activities or programs to stimulate consumers to use energy more efficiently while maintaining a comparable level of services to the consumers;
- i) **"Energy Services Company"** means a company which is in the business of providing energy efficient and load management equipment and/or services to end-user consumers as approved by the Bureau;
- j) **"Evaluation, Measurement and Verification"** means activities which evaluate, measure and verify performance or other aspects of DSM/energy efficiency programs or their market environment;
- k) **"Load Management"** means any action/program, including Demand Response Program, that will reduce or shift demand away from periods of peak/higher cost electricity to periods of non-peak/lower cost electricity periods;
- l) **"Load Research"** means an activity embracing the measurement and study of the characteristics of electric loads to acquire a thorough and reliable knowledge of trends and

- general behaviour of the load characteristics of the consumers serviced by the electrical industry;
- m) **"Monitoring and Reporting"** means activities which monitor and evaluate the progress of DSM/ energy efficiency programs of the Distribution Licensee;
 - n) **"MYT"** means Multiyear Tariff ;
- ii) Words and expressions used and not defined in this Regulation but defined in the Act shall have the meanings assigned to them in the Act. Expressions used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the State shall have the meaning assigned to them in such law. Subject to the above, expressions used herein but not specifically defined in this Regulation or in the Act or any law passed by a competent legislature shall have the meaning as is generally assigned in the electricity industry.
- iii) **Interpretation:** In the interpretation of this Regulation, unless the context otherwise requires:
- a) Words in singular or plural terms, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
 - b) References herein to the "Regulation" shall be construed as a reference to this Regulation as amended or modified by the Commission from time to time.
 - c) References herein to "Distribution Licensee" shall also be construed as reference to a Deemed Distribution Licensee.
 - d) The headings are inserted for convenience and may not be taken into account for interpretation of this Regulation;
 - e) Reference to the Statutes, Regulations or Guidelines shall be construed as including all provisions consolidating, amending or replacing such Statutes, Regulations or Guidelines, as the case may be, referred to;

DSM objectives, technical potential and targets

3. DSM objectives

- i) The Distribution Licensee shall undertake/implement DSM-related policy/activity/ programs to lower the overall cost of electricity to the consumers as well as the Distribution Licensee, by economical and efficient use of resources, which shall include the measures/principles to:
 - a) Make DSM an integral part of the day-to-day operations of the Distribution Licensee to improve end-use efficiency of electricity, environmental conservation and cost reduction;
 - b) Control, reduce and influence electricity demand;
 - c) Encourage consumers to amend their electricity consumption pattern both for timing and level of electricity demand for efficient use of energy;
 - d) Complement supply-side strategies to help the utilities avoid or reduce or postpone (i) costly capacity (generation, transmission & distribution network) additions, (ii) costly power purchases;
 - e) Reduce transmission and distribution (T&D) losses through implementation of end-use energy efficiency programs;
 - f) Reduce the environmental damage by reducing the emission of greenhouse gases;
 - g) Supplement National and State level efforts for implementation of various DSM programs set out by the Bureau;
 - h) Make strategic efforts to induce lasting structural or behavioral changes in the market that shall result in increased adoption of energy-efficient technologies, services, and practices;
 - i) Protect the interest of the consumers and shall result in an overall reduction in the cost of electricity for all the consumers;

4. Assessment of technical potential for DSM

- i) The Distribution Licensee shall assess the potential for DSM in its supply area for one (1) year before the start of every MYT Control Period.

Notwithstanding the above provision, the first assessment of DSM's technical potential shall be carried out within six (6) months of this Regulation's notification.

- ii) The Distribution Licensee shall be guided by the Bureau's methodology for assessing DSM's technical potential.

5. DSM targets

- i) The Commission shall establish DSM targets for each Distribution Licensee in the State.
- ii) The Commission will consider factors such as consumer mix, load profile, and other characteristics when setting the DSM target for the distribution licensee.
- iii) Examples of DSM targets may include the following :
 - a) Percentage reductions in load growth;
 - b) Savings in kW, kWh;
 - c) Savings as a per cent of total resources to meet load;
- iv) While establishing the targets, the Commission shall consider the technical, economic potential and practical feasibility of each DSM program in the State as assessed by the Distribution Licensee.

DSM Cell

6. Constitution of DSM Cell, its roles & responsibilities

- i) Every Distribution Licensee shall constitute DSM Cell within one (1) month of notification of this Regulation. The composition of the DSM cell shall consist of the following.
 - One Executive Engineer
 - One Deputy Executive Engineer
 - Two Assistant Executive Engineers
 - One officer from the Accounts/Finance department.
- ii) The DSM Cell shall be provided with the authority and resources to execute the functions under this Regulation under the direct supervision of the company's Director/CMD.

- iii) The DSM Cell shall be responsible for:
 - a) Load research and development of baseline data.
 - b) Formulation of DSM Plan.
 - c) Design and development of DSM projects, including cost-benefit analysis, plans for implementation, monitoring and reporting, and measurement and verification.
 - d) Seeking necessary approvals for DSM Plan and individual programs.
 - e) Implementation of DSM programs.
 - f) Any other additional function that the Commission may assign from time to time.
 - g) The Andhra Pradesh Energy Efficiency and Energy Conservation Policy, if any, may be considered while formulating DSM Plans.

DSM process

7. Load and market research and development of baseline data

- i) The distribution licensee shall undertake load research to identify the target consumer segment(s) and end users for DSM programs to build the necessary database.
- ii) Distribution Licensee shall undertake market research to estimate market potential for specific energy efficiency technologies and applications, establish key performance indicators, and determine existing baseline market conditions.
- iii) Based on the results of load and market research, the Distribution Licensee shall design, develop, and implement the initial few DSM programs on the basis of available data and studies completed by the Bureau until complete baseline data is available for its area of supply. Establishing baseline data shall not be a prerequisite for the distribution licensees' design of such initial DSM programs.

8. Formulation of DSM Plan

- i) The distribution licensee shall formulate and submit to the Commission a perspective DSM Plan covering the control period

within one (1) year of notification of these regulations. The Plan shall include:

- a) An overall goal for the DSM Plan;
- b) Description of DSM programs to form a part of DSM Plan;
- c) Implementation process and schedule of each program in the plan as a whole;
- d) Plan for Monitoring and Reporting;
- e) Indicative cost-effectiveness assessment of programs.

Notwithstanding the above, the first DSM Plan shall be prepared within one (1) year of notification of this Regulation and shall be for the period until the end of the ongoing MYT Control Period.

- ii) The Distribution Licensee shall include all relevant DSM programs (including multi-state programs) developed by the Bureau in its perspective plan as and when the Bureau announces such programs.
- iii) The Distribution Licensee shall submit, on a rolling basis, an annual plan for the upcoming year that is not inconsistent with the perspective plan, along with the Annual Performance Review.
- iv) The following factors shall guide the selection and prioritisation of various DSM programs in the DSM Plan:
 - a) The Cost-effectiveness assessment;
 - b) DSM objectives;
 - c) Whether the proposed programs supplement National and State level efforts adopted by the Bureau ;
 - d) Programs with high visibility and, therefore, potential for the creation of awareness among consumers;

9. Commission's review and approval of DSM Plan

- i) Distribution Licensee shall submit the DSM Plan to the Commission for approval at least six (6) months before the start date of the MYT Control Period.
- ii) The Commission shall adopt procedures as specified in the Conduct

of Business Regulations for approving the DSM Plan.

10. Preparation of the DSM program document

A separate program document shall provide a detailed description of each DSM program included in the DSM Plan. The description shall include general information, technology, a schedule for deployment, a budget, a cost-effectiveness assessment, a detailed implementation plan, an estimation of savings, etc.

11. Approval of the DSM program document

- i) Before implementing any DSM program, the Distribution Licensee must obtain approval from the Commission.
- ii) Each Program Document shall include the following:
 - a) Description of the program;
 - b) Objectives and rationale for the program;
 - c) Consumer segments and estimated level of participation;
 - d) Estimate of baseline;
 - e) Cost-effectiveness assessment of the program;
 - f) Mechanism for recovery of cost and performance incentives;
 - g) Marketing, delivery strategy and Implementation schedule;
 - h) Implementation mechanism, e.g. Energy Service Companies, DSM Bidding, DSM Resource Acquisition, etc.;
 - i) Monitoring and evaluation plan;
 - j) Plan for training/seminars/workshops to increase consumer awareness;
- iii) The Commission shall approve a DSM program if it aligns with the Objectives set out in this Regulation. The Commission may direct modifications to proposed or ongoing programs to ensure consistency with the DSM Objectives. However, the Commission shall allow the Distribution Licensee adequate time to notify consumers of program modifications.

12. Implementation of DSM programs

- i) The distribution Licensee shall implement DSM programs as approved by the Commission.
- ii) The distribution Licensee shall undertake the implementation of quick gain DSM programs.
- iii) The distribution Licensee shall implement the activities assigned to it either by itself or through the engagement of an appropriate independent entity. While doing so, the Distribution Licensee shall ensure that continuity and consistency are maintained and the interests of the consumers are not compromised.

13. Mechanism for cost recovery

- i) The distribution Licensee shall identify the net incremental costs, if any, associated with program planning, design and implementation.
- ii) The cost of all DSM programmes and plans to be implemented by the Distribution Licensee shall be included in the Annual Revenue Requirement (IARR), and the licensee will clearly indicate the mechanism for financing each DSM Programme.
- iii) The Commission may direct the Distribution Licensee to undertake DSM programs that may not be cost-effective but are highly beneficial to society. The Commission will use available resources for such projects.
- iv) In order to qualify for cost recovery, each program must be
 - a) Approved before implementation;
 - b) Implemented following the approved program plan and;
 - c) Implemented cost-effectively;
- v) Distribution Licensee shall provide all necessary assistance to the Commission or third-party agency assigned by the Commission in undertaking Evaluation Measurement and Verification of DSM programs implemented by it.

14. Monitoring and reporting of DSM programs

The distribution Licensee shall prepare a plan and undertake monitoring and reporting of DSM programs as approved by the Commission while approving the DSM program.

15. Evaluation, measurement and verification of the DSM programme

i) The distribution Licensee shall prepare a plan for evaluating, measuring and verifying each DSM program and submit it to the Commission along with the DSM Program document. The plan shall contain the following details:

a) DSM Program Overview:

- Goal and objective;
- Target market;
- Eligibility criteria for participants;
- Key program elements;
- Program timings;
- Estimated participation;
- Estimated savings (in terms of energy and demand);
- Program implementation mechanism;

b) Brief description of previous similar program evaluations, including pilot program.

c) Evaluation overview:

- List of evaluation objectives and how they support program goal;
- Evaluation approach selected;
- Evaluation Cycle (i.e., interval/ frequency);
- List of indicators to be reported;

d) Detailed Evaluation Approach, Scope, Budget, Schedule and Staffing:

- Details of the evaluation approach selected;
- Data collection details assessment mechanism - interviews, surveys, secondary market research, sampling approach and criteria for sample selection, methods for measurement collection and data analysis;
- Ways of dealing with uncertainty-discussions and

presentations with the Commission, method of quality control, etc;

- Activity timelines with program deliverable dates;
 - Detailed budget for evaluation;
 - Reporting format of evaluation results;
- ii) The Commission or a third-party agency assigned by the Commission may evaluate, measure, and verify DSM programs. While engaging the third-party agency, the Commission shall ensure that the agency is not undertaking any other engagement that could conflict with the interests of the consumers in the State.
- iii) The Distribution Licensee shall make available necessary information /data to the Commission or a third-party agency assigned by the Commission to measure and verify the savings from DSM programs.
- iv) The Commission shall approve the evaluation, measurement, and verification plan before the distribution licensee implements the DSM program.

16. DSM Plan and Program Completion Report

- i) The Distribution Licensee shall submit reports on the progress of the DSM Plan and expenses incurred in implementing it every six (6) months.
- ii) The Distribution Licensee shall prepare and submit a detailed Program Completion Report and submit the same to the Commission within one (1) month of completion of such program.
- iii) The Report shall cover the program expenses, achievements, outcomes and outputs, constraints and difficulties faced conclusions, recommendations, lessons learned and way forward.

17. Incentives

The Commission may incentivise Distribution Utilities to achieve or exceed DSM Objectives as identified in this Regulation.

18. Role of APSECM /APSEEDCO for effective implementation of DSM measures:

- i. APSECM/APSEEDCO may extend necessary support and assist the Commission in identifying and assigning the 3rd party agency to evaluate, measure, and verify DSM programs.
- ii. APSECM/APSEEDCO may suggest various successful DSM Programs/Measures (Demos, pilot projects, etc.) Implemented by BEE GoI, which are being rolled out in other States to the GoAP and AP distribution licensees in order to consider and implement them in the State.
- iii. APSECM/APSEEDCO may create awareness and capacity-building programs on various DSM measures for the distribution licensees to enhance the programs' outreach and penetration.
- iv. The expenditure incurred by APSECM/APSEEDCO towards the creation of such communication outreach programs and assistance rendered in conceptualisation and monitoring of implementation shall be borne by the DISCOMs as per the instructions of the Hon'ble Commission from to time.

19. DSM Consultation Committee:

Constitution of DSM Consultative Committee (DSM-CC) and its functions-

- (1) The Commission may constitute a DSM Consultative Committee (DSM-CC), the nodal agency to assist the Licensee and the Commission in driving the DSM programme under DSM Regulations. The DSM-CC shall be constituted as indicated below:-
 - (i) Secretary of the Commission or any other officer as nominated by the Commission-Convener
 - (ii) One representative from each of the Distribution Licensee not below the rank of Chief Engineer-Members
 - (iii) One representative from each of the Transmission Utilities not below the rank of Chief Engineer-Members
 - (iv) Chief Executive Officer/APSECM State Designated Agency

State for energy audit and efficiency)-Member

- (v) Chief Executive Officer/MD of APSEEDCO
- (vi) The Commission may nominate a maximum of five representatives from educational and research institutions, industry, agriculture, and the general public who have special knowledge or experience of and interest in the power sector.

The functions of the DSM-Consultation Committee shall be -

- a. To advise the licensee on conducting continuous consumer surveys and Load Research to seek information on end-use technologies, usage patterns, willingness to pay, sensitivity studies, market research etc., to assess DSM potential;
- b. To promote cross-learning among the stakeholders to design appropriate DSM programmes and plans;
- c. To review the DSM programme and DSM Plans submitted by the licensee and to advise the Commission in assessment and approval;
- d. To provide support to the Commission for instituting DSM Plan/ Programme monitoring, review, evaluation, measurement and verification (EM&V) as and when required;
- e. To study the impacts of already implemented DSM Programmes;
- f. To apprise the Commission about all DSM-related activities quarterly.

20. Non-achievement of targets.

The Commission may disallow any expenditure incurred by any Distribution Licensee for non-achievement of DSM targets as specified by the Commission and the savings envisaged thereof or for failure to implement the programme according to the approved plan.

Miscellaneous

21. Power to amend

The Commission may, at any time, add, vary, alter, modify or amend any provisions of this Regulation.

22. Power to remove the difficulty

If any difficulty arises in giving effect to the provisions of this Regulation, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act as may appear necessary to remove the difficulty.

23. Power to give directions

The Commission may, from time to time, issue orders and practice directions regarding the implementation of the Regulation and the procedures to be followed.

24. Power to relax

The Commission may relax any of the provisions of these Guidelines on its own motion or on an application made before it by an interested person by general or special order for reasons to be recorded in writing.

25. Savings

Nothing contained in this Regulation shall limit or otherwise affect the inherent powers of the Commission from adopting a procedure in conformity with the provisions of the Act, which is at variance with any of the provisions of this Regulation, if the Commission, because of the special circumstances of the matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient to depart from the procedure specified in this Regulation.

26. Enquiry and investigation

All enquiries, investigations, and adjudications under this Regulation shall be handled by the Commission through the proceedings following the Conduct of Business Regulations 1999, as amended from time to time.

(BY ORDER OF THE COMMISSION)

Place: Kurnool
Date: 25.11.2024

P.KRISHNA
Commission Secretary (i/c).

REGULATIOIN NO. 6 OF 2025

Andhra Pradesh Electricity Regulation Commission
(Terms & Conditions for Tariff Determination from Renewable Energy
Sources) Regulation, 2025

Amendment

1. First Amendment vide Regulation No. 12 of 2025, dated 08-12-2025

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No. APERC/Secy/F.No.S-19(Vol-III)/D.No.1020, Dated: 12-09-2025

(Terms and Conditions for Tariff Determination from Renewable Energy Sources)
Regulation, 2025.

(Regulation No. 6 of 2025)

Preamble

Section 62 and Section 86 (1) (b) of the Electricity Act, 2003 (for short **“the Act”**), require the Commission to determine the tariff for supply of electricity by a generating company to a distribution licensee and to regulate electricity purchase and procurement process of distribution licensee including the price at which electricity shall be procured, from the generating companies or licensee or from other sources through agreements for purchase of power for distribution and supply within the State. Section 61 of the Act requires the Commission to specify the terms and conditions for such a determination of tariff. Accordingly, the Commission issued Regulation 1 of 2008, the Andhra Pradesh Electricity Regulatory Commission (Terms and conditions for determination of tariff for supply of electricity by a generating company to a distribution licensee and purchase of electricity by distribution licensees) Regulation, 2008. This Regulation is applicable to all generating companies supplying or intending to supply electricity to a Distribution Licensee, and all Distribution Licensees for the purchase of electricity from generating companies, other licensees, including trading licensees, captive generating plants and any other source. However, this Regulation states that the determination of tariff for supply of electricity to a distribution licensee from non-conventional sources of generation shall be in accordance with such terms and conditions as stipulated in relevant separate Orders of the Commission. The above Regulation was adopted by this Commission by the APERC (adaptation) Regulation 2014.

Whereas the Commission issued Regulation 1 of 2015, the Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions for Tariff Determination for Wind Power Projects) Regulations, 2015, for FY2015-16 to FY2019-20. However, the Commission by Order dated 13.07.2018 in OP.No.5 of 2017 has curtailed the applicable period from 5 years to 2 years, and the Regulation ceased to be in force from 01.04.2017, keeping in view the falling wind power prices, the competitive bidding guidelines issued by the Government of India for wind power procurement under Section 63 and the

consumer's interest. However, the Commission held that the DISCOMS may procure power from wind power projects in accordance with Sections 61, 62, 64 and 86 (1) (b) of the Electricity Act, 2003 and Sections 21 and 26 of the Andhra Pradesh Electricity Reform Act, 1998 and rules, Regulations, practice directions and orders issued there under until an appropriate Regulation in that behalf is made by this Commission and any Power Purchase Agreement or tariff thereunder for such procurement shall be guided by the principles contained in the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Renewable Energy Sources) Regulations, 2017.

Whereas the Hon'ble APTEL in its Order dated 08.03.2022 in Appeal No.250 of 2014 & batch, inter alia, has directed APERC & TGERC to initiate a study for determining the normative parameters for Biomass and Bagasse-based Power Plants under their jurisdiction and located in the State of Andhra Pradesh and Telangana and frame Tariff Regulation as per directions given in the said Order.

Whereas the Hon'ble Supreme Court in its judgement dated 23.11.2022 in Civil Appeal No. 1933 of 2022, the TATA Power Company Limited Transmission Vs Maharashtra Electricity Regulatory Commission & Ors, inter alia, affirmed that *"Sections 62 and 63 stipulate the modalities of tariff determination. The non-obstante clause in Section 63 cannot be interpreted to mean that Section 63 would take precedence over Section 62 at the stage of choosing the modality to determine the tariff. The criteria or guidelines for the determination of the modality of tariff determination ought to be notified by the Appropriate State Commission either through Regulations under Section 181 of the Act or guidelines under Section 61 of the Act"*. The Hon'ble Supreme Court also directed SERCs *"to frame Regulations under Section 181 of the Act on the terms and conditions for determination of tariff. While framing these guidelines on determination of tariff, the Appropriate Commission shall be guided by the principles prescribed in Section 61, which also includes the NEP and NTP. Where the Appropriate Commission(s) has already framed Regulations, they shall be amended to include provisions on the criteria for choosing the modalities to determine the tariff, in case they have not been already included. The Commissions, while being guided by the principles contained in Section 61, shall effectuate a balance that would create a sustainable model of electricity Regulation in the States. **The Regulatory Commission shall curate to the specific needs of the State while framing these Regulations.** Further, the Regulations framed must be in consonance with the objective of the Electricity Act 2003, which is to enhance the*

investment of private stakeholders in the electricity regulatory sector so as to create a sustainable and effective system of tariff determination that is cost-efficient so that such benefits percolate to the end consumers.”

Whereas paragraph 6.4 (2) of the National Tariff Policy 2016 issued by the Government of India under Section 3 of the Act states that *“the States shall endeavour to procure power from renewable energy sources through competitive bidding to keep the tariff low, except from the waste-to-energy plants. Procurement of power by Distribution Licensee from renewable energy sources from projects above the notified capacity shall be done through competitive bidding process, from the date to be notified by the Central Government. However, till such notification, any such procurement of power from renewable energy sources projects may be done under Section 62 of the Electricity Act, 2003. While determining the tariff from such sources, the Appropriate Commission shall take into account the solar radiation and wind intensity, which may differ from area to area to ensure that the benefits are passed on to the consumers.”*

Whereas the Government of Andhra Pradesh, through the Special Chief Secretary Energy Department, by letter dated 05.02.2025, inter alia, has informed the Commission that *“the Government of Andhra Pradesh, through the AP ICE Policy, 2024 has been committed to promoting sustainable and clean energy solutions to meet the growing energy demands while minimising environmental impact. The AP ICE Policy, 2024 aims to enhance the adoption of renewable energy sources and ensure the reliable and affordable supply of electricity to all consumers.”* The letter further communicated that *“under Section 108 of the Electricity Act, 2003, the State Government is empowered to issue policy directions to the State Electricity Regulatory Commission in matters involving public interest. Invoking this provision, the Government of Andhra Pradesh requests the Andhra Pradesh Electricity Regulatory Commission (APERC) to adopt the Andhra Pradesh Integrated Clean Energy Policy, 2024, and undertake the necessary regulatory amendments to facilitate its seamless implementation.”* The GoAP, also requested the APERC to *“determine the tariff in accordance with Section 62 of the Electricity Act, 2003 for various technologies i.e. Solar, Wind, Wind-Solar Hybrid projects and PSP projects, Mini and Small Hydro Projects without imposing any ceiling on Capacity Utilization Factor (CUF) or Plant Load Factor (PLF) and such determined tariff shall be applicable for all such projects that will come up during the operative period (5 years from the*

date of issuance of the policy) of the Integrated Clean Energy Policy.”

Whereas under Section 61 of the Act, the SERCs shall, subject to the provisions of the Act, specify the terms and conditions for the determination of tariff, and in doing so, inter alia, shall be guided by the principles and methodologies specified by the Central Commission for the determination of the tariff applicable to generating companies and transmission licensees;

In light of the above, after issuing the draft Regulation and following the previous publication under Sub-section (3) of Section 181 of the Electricity Act, 2003, read with the Electricity (Procedure for Previous Publication) Rules, 2005, after stakeholder consultation as discussed in the Order dated 11.09.2025, in exercise of powers conferred under Sections 61, 62, 86(1)(b) read with Section 181 (2) (zd) of the Electricity Act, 2003, and all other powers enabling in this behalf, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following final Regulation, namely:

1. Short title and commencement

- (1) This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Renewable Energy Sources) Regulation, 2025.
- (2) This Regulation shall extend to the whole of the State of Andhra Pradesh
- (3) This Regulation shall come into force on the date of its publication in the Andhra Pradesh Gazette, and, unless reviewed earlier or extended by the Commission, shall remain in force up to 31.03.2030.

Provided that, if subsequent Regulations are not notified and brought into effect by the Commission before the expiry of this Regulation, this Regulation shall continue to remain in force until such subsequent Regulations are duly notified and brought into effect, unless the Commission, by an Order, amendment, proceedings or otherwise, determines that this Regulation shall cease to have effect.

2. Definitions and Interpretation

- (1) In this Regulation, unless the context otherwise requires,
- a) **'Act'** means the Electricity Act, 2003 (36 of 2003);
 - b) **'Auxiliary energy consumption'** or **'AUX'** in relation to a period in the case of a generating station means the quantum of energy consumed by auxiliary equipment of the generating station and transformer losses within the generating station expressed as a percentage of the sum of gross energy generated at the generator terminals of all the units of the generating station;
 - c) **'Biomass'** means wastes produced during agricultural and forestry operations (for example, straws and stalks) or produced as a by-product of processing operations of agricultural produce (e.g., husks, shells, de-oiled cakes); wood produced in dedicated energy plantations or recovered from wild bushes or weeds; and the wood waste produced in some industrial operations; including such other wastes as may be recognised by the Central Government, as being part of biomass;
 - d) **'Biomass gasification'** means the process of incomplete combustion of biomass resulting in the production of combustible gases consisting of a mixture of carbon monoxide (CO), hydrogen (H₂) and traces of methane (CH₄);
 - e) **'Biogas'** means a gas produced when organic matter like crop residues, sewage, and manure breaks down (ferments) in an oxygen-free environment.
 - f) **'Capital cost'** means the capital cost of a project as referred to in clauses 11, 23, 26, 30, 38, 45, 49, 55, 61, 66, 70 and 74;
 - g) **'Commission'** means the Andhra Pradesh Electricity Regulatory Commission referred to in sub-section (1) of section 86 of the Act;
 - h) **'Conduct of Business Regulations'** means the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations,

1999, or any subsequent amendment thereof;

- i) **‘Control Period’** means the period during which the norms for the determination of tariff specified in this Regulation shall remain valid;
- j) **‘Floating solar project’** or **‘FPV’** means a solar PV power project where the arrays of photovoltaic panels on the structure of the project float on top of a body of water, such as an artificial basin or lake, with the help of a floater, anchoring, and mooring system;
- k) **‘Grid Code’** means the Indian Electricity Grid Code Regulations, 2023, issued by CERC as amended from time to time or any subsequent re-enactment thereof;
- l) **‘Gross calorific value’** or **‘GCV’** in relation to a fuel used in a generating station means the heat produced in kCal by the complete combustion of one kilogram of solid fuel, or one litre of liquid fuel or one standard cubic metre of gaseous fuel, as the case may be;
- m) **‘Gross station heat rate’** or **‘Gross SHR’** means the heat energy input in kCal required to generate one kWh of electrical energy at the generator terminals of a generating station;
- n) **‘Installed capacity’** or **‘IC’** means the summation of the nameplate capacities of all the units of the generating station or the capacity of the generating station (reckoned at the generator terminals). In the case of solar PV power projects and floating solar projects, installed capacity shall be the sum of the nameplate capacities (Nominal AC power) of the project inverters.
- o) **‘Inter-connection point’** shall mean the interface point of a renewable energy generating facility with the transmission system or distribution system, where the energy is injected, as the case may be, and include:
 - i. In relation to wind power projects, solar PV power projects, renewable hybrid energy projects and renewable energy with storage Projects, a line isolator on the outgoing feeder on the HV side of the pooling sub-station; and
 - ii. In relation to small hydro projects, biomass gasifier-based power

projects, non-fossil fuel-based cogeneration projects, and solar thermal power projects, a line isolator on the outgoing feeder on the HV side of the generator transformer.

- p) **‘MNRE’** means the Ministry of New and Renewable Energy of the Government of India;
- q) **‘Municipal solid waste’** or **‘MSW’** means and includes commercial and residential wastes generated in a municipal or notified area in either solid or semi-solid form, and excludes industrial hazardous wastes, but includes treated bio-medical wastes;
- r) **‘Non-fossil fuel-based co-generation project’** means a generating station that uses a process in which more than one form of energy (such as steam and electricity) is produced in a sequential manner by use of biomass;
- s) **‘Operation and Maintenance expenses’** or **‘O&M expenses’** means the expenditure incurred on operation and maintenance of the project, or part thereof, and includes the expenditure on manpower, repairs, spares, consumables, insurance and overheads;
- t) **‘Project’** means a generating station or an evacuation system up to an inter-connection point, as the case may be, and in the case of a small hydro project, includes all components of the generating facility such as a dam, intake water conductor system, power generating station and generating units of the scheme, as apportioned to power generation;
- u) **‘Pumped storage hydro project’** means a hydropower project which generates power through water stored as potential energy, pumped from a lower elevation reservoir to a higher elevation reservoir;
- v) **‘Refuse derived fuel’** or **‘RDF’** means a segregated combustible fraction of solid waste other than chlorinated plastics in the form of pellets or fluff produced by drying, de-stoning, shredding, dehydrating, and compacting combustible components of solid waste that can be used as fuel;

- w) **‘Renewable energy’** or **‘RE’** means the electricity generated from renewable energy sources;
- x) **‘Renewable energy project’** means a generating station that produces electricity from renewable energy sources;
- y) **‘Renewable energy source’** means and includes sources of renewable energy such as hydro, wind, and solar, including their integration with combined cycle, biomass, biofuel cogeneration, urban or municipal waste, and such other sources as recognised or approved by the Central Government;
- z) **‘Renewable energy with storage project’** means a combination of renewable energy projects with storage or a combination of renewable hybrid energy projects with storage at the same interconnection point;
- aa) **‘Renewable hybrid energy project’** means a renewable energy project that produces electricity from a combination of renewable energy sources connected at the same interconnection point;
- bb) **‘Small hydro project’** means a hydropower project with an installed capacity up to and including 25 MW or, as defined by the Government of India, from time to time at a single location;
- cc) **‘Solar PV power project’** means a project that uses sunlight for direct conversion into electricity through photovoltaic technology and is based on technologies such as crystalline silicon, thin film, or any other technology as approved by MNRE;
- dd) **‘Solar thermal power project’** means a project that uses sunlight for direct conversion into electricity through concentrated solar power technology and is based on line focus or point focus principle;
- ee) **‘State Nodal Agency’** means the agency in a State as may be designated by the Ministry of New and Renewable Energy to promote efficient use of renewable energy in that State;
- ff) **‘Storage’** means an energy storage system utilising methods and

technologies like solid state batteries, flow batteries, pumped storage, compressed air, fuel cells, hydrogen storage or any other technology to store various forms of energy and to deliver the stored energy in the form of electricity;

gg) **‘Tariff period’** for renewable energy projects will be the same as their Useful Life, and the tariff period shall be considered from the date of commercial operation of such power projects.

hh) **‘Useful Life’** in relation to the project, including a dedicated evacuation system, from the date of commercial operation of such project, shall mean the following: -

i	Wind power project	25 years
ii	Biomass power project with Rankine cycle technology	25 years
iii	Non-fossil fuel-based cogeneration project	25 years
iv	Small Hydro Project	40 years
v	Municipal solid waste-based power project / Refuse-derived fuel-based power project	20 years
vi	Solar PV power / Floating solar project/Solar thermal power project	25 years
vii	Biomass gasifier-based power project	25 years
viii	Biogas-based power project	25 years

ix Renewable hybrid energy project

Minimum of the Useful Life of different RE technologies combined for the Renewable Hybrid Energy Project for the Composite Tariff as specified under clause 69.

x	Renewable energy with storage project	Same as the Useful Life of the project, assuming that there is no storage
xi	Pumped Storage Power (PSP) Project	40 Years

ii) **‘Year’** means a financial year.

- (2) Words and expressions used and not defined in this Regulation but defined in the Act shall have the meanings assigned to them in the Act. Expressions used herein but not specifically defined in this Regulation or in the Act, but defined under any law passed by a competent legislature and applicable to the electricity industry in the State, shall have the meaning assigned to them in such law.

3. Scope and extent of application

The Licensees shall preferably endeavour to procure energy from all renewable energy sources as per the Ministry of Power/MNRE, the Government of India, notified competitive guidelines under section 63 of the Act, wherever applicable. However, in all cases, this Regulation shall apply where the tariff, for a grid-connected generating station or a unit thereof commissioned during the Control Period and based on renewable energy sources, is to be determined by the Commission under Section 62, read with Section 86 of the Act:

Provided that in cases of wind power projects, small hydro projects, biomass power projects with Rankine cycle technology, non-fossil fuel based co-generation projects, solar PV power projects, floating solar projects, solar thermal power projects, renewable hybrid energy projects, renewable energy with storage projects, biomass gasifier based power projects, biogas based power projects, municipal solid waste based power projects, refuse derived fuel based municipal solid waste power projects, and pumped storage power (PSP) projects, this Regulation shall apply subject to the fulfilment of eligibility criteria specified in Regulation 4 of this Regulation.

4. Eligibility Criteria

- a) Wind power project – The project that uses new wind turbine generators and is located at sites, on-shore or off-shore, approved by the State Nodal Agency or Appropriate Government.
- b) Small hydro project – The project that uses new plant and machinery and is located at sites approved by the State Nodal Agency or Appropriate Government.
- c) Biomass power project with Rankine cycle technology – The project that uses new plant and machinery is based on Rankine cycle technology and does not use any fossil fuel.
- d) Non-fossil fuel-based cogeneration project – The project that uses new plant and machinery and is based on the topping cycle mode of cogeneration.

Topping cycle mode of cogeneration – Any facility that uses non-fossil fuel input for power generation and also utilises the thermal energy generated for useful heat applications in other industrial activities simultaneously:

Provided that for the cogeneration facility to qualify under topping cycle mode, the sum of useful power output and one-half the useful thermal output must be greater than 45% of the facility's energy consumption during the crushing season. Explanation- For the purposes of this clause,

- (a) **'Useful power output'** is the gross electrical output from the generator. The cogeneration plant will have an auxiliary consumption (e.g., the boiler feed pump and the FD/ID fans). To compute the net power output, it would be necessary to subtract the auxiliary consumption from the gross output. For simplicity of calculation, the useful power output is defined as the generator's gross electricity (kWh) output.
- (b) **'Useful Thermal Output'** is the useful heat (steam) that is provided to the process by the cogeneration facility.

(c) **'Energy Consumption'** of the facility is the useful energy input that is supplied by the fuel (normally bagasse or other such biomass).

(d) **'Topping Cycle'** means a cogeneration process in which thermal energy produces electricity, followed by a useful heat application.

e) Solar PV power project, floating solar project, and solar thermal power project—The projects are based on technologies approved by MNRE.

Provided that floating solar projects installed with existing renewable energy projects, other than ground-mounted Solar PV projects, shall be treated as renewable hybrid energy projects.

f) Renewable hybrid energy project – The rated capacity of generation from one renewable energy source is at least 25% of the rated power capacity of the other resource, which operates at the same point of interconnection:

Provided that energy is injected into the grid at the same interconnection point and metering is done at such a common interconnection point accordingly.

Provided further that each 1 (one) MW of contracted Wind Solar Hybrid Project shall achieve a minimum CUF of 40%.

g) Biomass gasifier-based power project—The project uses new plant and machinery and has a grid-connected system that uses a 100% producer gas engine coupled with gasifier technologies approved by MNRE.

h) Biogas-based power project—The project uses new plant and machinery and has a grid-connected system that uses a 100% biogas-fired engine, coupled with biogas technology for co-digesting agriculture residues, manure, and other biowaste, as approved by MNRE.

i) Municipal solid waste-based power projects—The project uses new plant and machinery based on Rankine cycle technology and municipal solid waste as fuel.

j) Refuse-derived fuel-based municipal solid waste power projects—The project uses new plant and machinery based on Rankine cycle technology and refuse-derived fuel as fuel.

- k) Renewable energy with storage project—This includes a renewable hybrid energy project that uses, partly or fully, renewable energy generated from such a project to store energy in a storage facility connected at the same point of interconnection as the renewable energy project.

Chapter 1

General Principles

5. Control Period

The Control Period under this Regulation shall be from 01.04.2025 to 31.03.2030:

The tariff determined as per this Regulation for the RE projects commissioned during the Control Period shall remain valid for the tariff period. Further, the tariff norms specified in this Regulation shall remain applicable subject to such conditions as may be stipulated by the Commission until notification of the revised norms through subsequent re-enactment of this Regulation.

6. Project-specific tariff

The Commission shall determine the project-specific tariff on a case-by-case basis. The financial and operational norms specified in this Regulation, except for capital cost, shall be the ceiling norms while determining the project-specific tariff.

7. Petition and proceedings for the determination of the tariff

- (1) A petition for the determination of project-specific tariff shall be accompanied by such fee as may be specified in the Andhra Pradesh Electricity Regulatory Commission (Fees) Regulation, 2005, as amended from time to time or any subsequent re-enactment thereof, and shall be accompanied by:
- a) Information in forms 1.1, 1.2, 2.1, 2.2 and 2.3, as the case may be, as appended to this Regulation;
 - b) Detailed project report outlining technical and operational details, site-specific aspects, basis for capital cost, detailed break-up of capital cost and financing plan;

- c) A statement of all applicable terms and conditions and anticipated expenditure for the period for which the tariff is to be determined;
 - d) A statement containing details of the calculation of any grant, subsidy, or incentive received, due or assumed to be due, from the Central Government or State Government or both. This statement shall also include the proposed tariff calculated without such subsidy or incentive.
 - e) Consent from the licensee; and
 - f) The following documents, in case of a petition for the determination of project-specific tariff by renewable energy projects, where the tariff from such renewable energy sources is generally determined through a competitive bidding process in accordance with provisions of Section 63 of the Act:
 - i. Rationale for opting for a project-specific tariff instead of competitive bidding; and
 - ii. Competitiveness of the proposed tariff vis-à-vis the tariff discovered through competitive bidding/ tariff prevalent in the market.
 - g) Any other information directed by the Commission.
- (2) The proceedings for determining the tariff shall be in accordance with the provisions of the Conduct of Business Regulations. On submission of a complete petition accompanied by all requisite information and particulars, the petitioner shall, within 3 (three) working days of an intimation given to him, publish a notice in at least 1 (one) English daily newspaper in English language and 1 (one) Telugu daily newspaper in Telugu language having wide circulation in the area to which the application pertains, outlining the proposed capital cost and tariff structure, as the case may be, and such other matters as may be stipulated by the Commission, and invite suggestions and objections from the public:
- (3) The Commission shall, as far as possible, pass an Order determining the tariff within 120 (one hundred and twenty) days of receiving a complete petition for tariff determination and after considering all suggestions and objections received from the public.

8. Tariff Structure

The tariff for renewable energy sources shall consist of the following components:

- (a) Return on equity.
- (b) Interest on loan;
- (c) Depreciation;
- (d) Interest on working capital, and
- (e) Operation and Maintenance expenses;

Provided that for renewable energy projects having a fuel cost component, like biomass power projects with Rankine cycle technology, biomass gasifier-based power projects, biogas-based power projects, and non-fossil fuel-based cogeneration projects, a single-part tariff with two components, a fixed cost component and a fuel cost component, shall be determined.

9. Tariff Design

- (1) The tariff shall be determined, on a levelised basis, considering the year of commissioning of the project, for the tariff period of the project:

Provided that for renewable energy projects having a single part tariff with two components, the fixed cost component shall be determined on a levelised basis considering the year of commissioning of the project, while the fuel cost component shall be determined on a year of operation basis in the Tariff Order to be issued by the Commission.

- (2) A discount factor equivalent to the post-tax weighted average cost of capital shall be considered for levelised tariff computation.

10. Treatment for Over-Generation

In case a renewable energy project, in a given year, generates energy in excess of the capacity utilisation factor or plant load factor, as the case may be, specified under this Regulation, the tariff for such excess energy shall be 50 paise per unit. However, in preceding years, if the generated energy is lower than the capacity utilisation or plant load factor, such shortfall energy shall be paid at the normal tariff determined in the Order before arriving at an excess energy payment of 50 paise per unit.

Provided that the cumulative energy at the end of any given year shall not exceed the CUF for payment of the normal tariff.

Chapter 2

Financial Principles

11. Capital Cost

Norms for capital cost, as specified in relevant chapters of this Regulation, shall include land cost, pre-development expenses, all capital work, including plant and machinery, civil work, erection, commissioning, financing cost, interest during construction, and evacuation infrastructure up to an interconnection point.

12. Debt Equity Ratio

- (1) For determining a tariff, the debt-equity ratio shall be considered as 70:30, provided that:
 - i. The project-specific tariffs, where the equity actually deployed is more than 30% of the capital cost, equity in excess of 30% shall be treated as a normative loan.
 - ii. The project specific tariffs where equity actually deployed is less than 30% of the capital cost, the actual equity shall be considered for the determination of tariff;
 - iii. The equity invested in foreign currency shall be designated in Indian rupees on the date of each investment;
 - iv. The debt-equity ratio shall be considered after deducting the amount of grant or capital subsidy received for the project to arrive at the amount of debt and equity; and
 - v. The premium, if any, raised by the generating company while issuing share capital and investing internal resources created out of its free reserve for the project's funding shall be reckoned as paid-up capital for the purpose of computing return on equity only if such premium amount and internal resources are

actually utilised for meeting the capital expenditure of the renewable energy project.

- (2) The project developer shall submit the resolution of the company's Board or the approval of the competent authority in other cases regarding the infusion of funds from internal resources in support of the utilisation made or proposed to be made to meet the capital expenditure of the renewable energy project.

13. Loan Tenure and Interest on Loan

- (1) Loan Tenure

To determine the tariff, the loan tenure of 15 years shall be considered.

- (2) Interest on Loan

- (a) For the calculation of interest on loans, the loans arrived at in the manner indicated in Clause 12 shall be considered gross normative loans. The normative loan outstanding as of April 1st of every year shall be worked out by deducting the cumulative repayment up to March 31st of the previous year from the gross normative loan.
- (b) The normative interest rate of two hundred (200) basis points above the average State Bank of India Marginal Cost of Funds based Lending Rate (MCLR) (one-year tenor) prevalent during the last available six months shall be considered.
- (c) Notwithstanding any moratorium period availed by the project developer, the loan repayment shall be considered from the first year of the project's commercial operation and shall be equal to the annual depreciation allowed.

14. Depreciation

- (1) The value base for the purpose of depreciation shall be the capital cost of the project approved by the Commission. The salvage value of the project shall be considered as 10%, and depreciation shall be allowed up to a maximum of 90% of the capital cost of the project:

Provided that no depreciation shall be allowed to the extent of the grant or capital subsidy received for the project.

- (2) A depreciation rate of 4.67% per annum shall be considered for the first 15 years, and the remaining depreciation shall be evenly spread during the remaining Useful Life of the project.
- (3) Depreciation shall be computed from the first year of commercial operation:

Provided that, in case of commercial operation of the project for part of the year, depreciation shall be computed on a pro rata basis.

15. Return on Equity

- (1) The value base for equity shall be as determined under Clause 12.
- (2) The normative Return on Equity for renewable energy projects other than small hydro projects shall be 14%, and that for the small hydro projects shall be 15%.
- (3) Actual income tax paid on the income corresponding to the regulated renewable energy business shall be claimed by the generating company along with the monthly energy bills, subject to submission of documentary evidence of payment.
- (4) Any penalty, interest, or tax liability arising out of delay or default in payment of tax, or from activities other than the regulated renewable energy business, shall not be considered.

16. Interest on Working Capital

- (1) The Working Capital requirement in respect of wind power projects, small hydro projects, solar PV power projects, floating solar projects, solar thermal power projects, municipal solid waste-based power projects and refuse-derived fuel based power projects and renewable energy with storage projects shall be computed in accordance with the following:
 - a) Operation and Maintenance expenses for one month;
 - b) Receivables equivalent to 45 days of tariff for the sale of electricity, calculated on the normative Capacity Utilisation Factor or Plant

Load Factor, as the case may be; and

- c) Maintenance spares equivalent to 15% of Operation and Maintenance expenses.
- (2) The Working Capital requirement in respect of biomass power projects with Rankine cycle technology, biogas power projects, biomass gasifier-based power projects and non-fossil fuel-based cogeneration projects shall be computed in accordance with the following:
- a) Fuel costs for two months equivalent to the normative Plant Load Factor;
 - b) Operation and Maintenance expenses for one month;
 - c) Receivables equivalent to 45 days of tariff for the sale of electricity, calculated on the plant load factor; and
 - d) Maintenance spares equivalent to 15% of Operation and Maintenance expenses.
- (3) In the case of renewable hybrid energy projects, the Working Capital requirement shall be the sum of the Working Capital requirement determined as per norms applicable for renewable energy sources in proportion to their rated capacity in the project.
- (4) Interest on Working Capital shall be at an interest rate equivalent to the normative interest rate of three hundred and twenty-five (325) basis points above the average State Bank of India Marginal Cost of Funds based Lending Rate (MCLR) (one-year tenor) prevalent during the last available six months.

17. Calculation of capacity utilisation factor and plant load factor:

As the case may be, the number of hours in a year for calculation of the capacity utilisation factor and plant load factor shall be considered as 8766.

18. Operation and Maintenance Expenses

- (1) Operation and Maintenance expenses shall be determined for the project's Tariff Period based on normative O&M expenses specified in this Regulation for the first year of the Control Period.

- (2) Normative O&M expenses allowed during the first year of the Control Period, i.e. financial year 2025-26, under this Regulation, shall be escalated at the rate of 5.25% per annum for the Tariff Period.

19. Rebate

- (1) A 1.5% rebate on the bill amount shall be allowed for payment of the generating company's bills through a revolving and valid letter of credit on presentation or through National Electronic Fund Transfer (NEFT) or Real Time Gross Settlement (RTGS) payment mode within 7 days of bill presentation.

Explanation: In the computation of “7 days”, the number of days shall be counted consecutively without considering any holiday. However, in case the last day or the 7th day is an official holiday, the 7th day for the purpose of rebate shall be construed as the immediate succeeding working day.

- (2) Where payments are made on any day after 7 days within a period of one month from the date the generating company presents bills, a rebate of 1% shall be allowed.

20. Late payment surcharge

In case the payment of any bill for charges payable under this Regulation is delayed beyond 45 days from the date of presentation of bills, the generating company shall levy a late payment surcharge as specified in the Ministry of Power—Electricity (Late Payment Surcharge and Related Matters) Rules, 2022, as amended from time to time.

21. Subsidy or incentive by the Central or the State Government

- (1) The Commission shall take into consideration any incentive, grant or subsidy from the Central or State Government, including accelerated depreciation benefit, availed by the project while determining the tariff under this Regulation:

Provided that the following principles shall be considered for ascertaining income tax benefit on account of accelerated depreciation, if availed, for

the purpose of tariff determination:

- i. Assessment of benefit shall be based on normative capital cost, accelerated depreciation rate and corporate income tax rate as per relevant provisions of the Income Tax Act, 1961, as amended from time to time; and
 - ii. Capitalisation of renewable energy projects during the second half of the fiscal year.
 - iii. Per unit benefit shall be derived on a levelised basis at a discount factor equivalent to the weighted average cost of capital.
- (2) Any grant, subsidy, or incentive availed by a renewable energy project that is not considered at the time of tariff determination shall be deducted by the beneficiary in subsequent bills after receipt of such grant, subsidy, or incentive in suitable installments or within such period as may be stipulated by the Commission.
- (3) If the Central or State Government or their agencies provide any generation-based incentive that is specifically over and above the tariff, such incentive shall be taken into account while determining the tariff and deducted by the licensee in subsequent bills raised by the particular Renewable energy project.

22. Statutory Charges

The renewable energy project developer shall recover from the licensees the statutory charges imposed by the State and Central Government, such as royalty on water, electricity duty, etc., for the applicable period mentioned in the respective policies.

Chapter 3

Parameters for wind power projects

23. Capital Cost

Considering the prevailing market trends, the Commission shall determine only project-specific capital costs.

24. Capacity Utilisation Factor

- (1) Capacity utilisation factor norms for this Control Period shall be as follows:

Annual Mean Wind Power Density (W/m²)	Capacity Utilisation Factor
Up to 220	22%
221-275	24%
276-330	28%
331-440	33%
> 440	35%

- (2) The annual mean wind power density specified in sub-clause(1) above shall be measured at a 100-meter hub height. For wind hub heights above 100 meters, the developers may indicate the CUF.
- (3) Wind power projects shall be classified into particular wind zone sites as per MNRE guidelines for wind measurement. Based on the validation of the wind mast by the National Institute of Wind Energy, the State Nodal Agency should certify the zoning of the proposed wind farm complex.

25. Operation and Maintenance expenses

Considering the prevailing market trends, the Commission shall determine only project-specific O&M expenses.

Chapter 4

Parameters for small hydro projects

26. Capital Cost

- (1) The normative capital cost for small hydro projects during the first year of the Control Period, i.e. the financial year 2025-26, shall be as follows:

Maximum capital cost for small hydro projects for FY2025-26	Below 5 MW	890 (Rs. lakh/ MW)
	5 MW to 25 MW	1,027 (Rs. lakh/ MW)

- (2) The capital cost for small hydro projects as specified for the first year of the Control Period shall remain valid for the entire duration of the Control Period unless reviewed earlier by the Commission.

27. Capacity Utilisation Factor

¹“It shall be project specific and shall not be less than 30% (Project specific).

Notwithstanding clause 10 of this Regulation, in case a small hydro project, in a given year, generates energy in excess of the capacity utilisation factor or plant load factor, as the case may be, the tariff for such excess energy shall be equal to the tariff applicable for that year.”

28. Auxiliary Consumption

Normative auxiliary consumption for the small hydro projects shall be considered as 1.0%.

29. Operation and Maintenance expenses

- (1) Normative O&M Expenses for the first year of the Control Period, i.e. financial year 2025-26, shall be as under:

Description	Project Size	O&M Expenses (Rs. lakh/ MW)
O&M Expenses	Below 5 MW	41.74
	5 MW to 25 MW	30.23

- (2) Normative O&M Expenses allowed at the commencement of the Control Period, i.e. financial year 2025-26 under this Regulation, shall be escalated at the rate specified in Clause 18 of this Regulation for the Tariff Period.

¹ First Amendment vide Regulation No. 12 of 2025 dated 08.12.2025

Chapter 5

Parameters for biomass power projects based on Rankine cycle technology

30. Capital Cost

- (1) The normative capital cost for the first year of the Control Period, i.e. financial year 2025-26, shall be as under:

Biomass power projects based on Rankine cycle technology	Maximum Capital Cost (Rs. lakhs/ MW)
Projects with a water-cooled condenser	595
Projects with an air-cooled condenser	607

- (2) The capital cost for biomass power projects based on Rankine cycle technology, as specified for the first year of the Control Period, shall remain valid for the entire duration of the Control Period unless reviewed earlier by the Commission.

31. Plant Load Factor

For the purpose of determination of tariff, the Plant Load Factor shall be considered as 80%.

32. Auxiliary Consumption

The normative auxiliary consumption shall be as follows: -

- a) For projects using water-cooled condenser: 10%
- b) For projects using air-cooled condenser: 12%

33. Station Heat Rate

The Station Heat Rate shall be:

- a) For projects using travelling grate boilers: 4,200 kCal/kWh
- b) For projects using AFBC boilers: 4,125 kCal/kWh.

34. Operation and Maintenance expenses

Normative O&M Expenses for the first year of the Control Period, i.e. financial year 2025-26, shall be Rs. 57.75 lakhs per MW and shall be escalated at the rate specified in Clause 18 of this Regulation for the Tariff Period.

35. Use of Fossil Fuel

The use of fossil fuels shall not be allowed.

36. Gross Calorific Value

The gross calorific value of biomass fuel, for the purpose of determination of tariff, shall be 3100 kCal/kg.

37. Fuel Cost

Biomass fuel price during the first year of the Control Period, i.e. financial year 2025-26, shall be Rs.4262 per MT and shall be escalated at the rate of 3.45% per annum to arrive at the base price for subsequent years of the Control Period unless reviewed earlier by the Commission. For the purpose of determining levelised tariff, a normative escalation factor of 3.45% per annum shall be applicable on the biomass fuel price.

Provided that the Commission may review the biomass fuel price based on a study, consequent to which the biomass fuel price as provided in this Regulation shall stand modified with effect from the date of notification of the revised prices by the Commission.

Chapter 6

Parameters for non-fossil fuel-based cogeneration projects

38. Capital Cost

Normative capital cost for the non-fossil fuel-based cogeneration projects shall be Rs. 562 lakhs/MW (Maximum) for the first year of the Control Period, i.e. financial year 2025-26 and will remain valid for the entire duration of the Control Period unless reviewed earlier by the Commission.

39. Plant Load Factor

The plant load factor shall be 53%.

40. Auxiliary Consumption

The auxiliary consumption shall be considered as 8.5% for the computation of the tariff.

41. Station Heat Rate

The Station Heat Rate of 3,600 kCal/ kWh for the power generation component alone shall be considered for the computation of the tariff for non-fossil fuel-based cogeneration projects.

42. Gross Calorific Value

The gross calorific value for bagasse shall be considered as 2,250 kCal/kg. For the use of biomass fuels other than bagasse, gross calorific value as specified under Clause 36 shall be applicable.

43. Fuel Cost

The price of bagasse for the first year of the Control Period, i.e. financial year 2025-26, shall be Rs. 2,408 per MT and shall be escalated at the rate of 3.45% per annum to arrive at the base price for subsequent years of the Control Period unless specifically reviewed by the Commission. For the purpose of determining levelised tariff, a normative escalation factor of 3.45% per annum shall be applicable on bagasse prices.

Provided that the Commission may review the bagasse price based on a study, consequent to which the table of bagasse price as provided in this Regulation shall stand modified with effect from the date of notification of the revised prices by the Commission.

- (1) For the use of biomass other than bagasse in non-fossil fuel-based cogeneration projects, the biomass prices as specified under Clause 37 shall be applicable.

44. Operation and Maintenance expenses

Normative O&M expenses during the first year of the Control Period, i.e. financial year 2025-26, shall be Rs. 30.42 lakhs per MW and shall be escalated at the rate specified in Clause 18 of this Regulation for the Tariff Period.

Chapter 7

Parameters for solar PV power projects, solar thermal power projects and floating solar projects

45. Capital Cost

The Commission shall determine only project specific capital costs, considering the prevailing market trends.

46. Capacity Utilisation Factor

The Commission shall only approve capacity utilisation factors for project specific tariffs:

Provided that the minimum capacity utilisation factor for solar PV power projects shall be 21%:

Provided further that the minimum capacity utilisation factor for solar thermal power projects shall be 23%:

Provided also that the minimum capacity utilisation factor for floating solar projects shall be 19%.

47. Operation and Maintenance expenses

The Commission shall determine only project specific O&M expenses, considering the prevailing market trends.

48. Auxiliary Consumption

The Commission shall only approve auxiliary consumption for project specific:

Provided that the maximum auxiliary consumption for solar PV power projects shall be 0.75%;

Provided further that the maximum auxiliary consumption for solar thermal power projects shall be 10%;

Provided also that the maximum auxiliary consumption for floating solar projects shall be 0.75%.

Chapter 8

Parameters for biomass gasifier based power projects

49. Capital Cost

Normative capital cost for biomass gasifier based power projects shall be Rs.677 lakhs/MW (Maximum) during the first year of the Control Period, i.e. the financial year 2025-26, and will remain valid for the entire duration of the Control Period unless reviewed earlier by the Commission.

50. Plant Load Factor

The plant load factor for the determination of tariff shall be considered as 85%.

51. Auxiliary consumption

The auxiliary consumption shall be considered as 10% for the determination of the tariff.

52. Specific fuel consumption

Normative specific fuel consumption shall be 1.25 kg per kWh.

53. Operation and Maintenance expenses

Normative O&M expenses for the first year of the Control period, i.e. financial year 2025-26, shall be Rs. 76.04 lakhs per MW and shall be escalated at the rate specified in Clause 18 of this Regulation for the Tariff Period.

54. Fuel Cost

Biomass fuel price for biomass gasifier-based power projects shall be the same as for biomass power projects based on Rankine cycle technology, as mentioned in Clause 37.

Chapter 9

Parameters for biogas based power projects

55. Capital Cost

Normative capital cost for biogas based power projects shall be Rs.1,354 lakhs/MW (Maximum) for the first year of the Control Period, i.e. financial year 2025-26 and shall remain valid for the entire duration of the Control Period unless reviewed earlier by the Commission.

56. Plant Load Factor

Plant load factor shall be considered as 90% for the determination of the tariff.

57. Auxiliary Consumption

The auxiliary consumption shall be considered as 12% for the determination of the tariff.

58. Operation and Maintenance Expenses

Normative O&M expenses for the first year of the Control Period, i.e. financial year 2025-26 shall be Rs. 76.04 lakhs per MW and shall be escalated at the rate specified in Clause 18 of this Regulation for the Tariff Period.

59. Specific Fuel Consumption

Normative specific fuel consumption shall be 3 kg of substrate mix per kWh.

60. Fuel Cost (Feedstock Price)

Feedstock price during the first year of the Control Period, i.e. financial year 2025-26, shall be Rs.1,702/MT and shall be escalated at the rate of 3.45% per annum to arrive at the base price for subsequent years of the Control Period unless specifically reviewed by the Commission. For the purpose of determining levelised tariff, a normative escalation factor of 3.45% per annum shall be applicable.

Chapter 10

Parameters for refuse-derived fuel (RDF) based municipal solid waste (MSW) power projects

61. Capital Cost

The Commission shall determine only project specific capital costs, considering the prevailing market trends.

62. Plant Load Factor

(1) Plant load factor for determining tariff for refuse-derived fuel-based municipal solid waste power projects shall be:

Sl. No.	Plant load factor	RDF
a)	During the stabilisation period	65%
b)	During the remaining period of the first year (after the stabilisation period)	65%
c)	2nd year onwards	80%

(2) The stabilisation period shall not be more than 6 months from the date of commercial operation of the project.

63. Auxiliary Consumption

The auxiliary consumption for the determination of tariff shall be considered as 10% -15% based on technology.

64. Operation and Maintenance Expenses

Normative O&M expenses for the first year of the Control Period shall be 5% to 8.5% of the Capital Cost based on boiler and technology.

65. Fuel Cost

No Fuel/Variable Cost shall be considered for the determination of tariffs for RDF power projects.

Provided that for the purpose of start-up and shut down activity and temperature stabilisation during monsoon, alternate fuel from any other renewable energy source up to a ceiling of 5% of RDF consumed annually, shall be allowed without any additional impact on tariff.

Municipal Solid Waste (MSW) based projects, if proposed within the State during the Control Period, shall be considered for tariff determination by the Commission on a case-by-case basis, considering appropriate parameters, tipping fees, calorific value of the waste, and compliance with the Solid Waste Management Rules, 2016, as amended from time to time.

Chapter 11

Parameters for Renewable Hybrid Energy Projects

66. Capital Cost

The capital cost shall be determined on a project specific basis, considering the prevailing market trends.

67. Capacity Utilisation Factor

- (1) The Commission shall determine only project specific capacity utilisation factor in respect of renewable hybrid energy projects, taking into consideration the proportion of rated capacity of each renewable energy source, as the case may be, and applicable capacity utilisation factor for such renewable energy sources, as the case may be:

Provided that the Wind-Solar Hybrid Project means a hybrid project if the rated power capacity of one resource is at least 25% of the rated power capacity of the other resource.

Provided that the minimum capacity utilisation factor for renewable hybrid energy projects shall be 40% when measured at the interconnection point, where the energy is injected into the grid.

68. Operation and Maintenance expenses

The Commission shall determine only project specific O&M expenses, considering the prevailing market trends.

69. Tariff

The tariff for a renewable hybrid energy project shall be a composite levelised tariff for the project as a whole by factoring in the tariff components up to the minimum of the useful life of the RE technologies combined for such RE hybrid Project:

Provided that, in case any of the RE technologies combined for the RE hybrid project is left with a further useful life, the levelised tariff for the remaining useful life of such RE technology shall be determined separately by factoring in the tariff components for the remaining useful life.

Chapter 12

Parameters for a renewable energy with storage project

70. Capital Cost

The Commission shall determine only project specific capital costs for renewable energy with storage projects, considering the prevailing market trends

71. Storage Efficiency

- (1) The Commission shall approve the storage efficiency only for project specific tariffs:

Provided that the minimum efficiency for storage based on the technology of solid-state batteries shall be 85%:

- (2) The efficiency of the storage component of renewable energy with a storage project shall be measured as the ratio of output energy received from storage and input energy supplied to the storage component of such a project on an annual basis.

72. Operation and Maintenance expenses

The Commission shall determine only project specific O&M expenses, considering the prevailing market trends.

73. Tariff determination for Energy Storage

The tariff for the renewable energy with storage project shall be a composite tariff or differential tariff based on the time of day, determined for energy supplied from the Project, including the energy supplied from the storage facility:

Provided that such tariff may be determined for the supply of power on round the clock basis or for time periods as agreed by the Project Developer and Beneficiary.

Chapter 13

Parameters for Pumped Storage Power (PSP) Projects

74. Capital Cost

The Commission shall determine only project specific capital costs for pumped storage power (PSP) projects, considering the prevailing market trends

75. Storage Efficiency

- (1) The Commission shall approve the pumped storage power (PSP) projects only for project specific tariffs:
- (2) Provided that the minimum efficiency for pumped storage power (PSP) Projects shall be 80%
- (3) The efficiency of the storage component of energy with a storage project shall be measured as the ratio of output energy received from storage and input energy supplied to the storage component of such project on an annual basis.

76. Operation and Maintenance expenses

The Commission shall determine only project specific O&M expenses, considering the prevailing market trends.

77. Tariff determination for Energy Storage

The tariff for Pumped Storage Power (PSP) Projects shall be a differential tariff based on the time of day/ round the clock tariff.

Chapter 14

Miscellaneous

78. All issues arising in relation to the interpretation of terms in this Regulation shall be a matter for the Commission's decision, and on all such issues, the Commission's decision shall be final.

79. Deviation from norms

Tariff for electricity generated from a generating station based on renewable energy sources may also be agreed upon between the generating company and licensee, in deviation from the norms specified in this Regulation:

Provided that the levelised tariff of the project calculated on the basis of the norms specified in this Regulation shall be the ceiling levelised tariff.

80. Power to dispense with the requirement of the Regulation

The Commission shall have the power, for reasons to be recorded in writing, to dispense with the requirements of any provision of this Regulation in a specific case or cases.

81. 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, relax any of the provisions of this Regulation on its own motion or on an application made before it by an interested person.

82. Power to remove difficulty

If any difficulty arises in giving effect to the provisions of this Regulation, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

83. Issue of orders and practice directions

Subject to the provisions of the Electricity Act, 2003 and this Regulation, the Commission may, from time to time, issue orders and practice directions about the implementation of the Regulation and procedure to be followed and various matters which the Commission has been empowered by this Regulation to specify or direct.

84. Power to Amend

The Commission may, at any time, add, vary, alter, modify, or amend any provisions of this Regulation.

APPENDIX

Form-1.1: Template for (Wind power projects/ Small hydro projects/ Solar PV power projects/ Solar thermal power projects/ Renewable energy hybrid power projects /Renewable energy with storage projects/PSP Projects/MSW/RDF)

Sl .	Assumption Head	Sub-head	Sub-head (2)	Unit	Parameter
1	Power Generation	Capacity	Installed Power Generation Capacity	MW	
			Capacity utilisation Factor (CUF)	%	
			Auxiliary Consumption	%	
			Commercial Operation Date (COD)	dd/mm/yyyy	
			Useful Life	Years	
2	Project Cost	Capital Cost	Normative Capital Cost	Rs. Crore/ MW	
			Capital Cost	Rs. Crore	
			Capital Subsidy, if any	Rs. Crore	
			Net Capital Cost	Rs. Crore	
3	Financial Assumption	Debt Equity	Tariff Period	Years	
			Debt	%	
			Equity	%	
		Debt Component	Total debt amount	Rs. Crore	
			Total equity amount	Rs. Crore	
			Loan Amount	Rs. Crore	
			Moratorium Period	Years	
			Repayment Period (incl. moratorium)	Years	
			Interest Rate	%	
		Equity Component	Equity Amount	Rs. Crore	
			Return on Equity for the First 20 Years	% p.a.	
			Return on Equity after 20 years	% p.a.	
			Discount Rate	%	
		Depreciation	Dep Rate for 1st 15 years	%	
			Dep rate 16th year onwards	%	
		Incentives	GBI, if any	Rs. Crore	
			Period for GBI	Years	
4	O& M Expenses	Normative O&M Expense		Rs. Lakh/ MW	
		O&M Expenses p.a.		Rs. Crore	
		Escalation Factor		%	
5	Working Capital	O&M Expenses		Month	
		Maintenance Spares	% of O&M Expenses	%	
		Receivables		Days	
		Interest on Working Capital		% p.a.	

Form-1.2: Template for (Biomass)

Sl.	Assumption Head	Sub-head	Sub-head (2)	Unit	Parameter
1	Power Generation	Capacity	Installed Power Generation Capacity	MW	
			Aux Consumption	%	
			PLF (1st year)	%	
			PLF (2nd year onwards)	%	
			Commercial Operation Date	dd/mm/yyyy	
			Useful Life	Years	
2	Project Cost	Capital Cost/ MW	Normative Capital Cost	Rs. Crore /MW	
			Capital Cost	Rs. Crore	
			Capital Subsidy, if any	Rs. Crore	
			Net Capital Cost	Rs. Crore	
3	Financial Assumption	Debt Equity	Tariff Period	Years	
			Debt	%	
			Equity	%	
		Debt Component	Total debt amount	Rs. Crore	
			Total equity amount	Rs. Crore	
			Loan Amount	Rs. Crore	
			Moratorium Period	Years	
			Repayment Period (including moratorium)	Years	
			Interest Rate	%	
		Equity Component	Equity Amount	Rs. Crore	
			Return on Equity for the First 20years	% p.a.	
			Return on Equity after 20 years	% p. a.	
			Discount Rate	%	
		Depreciation	Dep Rate for 1 st 15 years	%	
			Dep rate 16 th year onwards	%	
		Incentives	GBI, if any	Rs. Crore	
			Period for GBI	Years	
4	O&M Expenses	Normative O&M Expenses		Rs. Lakh/MW	
		O&M Expenses p.a.		Rs. Crore	
		Escalation Factor		%	
5	Working Capital	O&M Expenses		Month	
		Maintenance Spares	% of O&M Expenses	%	
		Receivables		Days	
		Interest on WC		%	
6	Fuel Related assumptions	Station Heat Rate	During 1st year	kcal/kWh	
			2nd year onwards	kcal/kWh	

Sl.	Assumption Head	Sub-head	Sub-head (2)	Unit	Parameter
		Fuel Type and mix	Biomass Fuel Type-1	%	
			Biomass Fuel Type-2	%	
			Fossil Fuel (Coal)	%	
			GCV of Biomass Fuel Type-1	kcal/kWh	
			GCV of Biomass Fuel Type-2	kcal/kWh	
			GCV of Fossil Fuel (Coal)	kcal/kWh	
			Biomass Price (Fuel Type-1)/Yr 1	Rs. /MT	
			Biomass Price (Fuel Type-2)/ Yr 1	Rs. /MT	
			Fossil Fuel (Coal) Price)/ Yr 1	Rs. /MT	
			Fuel Price Escalation Factor	% p.a.	

Form-2.1: Template for (Wind power projects or Solar PV power projects /Solar thermal power projects/ MSW/ RDF): Determination of Tariff Components

Units Generation	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
Installed Capacity	MW												
Net Generation	MU												

Units Generation	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
Installed Capacity	MW													
Net Generation	MU													

Tariff Components (Fixed charge)	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
O&M Expenses	Rs Lakh												
Depreciation	Rs Lakh												
Interest on term loan	Rs Lakh												
Interest on Working Capital	Rs Lakh												
Return on Equity	Rs Lakh												
Total Fixed Cost	Rs Lakh												

Tariff Components (Fixed charge)	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
O&M Expenses	Rs. Lakh													
Depreciation	Rs Lakh													
Interest on term loan	Rs Lakh													
Interest on Working Capital	Rs Lakh													
Return on Equity	Rs Lakh													
Total Fixed Cost	Rs Lakh													

Per Unit Tariff components	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
PU O&M expenses	Rs/kWh												
PU Depreciation	Rs/kWh												
PU Interest on term loan	Rs/kWh												
PU Interest on working capital	Rs/kWh												
PU Return on Equity	Rs/kWh												
PU Tariff Components	Rs/kWh												

Per Unit Tariff components	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
PU O&M expenses	Rs/kWh													
PU Depreciation	Rs/kWh													
PU Interest on term loan	Rs/kWh													
PU Interest on working capital	Rs/kWh													
PU Return on Equity	Rs/kWh													
PU Tariff Components	Rs/kWh													

Levelised Tariff	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
Discount Factors													
Discounted Tariff components	Rs/kWh												
Levelised Tariff	Rs/kWh												

Levelised Tariff	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
Discount Factors														
Discounted Tariff components	Rs/kWh													
Levelised Tariff	Rs/kWh													

**Form-2.2: Template for (Biomass power projects or non-fossil fuel based cogeneration plants):
Determination of Tariff Components**

Units Generation	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
Installed Capacity	MW												
Net Generation	MU												

Units Generation	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
Installed Capacity	MW													
Net Generation	MU													

Tariff Components (Fixed charge)	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
O&M Expenses	Rs Lakh												
Depreciation	Rs Lakh												
Interest on term loan	Rs Lakh												
Interest on Working Capital	Rs Lakh												
Return on Equity	Rs Lakh												
Total Fixed Cost	Rs Lakh												

Tariff Components (Fixed charge)	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
O&M Expenses	Rs Lakh													
Depreciation	Rs Lakh													
Interest on term loan	Rs Lakh													
Interest on Working Capital	Rs Lakh													
Return on Equity	Rs Lakh													
Total Fixed Cost	Rs Lakh													

Tariff Components (Variable Charge)	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
Biomass Fuel Type-1	Rs Lakh												
Biomass Fuel Type-2	Rs Lakh												
Fossil Fuel (coal)	Rs Lakh												
Municipal Solid Waste	Rs Lakh												
Refuse Derived Fuel	Rs Lakh												
Sub-total (Fuel Costs)	Rs Lakh												
Fuel cost allocable to power	%												
Total Fuel Costs	Rs Lakh												

Tariff Components (Variable Charge)	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
Biomass Fuel Type-1	Rs Lakh													
Biomass Fuel Type-2	Rs Lakh													
Fossil Fuel (coal)	Rs Lakh													
Municipal Solid Waste	Rs Lakh													
Refuse Derived Fuel	Rs Lakh													
Sub-total (Fuel Costs)	Rs Lakh													
Fuel cost allocable to power	%													
Total Fuel Costs	Rs Lakh													

Per Unit Tariff components (Fixed)	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
PU O&M expenses	Rs/kWh												
PU Depreciation	Rs/kWh												
PU Interest on term loan	Rs/kWh												
PU Interest on working capital	Rs/kWh												
PU Return on Equity	Rs/kWh												
PU Tariff Components (Fixed)	Rs/kWh												
PU Tariff Components (Variable)	Rs/kWh												
PU Tariff Components (Total)	Rs/kWh												

Tariff Components (Fixed charge)	Unit	Yr-13	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25
PU O&M expenses	Rs/kWh													
PU Depreciation	Rs/kWh													
PU Interest on term loan	Rs/kWh													
PU Interest on working capital	Rs/kWh													
PU Return on Equity	Rs/kWh													
PU Tariff Components (Fixed)	Rs/kWh													

Tariff Components (Fixed charge)	Unit	Yr- 13	Yr- 14	Yr- 15	Yr- 16	Yr- 17	Yr- 18	Yr- 19	Yr- 20	Yr- 21	Yr- 22	Yr- 23	Yr- 24	Yr- 25
PU Tariff Components (Variable)	Rs/kWh													
PU Tariff Components (Total)	Rs/kWh													

Levelised Tariff	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12
Discount Factors													
Discounted Tariff components (Fixed)	Rs/kWh												
Discounted Tariff components (Variable)	Rs/kWh												
Discounted Tariff components (Total)	Rs/kWh												
Levelised Tariff (Fixed)	Rs/kWh												
Levelised Tariff (Variable)	Rs/kWh												
Levelised Tariff (Total)	Rs/kWh												

Levelised Tariff	Unit	Yr- 13	Yr- 14	Yr- 15	Yr- 16	Yr- 17	Yr- 18	Yr- 19	Yr- 20	Yr- 21	Yr- 22	Yr- 23	Yr- 24	Yr- 25
Discount Factors														
Discounted Tariff components (Fixed)	Rs/kWh													
Discounted Tariff components (Variable)	Rs/kWh													
Discounted Tariff components (Total)	Rs/kWh													
Levelised Tariff (Fixed)	Rs/kWh													
Levelised Tariff (Variable)	Rs/kWh													
Levelised Tariff (Total)	Rs/kWh													

Form-2.3: Template for (Small Hydro projects/PSP Project): Determination of Tariff Components

Units Generation	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12	Yr-13
Installed Capacity	MW													
Net Generation	MU													

Units Generation	Unit	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25	Yr-26
Installed Capacity	MW													
Net Generation	MU													

Units Generation	Unit	Yr-27	Yr-28	Yr-29	Yr-30	Yr-31	Yr-32	Yr-33	Yr-34	Yr-35	Yr-36	Yr-37	Yr-38	Yr-39	Yr-40
Installed Capacity	MW														
Net Generation	MU														

Tariff Components (Fixed charge)	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12	Yr-13
O&M Expenses	Rs Lakh													
Depreciation	Rs Lakh													
Interest on term loan	Rs Lakh													
Interest on working Capital	Rs Lakh													
Return on Equity	Rs Lakh													
Total Fixed Cost	Rs Lakh													

Tariff Components (Fixed charge)	Unit	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25	Yr-26
O&M Expenses	Rs Lakh													
Depreciation	Rs Lakh													
Interest on term loan	Rs Lakh													
Interest on Working Capital	Rs Lakh													
Return on Equity	Rs Lakh													
Total Fixed Cost	Rs Lakh													

Tariff Components (Fixed charge)	Unit	Yr-27	Yr-28	Yr-29	Yr-30	Yr-31	Yr-32	Yr-33	Yr-34	Yr-35	Yr-36	Yr-37	Yr-38	Yr-39	Yr-40
O&M Expenses	Rs Lakh														
Depreciation	Rs Lakh														
Interest on term loan	Rs Lakh														
Interest on Working Capital	Rs Lakh														
Return on Equity	Rs Lakh														
Total Fixed Cost	Rs Lakh														

Per Unit Tariff components	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12	Yr-13
PU O&M expenses	Rs/kWh													
PU Depreciation	Rs/kWh													
PU Interest on term loan	Rs/kWh													
PU Interest on working capital	Rs/kWh													
PU Return on Equity	Rs/kWh													
PU Tariff Components	Rs/kWh													

Per Unit Tariff components	Unit	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25	Yr-26
PU O&M expenses	Rs/kWh													
PU Depreciation	Rs/kWh													
PU Interest on term loan	Rs/kWh													
PU Interest on working capital	Rs/kWh													
PU Return on Equity	Rs/kWh													
PU Tariff Components	Rs/kWh													

Per Unit Tariff components	Unit	Yr-27	Yr-28	Yr-29	Yr-30	Yr-31	Yr-32	Yr-33	Yr-34	Yr-35	Yr-36	Yr-37	Yr-38	Yr-39	Yr-40
PU O&M expenses	Rs/kWh														
PU Depreciation	Rs/kWh														
PU Interest on term loan	Rs/kWh														
PU Interest on working capital	Rs/kWh														
PU Return on Equity	Rs/kWh														
PU Tariff Components	Rs/kWh														

Levelised Tariff	Unit	Yr-1	Yr-2	Yr-3	Yr-4	Yr-5	Yr-6	Yr-7	Yr-8	Yr-9	Yr-10	Yr-11	Yr-12	Yr-13
Discount Factors														
Discounted Tariff components	Rs/kWh													
Levelised Tariff	Rs/kWh													

Levelised Tariff	Unit	Yr-14	Yr-15	Yr-16	Yr-17	Yr-18	Yr-19	Yr-20	Yr-21	Yr-22	Yr-23	Yr-24	Yr-25	Yr-26
Discount Factors														
Discounted Tariff components	Rs/kWh													
Levelised Tariff	Rs/kWh													

Levelised Tariff	Unit	Yr-27	Yr-28	Yr-29	Yr-30	Yr-31	Yr-32	Yr-33	Yr-34	Yr-35	Yr-36	Yr-37	Yr-38	Yr-39	Yr-40
Discount Factors															
Discounted Tariff components	Rs/kWh														
Levelised Tariff	Rs/kWh														

(By Order of the Commission)

Place: Kurnool
Date: 11.09.2025.

P.KRISHNA
Commission Secretary

REGULATIOIN NO. 5 OF 2025

Andhra Pradesh Electricity Regulation Commission
[Planning Procurement Deployment and Utilisation of Battery Energy Storage
Systems (BEES)] Regulation, 2025

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Lr. No. APERC/Secy/F.No.S-19(Vol-III)/D.No.1016, Date: 11-09-2025

(Planning, Procurement, Deployment, and Utilisation of Battery Energy Storage Systems (BESS)) Regulations, 2025

(Regulation No. 5 of 2025)

Preamble

The Electricity Act, 2003, empowers the State Electricity Regulatory Commissions to promote efficiency, economy, and competition in the electricity sector, and to regulate the purchase, distribution, supply, and utilisation of electricity within the State.

And whereas the Ministry of Power, Government of India, has issued guidelines dated 11 March 2022 for the procurement, utilisation, and integration of Battery Energy Storage Systems (BESS) as part of generation, transmission, and distribution assets, as well as for the provision of ancillary services in the electricity grid.

And whereas the Government of India has further notified a National Framework for Energy Storage Systems in August 2023 to support the integration of renewable energy, ensure grid stability, and enable market-based participation in energy storage technologies.

And whereas Battery Energy Storage Systems have emerged as a critical enabler for enhancing grid flexibility, maintaining frequency and voltage stability, managing peak loads, facilitating the integration of renewable energy, and providing ancillary and balancing services.

And whereas the Government of Andhra Pradesh has issued the “Andhra Pradesh Integrated Clean Energy Policy, 2024” with a commitment to promote renewable energy generation by creating a more conducive policy and investment framework to spur competition and private participation in the sector, while maintaining a balance

in the interests of all stakeholders. The objectives of the policy inter alia are to promote decentralisation of renewable energy generation and develop an ecosystem for distributed Solar generation, to create an energy storage market in the State to integrate more RE into the grid and offer grid support services, such as peak reduction, curtailment management, contribution to reliability needs, transmission deferrals, intraday and seasonal variation management and to develop AP as a storage capital and clean energy hub in the country and the preferred destination for clean energy innovative projects. This policy aims to add over 160 GW of renewable energy capacity in the State and set a target for the addition of approximately 25 GWh of BESS under various modes.

In order to successfully implement the policy above, the Government of Andhra Pradesh (GoAP), acting through the Special Chief Secretary of the Energy Department, and invoking Section 108 of the Electricity Act, 2003, addressed a letter to the Commission. In the letter, the GoAP requested that the Commission devise appropriate guidelines and regulations in line with the MoP guidelines dated March 11, 2022, to promote the development of BESS and create a market for ancillary services within the State. The letter also stated that this will enable and enhance market penetration of Battery Energy Storage Systems (BESS) and support grid stability through ancillary services.

In light of the above, there is a need to establish a comprehensive regulatory framework for the deployment, ownership, operation, and market participation of BESS in the State of Andhra Pradesh, in line with the evolving needs of the electricity market and grid management practices.

Therefore, the Andhra Pradesh Electricity Regulatory Commission issued the draft Regulation. Following the previous publication under Sub-section (3) of Section 181 of the Electricity Act, 2003, read with the Electricity (Procedure for Previous Publication) Rules, 2005, after stakeholder consultation as discussed in the Order dated 10.09.2025, in exercise of the powers conferred under subclause (zp) of Section 181(2) read with Sections 61, 66, and 86(1)(e) of the Electricity Act, 2003, and all other powers enabling it in this behalf, the Commission hereby issues following final Regulation:

1. Short Title, Commencement, and Applicability

- 1.1 These Regulations may be called the Andhra Pradesh Electricity Regulatory Commission [Planning, Procurement, Deployment, and Utilisation of Battery Energy Storage Systems (BESS)] Regulations, 2025.
- 1.2 These Regulations shall come into force from the date of their publication in the Andhra Pradesh Gazette.
- 1.3 These Regulations shall apply to all Licensees, Generating Companies, Renewable Energy Developers, Aggregators, Battery Energy Storage System (BESS) Service Providers, and other entities involved in the deployment, operation, or utilisation of Battery Energy Storage Systems within the State of Andhra Pradesh.

2. Definitions

- (1) In these Regulations, unless the context otherwise requires:
 - a) **“Act”** means the Electricity Act, 2003 (36 of 2003);
 - b) **“Aggregator(s) or “Distributed Energy Resources Aggregator or DERA”** means an entity registered/ appointed with/by the distribution licensee to provide aggregation of one or more services like demand response services under the demand response mechanism, Distributed Generation, Energy Storage, etc., within a license area. The aggregators shall assist the DISCOMs, inter alia, in the promotion of Distributed Generation/storage like Solar Rooftop projects with/without storage for all categories of consumers by managing, dispatching, metering, and settling the individual Distributed Energy Resources (DERs) energy, disbursement of rooftop subsidies, within their aggregation, as well as empanelling of vendors, and construction of systems, etc.”
 - c) **“Automatic Generation Control” or “AGC”** means a mechanism through which the generation of the SRAS Provider in a control area is automatically adjusted in response to the Secondary Control Signal.

- d) **“Ancillary Service” or “AS”** in relation to power system operation, means the service necessary to support the grid operation in maintaining power quality, reliability and security of the grid and includes Primary Reserve Ancillary Service, Secondary Reserve Ancillary Service, Tertiary Reserve Ancillary Service, active power support for load following, reactive power support, black start, and such other services as defined in the Indian Grid Code/ AP Grid Code/this Regulation.
- e) **“AS capacity obligation”** is the capacity signalled for despatch by the Nodal Agency under SRAS or the capacity procured by the Nodal Agency under TRAS;
- f) **“Banking”** means a facility through which the unutilised portion of energy (underutilisation by the consumer or excess generation over and above the schedule by the generator) from any of the Green Energy Sources during a billing month is kept in a separate account and such energy accrued shall be treated in accordance with the conditions laid down in the Andhra Pradesh Electricity Regulatory Commission (Green Energy Open Access, Charges, and Banking) Regulation, 2024 (Regulation No 3 of 2024) as amended from time to time.
- g) **“Battery Energy Storage Systems” or “BESS” shall** mean the system(s)/projects utilising methods and technologies such as electrochemical batteries (Lead Acid, Li-ion, solid state batteries, flow batteries, etc.), or any other technology as per the definitions, guidelines and directions issued by the Ministry of New and Renewable Energy (MNRE) from time to time, providing a facility that can store chemical energy and deliver the stored energy in the form of electricity.
- h) **“Battery Energy Storage System Developer” or “BESSD” or “Developer”** shall mean the entity owning/operating the BESS facility for the supply of power under this regulation.
- i) **“Commission”** means the Andhra Pradesh Electricity Regulatory Commission.
- j) **“Distribution Licensee”, “Transmission Licensee”, “Generating Company”, and “SLDC”** shall have the meanings assigned to them under the Act.
- k) **“Firm and Dispatchable RE Power” means** the power profile configuration that is defined in the RfS that is sought to be met by RE power sources and will include

configurations like assured peak power, Round the Clock RE with firm delivery of power at rated capacity at any hour of the day as per demand or load following power delivery as specified by DISCOM, Clean Energy Project with firm delivery of power for fixed hours of requirement by DISCOMs, etc.

- l) **“Force Majeure”** means any event or circumstance which is beyond the reasonable direct or indirect control and without the fault or negligence of the Energy Producer or Developer and which results in Energy Producer’s/Developer’s inability, notwithstanding its reasonable best efforts, to perform its obligations in whole or in part and may include rebellion, mutiny, civil unrest, riot, strike, fire, explosion, flood, cyclone, lightning, earthquake, act of foreign enemy, war or other forces, theft, burglary, ionising radiation or contamination, Government action, inaction or restrictions, accidents or an act of God or other similar causes.
- m) **“Fuel Cell” means** an electrochemical cell that converts the chemical energy of a fuel and an oxidising agent (often oxygen) into electricity through a pair of redox reactions.
- n) **“Nodal Agency”** means the Andhra Pradesh State Load Despatch Centre, which shall be responsible for the implementation of the Ancillary Services at the intra-state level through the Area Load Despatch Centres.
- o) **“Primary Reserve Ancillary Service” or “PRAS”** means the Ancillary Service which immediately comes into service through the governor action of the generator or through any other resource in the event of a sudden change in frequency.
- p) **“Secondary Control Signal”** means an automated signal generated from the Nodal Agency through which injection or drawal, or consumption of an SRAS provider is adjusted, and includes AGC signal.
- q) **“Secondary Reserve Ancillary Service” or “SRAS”** means the Ancillary Service comprising SRAS-Up and SRAS-Down, which is activated and deployed through a secondary control signal.

- r) **“Secondary Reserve Ancillary Service Provider” or “SRAS Provider”** means an entity which provides SRAS-Up or SRAS-Down in accordance with these regulations;
- s) **“SRAS-Down”** means an SRAS that reduces active power injection or increases drawal or consumption, as the case may be, in response to a secondary control signal from the Nodal Agency.
- t) **“SRAS-Up”** means an SRAS that increases active power injection or decreases drawal or consumption, as the case may be, in response to a secondary control signal from the Nodal Agency.
- u) **“Standalone BESS”** means a BESS operating independently as a merchant unit that has the capability to engage in energy or capacity trading in power markets or AS, in accordance with this Regulation.
- v) **“Tertiary Reserve Ancillary Service” or “TRAS”** means the Ancillary Service comprising TRAS-Up and TRAS-Down and consists of spinning reserve or non-spinning reserve, which responds to despatch instructions from the Nodal Agency;
- w) **“TRAS-Down”** means a TRAS that reduces active power injection or increases drawal or consumption, as the case may be, in response to despatch instructions of the Nodal Agency;
- x) **“TRAS-Down Provider”** means an entity which provides TRAS-Down in accordance with these regulations.
- y) **“TRAS-Up”** means a TRAS that increases active power injection or decreases drawal or consumption, as the case may be, in response to despatch instructions of the Nodal Agency;
- z) **“TRAS-Up Provider”** means an entity which provides TRAS-Up in accordance with these regulations.

- aa) **“Un-Requisitioned Surplus” or “URS”** means the capacity in a generating station that has not been requisitioned and is available for despatch, and is computed as the difference between the declared capacity or maximum possible generation (Pmax), as the case may be, of the generating station and its total schedule.
- (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 Grid Code or any other regulation of the Commission/CERC shall have the meaning assigned to them respectively in the Act or the Grid Code or such other regulation.
- (3) Reference to any Act, Rules and Regulations shall include amendments or consolidations or re-enactment thereof.

3. Objectives

The primary objectives of these Regulations are:

- (a) To enable deployment and utilisation of BESS as part of generation, transmission, and distribution assets;
- (b) To facilitate the participation of BESS in ancillary services and energy markets;
- (c) To promote cost-effective energy storage solutions that support grid stability, frequency management, and renewable energy integration;
- (d) To establish a framework for Aggregators and third-party BESS developers to participate in the electricity market.

4. Ownership and Business Models

4.1 BESS may be developed and owned by:

- Distribution Licensees;
- Transmission Licensees;
- System operators
- GENCOs
- Independent Power Producers (IPPs);
- Renewable Energy Developers;
- An independent energy storage service provider
- Aggregators;
- Any other third-party investors.

4.2 BESS may be deployed as:

- Co-located with renewable or conventional generators;
- Grid-connected standalone storage;
- Embedded in distribution or transmission networks;
- Behind-the-meter (consumer-level) storage.
- Integrated with Electric Vehicle Charging stations and battery swapping stations.
- Integrated with Electric Vehicles for Vehicle-to-Grid (V2G) services and Grid-to-Vehicle (G2V) services.

4.3 The Battery Energy Storage System shall be utilised either as an independent battery energy storage system or as part of the generation, transmission, or distribution system or integrating the consumer's load independently or with RE sources co-located behind the meter.

4.4 The Battery Energy Storage System can be developed, owned, leased, or operated by a generating company, a transmission licensee, a distribution licensee, a consumer, a system operator, or an independent battery energy storage service provider.

4.5 The Battery Energy Storage System shall have the same legal status as that of the owner:

Provided that if such a Battery Energy Storage System is not co-located with, but owned and operated by, the generating station or distribution licensee or consumer, the legal status shall still be that of the owner, but for the purpose of scheduling and dispatch and other matters, it shall be treated at par with a separate storage element.

5. Planning and Procurement

5.1 The reverse power flow from lower voltage to higher voltage at various substations shall be the criterion for finalising the BESS locations in the Distribution System or Transmission System by Distribution/Transmission licensees.

- 5.2 The DISCOMs/TRANSCO shall encourage the installation of BESS at the co-location at the generation point for ancillary services, as this will reduce grid integration costs.
- 5.3 *Minimum individual project size of power rating of 1MW and above, with a suitable energy rating of at least two hours based on the application at one site, connected at 11 kV or above*
- 5.4
- 5.5 The Distribution Licensees may also set up BESS at the DTR level to store the power from SRTs locally. In such cases, the capacity as specified in clause 5.3 would not apply. *For OA/captive users, consumers installing behind-the-meter BESS at any voltage level and the LT level, the ratings may be as per their choice.*
- 5.6 The licensees shall obtain prior approval from the Commission for BESS capacity procurement.

6. Utilisation for Ancillary Services

BESS shall be eligible to provide:

- Frequency regulation (primary, secondary, tertiary);
- Spinning and non-spinning reserves;
- Voltage support;
- Black start services;
- Demand response services.

7. Role of Aggregators

- 7.1 Aggregators may aggregate BESS resources (co-located storage, grid-connected standalone storage, EVs, EV charging stations with BESS, battery swapping stations, distributed renewable energy resources with BESS, etc.) from multiple sites to provide services to the SLDC/TRANSCO/DISCOMs or other market participants.
- 7.2 Aggregators registered/appointed with/by the DISCOMs shall follow the protocols issued by SLDC.

8. Commercial Agreements

Aggregators and AS providers may enter into commercial agreements with Licensees or other market participants for the provision of BESS services.

9. Tariff and Market Participation

- 9.1 All procurement of BESS capacity and services by Licensees shall be undertaken only through tariff-based competitive bidding.
- 9.2 The Commission shall determine the cost recovery for Licensee-owned BESS assets based on prudent investment norms and the relevant regulations.
- 9.3 Market-linked BESS services shall be compensated based on market-clearing prices in the ancillary services market or other mechanisms approved by the Commission.
- 9.4 Renewable energy procured and used for charging BESS shall retain its renewable character upon discharge and consumption. Accordingly, obligated entities or consumers shall be eligible to claim the RPO/RCO benefit for such consumption.

10. Technical Standards

- 10.1 BESS installations shall conform to technical standards specified by the Central Electricity Authority (CEA), MNRE and other relevant authorities. They shall abide by all the relevant rules and regulations framed under the Electricity Act, 2003, including the Indian Electricity Grid Code (IEGC), Grid Connectivity Standards, and other relevant rules/procedures issued by the Commission from time to time.
- 10.2 BESS providers shall submit real-time and periodic data to SLDC in the prescribed formats notified by SLDC.

11. Safety, Cybersecurity, and Environmental Norms

- 11.1 BESS systems shall comply with applicable regulations, standards and codes issued by the Central Electricity Authority (CEA) regarding safety.
- 11.2 Cybersecurity and communication protocols shall adhere to the guidelines of the Ministry of Electronics and Information Technology (MeitY), the Central Electricity Authority (CEA), and the Ministry of Power (MoP).
- 11.3 Environmental management and end-of-life disposal of batteries shall be in accordance with the guidelines/regulations of the Government of India/GoAP. The responsibility of disposal shall lie with the owner of the BESS.

12. Role of Distribution Licensees

- 12.1 The Distribution Licensees shall publish on their websites, potential sites at the 11 kV voltage level in their 33/11 kV substations for establishing a BESS of the required capacities based on the feeder level solarisation and SRT installations in the feeder purview. The Distribution Licensee shall also identify Distribution Transformers (DTs) where Solar Rooftop (SRT) systems have capacities exceeding 50 percent of the DTR capacity, and shall publish such list on its website, updating it on an annual basis.
- 12.2 The DISCOMs shall register the AS providers and Aggregators in accordance with this Regulation.
- 12.3 *The Distribution Licensees shall include BESS in their resource planning and file their proposals for Commission approval through investment plans, MYT filings, or other regulatory mechanisms. All approved expenditure on BESS shall be recoverable through ARR:*
 - a. *Payments for BESS ancillary services procurement shall be claimed under Power Purchase Cost (PPC) as a separate sub-head titled “Expenditure on Ancillary Services / Energy Storage Services” in the ARR of Retail Supply Business.*

- b. Expenditure on Licensee-owned BESS assets shall be treated as capital expenditure and recovered through depreciation, RoE/RoCE, and O&M in the Distribution Business ARR, under a dedicated budget head for energy storage.*
- c. Where BESS procurement is undertaken through competitive bidding by paying a fixed cost, such expenditure shall be claimed under a separate head, under other relevant expenditure in the Distribution Business ARR, to ensure transparency and proper regulatory scrutiny.*

12.4 BESS procurement by Licensees, in cases not covered under clause 9.2, shall be undertaken only through competitive bidding, subject to guidelines issued by the Government of India.

12.5 The DISCOMs shall maintain a database of information regarding the behind-the-meter BESS systems installed within their licensed area for planning purposes.

12.6 The Distribution Licensee shall also publish on its website the list of Aggregators registered/approved under these Regulations.

12.7

13. Role of APTRANSCO

13.1 Licensees shall include BESS in their resource planning and file their proposals for Commission approval through investment plans, MYT filings, or other regulatory mechanisms. All approved expenditure on BESS shall be recoverable through ARR:

13.2

- a. Expenditure on Licensee-owned BESS assets shall be treated as capital expenditure and recovered through depreciation, RoE/RoCE, and O&M in the Transmission Business ARR, under a dedicated budget head for energy storage.
- b. Where BESS procurement is undertaken through competitive bidding by paying a fixed cost, such expenditure shall be claimed under a separate head, under other relevant expenditure in the Transmission Business ARR, to ensure transparency and proper regulatory scrutiny.

13.3 BESS procurement by Licensees, in cases not covered under Clause 9.2, shall be undertaken only through competitive bidding, subject to guidelines issued by the Government of India, if any.

13.4 APTRANSCO shall prepare the standard agreement format for procuring ancillary services and obtain the Commission's approval before entering into agreements.

13.5

13.6 The TRANSCO shall maintain a database of information regarding the behind-the-meter BESS systems installed within its licensed area for planning purposes.

14. Role of Nodal Agency (APSLDC)

14.1 APSLDC shall verify the governor settings of all thermal generators regarding their automatic primary response to changes in the system frequency, as per IEGC, for the automatic adjustment of generation to meet demand in the System. The action taken and status report shall be posted on its website within three months from the date of the publication of this Regulation. Accordingly, it shall arrive at the PRAS required from BESS. The report shall also specify the requirements for the BESS capacity required under SRAS or TRAS, as well as the locations in the Grid Substations. The report shall be updated annually and published on its website.

14.2 The SLDC shall estimate the requirements of PRAS, SRAS, and TRAS for each DISCOM area for the specified period, using an appropriate methodology, and publish the results on its website. It shall reassess the requirement of SRAS and TRAS on a day-ahead basis, along with any incremental requirements on a real-time basis, and update this information on its website.

14.3 The SLDC shall specify eligibility criteria for BESS resources to provide ancillary services, based on technical criteria and operational performance, and publish on its website within one month from the date of notification of this Regulation.

- 14.4 The SLDC, in consultation with TRANSCO and DISCOMs, shall prepare and publish on its website the eligibility criteria for the registration of Aggregators/AS providers within one month from the date of notification of this Regulation.
- 14.5 The SLDC shall prepare a procedure for Scheduling, Metering, Accounting, Settlement, and Commercial mechanisms for the operationalisation of ancillary services, for approval by the Commission, within two months from the date of publication of this Regulation.
- 14.6 The SLDC shall monitor:
- State of Charge (SoC),
 - Round-Trip Efficiency,
 - Availability and response time,
 - Aggregated performance metrics.

15. Role of GENCOS/IPPs/CPPs/BESS Developers

GENCOS/IPPs/CPPs may establish BESS at the generation point, in co-location, or as a grid-connected stand-alone unit, and may participate in the ancillary market under this regulation or the Central Electricity Regulatory Commission (Ancillary Services) Regulations, 2022, as amended from time to time. BESS installed at the generation point by GENCOS/IPPs/CPPs may be used for their own use or for their consumers through open access/providing AS. BESSDs may establish BESS at any point in the system after obtaining due approvals from the concerned licensees. GENCOS/IPPs/CPPs/BESSD shall register with the distribution licensee to provide AS.

16. Consumers/Prosumers

All Consumers, including those covered under net-metering/billing, may also establish behind-the-meter BESSs with or without Solar power plants, without requiring permission from the concerned DISCOMs or TRANSCO, as the case may be. However, all such systems shall comply with the technical standards as per the Connectivity Regulations issued by the CEA. The DISCOMs or TRANSCO, as the case may be, shall be informed before commissioning behind-the-meter BESS. If there is any lapse on

such standards, they shall be rectified and get certified by DISCOMs or TRANSCO, as the case may be, before integration with the Grid. However, if the system is operated standalone, not connected with the grid, such inspections are not required.

Consumers/prosumers with eligible behind-the-meter BESS, in addition to self-utilisation, may participate in the ancillary services market directly or through an Aggregator. All consumers/prosumers intending to provide AS directly shall register with the concerned DISCOM in accordance with this Regulation.

17. Open Access to BESS

The APERC Green Energy Open Access Charges and Banking Regulation 2024, as amended from time to time, shall govern the open Access and charges.

18. Role of the Commission

The Commission shall:

- Approve capacities, investment and tariff proposals for BESS deployment/procurement by Licensees;
- Approve the Procurement by SLDC under PRAS, SRAS and TRAS;
- Approve the Procedures and eligibility conditions prepared by the Nodal Agencies;
- Approve the Agreement formats prepared by the licensees;
- Monitor implementation of these regulations through reports and compliance filings;
- Whenever considered necessary, through separate Orders, mandate the integration of BESS with rooftop solar or other renewable energy systems or specify a percentage of BESS obligation to obligated entities in the interest of grid stability and security.

19. Dispute Resolution

All consumer-related disputes shall be dealt with by the Consumer Grievance Redressal Forum (CGRF). Any other dispute arising under this regulation that does not fall under the purview of the CGRF shall be adjudicated by the Commission.

20. Power to give directions

The Commission may, from time to time, issue such directions and orders as it considers appropriate for the implementation of these Regulations.

21. 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 on its own motion or on an application made before it by an interested person.

22. Power to amend

The Commission may, from time to time, add to, vary, alter, suspend, modify, amend, or repeal any provision of these Regulations.

23. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by an order, make such provisions, not inconsistent with the provisions of the Act and these Regulations, as may be necessary for removing the difficulty.

(By Order of the Commission)

Place: Kurnool
Date: 10.09.2025.

P.KRISHNA
Commission Secretary

LIST OF RULES & PRACTICE DIRECTIONS ISSUED BY APERC

THE ANDHRA PRADESH STATE ELECTRICITY BOARD
(RECOVERY OF DUES) RULES, 1985
(G.O. Ms. No. 50 Energy, Environment, Science & Technology (Pr-11),
dated 1st October, 1985)

[Published in Rules Supplement to Part II Extraordinary, A.P. Gazette, dt. 10-10-1985]

Read the following:- In exercise of the powers conferred by sub-section (1) of Section 7 read with clause (7) of Section 2 and Section 4 of the Andhra Pradesh State Electricity Board (Recovery of dues) Act, 1984 (Act No.28 of 1984) the Governor of Andhra Pradesh hereby makes the following rules, namely:-

1. Short title and commencement:-

- (1) These rules may be called the Andhra State Electricity Board (Recovery of Dues) Rules, 1985.
- (2) Commencement:- These rules shall come into force with immediate effect.

2. Definitions:- In these rules, unless the context otherwise requires:-

- (a) 'Act' means the Andhra Pradesh Electricity Board (Recovery of Dues) Act, 1984 (Act No.28 of 1984).
- (b) 'annexure' means annexure to these rules
- (c) 'board' means the Andhra Pradesh State Electricity Board constituted under Section 5 of the Electricity (Supply) Act, 1948 (Central Act LIV of 1948).
- (d) 'debtor' means any person by whom any dues are payable to the Board as per the tariffs and Terms and Conditions of supply notified by the Board, from time to time.
- (e) 'dues' means any sum payable to the Board as per the tariffs and Terms and Conditions of supply notified by the Board, from time to time.
- (f) 'prescribed authority' means the persons or authority appointed under Rule 3.
- (g) 'section' means a section of the Act.

3. Prescribed authority:-

The Divisional Engineer (Electrical) or any officer of the Board in-Charge of the administrative control of the Electricity Revenue Office shall exercise the powers and perform the functions of the prescribed *authority* in their respective jurisdictions in respect of low tension power Bills. The Superintending Engineer

(Operation) of the Board shall *exercise* the powers of the prescribed authority in their respective jurisdictions in respect of high tension Bills and other dues.

4. Bill for Dues:-

- (1) Every bill for dues payable to the Board by a debtor shall be in Form 'A'.
- (2) If the debtor fails to pay the dues on or before the date *specified* in the bill, the prescribed authority may serve or cause to serve, a notice of demand indicating in addition to the amount specified in the bill a penalty at the rate of two per cent per *month* or part thereof for the delay, beyond the due date and costs if any. The debtor shall pay the amount specified in the demand notice within three months. The Notice of Demand shall be in Form 'B'.
- (3) The bill shall be served in person or by registered post with acknowledgment due to the address of the consumer indicated in the records of the Board.

When the bill is served in person and if he is not present, the bill shall be served to the adult member of his family or to his authorized agent. If he or the adult member of the family or his authorized agent refuses to receive the bill, it shall be affixed in a conspicuous part of his residence last known or in some other conspicuous place of the locality, with the signature of at least two literate residents of that locality.

- (4) When the debtor *does* not comply with the notice of demand within the time specified therein, the prescribed authority may communicate the amount and the details of demand together with the description of the debtor in default to the District Collector with a 'certificate' under his signature. The certificate to be issued by the prescribed authority under sub-section (2) of Section 6 of the Andhra Pradesh State Electricity Board (Recovery of Dues) Act, 1984 shall be in Form 'C'. The District Collector shall take action to recover the dues as indicated in Form 'C' as if it were an arrear of land revenue and remit the same to the prescribed authority.

FORM 'A'
(See Rule 4(1))

Office of.....

Station

Date.....

No.....

To
Sri/Smt.

Please take notice that a sum of Rs.....(Rupees) is due from you by way of electricity charges for energy supplied/monthly minimum charges as per Agreement/ Terms and Conditions of supply notified by the Board/other charges as per Statement of Account indicated hereunder. You are therefore, requested to pay the amount in full settlement within fifteen days from the date of receipt of this notice failing which action will be taken to recover the amount due under Section 6 of the Andhra Pradesh State Electricity Board (Recovery of Dues) Act, 1984.

Statement of Account showing amount due:

to the Board for S.C. No.....

Sl.No.	Description of the Amount	Amount
(1)	(2)	(3)
Rupees(.....)		Total:

FORM 'B'
[See Rule 4(2)]
Notice of Demand

To
Sri / Smt.

.....
No.....

Date.....

Sri/Madam

Whereas Bill No dated the has been issued to you for payment of a sum of Rs due to the Andhra Pradesh State Electricity Board on or before..... and whereas *you* have not paid the said dues within the prescribed time, you are liable to pay a penalty of two percent per month or part thereof on the amount due under sub-section (2) of Sec.3 of Andhra Pradesh State Electricity Board (Recovery of Dues) Act, 1984 (Act 28 of 1984) read with subrule (2) of rule 4 of the Andhra Pradesh State Electricity Board (Recovery of Dues) Rules, 1985.

You are hereby called upon by this notice of Demand to pay a sum of Rs as detailed below.

		Rs. Ps.
(a)	Bill Amount	_____
(b)	Penalty at 2% P.M. or part thereof	_____
(c)	Cost of recovery	_____
Total:		_____

You are hereby further informed that in case you fail to pay the entire stated above within three months from the date of amount of Rs

service of this notice you will be deemed to be a defaulter in respect of such amount and the same will be recovered as an arrear of land revenue.

Prescribed Authority.

FORM 'C'
[See Rule 4(4)]

Sri.....son of residing at.....
.....being consumer of electricity, supplied by the Andhra Pradesh State Electricity Board owes a total sum of Rs.....
The said debtor has not paid the said amount in spite of notice of Demand issued to him (vide No Dt.....)

Therefore I hereby certify that the above Sri is a defaulter in respect of the said amount and the same is recoverable as an arrear of land revenue under Section 5 of the Andhra Pradesh Electricity Board (Recovery of Dues) Act, 1984.

Prescribed Authority

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy Department - The Electricity Act, 2003 (Central Act, No.36 of 2003) - Prescribing the Intimation of Accidents (Form and Time of Service of Notice) Rules, 2012-Notification-Issued.

ENERGY (SERVICES) DEPARTMENT

G.O.Ms.No.7

Dt. 13th February, 2012

Read:

From the Chief Electrical Inspector to Govt.,Lr.No.CEIGI,TS/Accdts./D.No.4865/2011
dt. 16.09.2011 and 31.10.2011

-o0o-

ORDER:

Whereas, the Chief Electrical Inspector to Govt., in his letter read above has requested to arrange to issue the rules as required under clause (m) of subsection (2) of section 180 of the Electricity Act, 2003 as the State Government have to make the rules regarding the form and time of service of notices of electrical accidents:

2. Now, therefore, after careful examination of the matter, the Government have decided to make the following rules regarding the form and time of service of notices of electrical accidents;

3. The following Notification will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette, dated: 15.02.2012.

NOTIFICATION

In exercise of powers conferred by sub-section (1) of section 161 read with clause (m) of sub-section (2) of Section 180 of the Electricity Act,2003 (36 of 2003), the Government of Andhra Pradesh hereby make the following rules for the Intimation of Accidents.

RULES

1. Short title

These rules may be called the Intimation of Accidents (Form and Time of Service of Notice) Rules, 2012.

2. Definitions

- (1) In these rules, unless the context otherwise requires;
 - (a) "Act" means the Electricity Act, 2003.
 - (b) "Inspector" means the Chief Electrical Inspector or the Electrical Inspector appointed under sub-section(1) of section 162 of the Act.
 - (c) 'Person' shall include any company or body Corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;
- (2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003, shall have the meanings respectively assigned to them in that Act

3. Intimation of accidents

- (1) If any accident occurs in connection with the generation, transmission, supply or use of electricity in or in connection with, any part of the electric lines or other works of any person and the accident results in or is likely to have resulted in loss of human or animal life in any injury to a human being or an animal, such person or any authorized person of the generating Company or licensee, not below the rank of a Junior Engineer or equivalent shall send to the Inspector a telegraphic report within 24 hours of the knowledge of the occurrence of the fatal accident and a written report in the Form set out in Annexure within 48 hours of the knowledge of occurrence of fatal and all other accidents. Where possible a telephonic message should also be given to the Inspector immediately, if the accident comes to the knowledge of the authorized officer of the generating company/licensee or other person concerned.
- (2) For the intimation of the accident, telephone numbers, fax numbers and addresses of Chief Electrical Inspector or Electrical Inspectors. District Magistrate, Police Station, Fire Brigade and nearest hospital shall be displayed at the conspicuous place in the generating station, sub-station, enclosed sub-station/switching station and maintained in the Office of the in-charge/owner of the Medium Voltage (MV)/High Voltage (HV) Extra High Voltage (EHV) installations.

4. Penalty for breach of Rules;

- (a) If any person fails to report as required under sub-rule (1) of rule 3, such person shall be punishable with fine of three thousand rupees, and in case of the continuing breach with further fine which may extend to fifty rupees for every day after the first during which the breach has continued.
- (b) if any incharge / owner of the Medium Voltage (MV) / High Voltage (HV) / Extra High Voltage (EHV) installations failed to display the Boards as required under sub-rule (2) of rule 3, he shall be punishable with fine of three thousand rupees.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

DINESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE
(to the G.O.Ms.No. 7 Energy (Ser.) Department Dt. 13.02.2012)
FORM FOR REPORTING ELECTRICAL ACCIDENTS.
(Rule-3(1))

1. Date and time of accident
2. Place of accident
(Village/ Town, Tahasil/Thana, District and State).
3. System and voltage of supply (whether Extra High Voltage (EHV) / High Voltage (HV) / Low Voltage (LV)) Line, substation/Generating Station/Consumer's installation/ Service Lines/other installations.
4. Designation of the Officer-in-Charge of the generating company/licensee in whose jurisdiction the accident occurred
5. Name of owner/user of energy in whose premises the accident occurred.
6. Details of victim (s)
 - (a) Human

S.No.	Name	Father's Name	Sex of Victim	Full postal address	Approximate age	Fatal/Non fatal
1	2	3	4	5	6	7

- (b) Animal

S.No.	Description of animal(s)	Number(s)	Name(s) of Owner(s)	Address(s) of Owner(s)	Fatal/Non fatal
1	2	3	4	5	6

7. **In case the victim (s) is/are employee(s) of supplier:**
 - (a) designation of such person(s).
 - (b) brief description of the job undertaken, if any.
 - (c) whether such person/persons was/were allowed to work on the job.

8. In case the victim(s) is/are employee(s) of a licensed contractor.

- (a) did the victim(s) possess any electric workmen's permit(s) supervisor's certificate of competency?

If yes, give the number and date of issue and the name of the issuing authority.

- (b) name and designation of the person who assigned the duties of the victim(s).

9. In case of accident in the system of the generating company / licensee, was the permit to work (PTW) taken?

10. (a) Describe fully the nature and extent of injuries, e.g. fatal/disablement (permanent or temporary) of any portion of the body or burns or other injuries.

- (b) In case of a fatal accident, was the post mortem performed?

11. Detailed causes leading to the accident
(to be given in a separate sheet annexed to this form)

12. Action taken regarding first aid medical attendance etc., immediately after the occurrence of the accident (give details).

13. Whether the District Magistrate and Police Station Concerned have been informed of the accident (if so, give details).

14. Steps taken to preserve the evidence in connection with the accident to extent possible.

15. Name and designation(s) of the person (s) assisting supervising the person(s) killed or injured.

16. What safety equipment were given to or used by the person(s) who met with this accident (e.g. rubber gloves, rubber mats, safety belts and ladders etc.)?

17. Whether isolating switches and other sectionalizing devices were employed to deaden the sections for working on the same? Whether the working section was earthed at the site of work?

18. Whether the work on the live lines was undertaken by authorized person(s)? If so, the name and designation of such person(s) may be given.

19. Whether artificial resuscitation treatment was given to the person(s) who met with the electric accident? If yes, how long was it continued before its abandonment?

20. Names and designations of persons present at and witnessed the accident.

21 Any other information/remarks.

Signature

Name

Place

Time

Date

Address of the person reporting.

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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy Department - Rules prescribing procedure for holding inquiry by Adjudicating Officer appointed by the Andhra Pradesh State Electricity Regulatory Commission under section 143 of the Electricity Act, 2003 - Notification-Orders-Issued.

ENERGY, INFRASTRUCTURE & INVESTMENT (PR-I) DEPARTMENT

G.O.Ms.No.4

Dated 29.09.2015

Read:

From the Commission Secretary (In-charge), A.P. Electricity Regulatory Commission, Letter No.APERC/Secy/F.No.S-41/2015, dated 06.08.2015.

-0o0-

ORDER:

The following Notification will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette dated 30.09.2015.

NOTIFICATION

In exercise of the powers conferred by clause (1) of sub-section (2) of section 180 read with sub-section (1) of section 143 of the Electricity Act, 2003 (Central Act No.36 of 2003), the Government of Andhra Pradesh hereby makes the following rules, namely:

1. Short title and commencement:

- (1) These rules may be called the Andhra Pradesh Electricity Regulatory Commission (Manner of holding Inquiry by Adjudicating Officer) Rules, 2015.
- (2) They shall come into force on the date of their publication in the Andhra Pradesh Gazette

2. Definitions:

- (1) In these rules, unless the context otherwise requires,
 - (a) "Act means the Electricity Act, 2003 (Central Act No. 36 of 2003);
 - (b) "Adjudicating Officer means the Adjudicating Officer appointed under sub-section (1) of section 143 of the Act;
 - (c) "State Commission" means the Andhra Pradesh Electricity Regulatory Commission, constituted under sub-section (1) of section 82 of the Act;
- (2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Manner of holding inquiry by Adjudicating Officer:

- (1) Whenever the State Commission appoints an Adjudicating Officer under

sub-section (1) of section 143 of the Act for the purpose of adjudicating under the Act, the appointment order shall be in writing and the copy of the appointment order shall be provided to the person concerned;

- (2) In holding an inquiry under the Act, the adjudicating officer shall issue a notice to the person against whom inquiry is to be held requiring him to show cause, within thirty (30) days from the date of issue of such notice, as to why an inquiry should not be held against him.
- (3) Every notice under sub-rule (2) shall indicate the nature of compliance of directions by such person.
- (4) If, after considering the cause, if any, shown by the concerned person or where no cause is shown, the Adjudicating Officer is of the opinion that an inquiry should be held, he shall for reasons to be recorded in writing, issue a notice for fixing a date for the appearance of that person either personally or through an authorized representative.
- (5) The Adjudicating Officer shall give an opportunity to such person to produce such evidence as he may consider relevant and necessary for the inquiry.
- (6) If any person fails, neglects or refuses to appear before the Adjudicating Officer as required under sub-rule* (1), the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons thereof.
- (7) The Adjudicating Officer, while holding an inquiry, shall follow as far as possible, the same procedure as is followed in the Proceedings of the State Commission in exercise of its powers and in discharge of its functions under the provisions of the Act.
8. The Adjudicating Officer, while holding an inquiry, shall follow as per as possible, within a period of sixty (60) days from the date of his appointment and where the inquiry is not completed within the period of sixty (60) days, the Adjudicating Officer may, after recording the reasons in writing, seek extension of time from the State Commission for a further period of thirty days.

(*) an obvious typographical error for sub-rule (4)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

AJAY JAIN
SECRETARY TO GOVERNMENT

¹THE ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
(APPOINTMENT OF CHAIRMAN AND MEMBERS) RULES, 1999

[G.O.Ms.No. 52, Energy (Power-III), 4th March, 1999]

In exercise of the powers conferred by sub-section 2(a) of Section 55 read with sub-section (6) of Section 4 of the Andhra Pradesh Electricity Reform Act, 1998, the Governor of Andhra Pradesh hereby makes the following rules, namely:-

RULES

1. Short title :-

- (1) These rules may be called the Andhra Pradesh Electricity Regulatory Commission (Appointment of Chairman And Members) Rules, 1999.
- (2) They shall come into force on the date of their publication in the official gazette.

2. Definitions:-

- (1) In these rules, unless the context otherwise requires:-
 - (a) "Act" means the Andhra Pradesh Electricity Reforms Act, 1998.
 - (b) "Chairman" means the Chairman of the Andhra Pradesh Electricity Regulatory Commission established under Section 3 of the Act;
 - (c) "Committee" means the Selection Committee as provided under sub-section (1) of Section 4 of the Act.
 - (d) "Convenor" means the convenor of the Selection Committee as provided under sub-section (2) of Section 4 of the Act.
 - (e) "Member" means Member of the Andhra Pradesh Electricity Regulatory Commission established under Section 3 of the Act.
 - (f) "Government" means the Government of Andhra Pradesh.
- (2) Words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

3. Method and manner of selection and appointment of Members of the Commission:-

- (1) The Selection Committee shall sheet expeditiously to select persons for

¹ A.P. Gazette Part I (Ext. dt. 5.3.1998 (Gaz., No. 74)

appointment of Members of the Commission in accordance with the provisions of the Act.

- (2) In the case of recruitment of the first three Members of the Commission Convenor shall expeditiously take all necessary steps for convening the meeting of the Selection Committee to recommend the names of suitable persons having qualification and experience mentioned in Section 5 of the Act.
- (3) According to sub-section (3) of Section 4 of the Act, the Convenor of the Selection Committee shall call for nominations for appointment as Members from general public and from professional bodies, consumer organizations by giving wide publicity. For this, the Convenor of the Selection Committee should issue a press notification and send letters of request to such of the Departments of State and Central Government, Public and Private undertaking engaged in Generation, Transmission, Distribution and Supply of Electricity, Industrial Organizations, Chamber of Commerce, Judicial Authority, Financial Institutions, Educational Institutions, Registered consumer organizations in the State and other organizations as prescribed in the Act. It should be ensured that the persons sending the nominations should also enclose the willingness of the candidate to take up the appointment and also the particulars required under sub-section (3) of Section 5 of the Act.
- (4) The Convenor of the Selection Committee shall prepare a list of suitable candidates out of the names received as per request made under sub-rule (3) or otherwise available and put up to the Selection Committee for consideration and selection. The criteria for selection of members shall be as may be decided by the Selection Committee from time to time subject to provisions of Section 5 of the Act. The Selection Committee shall satisfy itself that the candidate is not liable to be disqualified for appointment as Member under sub-section (2) of Section 5 of the Act. The Selection Committee shall prepare a panel of two suitable persons for each vacancy in the Commission.
- (5) In the case of an impending vacancy in the office of a Member, the Secretary of the Commission shall notify the same to the Convenor well in advance and in any case, ninety days before the date on which the vacancy will arise.
- (6) In case of vacancy in the office of a Member, other than the impending vacancy, impending vacancy, immediately upon the occurring of the vacancy, the Secretary of the Commission shall notify the same to the Convenor.

- (7) Immediately upon receiving the intimation of the vacancy or otherwise upon the knowledge of the vacancy, the Convenor shall arrange for Constitution of Selection Committee by the Government and in consultation with the Committee shall finalize the date, time and place of the meeting of the Selection Committee to consider and recommend the persons for appointment of member to fill up the vacancy.
- (8) The Selection Committee shall consider and satisfy itself of the qualification and experience required of a candidate for each vacant post in the Commission in accordance with the provisions mentioned in Section 5 of the Act. All decisions of the Selection Committee shall be by majority.
- (9) While making the selection, preference may be given to those persons having knowledge of Telugu and who are associated with the Electricity Industry.
- (10) The Convenor shall inform the State Government in writing, the names of two candidates selected by the Selection Committee against each vacancy in alphabetical order.
- (11) The Convenor shall supply all information received from the selected persons under sub-section (3) of Section 5 and other details about the qualification and experience of such persons to State Government, so that it can satisfy itself that the recommended candidates do not have any financial or other interest as mentioned in sub- section (2) of Section 5 of the Act.
- (12) The State Government shall notify, in the official Gazette, without any delay the name(s) of the person(s) finally selected and appointed as member or members and also communicate the name(s) to the members of the Selection Committee and the members and Secretary of the Commission.
- (13) Subject to the provisions of the Act and these rules the Selection Committee shall make its own procedure for the conduct of its proceedings.
- (14) As the State Government shall establish by notification the Andhra Pradesh Electricity Regulatory Commission for the first time within 3 months of the Act coming into force, the Selection Committee should ensure that its recommendation for selection of members is submitted to

state Government without any delay and as far as possible well within the time limit given under sub-section (3) of the Section 4 of the Act.

4. Method and manner of Recruitment of Chairman of the Commission:-

On the recommendation of the Selection Committee, the State Government shall designate one of the members as Chairman of the Commission.

5. Undertaking, Oath of office and Secrecy:-

The Chairman or Member of the Commission shall before assumption of this office give an undertaking that.

- (a) He is not disqualified in any manner as provided under the Act for appointment as Member or Chairman of the Commission:-
- (b) He ceased to have any interest in any of the employment prohibited under the provisions of the Act, and
- ²[(c) (i) The Chairman shall make and subscribe to an oath of office and secrecy in forms I and II respectively provided in the schedule annexed to these rules before the Governor.
(ii) The members shall make and subscribe to an oath of office and secrecy in form I and II respectively provided in the schedule annexed to these rules before the Chairman of the Commission].

² Rule5(c) subs. by G.O.Ms. No.17, Energy (PR. III), 25th February, 2005.

THE SCHEDULE

FORM I

(Form of oath of office for Chairman/Members of the Andhra Pradesh Electricity Regulatory Commission)

I, ...having been appointed as Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission do solemnly affirm/swear in the name of God that I will faithfully and conscientiously discharge my duties as Chairman/Member to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will.

Signature of Chairman/Member

(Form of Oath of Secrecy for Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission)

I, ...having been appointed as Chairman/Member of the Andhra Pradesh Electricity Regulatory Commission do solemnly affirm/Swear in the name of God that I will not directly or Indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairman/Member of the said Commission except as may be required for the due discharge of my duties as Chairman/Member.

Signature of Chairman/Member.

¹THE ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
(CONDITIONS OF SERVICE OF CHAIRMAN AND MEMBERS) RULES, 1999
[G.O.Ms.No. 51, Energy (Power-III), 4th March, 1999]

In exercise of the powers conferred by Section 55 read with sub-section (2) of Section 6 of the A.P. Electricity Reform Act, 1998 (Act 30 of 1998) the Governor of Andhra Pradesh hereby makes the following rules, prescribing the conditions of the service of the Chairman and Members of the Andhra Pradesh Electricity Regulatory Commission, namely:-

RULES

1. Short title and commencement:-

- (1) These rules may be called the Andhra Pradesh Electricity Regulatory Commission (Conditions of Service of Chairman and Members) Rules, 1999.
- (2) They shall come into force on the date of their publication in the Andhra Pradesh Gazette.

2. Definitions:-

- (1) In these rules, unless the context otherwise requires:-
 - (a) "Act" means the Andhra Pradesh Electricity Reforms Act, 1998.
 - (b) "Chairman" means the Chairman of the Andhra Pradesh Electricity Regulatory Commission;
 - (c) "Commission" means the Andhra Pradesh Electricity Regulatory Commission;
 - (d) "Compensatory Allowance" means all allowances granted to meet personal expenditure necessitated by the special circumstances in which duty is performed; and
 - (e) "Member" means Member of the Commission and includes the Chairman thereof.
 - (f) "Government" means the Government of Andhra Pradesh.
- (2) Words and expressions used in these rules and not defined shall have the meaning respectively assigned to them in the Act.

3. Pay and Allowances of Chairman and Members:-

- (1) The Chairman and Members shall receive a pay of Rupees Thirty Thousand and Rupees twenty six Thousand respectively per month or

¹ A.P. Gazette Part 1 (Ext.), dt. 5-3-1999 (Gaz.No.73) (1999 ALT (Supp.) A.P. Rules & Regns. Page 84)

the last pay drawn by him whichever is more if e is appointed from Government service after his retirement subject to deduction of the gross amount of pension including any commuted portion thereof.

Note: While the pay for Chairman to be equal to that of Chief Justice, the pay of Members shall be on par with the Judges of the High Court. As and when the pay and allowances to High Court Judges are revised, corresponding revision shall be made for Chairmen and members of the Commission by the Government of Andhra Pradesh suitably amending the rules.

- (2) The Chairman or Members shall be entitled to receive such Dearness Allowance and other allowances as may be admissible to the Judges of the High Court.

Provided that the pay of the Chairman or Member shall be deemed to include the Pension (if any) in determining the admissibility for Dearness Allowance.

- (3) A Member shall be entitled to receive the pay and allowances of the Chairman for the time during which he holds charge of the post of the Chairman in his absence on leave or otherwise in addition to his own duties.

4. Leave to Members:-

- (1) A Member, from the date of his appointment to the service of the Commission shall be entitled to leave and payment of leave salary as is admissible, to I.A.S. Officers from time to time.
- (2) A Member may be paid cash equivalent to leave salary and dearness allowance in respect of the period of earned leave at his credit at the time of retirement on superannuation subject to the following conditions, namely:-
 - (a) The admissibility and such payment shall be limited to a maximum period of one hundred and fifty days earned leave;
 - (b) The cash so admissible shall become payable on retirement and be paid in one lump-sum as a onetime settlement;
 - (c) The rate of leave salary and dearness allowance admissible under this rule shall be the same as admissible to a Member for earned leave on the date of retirement and no compensatory allowance and/or house rent allowance will be payable;
 - (d) The authority competent to grant earned leave shall be competent to issue an order granting cash equivalent to earned leave.
- (3) A Member may, in addition to any leave salary, shall be entitled to draw

under sub-rule (1), any pension to which he is entitled on the date of his leave.

5. Leave to Chairman:-

- (1) The leave admissible under these rules to a Member shall also be admissible to Chairman.
- (2) The authority competent to sanction leave to a Member or Chairman shall be the Governor of Andhra Pradesh.

6. Pension:-

- (1) In this rule unless the context otherwise requires;-
 - (a) "Service" includes-
 - (i) Time spent on duty as Member of the Commission;
 - (ii) Time spent on duty by a Member in the performance of such other functions as he may, at the request of the Governor, undertake to discharge;
 - (iii) Joining time on transfer to the office of Member from a post or an office under the Union or a State; and
 - (iv) One month or the number of days totally taken whichever is less, of each period of leave on full allowances.
 - (b) "Service pension" in relation to a Member who before or at the date of appointment as Member was in the service of the Union or of a State, means the pension admissible to him under the rules of the service of which he was a member.
- (2) Subject to the provisions of these rules, pension shall be payable to a Member only if he has completed not less than two years of service. No pension shall be payable to a Member on his removal from service. If a Member, who has completed two years of service or more, takes voluntary retirement from his office and such voluntary retirement is accepted by the Governor, he shall be entitled to the persons as admissible under these rules.
- (3) The pension under these rules shall be payable to a Member for life.
- (4) The annual pension payable to a Member of the Commission on his relinquishing charge shall be as follows.
 - (a) In the case of Chairman Rs. 2,250/- per Half-year of service subject to a maximum of Rs. 22,500/- per year if he has completed 5 years of service.
 - (b) In case of a member other than Chairman Rs. 1,715/- per Half-year of service subject to a maximum of Rs. 17,150/- per year if he has completed 5 years of service.
 - (c) If a member or Chairman has completed less than 5 years of service the pension is to be calculated at the rate of Rs. 1,715/- or

Rs. 2,250/- respectively for each completed Half-Year of service. For calculating a Half- year service, a period of 3 to 6 months is to be taken as one Half-year and below 3 months is to be omitted for calculation of Pension.

- (d) In the case of a person who has rendered service as a Member and also Chairman and if the total period of service is more than two years he shall be entitled for payment of pension in the post last held by him before relinquishing charge.
 - (e) As and when pension payable to a High Court Judge under the first schedule of Part 1 Rule 2 of the High Court Judges (Conditions of Service) Act, 1954 is revised, corresponding Half-yearly service pension revision should be made for Chairman & Members of the Commission by Government by suitably amending the rules.
- (5) The pension payable under sub-rule (4) shall not be commuted.
 - (6) The authority competent to grant pension to Chairman and Members shall be the Governor of Andhra Pradesh.
 - (7) Family Pension: Where a Member of the Commission dies while in service after having rendered not less than one year of continuous service, the rate of family pension calculated at the rate of 50% of the pension admissible to him on the date of his death shall be payable to the person or persons entitled thereto for a period of 7 years or for a period up to the date on which the Member/Chairman would have attained the age of 65 years had been survived, whichever is earlier and thereafter at the rate of half of the family pension so admissible, subject to a minimum of Rs.375/- per month. Family pension is payable to persons nominated by the Member/Chairman or to the legal heir if no nomination is made.
 - (8) The pension and the family pension shall be payable at the end of each month at the rate of 1/12th of the pension allowed per annum.

7. Gratuity:-

The Chairman and Members shall be entitled to the benefit of gratuity calculated on the basis of 10 days salary for each completed half-year of service if they have completed not less than two years of service in the Commission.

8. Travelling Allowance:-

For journey on duty, within or outside the State, the Chairman or a Member shall be entitled to draw such travelling allowance and daily allowance as may be admissible to Andhra Pradesh High Court Judge in respect of similar Journeys under the rules or orders applicable from time to time.

The Chairman or a Member shall be entitled to draw a travelling allowance for

the journey to join his post as if for a journey on transfer.

Provided that on retirement from service, the Chairman or a Member and his family shall be entitled to draw travelling allowance for the journey from the last station of duty to his home town as per provisions of the Andhra Pradesh Travelling Allowance Rules as would be admissible to Judges of the High Court.

9. Leave Travel Concession:-

The Chairman and the Members shall be entitled to the benefit of leave travel concession as admissible to the Judges of the High Court.

10. Medical Treatment:-

The medical and surgical treatment of Chairman or a Member and his family shall be provided for, in accordance with the rules which for the time being apply to the Judges of the High Court.

11. Application of Rules of High Court Judge:-

In respect of any matter for which special provision is not made by these rules the conditions of service of a person serving as the Chairman or a Member of the Commission shall be governed by the rules and orders for the time being applicable to Judges of the High Court.

12. Subscription to General Provident Fund:-

Notwithstanding any provision to the contrary in the General Provident Fund (A.P.) Rules, the Chairman and a Member shall be entitled to subscribe to the General Provident Fund (A.P) in accordance with the provisions of these rules with effect from the date of his appointment.

13. Residential Accommodation:-

If a residence owned or leased by the Government is allotted to the Chairman or a Member, his occupation of the residence shall be subject to the rules, which apply to Judges of the High Court.

14. Sumptuary Allowance:-

The Chairman and Members of the Commission shall only be entitled to a sumptuary allowance at the rate of Rs. 3,000/- (Rupees three thousand) per month and Rs. 2,000/- (Rupees two thousand) per month respectively

15. Vehicles:-

- (a) The Chairman and Members shall be entitled to use Government vehicles for private purposes as applicable to Judges of the High Court.

- (b) Every Member of the Commission shall be entitled to a staff car and 250 liters of fuel per month or actual consumption of fuel whichever is less.

16. Saving:-

The pay and allowance, leave, pension and other service benefits admissible to Chairman and Members of the Commission under these rules shall not be varied to their disadvantage during their tenure.

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Energy Department – APERC – Framing of A.P. Electricity Regulatory Commission Fund Rules, 2014 in terms of section -103 of Electricity Act, 2003 (Central Act No.36 of 2003) – Notification - Issued.

ENERGY (POWER-III) DEPARTMENT
G.O.Ms.No.19 Dated:08-05-2014. Read the following:-

1. From the Director (Administration), APERC, Lr.No.APERC/DD/ P&A/A-308/2013, Dt. 05-12-2013 & Dt.17.01.2014.
2. Govt Memo No.4510/131/A1/BG.I/2014, Finance (BG.I) Department, Dt.06.03.2014.

-oOo

ORDER:-

The following Notification will be published in an Extra-ordinary issue of the A.P. Gazette, Dated:09-05-2014.

NOTIFICATION

In exercise of the powers conferred under sub section (3) of Section 103 read with clause (g) of sub section (2) of section 180 of Electricity Act, 2003, (Central Act No.36 of 2003) and all other powers enabling in this behalf, Government of Andhra Pradesh hereby make the following rules, relating to preserve the manner of applying the Andhra Pradesh Electricity Regulatory Commission Fund, namely:-

RULES

Part – I

1. Short title and commencement:- (1) These rules may be called the Andhra Pradesh Electricity Regulatory Commission Fund Rules, 2014.

2. They shall come into force from the date of their publication in the Andhra Pradesh Gazette.

2. Definitions: - (1) In these rules, unless the context otherwise requires:-

- (i) “Act” means the Electricity Act, 2003, (Central Act No.36 of 2003);
- (ii) “Bank” means any nationalized bank as designated for the purpose of maintaining the fund from time to time by the Commission;
- (iii) “Chairperson” means the Chairperson of the Andhra Pradesh Electricity Regulatory Commission;
- (iv) “Commission” means the Andhra Pradesh Electricity Regulatory Commission;
- (v) “Drawing and Disbursing Officer (DDO)” means an officer who is under the control of the Commission entrusted with the responsibility of drawing and disbursing of funds;
- (vi) “Fund” means the ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION FUND to be maintained by the Commission as per the provisions of these rules;
- (vii) “Government” means the Government of ANDHRA PRADESH;
- (viii) “Member” means a Member of the Commission.
- (ix) “State Act” means the Andhra Pradesh Electricity Reform Act, 1998 (Act No.30 of 1998).

(2) Words and expressions used but not defined herein shall have the meaning assigned to them in the Electricity Act, 2003 and State Act to the extent it is not

inconsistent with the provisions of the Electricity Act 2003;

Part – II

3. Creation of Fund

- 1) There shall be a fund for meeting the expenses of the Commission as specified under sub-section (2) of section 103 of the Act;
- 2) The Commission shall maintain the Fund with any nationalized bank as the main account at the Headquarters of the commission and with subsidiary accounts at such other branches of the said bank as the Commission considers appropriate.
- 3) If the amount is received by the Commission by cash, cheques or drafts, as the case may be, the same shall be deposited by the Commission in the Fund forthwith.

4. Contribution to the Fund

All revenues of the Commission including the grants and loans by the Government under section 102 of the Act; the fees and other sums received by the Commission under sub-section (1) of section 103 of the Act shall be deposited or remitted to the Fund.

5. Area of Applicability

- (a) Any amount credited to the Fund shall not be utilized for any purpose other than the purpose specified in rule 7 of these Rules;
- (b) The Commission shall meet any expenses of the Commission only by drawl of the amount from the Fund and not otherwise.

6. Operation of the Fund

- (a) The Fund shall be operated by the DDO, to be designated by an order of the Chairperson from time to time. The DDO so designated shall be the authorised signatory of the bank accounts in which the Fund is maintained;
- (b) Withdrawal from the Fund shall be only against proper authorization and after sanction from the appropriate authority.

7. Application of the Fund

7.1 The Fund shall be applied for meeting;

- (a) The Salary, allowances and other remuneration of Chairperson, Members, Secretary, Officers and other Employees of the Commission including pension and other terminal benefits as provided in clause (a) of sub-section (2) of section 103 of the Act;
- (b) The expenses of the Commission for discharge of its functions under section 86 of the Act;
- (c) The expenses on objects and for purposes authorised by the Act.

8. Budget

The Commission shall prepare in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Commission and forward the same to the State Government.

9. Investment of Surplus Funds

- (a) The Drawing and Disbursing Officer shall invest funds available in the Fund from time to time in gainful short term or long term deposits in any nationalized bank or financial institutions promoted by the Government of India or the Government of Andhra Pradesh, in order to ensure suitable returns on surplus funds. The incidental charges like brokerage, commission, etc., shall be accounted for as a charge on the Fund;
- (b) The income earned on the investment of moneys from time to time shall form receipt of the Fund;

(c) At the end of the financial year the balance lying unspent in the bank account relating to unutilized grants received from the State Government shall be refunded / remitted back to the Government account;

(d) For the grants, received from Government by the Commission and utilized, the Commission shall furnish utilization certificate thereof to the Government.

Part – III

10. Accounts & Audit of the Commission

(a) The accounts of the Fund shall be maintained by the Commission as per the provisions of section 104 of the Act and Rules framed thereunder;

(b) The accounts of the Commission shall be audited as per the provisions of section 104 of the Act.

11. Interpretation

These rules shall be read and construed in all respects subject to the provisions of the Act and the State Act in so far the same is not inconsistent with the provisions of the Electricity Act, 2003. Rules made under the Act, shall prevail over the rules and Regulations made under the State Act, in so far as the later is not inconsistent with the former.

12. Issue of Orders and Practice Directions

Subject to the provisions of the Act and these rules, the State Government may from time to time issue orders and practice directions in regard to the implementation of these Rules and procedure to be followed on various matters, which the State Government has been empowered by these Rules or by the provisions of the Act to direct and also matters incidental or ancillary thereto.

13. Power to Remove Difficulties

If any difficulty arises in giving effect to any of the provisions of these rules, the State Government may by a general or special order direct the Commission to make such provisions not inconsistent with the provisions of the Act, as appear to the State Government to be necessary or expedient for the purposes of removing difficulties.

14. Closure of the Fund

a) The Fund shall remain operation as long as the relevant provisions of the Act remain in force;

b) At the time of closure of the Fund when the Fund is no longer required, all the unspent balance under the Fund shall be remitted into the Government Treasury.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. SHAILENDRA KUMAR JOSHI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Commissioner, Printing and Stationary, Hyderabad,

For publication of notification and supply 200 copies.

The Director(Admn), APERC, Hyderabad.

The Director of Treasuries and Accountants, A.P., Hyderabad.

The Principal Accountant General (A&E), A.P., Hyderabad.

The Finance (BG.I) Department.

The Finance (Expr.Energy) Department.

SF/SC[C.No.4956/Pr.III(1)/2013]

//Forwarded:: By Order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Electricity - Electricity Act, 2003-The Andhra Pradesh Works of Licensees Rules, 2007-Issued

ENERGY (PR-II) DEPARTMENT

G.O.Ms.No.24

Dated.27.02.2007
Read the following:-

1. G.S.R. 217 (E), Ministry of Power, Government of India, dated: 18.04.2006.
2. From the Chairperson and Managing Director, APTRANSCO, Hyderabad, Lr. No. CE (RAC of Reforms) AAO/E. Act- 03/D.No. 286/2006, dated 25.11.2006.

ORDER:

In the reference first read above, the Government of India has issued the Works of Licensees Rules, 2006 under section 176(2)(e) read with section 67(2) of the Electricity Act, 2003.

In the reference second read above, the Chairperson and Managing Director, APTRANSCO, Hyderabad has sent the draft Rules for application of such rules in the State of Andhra Pradesh.

The Government after careful consideration of the said rules have decided to issue the rules similar to those issued by the Government of India for the State of Andhra Pradesh.

In exercise of the powers conferred by clause (b) of sub-section (2) of section 180 read with sub-section (2) of section 67 of the Electricity Act, 2003 (Act No.36 of 2003), the Governor of Andhra Pradesh hereby makes the following rules.

RULES

1. Short title and commencement: -

- (1) These rules may be called the Andhra Pradesh Works of Licensees Rules, 2007.

- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:-

- (1) In these rules unless the context otherwise requires,-
- (a) "The Act" means the Electricity Act, 2003;
 - (b) "Occupier of any building or land" means a person in lawful occupation of that building or land;
 - (c) "The State Government" means Government of Andhra Pradesh;
 - (d) "The Commission" means Andhra Pradesh Electricity Regulatory Commission.
- (2) All other words and expressions used herein and not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Licensee to carry out works:-

- (1) A licensee may-
- (a) carry out works, lay down or place any electric supply line or other works in, through, or against, any building, or on, over or under any land whereon, where over or where under any electric supply-line or works has not already been lawfully laid down or placed by such licensee, with the prior consent of the owner or occupier of any building or land;
 - (b) fix any support of overhead line or any stay or strut required for the purpose of securing in position any support of an overhead line on any building or land or having been so fixed, may alter such support:
- (2) Provided that in case where the owner or occupier of the building or land raises objections in respect of works to be carried out under this rule, the licensee shall obtain permission in writing from the District Magistrate or the Commissioner of Police or any other officer authorised by the State

Government in this behalf, for carrying out the works:

- (3) Provided further that if at any time, the owner or occupier or any building or land on which any works have been carried out or any support of an overhead line, stay or strut has been fixed shows sufficient cause, the District Magistrate or the Commissioner of Police, or the officer authorized may by order in writing direct for any such works, support, stay or strut to be removed or altered.
- (4) When making an order under sub-rule (1), the District Magistrate or the Commissioner of Police or the officer so authorised, as the case may be, shall fix, after considering the representations of the concerned persons, if any, the amount of compensation or of annual rent, or of both, which should in his opinion be paid by the licensee to the owner or occupier.
- (5) Every order made by a District Magistrate or a Commissioner of Police or an authorised officer under sub-rule (1) shall be subject to revision by the Commission.
- (6) Nothing contained in this rule shall affect the powers conferred upon any licensee under section 164 of the Act.

4. Works affecting streets, railway, tramway, canal or waterway:-

- (1) Where the exercise of any of the powers of a licensee in relation to the execution of any works involves the placing of any works in, under, over, along or across any street, part of a street, railway, tramway, canal or waterway, the licensee shall serve upon the person responsible for the repair of the street or part of a street (hereinafter referred to as "the repairing authority") or upon the person for the time being entitled to work the railway, tramway, canal or waterway (hereinafter referred to as "works authority"), as the case may be, a notice in writing, not less than (15) days before commencing the execution of the works describing the proposed works, together with a section and plan thereof on a scale sufficiently large to show clearly the details of the proposed works, and not in any case smaller than one inch to eight feet vertically and sixteen inches to the mile horizontally and intimating the manner in which, and

the time at which, it is proposed to interfere with or alter any existing works, and shall, upon being required to do so by the repairing authority or works authority, as the case may be, from time to time give such further information in relation thereto as may be desired.

- (2) If the repairing authority intimates to the licensee that it disapproves of such works, section or plan giving reasons for disapproval, or approves thereof subject to amendment, the licensee may, unless settled by an agreement, appeal to the Commission within one week of receiving such intimation, whose decision, after considering the reasons given by the repairing authority for its action, shall be final.
- (3) If the repairing authority fails to give notice in writing of its approval or disapproval to the licensee within (15) days of the receipt of the notice, it shall be deemed to have approved of the works, section and plan, and the licensee, after giving not less than forty-eight hours' notice in writing to the repairing authority, may proceed to carry out the works in accordance with the notice and the section and plan served under sub-rule (1).
- (4) If the works authority disapproves of such works, section or plan giving reasons for disapproval, or approves thereof subject to amendment, he may, within (15) days after the service of the notice under sub-rule (1) of rule 5, serve a requisition upon the licensee demanding that any question in relation to the works or to compensation, or to the obligations of the works authority to others in respect thereof, shall be determined, unless settled by agreement, by the Commission.
- (5) Where no requisition has been served by the works authority upon the licensee within the time period provided under sub-rule (4), the works authority shall be deemed to have approved of the works, section and plan, and in that case, or, where after the matter has been determined by the Commission, the works may, upon payment or securing of compensation, be executed according to the notice and the section and plan, subject to such modifications as may have been determined by the

Commission or agreed upon between the parties:

Explanation: In sub-rules (1) to (5), the word "works" includes a service line in, under, over, along or across a railway even if such line is immediately attached or intended to be immediately attached to a distributing main, but does not include any other service line so attached or intended to be so attached to a distributing main, or works which consist of the repair, renewal or amendment of existing works of which the character or position is not to be altered.

- (6) Where the works to be executed consist of the laying of any underground service line immediately attached, or intended to be immediately attached, to a distributing main, the licensee shall give to the repairing authority or the works authority, as the case may be, not less than forty-eight hours' notice in writing of his intention to execute such works;
- (7) Where the works to be executed consist of the repair, renewal or amendment of existing works of which the character or position is not to be altered, the licensee shall, except in cases of emergency, give to the repairing authority, or to the works authority, as the case may be, not less than forty-eight hours' notice in writing of his intention to execute such works, and, on the expiry of such notice, such works shall be commenced forthwith and shall be carried on with all reasonable despatch, and, if possible, both by day and by night until completed.

5. Repairs and works during emergency:-

- (1) The licensee may, in case of emergency due to the breakdown of an underground electric supply-line, after informing the repairing authority or the works authority, as the case may be, of his intention to do so, place an overhead line without complying with the provisions of rule 4.
- (2) Provided that such overhead line shall be used only until the defect in the underground electric supply-line can be made good, and in no case (unless with the written consent of the repairing authority, works authority or occupier as the case may be) for a period exceeding six weeks, and shall be removed as soon as may be after such defect is

removed.

6. Procedure for carrying out other works near sewers, pipes or other electric lines or works:-

- (1) The licensee or any duly authorised person, as the case may be (hereinafter in this rule referred to as "the operator"), shall-
 - (a) where the licensee requires to dig or sink any trench for laying down any new electric supply-lines or other works, near to which any sewer, drain, water-course or work under the control of the State Government or of any local authority, or any pipe, syphon, electric supply-line or other work belonging to any duly authorised person, has been lawfully placed; or
 - (b) where any duly authorised person is required to dig or sink any trench for laying down or constructing any new pipes or other works, near to which any electric supply-lines or works of a licensee have been lawfully placed;

unless it is otherwise agreed upon between the parties interested or in case of sudden emergency, give to the State Government or local authority, or to such duly authorised person or to the licensee, as the case may be (hereinafter in this Rule referred to as "the owner"), not less than forty-eight hours' notice in writing before commencing to dig or sink the trench and the owner shall have the right to be present during the execution of the work, which shall be executed to the reasonable satisfaction of the owner.

- (2) Where the operator finds it necessary to undermine, but not to alter, the position of any pipe, electric supply-line or work, he shall support it in position during the execution of the work, and before completion shall provide a suitable and proper foundation for it where so undermined.
- (3) Where the operator (being the licensee) lays any electric supply-line across, or so as to be liable to touch, any pipes, lines or service-pipes or service-lines belonging to any duly authorised person or to any person supplying, transmitting or using energy under the Act, he shall not,

except with the written consent of such person and in accordance with the regulations on safety as specified under section 53 of the Act, lay his electric supply-lines so as to come into contact with any such pipes, lines or service-pipes or service-lines.

- (4) Where the operator makes default in complying with any of the provisions of this rule, he shall make full compensation for any loss or damage incurred by reason thereof.
- (5) Where any difference and/or dispute arise under this rule, the matter shall be determined by the Commission.
- (6) Where the licensee is a local authority, the references in this rule to the local authority and to sewers, drains, water- courses or works under its control shall not apply.

7. Alteration of the position of pipes, electric line, etc:-

- (1) Any licensee may alter the position of any pipe (not forming part of a local authority's main sewer), or of any wire under or over any place which he is authorised to open or break up, if such pipe or wire is likely to interfere with the exercise of his powers under the Act; and any person may alter the position of any electric supply-lines or works of a licensee under or over any such place as aforesaid, if such electric supply-lines or works are likely to interfere with the lawful exercise of any powers vested in him.
- (2) The licensee or other person desiring to make the alteration, unless otherwise agreed, shall, not less than one month before commencing any alteration, serve upon the person for the time being entitled to the pipe, wire, electric supply-lines or works, as the case may be (hereinafter in this rule referred to as "the owner"), a notice in writing, describing the proposed alteration, together with a section and plan thereof on a scale sufficiently large to show clearly the details of the proposed works, and not in any case smaller than one inch to eight feet vertically and sixteen inches to the mile horizontally, and intimating the time when it is to be commenced, and shall subsequently give such further information in

relation there-to as the owner may desire;

- (3) The owner may, within fourteen days after the service of the notice, section and plan, serve upon the operator a requisition to the effect that any question arising upon the notice, section or plan, shall, unless settled by agreement, be determined by the Commission, and thereupon the matter shall be determined by the Commission.
- (4) The Commission to whom a reference is made under sub-rule (3), shall have regard to any duties or obligations which the owner is under, and may require the operator to execute any temporary or other works so as to avoid, as far as possible, interference therewith.
- (5) Where no requisition is served upon the operator under sub- rule (3) within the time limit, or where such a requisition has been served and the matter has been settled by agreement or determined by the Commission, the alteration may, upon payment or securing of any compensation accepted or determined by the Commission, be executed in accordance with the notice, section and plan and subject to such modifications agreed upon between the parties or as may have been determined by the Commission.
- (6) Where the operator desiring to make the alteration makes default in complying with any of these provisions, he shall make full compensation for any loss or damage incurred by reason thereof, and, where any difference or dispute arises as to the amount of such compensation, the matter shall be determined by the Commission.
- (7) Where the owner or occupier desires to carry out certain works himself,-
 - (i) he may, at least ten days before the operator desiring to make the alteration of pipes or wires is entitled to commence the alteration, serve upon the operator a statement in writing to the effect that he desires to execute the alteration himself and requires the operator to give such security for the repayment of any expenses as may be agreed upon or, in default of agreement, determined by the Commission;

- (ii) where a statement is served upon the operator under clause (i), he shall, not less than forty-eight hours before the execution of the alteration is required to be commenced, furnish such security and serve upon the owner a notice in writing intimating the time when the alteration is required to be commenced, and the manner in which it is required to be made; and thereupon the owner may proceed to execute the alteration as required by the operator;
- (iii) where the owner declines to comply, or does not, within the time and in the manner prescribed by a notice served upon him under clause (ii), comply with the notice, the operator may himself execute the alteration;
- (iv) all expenses incurred by the owner in complying with a notice served upon him by the operator under clause (ii) may be recovered by him from the operator.

8. Works not repairable by the State Government, licensee or local authority:-

- (1) The licensee shall open or break up any street not repairable by the State Government or a local authority only with the written consent of the person by whom the street is repairable or with the written consent of the State Government:
- (2) Provided that the State Government shall not give any such consent as aforesaid, until the licensee has given notice by advertisement or otherwise as that the State Government may direct, and within such period as that Government may fix in this behalf, to the person above referred to, and until all representations or objections received in accordance with the notice have been considered by the State Government.

9. Procedure for fencing, guarding, lighting and other safety measures relating to works and immediate reinstatement of streets, railways, sewers, drains or tunnels:-

- (1) Where any person, in exercise of any of the powers conferred by or under

these rules opens or breaks up the soil or pavement of any street, railway or tramway, or any sewer, drain or tunnel, he shall-

- (a) immediately cause the part opened or broken up to be fenced and guarded and fix caution boards to alert traffic;
 - (b) cause a light or lights, sufficient for the warning of passengers before sunset, to be set up and maintained until sunrise against or near the part opened or broken up;
 - (c) make suitable arrangements for smooth flow of traffic;
 - (d) fill in the ground and reinstate and make good the soil or pavement, or the sewer, drain or tunnel, opened or broken up with all reasonable speed, and carry away the rubbish occasioned by such opening or breaking up; and
 - (e) after reinstating and making good the soil or pavement, or the sewer, drain or tunnel broken or opened up, keep the same in good repair for three months and for any further period, not exceeding nine months, during which subsidence continues.
- (2) Where any person fails to comply with any of the provisions of sub-rule (1), the person having the control or management of the street, railway, tramway, sewer, drain or tunnel in respect of which the default has occurred, may cause to be executed the work which the defaulter has delayed or omitted to execute, and may recover from him the expenses incurred in such execution.
- (3) Where any difference and/or dispute arises as to the amount of the expenses incurred under sub-rule (2), the matter shall be determined by the Commission.

10. Avoidance of public nuisance, environmental damage and unnecessary damage to the public and private property by such works:-

The licensee shall, while carrying out works, ensure that such works do not cause public nuisance, environmental damage and unnecessary damage to the public or private property.

11. Manner of deposit of amount for restoration of railways, tramways, waterways etc:-

The licensee shall deposit the amount for restoration of railways, tramways, waterways etc. under these rules by means of demand draft in favour of the officer-in-charge of the maintenance of the works concerned.

12. Manner of restoration of property affected by such works and maintenance thereof:-

The licensee shall carry out the restoration of property affected by works and undertake necessary maintenance thereof for one month.

13. Determination and payment of compensation to affected persons:-

- (1) Where the licensee makes default in complying with any of the provisions of these rules, he shall make full compensation for any loss or damage incurred by reason thereof to the person affected, as may be determined by the District Magistrate or by any other officer authorised by the State Government in this behalf, if not agreed mutually between the parties concerned.
- (2) Where any difference and/or dispute arises as to the amount of compensation determined under sub-rule (1), the matter shall be determined by the Commission.

14. Procedure for deposit of compensation payable by the licensee and furnishing of security:-

- (1) The amount of compensation payable by the licensee under these rules shall be deposited by means of demand draft.
- (2) The security required to be furnished under these rules shall be in the form of Bank Guarantee from a Scheduled Bank or in any other form as may be notified by the State Government from time to time.

15. Determination of dispute and/or difference by the Commission:-

When a matter is brought to the Commission for determination under these rules, the matter shall be determined by the Commission within a period of thirty days and after hearing the parties concerned.

16. Service of notice etc:-

Whenever a notice or intimation is required to be served upon a person under these rules, the procedure provided under section 171 of the Act and rules made there under shall be followed.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K.GOYAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner of Printing and Stationery Dept., Chenchalguda, Hyderabad with a request to publish the above notification in an extraordinary issue of the Andhra Pradesh Gazette with a request to furnish 500 copies to the Government.

Copy to:

The C&MD, APTRANSCO, Hyderabad.

The CEIG, Hyderabad.

SF/SCS.

//FORWARDED :: BY ORDER//

SECTION OFFICER

Annexure - 1

No.3/7/2015-Trans
Government of India
Ministry of Power
Shram Shakti Bhawan
Rafi Marg, New Delhi-110001

Dated, 15th October, 2015

To

1. Chief Secretaries/Administrators of all the States/UTS (As per list attached)
2. Chairperson, CEA, New Delhi with the request to disseminate the above guidelines to all stakeholders
3. CMD, PGCIL, Gurgaon.
4. CEO, POSOCO, New Delhi
5. Secretary, CERC, New Delhi.
6. CMDs of State Power Utilities/SEBS

Subject: Guidelines for payment of compensation towards damages in regard to Right of Way for transmission lines.

During the Power Ministers Conference held on April 9-10, 2015 at Guwahati with States/UTs, it has, inter alia, been decided to constitute a Committee under the Chairmanship of Special Secretary, Ministry of Power to analyse the issues related to Right of Way for laying of transmission lines in the country and to suggest a uniform methodology for payment of compensation on this count. Subsequently, this Ministry had constituted a Committee with representatives from various State Governments and others. The Committee held several meetings to obtain the views of State Governments on the issue and submitted its Report along with the recommendations.

2. The Recommendations made by the Committee are hereby formulated in the form of following guidelines for determining the compensation towards "damages" as stipulated in section 67 and 68 of the Electricity Act, 2003 read with Section 10 and 16 of Indian Telegraph Act, 1885 which will be in addition to the compensation towards normal crop and tree damages. This amount will be payable only for transmission lines supported by a tower base of 66 KV and above, and not for sub-transmission and distribution lines below 66 KV:-

- (i) Compensation @ 85% of land value as determined by District Magistrate or any other authority based on Circle rate/ Guideline value/ Stamp Act rates for tower base area (between four legs) impacted severely due to

installation of tower/pylon structure;

- (ii) Compensation towards diminution of land value in the width of Right of Way (ROW) Corridor due to laying of transmission line and imposing certain restriction would be decided by the States as per categorization/type of land in different places of States, subject to a maximum of 15% of land value as determined based on Circle rate/ Guideline value/Stamp Act rates;
 - (iii) In areas where land owner/owners have been offered/ accepted alternate mode of compensation by concerned corporation/ Municipality under Transfer Development Rights (TDR) policy of State, the licensee /Utility shall deposit compensation amount as per (i) & (ii) above with the concerned Corporation/ Municipality/ Local Body or the State Government.
 - (iv) For this purpose, the width of the RoW corridor shall not be more than that prescribed in the table at Annex-2 and shall not be less than the width directly below the conductors.
3. Necessary action may kindly be taken accordingly. These guidelines may not only facilitate an early resolution of RoW issues and also facilitate completion of the vital transmission lines through active support of State/ UT administration.
4. All the States/UTS etc. are requested to take suitable decisions regarding adoption of the guidelines considering that acquisition of land is a State subject.

Yours faithfully, (Jyoti Arora)
Joint Secretary (Trans.)
Tele: 011-2371 0389

Note: The State of Andhra Pradesh was of the view that compensation for 100% land value for tower base be paid to the land owner but no compensation for corridor should be given. It also suggested that such compensation should not be made applicable to lines below 33kV.

Annexure-2

The maximum width of the RoW corridor is calculated on the basis of tower design, span, and wind speed, maximum sag of conductor and its swing plus other requirements of electric safety. The requirement of ROW for different voltage types under standard conditions is as follows:

ROW width for different voltage line*

Transmission Voltage	Width of Right of Way (in Meters)
66 kV	18
110 kV	22
132 kV	27
220 kV	35
400 kV S/C	46
400 kV D/C	46
+/-500 kV HVDC	52
765 kV S/C (with delta configuration)	64
765 kV D/C	67
+/-800 kV HVDC	69
1200 kV	89

* Width of Right of Way is as per the MOEF guidelines dated 5.5.2014

Annexure-3

Extracts of Sections 67, 68, 69 and 164 of the Electricity Act, 2003

Section 67. Provisions as to opening up of streets, railways, etc: --- (1) A licensee may, from time to time but subject always to the terms and conditions of his licence, within his area of supply or transmission or when permitted by the terms of his licence to lay down or place electric supply lines without the area of supply, without that area carry out works such as-

- (a) to open and break up the soil and pavement of any street, railway or tramway;
- (b) to open and break up any sewer, drain or tunnel in or under any street, railway or tramway;
- (c) to alter the position of any line or works or pipes, other than a main sewer pipe;
- (d) to lay down and place electric lines, electrical plant and other works;
- (e) to repair, alter or remove the same;
- (f) to do all other acts necessary for transmission or supply of electricity.

2. The Appropriate Government may, by rules made by it in this behalf, specify, -

- (a) the cases and circumstances in which the consent in writing of the Appropriate Government, local authority, owner or occupier, as the case may be, shall be required for carrying out works;
- (b) the authority which may grant permission in the circumstances where the owner or occupier objects to the carrying out of works;
- (c) the nature and period of notice to be given by the licensee before carrying out works;
- (d) the procedure and manner of consideration of objections and suggestion received in accordance with the notice referred to in clause (c);
- (e) the determination and payment of compensation or rent to the persons affected by works under this section;
- (f) the repairs and works to be carried out when emergency exists;
- (g) the right of the owner or occupier to carry out certain works under this section and the payment of expenses therefor;
- (h) the procedure for carrying out other works near sewers, pipes or other electric lines or works;
- (i) the procedure for alteration of the position of pipes, electric lines, electrical plant, telegraph lines, sewer lines, tunnels, drains, etc.;
- (j) the procedure for fencing, guarding, lighting and other safety measures

- relating to works on streets, railways, tramways, sewers, drains or tunnels and immediate reinstatement thereof;
 - (k) the avoidance of public nuisance, environmental damage and unnecessary damage to the public and private property by such works;
 - (l) the procedure for undertaking works which are not repairable by the Appropriate Government, licensee or local authority;
 - (m) the manner of deposit of amount required for restoration of any railways, tram ways, waterways, etc.;
 - (n) the manner of restoration of property affected by such works and maintenance thereof;
 - (o) the procedure for deposit of compensation payable by the licensee and furnishing of security; and
 - (p) such other matters as are incidental or consequential to the construction and maintenance of works under this section.
- (3) A licensee shall, in exercise of any of the powers conferred by or under this section and the rules made thereunder, cause as little damage, detriment and inconvenience as may be, and shall make full compensation for any damage, detriment or inconvenience caused by him or by any one employed by him.
- (4) Where any difference or dispute including amount of compensation under sub-section (3) arises under this section, the matter shall be determined by the Appropriate Commission.
- (5) The Appropriate Commission, while determining any difference or dispute arising under this section in addition to any compensation under sub-section (3), may impose a penalty not exceeding the amount of compensation payable under that sub-section.

Section 68. Overhead lines: ---- (1) An overhead line shall, with prior approval of the Appropriate Government, be installed or kept installed above ground in accordance with the provisions of sub- section (2).

- (2) The provisions contained in sub-section (1) shall not apply-
- (a) in relation to an electric line which has a nominal voltage not exceeding 11 kilovolts and is used or intended to be used for supplying to a single consumer;
 - (b) in relation to so much of an electric line as is or will be within premises in the occupation or control of the person responsible for its installation; or
 - (c) in such other cases, as may be prescribed.
- (3) The Appropriate Government shall, while granting approval under sub-section

- (1), impose such conditions (including conditions as to the ownership and operation of the line) as appear to it to be necessary.
- (4) The Appropriate Government may vary or revoke the approval at any time after the end of such period as may be stipulated in the approval granted by it.
- (5) Where any tree standing or lying near an overhead line or where any structure or other object which has been placed or has fallen near an overhead line subsequent to the placing of such line, interrupts or interferes with, or is likely to interrupt or interfere with, the conveyance or transmission of electricity or the accessibility of any works, an Executive Magistrate or authority specified by the Appropriate Government may, on the application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he or it thinks fit.
- (6) When disposing of an application under sub-section (5), an Executive Magistrate or authority specified under that sub-section shall, in the case of any tree in existence before the placing of the overhead line, award to the person interested in the tree such compensation as he thinks reasonable, and such person may recover the same from the licensee.

Explanation. - For the purposes of this section, the expression "tree" shall be deemed to include any shrub, hedge, jungle growth or other plant.

Section 69. Notice to telegraph authority: --- (1) A licensee shall, before laying down or placing, within ten meters of any telegraph line, electric line, electrical plant or other works, not being either service lines, or electric lines or electrical plant, for the repair, renewal or amendment of existing works of which the character or position is not to be altered,-

- (a) submit a proposal in case of a new installation to an authority to be designated by the Central Government and such authority shall take a decision on the proposal within thirty days;
- (b) give not less than ten days' notice in writing to the telegraph authority in case of repair, renewal or amendment or existing works, specifying-
- (i) the course of the works or alterations proposed;
 - (ii) the manner in which the works are to be utilised;
 - (iii) the amount and nature of the electricity to be transmitted;
 - (iv) the extent to, and the manner in which (if at all), earth returns are to be used,

and the licensee shall conform to such reasonable requirements, either general or special, as may be laid down by the telegraph authority within that period for preventing any telegraph line from

being injuriously affected by such works or alterations:

Provided that in case of emergency (which shall be stated by the licensee in writing to the telegraph authority) arising from defects in any of the electric lines or electrical plant or other works of the licensee, the licensee shall be required to give only such notice as may be possible after the necessity for the proposed new works or alterations has arisen.

- (2) Where the works of the laying or placing of any service line is to be executed, the licensee shall, not less than forty-eight hours before commencing the work, serve upon the telegraph authority a notice in writing of his intention to execute such works.

*** *** ***

Section 164. Exercise of powers of Telegraph Authority in certain cases:

The Appropriate Government may, by order in writing, for the placing of electric lines or electrical plant for the transmission of electricity or for the purpose of telephonic or telegraphic communications necessary for the proper co-ordination of works, confer upon any public officer, licensee or any other person engaged in the business of supplying electricity under this Act, subject to such conditions and restrictions, if any, as the Appropriate Government may think fit to impose and to the provisions of the Indian Telegraph Act, 1885, any of the powers which the telegraph authority possesses under that Act with respect to the placing of telegraph lines and posts for the purposes of a telegraph established or maintained, by the Government or to be so established or maintained.

ADDENDUM

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Energy, Infrastructure & Investment (Power-III) Department-The Andhra Pradesh Works of Licensees Rules, 2007-Notification of District Collector as authorized officer by the State Government-Orders-Issued.

ENERGY INFRASTRUCTURE & INVESTMENT (POWER-III) DEPARTMENT

G.O.MS.No.6

Dated: 06.03.2017
Read the following:-

1. G.O.Ms.No.24, Energy (Power-II) Dept, dated 27.02.2007.
2. From the Secretary (i/c), A.P. Electricity Regulatory Commission, Letter No. APERC/Secy/F.No.S-72/2016, dated 05.11.2016.

ORDER:

In the G.O.1st read above, the Government have already issued the Andhra Pradesh Works of Licensees Rules, 2007 where under the District Magistrate or the Commissioner of Police or any other Officer authorized by the State Government in this behalf has to exercise the powers and perform the functions and duties as specified in the different rules i.e., under clause (b) of sub-section of section 180 read with sub-section(2) of section 67 of the Electricity Act, 2003 (Act No. 36 of 2003) and the same was published in the Andhra Pradesh Gazette, Rules supplement to Part-I Extra-Ordinary dated 04.04.2007.

2. In the reference 2nd read above, the Secretary (i/c), Andhra Pradesh Electricity Regulatory Commission has stated that the State Government so far did not appear to have authorized any Officer in this behalf under the rules and, it is necessary to authorize an Officer in this regard by an Order of the State Government and stated that Works of Licensees have to be taken up in Strict compliance of the Said Rules.

3. After careful examination of the matter, Government here by appoint the District Collector to exercise the powers and perform the functions and duties under the Andhra Pradesh Works of Licensees Rules, 2007 made under G.O.Ms.No.24,

Energy (PR.II) Dept, dated 27.02.2007, and any works of licensees in the State of Andhra Pradesh shall have to be taken-up and executed in strict compliance of the said statutory rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAYJAIN

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing and Stationery Department

(With a request to publish the Notification in Extraordinary issue of Andhra Pradesh Gazette and supply 500 copies in the Government)

Copy communicated to:-

All District Collectors of State of Andhra Pradesh

The Secretary (In-charge), Andhra Pradesh Electricity Regulatory Commission, #11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Hyderabad-500004

The Chairman & Managing Director, APTRANSCO, Vidyut Soudha, Hyderabad

The Chairman & Managing Director, APSPDCL, Tirupati

The Chairman & Managing Director, APEPDCL, Visakhapatnam

The Adviser to Principal Secretary to Government, Energy, I & I Dept, APGENCO, Vidyut Soudha, Hyderabad, for information

The Legal Adviser, Energy, I & I Dept, APTRANSCO, Vidyut Soudha, Hyderabad, for information

SF/SCs (C.No.1769/Power-111/2016)

// FORWARDED::BY ORDER //

SECTION OFFICER

Please refer to the Andhra Pradesh Works of Licensees Rules, 2007 published by the Andhra Pradesh Electricity Regulatory Commission and the letter from the Ministry of Power, Government of India in No.3/7/2015-Trans dated 15.10.2015 published as Annexure-I thereto. In the Note appended to the said Annexure, the view then taken by the State of Andhra Pradesh was stated. But, subsequently, the Government of Andhra Pradesh has issued guide lines for payment of compensation towards damages in regard to the right of way for Transmission lines which orders took effect from 20.06.2017, the date of the Government Order. The said Government Orders are reproduced below:

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

NOTIFICATION

Energy, I&I Department-Guide lines for payment of compensation towards damages in regard to Right of Way for transmission lines-Orders-Issued.

ENERGY, INFRASTRUCTURE & INVESTMENT (Pr.II.A2) DEPARTMENT

G.O.RT.No.83

Dated: 20.06.2017

Read:

The Ministry of Power, Gol, guidelines, vide Ref No.3/7/2015-Trans, dated: 15.10.2015.

During the power Ministers Conference held on April 9-10, 2015 at Guwahati with States/UTs, it has inter alia, been decided to constitute a Committee under the chairman ship of Special Secretary, Ministry of Power to analyse the issues related to Right of Way for laying of transmission lines in the Country and to suggest a uniform methodology for payment of compensation on this count.

The Recommendations made by the Committee are hereby formulated in the form of following guide lines for determining the compensation towards "damages" as stipulated in section 67 and 68 of the Electricity Act, 2003 read with Section 10 and 16 of Indian Telegraph Act, 1885 which will be in addition to the compensation towards normal crop and tree damages. This amount will be payable only for

transmission lines supported by a tower base of 66KV and above, and not for sub transmission and distribution lines below 66KV:-

- (i) Compensation @ 100% of land value as determined by District Magistrate or any other authority based on circle rate/Guidelines value/Stamp Act rates for tower base area (between four legs) impacted severely due to installation of tower/pylon structure.
- (ii) Compensation towards diminution of land value in the width of Right of Way (RoW) Corridor due to laying of transmission line and imposing certain restriction would be decided by the States as per categorization/type of land in different places of States, subject to a maximum of 10% of land value as determined based on Circle rate/Guide line value/Stamp Act rates;
- (iii) In areas where land owner/owners have been offered/accepted alternate mode of compensation by concerned corporation/ Municipality under Transfer Development Rights(TOR) policy of State, the licensee/Utility shall deposit compensation amount as per (i) & (ii) above with the concerned Corporation/Municipality/Local Body or the State Government.
- iv) For this purpose, the width of RoW corridor shall not be more than that prescribed hereunder and shall not be less than the width directly below the conductors.

Transmission Voltage	Width of Right of way (in Meters)
132 kV	27
220 kV	35
400 kV S/c	46
400 kV D/c	46
+/- 500 kV HVDC	52
765 kV S/c with delta configuration	64
765 kV D/c	67
+/- 800 kV HVDC	69
1200 kV	89

These orders will be affected from the date of issuance of this G.O.

The Officials mentioned in the address entry shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAYJAIN
PRINCIPAL SECRETARY TO GOVERNMENT

To:

All District Collectors of State of Andhra Pradesh.

The Executive Director, Power Grid Corporation of India Ltd., Secunderabad,
The Chairman & Managing Director, APTRANSCO, Vijayawada. The Managing
Director, APGENCO, Hyderabad.

The Chairman & Managing Director, APSPDCL, Tirupati.

The Chairman & Managing Director, APEPDCL, Visakhapatnam.

The Secretary, Andhra Pradesh Electricity Regulatory Commission (APEREC),
Hyderabad.

Copy to:

The P.S., to Prl., Secy., to C.M.,

The P.S., to Minister (Energy) Department.

The P.S., to Principal Secretary, Energy, I&I Department.

SF/SC(C.No.644/Pr.II.A212017)

// FORWARDED BY::ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy Department – Revised guidelines for payment of compensation towards damages in respect of Right of Way for transmission lines in supersession of the earlier guidelines – Orders - Issued.

ENERGY (POWER.II) DEPARTMENT

G.O.Rt.No.121

Dated:10.12.2025

Read the following:

1. From the Ministry of Power, GoI, Guidelines vide Ref.No.3/7/2015-Trans, dated:15-10-2015.
2. G.O.Rt.No.83, Energy, Infrastructure & Investment (Pr.II.A2) Dept., dt. 20.06.2017.
3. Guidelines of the Government of India vide No.3/4/2016-Trans, dated 16.07.2020.
4. Govt. Lr.No.ENE01-APPT/36/2023-POWER-II, Dt.13.12.2023.
5. Revised guidelines of the Ministry of Power, Govt. of India, issued vide F.No.3/4/2016-Trans-Part(4), dt.14.06.2024.
6. From the Chairman & Managing Director, APTRANSCO, Vijayawada Lr.No.CMD/JMD (HR&Admin)/Addl./Secy./Estate Wing/Comp.No.3050825/25, Dt. 03.12.2025.

ORDER:

The Ministry of Power, Government of India, had issued guidelines for determining compensation for damages regarding the Right of Way (ROW) for laying transmission lines under Sections 67 and 68 of the Electricity Act, 2003, read with Sections 10 and 16 of the Indian Telegraph Act, 1885, in addition to the compensation for normal crop and tree damages vide reference 1st read above and further revised vide reference 3rd read above. Government of Andhra Pradesh had adopted the same vide reference 2nd read above and 4th read above respectively.

2. Government of India, vide letter 5th read above, have issued comprehensive guidelines for determining compensation for damages regarding the Right of Way (ROW) for laying transmission lines under Sections 67 and 68 of the Electricity Act, 2003, read with Sections 10 and 16 of the Indian Telegraph Act, 1885, in addition to the compensation for normal crop and tree damages, in supersession of the earlier guidelines issued vide 1st and 3rd read above.

3. The Chairman & Managing Director, APTRANSCO vide his letter 6th read above has informed that GOI has indicated that the State Government may adopt the said guidelines in their entirety or a modified procedure and as the earlier guidelines issued by GOI have been superseded and that there is a need for adopting comprehensive guidelines, in their entirety or modified version, and thus advised the Government to issue necessary orders at the earliest.

4. Government, after careful consideration of the circumstances reported by the Chairman & Managing Director, APTRANSCO vide 6th read above, hereby decided to adopt the Guidelines issued by the Government of India vide 5th read above and hereby formulated the following guidelines duly superseding the earlier guidelines issued vide 2nd and 4th read above for payment of compensation for damages regarding the ROW for laying transmission lines under Sections 67 and 68 of the Electricity Act, 2003, read with Sections 10 and 16 of the Indian Telegraph Act, 1885, in addition to the compensation for normal crop and tree damages, as follows:-

- a) **Applicability:** The compensation shall be payable only for transmission lines supported by a tower base of 66 KV voltage level and above, and not for sub-transmission and distribution lines below 66 KV.
- b) **Authority for determination of Compensation:** District Magistrate/District Collector/Deputy Commissioner shall be the authority for determining the compensation.
- c) **Determination of Compensation:** The compensation shall ordinarily be based on the Circle rate/Guideline Value/Stamp Act rates of the land, except where the market rate exceeds the Circle rate/Guideline value/Stamp Act rates. In such instances, the land value shall be determined based on the prevailing market rate as ascertained by the District Magistrate/District Collector/Deputy Commissioner in the manner as may be specified by the State Government. The determined land value shall serve as the basis for compensation and shall be promptly communicated by the respective District Magistrate/District Collector/Deputy Commissioner.
- d) **Tower Base Compensation:** Compensation for the tower base area shall be 200% of the land value. The tower base area shall be the area enclosed by the four legs of the tower at ground level, plus an additional one (1) meter extension on each side.
- e) **Row Corridor Compensation:** The compensation amount for Right-of-Way (ROW) corridor shall be 30% of the land value. Land within the ROW corridor, as defined in Schedule VII of the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022 (Annex-I), shall be eligible for compensation. This Compensation will address the potential diminution of land value due to the presence of overhead lines or underground cables within the ROW corridor. No construction activity of any kind would be permitted within the ROW of the transmission line. States/UTs may decide higher rate depending on the area and urgency of the work.
- f) **Alternate Compensation:** In areas where land owner/owners have been offered/accepted alternate mode of compensation by Corporation/Municipality concerned under Transfer of Development Rights (TDR) policy of the State/UT, the licensee/utility shall deposit compensation amount as per (d) to (e) above with the Corporation /Municipality /Local Development Authority or the State Government concerned.

- g) **Areas with ROW constraints**: When laying transmission lines in areas with ROW constraints, various technologies can be considered to optimize the use of space. These technologies are outlined in the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022. Some options include; steel pole structures, narrow-based lattice towers, multi-circuit and multi-voltage towers, single-side stringing with lattice or steel poles, XLPE underground cables, Gas Insulated Lines (GIL), compact towers with insulated cross arms, Voltage Source Converter (VSC) based High Voltage Direct Current (HVDC) systems, and more.
- h) **Landowner Identification**: During the check survey conducted at the execution stage, the names of landowners whose property falls within the transmission line's Right-of-Way (ROW) will be documented. This process shall adhere to the Regulation 84 (8) of the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022.
- i) **Compensation Payment**: Compensation payment shall be one-time and upfront. Whenever possible, compensation will be paid through various digital payment methods, such as the Aadhar Enabled Payment System (AEPS) and Unified Payment Interface (UPI).
- j) **Standard Operating Procedure (SOP)**: States/UTs and transmission developers should refer to the Standard Operating Procedure (SOP) for detailed guidelines.

5. The Officials mentioned in the address entry shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.VIJAYANAND

SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

All the Collector & District Magistrates in the State of Andhra Pradesh.

The Chairman & Managing Director, APTRANSCO, Vijayawada.

The Chairman & Managing Director, APGENCO, Vijayawada.

The Chairman & Managing Director, APEPDCL, Visakhapatnam.

The Chairman & Managing Director, APCPDCL, Vijayawada.

The Chairman & Managing Director, APSPDCL, Tirupati.

The Executive Director, Power Grid Corporation of India Ltd., Secunderabad.

The Secretary, A.P.Electricity Regulatory Commission (APERC), Kurnool.

Copy to:

The PS to Principal Secretary to Hon'ble Chief Minister.

The PS to Hon'ble Minister for Energy.

The P.S. to Spl. Chief Secretary to Govt., Energy Department.

The Finance Department, A.P.Secretariat.

The Law Department, A.P.Secretariat.

SF/SC. (218527)

//FORWARDED :: BY ORDER//


SECTION OFFICER

Page 3 of 3

No. 3/4/2016-Trans
Government of India
Ministry of Power
Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001

Dated, 16th July, 2020

To

1. Chief Secretaries/ Administrators of all the States/UTs.
2. Chairperson, CEA, New Delhi- with a request to disseminate the above guidelines to all the stakeholders.
3. CMD, PGCIL, Gurgaon.
4. CMD, POSOCO, New Delhi.
5. Secretary, CERC, New Delhi.
6. CMD of State Power Utilities/ SEBs

Subject: Guidelines for payment of compensation in regard to Right of Way (RoW) for transmission lines in urban areas.

Sir,

In order to facilitate early resolution of Right of Way (RoW) issues for laying of transmission lines, Ministry of Power vide OM No. 3/7/2015-Trans dated 15th October, 2015 had issued the guidelines for payment of compensation towards damages with regard to Right of Way for transmission lines. The guidelines inter-alia had recommended compensation for 85% of the land value for tower footing and upto 15% of the land value for RoW of the line for transmission system of 66 kV and above voltage level. The above guidelines were communicated by the Ministry of Power to Chief Secretaries of all the States with the request to take suitable decision regarding adoption of the guidelines considering that acquisition of land is a state subject.

2. During a review meeting of critical transmission lines, taken by Secretary (Power), Govt. of India on 19.7.2016, it was inter alia decided to constitute a Committee under the chairmanship of Additional Secretary, Ministry of Power to analyse the issues relating to RoW for laying of transmission lines in the urban areas of the country and to suggest a methodology for payment of compensation on this account. The Committee held several meetings to obtain the views of State Governments on the issue and submitted its Report along with the recommendations (copy of the Report is at **Annex-I**).

3. The recommendations made by the above Committee are hereby formulated in the form of following guidelines for determining the compensation in "Urban Areas" towards "damages" as stipulated in section 67 and 68 of the Electricity Act, 2003 read with Section 10 and 16 of Indian Telegraph Act, 1885, which will be in addition to the compensation towards normal crop and tree damages:

- i. Compensation @ 85% of land value as determined by District Magistrate or any other authority based on circle rate/ Guidelines value / Stamp Act rates for tower base area (area bounded by concrete as visible from outside of four legs of the towers) impacted severely due to installation of tower / pylon structure.
- ii. Compensation towards diminution of land value in the width of Right of Way (RoW) Corridor due to laying of transmission line and imposing certain restriction would be decided by the States as per categorization/ type of land in different places of States, subject to a maximum of 15 % of land value as determined based on Circle rate /Guidelines value/ Stamp Act rates.

- iii. In addition to the provisions mentioned at Para 3(i) and (ii) above, additional compensation in form of **Non-Usability allowance** up to 15% of the land value for the width of RoW corridor would be applicable in the notified urban areas. No construction activity of any kind would be permitted under the RoW of the transmission line.
- iv. For compensation pupose, the width of RoW corridor shall not be more than that prescribed in the Table 3 (summarized) in the **Annex-I** and for tower base, the compensation shall be paid for actual base width of tower (area bounded by concrete as visible from outside of four legs of the towers). The indicative base width of tower is given under column (12) in Table-3 (Detailed) of **Annex-I**.
- v. While making choice of technology to be used for laying of transmission lines in RoW constraint area, various technological options needs to be assessed keeping in view the reduction in RoW, feasibility of implementation, overall cost of laying the line. A tentative Cost matrix of the available technologies is attached as **Annex-II**. The same can be referred by the implementation agencies keeping in view the cost benefit aspects.
- vi. Payment of compensation shall be done through various digital modes of payment such as AADHAR enabled payment system (AEPS), Unified Payment Interface (UPI) etc. where feasible.
- vii. The payment towards compensation for RoW in urban areas would be onetime/upfront. In case of any other arrangement for payment of compensation, the same needs to be notified by individual states.

Note: For the purposes of these guidelines, Urban Area is defined as all places with a municipality, corporation, cantonment board or notified town area committee etc

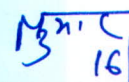
4. The above compensation amount will be payable only for transmission lines supported by a tower base of 66 KV and above, and not for sub-transmission and distribution lines below 66 KV in notified Urban Areas.

5 Necessary action may kindly be taken accordingly. These guidelines would not only facilitate an early resolution of RoW issues in urban areas but also facilitate completion of the vital transmission lines in urban areas through active support of Statel UT administration.

6 All the States/UTs etc are requested to take suitable decision regarding adoption of the guidelines considering that "Land" is a State subject.

Encl.: As above

Yours faithfully,


16/7/20

(Tanmay Kumar)
Joint Secretary (Trans)

Copy, along with enclosure, forwarded to the following:

1. Secretaries to the Government of India.
2. Prime Minister's Office.
3. Technical Director, NIC, Ministry of Power- with the request to host subject Guidelines on the website of Ministry of Power.
4. Copy to PS to Hon'ble MoSP (IC) / Secretary (Power) / AS (SKGR) / AS (SM) / AS&FA / All Joint Secretaries/ EA/ All Directors/DSs, Ministry of Power.

GOVERNMENT OF ANHDRA PRADESH
ENERGY (POWER.II) DEPARTMENT

Lr.No.ENE01-APPT/36/2023-POWER-II

Dated: 13/12/2023

From
The Special Chief Secretary to Govt,
Energy Department,
A.P.Secretariat,
Velagapudi.

To
The Chairman & Managing Director,
APTRANSCO,
Vidyuth Soudha, Gunadala,
Vijayawada.

Sir,

Sub Energy Department - APTRASNCO – Guidelines for payment of
: Compensation in regard to Right of Way (RoW) and increase of
Compensation towards diminution of land value – communicated – Reg.

Ref: 1. The Ministry of Power, GoI Guidelines No.3/7/2015- Trans, dt:
15.10.2015.

2. G.O.Rt.No.83, Energy, I&I (Pr.II) Dept., dt.20-06-2017.

3.GoI Guidelines No.3/4/20 I6-Trans dated 16.07.2020.

4.From Chairman & Managing Director, APTRANSCO, Vijayawada,
Lr.No.CMD /JMD(HRD&Adm)/Addl.Secy/E.S/Comp No.2212229,
Dt.25.10.2023.

. . .

I am to invite your attention to the references cited and inform that
after careful examination of the matter, Govt. hereby orders as follows:

- I. Since the Gol has provided Non Usability Allowances up to 15% land value in the notified urban areas for payment to the farmers, it is recommended to adopt **Non-Usability allowance up to 15% of the land value** for the width of RoW corridor in the notified urban areas. No construction activity of any kind would be permitted under the ROW of the transmission line.
 - II. Similarly, it is recommended to increase compensation towards **diminution of land value from 10% to subject to a maximum of 15%** of land value as determined based on Circle rate/ Guidelines value/Stamp Act rates as diminution value of 10% was adopted in the year 2017.
2. I am, therefore, request you to take further necessary action

accordingly duly following the guidelines as stipulated in the references 1st to 3rd cited.

Yours faithfully,
Kumara Reddy B A V P
JOINT SECRETARY

F.No. 3/4/2016-Trans-Part(4)
Government of India
Ministry of Power
Shram Shakti Bhavan, New Delhi –110 001.

Dated: 14.06.2024

To

1. Chief Secretaries/Administrators of all the States/UTs.
2. Chairperson, CEA, New Delhi – with a request to disseminate the subject guidelines to all the stakeholders.
3. Additional Chief Secretaries/Principal Secretaries/Secretaries of Energy of all States/UTs.
4. Secretary, CERC, New Delhi.
5. CMD, Grid India, New Delhi.
6. COO, CTUIL, Gurugram.
7. CMDs of State Power Utilities/SEBs.
8. All Transmission Licensees through COO, CTUIL

Subject: Guidelines for payment of compensation in regard to Right of Way (RoW) for transmission lines.

Reference: (i) MoP letter No. 3/7/2015-Trans dated 15.10.2015
(ii) MoP letter No. 3/4/2016-Trans dated 16.07.2020
(iii) MoP letter No. 3/4/2016-Trans-Part (1) dated 27.06.2023

Sir,

The Ministry of Power, as referenced above, has issued Guidelines for the payment of Right of Way (RoW) compensation concerning transmission lines including those in urban areas. It is imperative to address the RoW issues effectively to expedite the construction of transmission lines and ensure timely completion.

2. After careful consideration of the matter, the Central Government has issued the following guidelines for determining compensation for damages regarding the RoW for laying transmission lines under Sections 67 and 68 of the Electricity Act, 2003, read with Sections 10 and 16 of the Indian Telegraph Act, 1885, in addition to the compensation for normal crop and tree damages. These guidelines are issued in supersession of the earlier guidelines mentioned in the references above.

COMPENSATION GUIDELINES FOR TRANSMISSION LINES

(1) **Applicability:** The compensation shall be payable only for transmission lines supported by a tower base of 66 kV voltage level and above, and not for sub-transmission and distribution lines below 66 kV.

(2) **Authority for determination of Compensation:** District Magistrate/District Collector/Deputy Commissioner shall be the authority for determining the compensation.

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- (3) **Determination of Compensation:** The compensation shall ordinarily be based on the Circle rate/Guideline value/Stamp Act rates of the land, except where the market rate exceeds the Circle rate/Guideline value/Stamp Act rates. In such instances, the land value shall be determined based on the prevailing market rate as ascertained by the District Magistrate/District Collector/Deputy Commissioner in the manner as may be specified by the State Government. The determined land value shall serve as the basis for compensation and shall be promptly communicated by the respective District Magistrate/District Collector/Deputy Commissioner.
- (4) **Tower Base Compensation:** Compensation for the tower base area shall be 200% of the land value. The tower base area shall be the area enclosed by the four legs of the tower at ground level, plus an additional one (1) meter extension on each side.
- (5) **RoW Corridor Compensation:** The compensation amount for Right-of-Way (RoW) corridor shall be 30% of the land value. Land within the RoW corridor, as defined in Schedule VII of the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022 (**Annex-I**), shall be eligible for compensation. This compensation will address the potential diminution of land value due to the presence of overhead lines or underground cables within the RoW corridor. No construction activity of any kind would be permitted within the RoW of the transmission line. States/UTs may decide higher rate depending on the area and urgency of the work.
- (6) **Alternate Compensation:** In areas where land owner/owners have been offered/accepted alternate mode of compensation by Corporation/Municipality concerned under Transfer of Development Rights (TDR) policy of the State/UT, the licensee /utility shall deposit compensation amount as per (4) to (5) above with the Corporation/ Municipality/ Local Development Authority or the State Government concerned.
- (7) **Areas with RoW constraints:** When laying transmission lines in areas with RoW constraints, various technologies can be considered to optimize the use of space. These technologies are outlined in the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022. Some options include: steel pole structures, narrow-based lattice towers, multi-circuit and multi-voltage towers, single-side stringing with lattice or steel poles, XLPE underground cables, Gas Insulated Lines (GIL), compact towers with insulated cross arms, Voltage Source Converter (VSC) based High Voltage Direct Current (HVDC) systems, and more. A cost matrix comparing these technologies is attached in **Annex-II** for reference by implementing agencies. This matrix can help them choose the most cost-effective option for each project.
- (8) **Landowner Identification:** During the check survey conducted at the execution stage, the names of landowners whose property falls within the transmission line's Right-of-Way (RoW) will be documented. This process shall adhere to the Regulation 84(8) of the Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2022.

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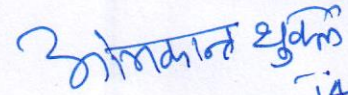
(9) **Compensation Payment:** Compensation payment shall be one-time and upfront. Whenever possible, compensation will be paid through various digital payment methods, such as the Aadhaar Enabled Payment System (AEPS) and Unified Payments Interface (UPI).

(10) **Standard Operating Procedure (SOP):** States/UTs and transmission developers should refer to the Standard Operating Procedure (SOP) at **Annex-III** for detailed guidelines.

3. The States/UTs may adopt these guidelines in their entirety or issue their own modified guidelines. In the absence of State Government guidelines, these guidelines issued by the Central Government shall apply for determining compensation.

4. This issues with the approval of the Minister of Power.

Yours faithfully,

 14/06/24

(Om Kant Shukla)
Director (Trans)

Tele: 011- 23716674.

Copy to:

1. Secretaries to the Government of India.
2. Prime Minister's Office.
3. Technical Director, NIC, Ministry of Power – with the request to upload on the website of Ministry of Power.
4. PS to MoP.
5. Addl. PS to MoSP.
6. Sr. PPS/ PPS/ PS to Secretary (Power)/ AS(Trans)/ JS&FA/ AS (IC)/ All Joint Secretaries/ EA/ All Directors/ Deputy Secretaries, Ministry of Power.

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

From
Secretary, APERC,
4th Floor, Singareni Bhavan,
Red Hills, Hyderabad – Reg

To,
The Chairman & Managing Director,
APCPDCL, Hyderabad.
The Chairman & Managing Director,
APEPDCL, Visakhapatnam.
The Chairman & Managing Director,
APNPDCL, Warangal.
The Chairman & Managing Director,
APSPDCL, Tirupati.

Lr.No. APERC/E-223/DD-Dist/2009, dated 15-10-2009

Sir,

Sub: - De-ration of Contract Demand-Implementation of GTCS
provisions- Clarification – Reg.

1. M/s EPDCL sought the following two clarifications regarding de-ration of Contracted Demand vide letters dated 22-12-2008 and 05-01-2009. The details are furnished below.
 - i) If additional load is availed, whether the one year minimum period of agreement is applicable to entire contracted demand or the minimum period liability is limited to the extent of additional load.
 - ii) Whether de-ration of demand of a 33 kV consumer can be de-rated to below threshold level of 1500 kVA (capacity).
2. With respect to clarification (i), the relevant Clause 5.9.3.2 of GTCS reads as follows.

Clause 5.9.3.2 of GTCS:

"5.9.3.2 - Period of HT Agreement: The minimum period of HT Agreement for supply at High Tension shall normally be one year from the date of commencement of supply. The Agreement shall continue to be in force till it is terminated by the consumer or by the Company as provided in clause 5.9.4.2 hereof.

Provided that where an agreement is amended or a revised agreement executed pursuant to sanction of an additional load / demand, the minimum period liability for the additional load shall commence from the date of commencement of supply for the additional load / demand."

3. With respect to clarification (ii), the relevant Clause 5.9.4.2 of GTCS reads as follows.

Clause 5.9.4.2 of GTCS:

*"5.9.4.2 - Deration of CMD or Termination of Agreement in respect of HT

Supply: The consumer may seek reduction of contracted maximum demand or termination of the HT Agreement after the expiry of the minimum period of the Agreement by giving not less than one months' notice in writing expressing his intention to do so. However, if for any reason the consumer chooses to derate the CMD or terminate the Agreement, before the expiry of the minimum one year period of the Agreement, the CMD will be derated or the Agreement will be terminated with effect from the date of expiry of the initial one year period of the Agreement or after expiry of one months' notice period whichever is later.
... "*

4. With reference to the clauses mentioned in para 2 & 3 above, I am directed to issue the following clarifications:

De-ration of contracted demand in case of amended agreement or revised agreement:

With reference to the query (i), for de-ration of contracted demand, irrespective of whether the agreement is amended or a revised agreement is executed pursuant to sanction of an additional demand, the minimum one year period liability is limited to the extent of additional demand only and shall commence from the date of commencement of supply for the additional demand. Each part of additional demand sanction shall be viewed as a separate part. The demand part which was released prior to release of additional demand, if meets the one year minimum agreement period, shall be eligible for de-ration from that part.

De-ration of Contracted Demand of 33 kV/132 kV HT services:

With reference to the query (ii), for de-ration of contracted demand, the eligibility criteria is that the consumer should have availed power supply for a minimum of one year and shall serve one months' notice seeking de-ration. As per clause 5.9.4.2, no minimum capacity is prescribed for de-ration of CMD with reference to voltage level and hence it has to be allowed without any reference to supply voltage.

Yours faithfully,
Sd/-
SECRETARY

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
ABSTRACT

Metering issues – Location, Ownership, Cost Recovery Mechanism and Responsibilities of Licensees/Generating Companies.

=====

Practice Directions No. APERC/5/2015

Dated: 29-01-2015

Read the following:

- (i) CEA (Installation and operation of meters) Regulation, 2006.
- (ii) CEA (Installation and operation of meters) Amendment Regulation, 2010.
- (iii) CERC (Open Access in inter-State Transmission) Regulations, 2008.
- (iv) CERC (Open Access in inter-State Transmission) (Amendment) Regulations, 2009
- (v) CERC(Open Access in inter-State Transmission) (2nd Amendment) Regulations, 2013
- (vi) APERC-Licensee's duty for supply of electricity on request, Regulation 4 of 2013.

1. Preamble:

Under Section 55 of the Electricity Act, 2003, the Central Electricity Authority, issued "Installation and operation of meters, Regulation, 2006". The Regulation deals with issues like, type of meters, ownership of meters, location of meters, accuracy class of meters, energy accounting.

Central Electricity Regulatory Commission (CERC) issued "Open Access in inter-State Transmission Regulations, 2008" related to Open Access issues.

Under Section 55 (3), the State Regulatory Commission has the responsibility of implementing the provisions contained in Section 55 and the Regulations made under Section 55 (1).

The Transmission Licensee and Distribution Licensee raised certain issues connected with;

- 1) Ownership of meters,
- 2) who has to bear the cost of meter and allied equipment
- 3) Installation responsibility, testing and
- 4) Location of meters

arising in the course of implementing the Regulations made in this regard. Therefore, in order to effectively implement the provisions of Section 55 of the Electricity Act, 2003 and the Regulations made under Section 55 (1) or otherwise, read with Regulation 54 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations 1999, the Andhra Pradesh Electricity Regulatory Commission hereby issues the following Practice Directions:

2. Applicability:

These proceedings shall be applicable to generating companies and licensees who are engaged in the business of generation, transmission, distribution, and supply of electricity and to all Open Access consumers in the State of Andhra Pradesh.

3. Relevant provisions of CEA Regulation cited in reference (1) extracted hereunder:

(a) Definitions in CEA Regulation under clause 2:

“2 (1) (i) ‘Check Meter’ means a meter, which shall be connected to the same core of the Current Transformer (CT) and Voltage Transformer (VT) to which main meter is connected and shall be used for accounting and billing of electricity in case of failure of main meter;

2(1)(j) ‘Consumer Meter’ means a meter used for accounting and billing of electricity supplied to the consumer but excluding those consumers covered under Interface Meters;

2(1)(k) ‘Correct Meter’ means a meter, which shall at least have, features, Accuracy Class and specifications as per the Standards on Installation and Operation of Meters given in Schedule of these Regulations;

2(1)(n) ‘Interface Meter’ means a meter used for accounting and billing of electricity, connected at the point of interconnection between electrical systems of generating company, licensee and consumers, directly connected to the Inter-State Transmission System or Intra-State Transmission System who have to be covered under ABT and have been permitted open access by the Appropriate Commission;

2(1)(o) ‘Main Meter’ means a meter, which would primarily be used for accounting and billing of electricity;

2(1)(v) ‘Standby Meter’ means a meter connected to CT and VT, other than those used for main meter and check meter and shall be used for accounting and billing of electricity in case of failure of both main meter and check meter;

2(1)(w) ‘Supplier’ means any generating company or licensee from whose system electricity flows into the system of another generating company or licensee or consumer;”

4. Ownership of meters:

(1) Clause 6(1) of CEA Regulation reads as follows:

“6. Ownership of meters.-

(1) Interface meters

(a) All interface meters installed at the points of interconnection with Inter-State Transmission System (ISTS) for the purpose of electricity accounting and billing shall be owned by CTU.

(b) All interface meters installed at the points of interconnection with Intra-State Transmission System excluding the system covered under sub-clause (a) above for the purpose of electricity accounting and billing shall be owned by STU.

(c) All interface meters installed at the points of inter connection between the two licensees excluding those covered under sub-clauses (a) and (b) above for the purpose of electricity accounting and billing shall be owned by respective licensee of each end.

(d) All interface meters installed at the points of inter connection for the purpose of electricity accounting and billing not covered under sub-clauses (a), (b) and (c) above shall be owned by supplier of electricity.”

(2) Analysis:

Interface meters:

- (i) The Supplier shall own all interface meters installed at the points of inter connection for the purpose of electricity accounting and billing.
- (ii) As per 2(1) (w) of CEA Regulation cited in reference (1), 'Supplier' means any generating company or licensee from whose system electricity flows into the system of another generating company or licensee or consumer.
- (iii) From the above, a Supplier can be a generating company, transmission licensee or a distribution licensee from whose system electricity flows into the system of another generating company or licensee or consumer.
- (iv) If a consumer is connected to the Distribution system, the Distribution Licensee will become supplier and shall own the meter. If a consumer is connected to the transmission system, the Transmission Licensee being the supplier shall own the meter.

(3) Directive:

The Distribution Licensees or Transmission Licensees or Generating Companies, being Suppliers, shall own all interface meters and maintain the meters and allied equipment. Maintenance includes rectification, replacement of defective meters and allied equipment by the Supplier.

5. Interface Meters and cost bearing mechanism:

Provisions in CERC Open Access Regulations, 2008 cited in reference (3) are extracted hereunder:

(a) Definition of Intra-state entity;

"2 (1) (h) "intra-State entity" means a person whose metering and energy accounting is done by the State Load Despatch Centre or by any other authorized State utility;"

(b) Special Energy Meters;

"22.(1) Special Energy Meters shall be installed by the Central Transmission Utility for and at the cost of the regional entities and by the State Transmission Utility or the distribution licensee as the case may be, for and at the cost of the intra-State entities."

(c) Analysis:

(i) As per the definition of "Intra-state entity", the State Load Despatch Centre (SLDC) does energy accounting for all open access consumers and Distribution Licensees (Distribution Licensees). Hence, all open access consumers and Distribution Licensees will become Intra-state entities.

(ii) As per the definition of "Special Energy Meters", the State Transmission Utility (STU) or Distribution Licensee as the case may be, shall install meters for and at the cost of the intra State entities, i.e., Open Access users (intra-state entities).

(d) Directive:

The STU or Distribution Licensee as the case may be, shall procure meters for and at the cost of the intra-State entities, i.e., Open Access users. The responsibility of installing interface meters lies with the STU or Distribution Licensee as the case may be.

The STU or Distribution Licensee as the case may be, shall communicate estimated cost to carry out works related to installation of Interface meters within seven days from the date of receipt of application from the

applicant, who seeks open access. The Licensee shall complete installation of metering equipment, including meter testing within one month from the date of receipt of full payment.

Alternatively, the STU or Distribution Licensee as the case may be, is entitled to receive monthly meter rent as approved by the Commission, if metering and allied equipment is provided without requiring security from the consumer.

6. Responsibility of Meters testing:

(a) Clause 18(1) (a) of CEA regulation reads as follows:

“18 (1)(a) At the time of commissioning, each interface meter shall be tested by the owner at site for accuracy using standard reference meter of better accuracy class than the meter under test.”

(b) Analysis:

As per clause 18(1)(a) of CEA Regulation, the responsibility of meter testing lies with the Licensee. The Licensees do not possess accreditation from “National Accreditation Board for Testing and Calibration Laboratories (NABL)”, Govt. of India for their laboratories. In the absence of NABL accreditation, the Licensees are not authorized to test and calibrate the meters.

(c) Directive:

The Licensees (Transmission Licensees and Distribution Licensees) shall get accreditation of NABL for their laboratories. The responsibility of meter testing lies with the Licensee. The Licensees shall test the meters for accuracy on their own or get tested the meters by NABL accredited laboratories. The Licensees shall not levy any charge for meter testing. However, if a consumer requests meter testing to verify its accuracy in his own interest, in such case, the Licensee is entitled to collect meter testing cost from the consumer.

7. Location of interface meters for Generating Stations/Captive Power Plants

(a) Relevant provisions in CEA Regulation cited in reference (1) are extracted hereunder:

Clause 7 (1) (a) of CEA Regulation reads as follows:

“7. LOCATION OF METERS: (1) Interface meter:- (a) The location of interface meters shall be as specified in Table-1

Provided that the location of main, check and standby meters installed at the existing generating stations shall not be changed unless permitted by the Authority:

Provided further that the generating companies or licensees may install meters at additional locations in their systems depending upon the requirement.

1. Generating Station:

Main meter	- on all out going feeders of Generating Station.
Check meter	- on all out going feeders of Generating Station.
Standby meter	- (i) High voltage (HV) side of Generator Transformer. (ii) High voltage (HV) side of all station auxiliary transformers."

(b) Directive:

All Generating stations shall install all interface meters i.e., Main Meter, Check Meter and Standby Meter as mentioned in 7(a) of this Practice Directions.

8. Location of Interface meters

(Applicable for both Open Access consumers and Scheduled Consumers)

(a) Clause 7 (1) (4) of CEA Regulation reads as follows:

(i) "Consumer directly connected to the Inter-State Transmission System or Intra- State Transmission System who have to be covered under Availability Based Tariff and have been permitted open access by the Appropriate Commission.

(ii) For consumers connected to distribution system and permitted open access by the Appropriate Commission.

(iii) Any other system not covered above."

(b) Analysis:

As per CEA Regulations, the ownership always lies with the STU or Distribution Licensee, as the case may be.

The Commission examined the provisions of CEA Regulations and the powers vested to it therein in respect of location of Open Access consumer interface meters and decided the following locations:

Location of main meter: At Consumer premises.

Location of check meter: At Consumer premises, connected to the Same core of CT and VT to which main meter is connected.

Location of Standby meter: At Consumer premises on a separate CT and VT.*(Option of Consumer)

6th Para deleted

While fixing meters, the Licensees shall provide the following class of accuracy meters for all Consumer meters:

Voltage level	Accuracy
Upto 650 volts	1.0 or better
Above 650 volts and up to 33 kilo volts	0.5S or better
Above 33 Kilo volts	0.2S or better

All Interface meters shall be of 0.2S accuracy class.

Accuracy Class of Connecting Current Transformers (CTs) and Voltage Transformers(VTs):

As per the BIS standards, the CT to have accuracy class generally one index better than that of the meter and Voltage Transformer to have accuracy class similar to that of the meter accuracy.

9. Location of meters - Dedicated Feeder

The provisions mentioned in Clause 2 (f) of Regulation No.4 of 2013 are observed to be inconsistent with the Tariff Order and GTCS provisions. The condition to avail power supply to the extent of 50% of the line capacity is contradicting the Tariff Order conditions.

Apart from the above, the licensees are facing space constraints in the substations to erect three interface meters viz., Main Meter, Check Meter and Standby Meter. The security of meters and allied equipment "Seals" is also important. The consumers may not take the responsibility, for loss of meter seals and any malfunctioning of meters.

In view of the above, to remove difficulties faced by Consumers and Licensees', the Commission decided to delete the clause 2 (f) and clause 7(3) of Regulation No.4 of 2013. The necessary amendments to the Regulation No.4 of 2013, will be made in due course of time.

Location of meters:

The Commission examined the issue of location of meters for dedicated feeders and decided the metering locations as follows:

Location of main meter:	At consumer premises.
Location of check meter:	At consumer premises, connected to the same core of CT and VT to which main meter is connected.
Location of Standby meter:	At consumer premises on a separate CT and VT or at Licensee's substation as mutually agreed.

10. Issue of reading open access meters:

The meters of HT services are being read on 20th to 23rd of every month. The inter-state open access billing settlement is done as per the calendar month i.e., from 1st to end of the month. As the billing dates for open access consumers and Distribution Licensee consumers are different, the energy settlement is becoming more cumbersome.

To avoid difficulties in energy settlement and related billing issues, it will be good if interface meters (open access meters) are read in line with the meter reading dates of inter-state meters i.e., 1st of every month.

Directive:

The HT service meters are being read on 20th to 23rd of every month, whereas inter-state open access billing settlement is done based on calendar month. To avoid difficulties in implementing the energy settlement, the Distribution Licensees/Transmission Licensees, shall read all interface meters of HT services on 1st of every month.

11. Sealing of Meters:

Sealing of interface meters shall be done by both the supplier and buyer, as per the provisions mentioned under Clause 12 (1) (a) (i) of CEA (Installation and Operation of Meters) Regulations, 2006.

12. Installation of Special Energy Meters (SEM) for 1MW and above services:

The Distribution Licensees/Transmission Licensees may install Special Energy Meters for 1MW and above HT services, for both existing and prospective consumers subject to willingness of such consumers for cost bearing mechanism as mentioned in Para 5 supra.

13. This order will come into force with effect from 15-02-2015.

(BY ORDER OF THE COMMISSION)

Secretary (I/C)
A.P. Electricity Regulatory Commission
Hyderabad.

**ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
ABSTRACT**

Exemption from payment of development charges upto 500 W for SC/ST consumers living in SC/ST households/colonies - Approval - Issued.

Proceeding No. Secy/07/2015,

Dated: 05-05-2015.

Read the following:

1. Regulation 4 of 2013 (Licensee's duty for supply of electricity on request)

M/s. APSPDCL submitted a representation to the Commission vide letter dated 25-03-2015, seeking permission to exempt SC/ST consumers under Below Poverty Line and living in SC/ST households/colonies from payment of development charges, having contracted load upto 500 W.

As per Regulation No.4 of 2013 (Licensee's duty for supply of electricity on request), LT-1 domestic consumers having contracted load upto 500 W are required to pay Rs.600/- towards development charges.

The SC/ST consumers living in SC/ST households/colonies are mostly low income group consumers. The electrification cost (including transformers cost) of SC/ST colonies is paid by Executive Director of SC Corporation or Executive Director of ST Corporation or Project Director, Housing Board. Since the cost of lines and transformers was already paid by concerned agencies, collecting development charges from these SC/ST consumers is obviously a duplication.

The relevant provision of clause 8(1) of Regulation No.4 of 2013 reads as follows:

"The Distribution Licensee shall collect development charges subject to the provisions of Act and this Regulation and subject to such directions, orders or guidelines, the Commission may issue from time to time. The Distribution Licensee is authorized to recover from an applicant, requiring supply of electricity, expenses on normative basis towards part of upstream network cost that the Distribution Licensee has already incurred or to be incurred in extending power supply to the applicant."

The Commission has examined the issue in detail and decided to exempt the SC/ST consumers living in SC/ST households/colonies having contracted load upto 500 W.

Accordingly, in exercise of the power conferred by Clause 8 (1) of Regulation No.4 of 2013 and all other powers hereunto enabling the Commission hereby

exempts the SC/ST consumers from payment of development charges having contracted load upto 500 W living in SC/ST households/colonies.

This Order is signed by the Andhra Pradesh Electricity Regulatory Commission on 5th May, 2015

(By Order of the Commission)

Dr. A. Sreenivas
Secretary (I/c.)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

ABSTRACT

Collection of Development charges in case of multistoried buildings/Commercial complexes/Apartments and individual houses-Guidelines issued.

Proceeding No. Secy/10/2015,

Dated: 29-05-2015

Read the following:

Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013 (Regulation 4 of 2013)

- 1) While suo-motu examining the issue of levy and collection of development charges for extending power supply to domestic/commercial consumers of Multi-storeyed buildings/Commercial complexes/Apartments and individual houses, the Commission noticed the need to issue guidelines with respect to the provisions mentioned in clause 8 of "Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013".
- 2) The relevant provisions of clause 8 of said Regulation read as follows:
"8. Specific provision for Development charges
 - (1) The Distribution Licensee shall collect development charges subject to the provisions of Act and this Regulation and subject to such directions, orders or guidelines, the Commission may issue from time to time. The Distribution Licensee is authorized to recover from an applicant, requiring supply of electricity, expenses on normative basis towards part of upstream network cost that the Distribution Licensee has already incurred or to be incurred in extending power supply to the applicant.
 - (2) The development charges on normative basis are arrived using shallow approach limiting the network cost to the next immediate higher voltage level. The Distribution Licensee shall levy development charges on per kVA/kW basis as per the schedule-1 enclosed.*
 - (3) The Distribution Licensee shall recover full cost of transformer in case of commercial complexes, apartments and multi storied buildings where a dedicated transformer is provided while extending new LT service connections. In such cases, the Distribution Licensee is not entitled to collect development charges and shall own the transformer and maintain it. The Distribution Licensee shall not extend power supply to any other consumer from the dedicated transformer other than the consumer who has borne the full cost of Transformer.
 - (4) In case of LT supply, the responsibility of erection of distribution transformer lies with the Distribution Licensee and shall not charge cost of transformer to any consumer except those consumers mentioned in para 3 above and levy only development charges.
 - (5) The Distribution Licensee shall not charge development charges to a consumer who seek temporary supply.
 - (6) The Distribution Licensee is entitled to collect difference cost of development charges, in case of change of category from lower

development charges category to higher development charges category. The Distribution Licensee is not entitled to collect development charges for restoring the de-rated capacity to the original level.

- (7) If any existing consumer requests for splitting of service into two different categories, the Distribution Licensee is not entitled to collect full development charges. The DISCOM is entitled to collect short fall amount if any resulting out of splitting. For example, a 50 kW commercial service may require splitting of his service into two categories, viz., 20 kW commercial category and 30 kW industrial category."
- 3) The Commission examined the provisions mentioned in Clause 8 (3) of the Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013, in detail in order to safeguard and promote consumer interest and ensure better service from the Distribution Licensees and in exercise of the power conferred by Clause 8 (1) of "Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013" and all other powers hereunto enabling the Commission accordingly under Clause 8 (3) of the Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013 hereby issues the following guidelines:

the Distribution Licensees are entitled to collect such full cost of distribution transformer only in cases of Multi-storeyed buildings/ Commercial complexes / Apartments for which a dedicated transformer is provided and where the building height is 15 metres and above (excluding stilt floor).

- 4) The Distribution licensees shall withdraw all Orders/Circulars/ Memos issued earlier on this subject which are not in consonance with these guidelines henceforth within 15 days and report compliance.

The Distribution Licensees shall implement the provisions mentioned in clause 8 (4) of APERC (Licensee's duty for supply of electricity on request) Regulation, 2013 in true spirit.

This Order is signed by the Andhra Pradesh Electricity Regulatory Commission on 29th May, 2015.

(By Order of the Commission)

Sd/-
Dr. A. Srinivas,
Secretary (i/c)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

From
The Secretary (I/c),
#11-4-660, 4th Floor, APERC,
Singareni Bhavan,
Hyderabad-500004,

To
The Chairman & Managing Director
APEPDCL, P&T Colony,
Seethammadhara,
Visakhapatnam,

The Chairman & Managing Director
APSPDCL, D.No:19-13-65/A,
Srinivasapuram, Tiruchanoor
Road, Tirupati – 517 503.

Lr. No. E-229/ DD-Dist / 2015, Dated 04/ 01/2016

Sir,

Sub: Extension of 2/3 Power supply and use of Phase Shifters.

Ref :1. Aqua farmers Representation dated 14-10-2015 on usage of
phase converters.

2. Lr.No. APERC/JP-PPP/2015/D.No.621 dated:15-10-2015

3. CMD/EPDPDCL/CGM/O&CS/SE/DPE/VSP/F:GTCS/[D.No.](#)1049
/15, dt: 17-11-15

1. The aqua farmers of Yelamanchili Mandal, West Godavari District submitted a representation to the Commission about paying the determined price of Rs. 5/- per unit for every unit of power utilized by them through their authorized connections given by the Eastern Power Distribution Company of Andhra Pradesh Limited, while they did not admit any utilization of power beyond the three phase supply for seven hours a day.
2. The response of the Eastern Power Distribution Company of Andhra Pradesh Limited alleges that condensers (phase shifters) are being used on LT side of DTRs near starters of the motors during the period of arrangement of 2/3 phase by these aqua farmers. The letter dated 17-11-2015 interpreting such action by the farmers as theft of electricity with reference to clause 5.11.9 of "General Terms and Conditions of Supply" did not allege any use of such condensers dishonestly. It is evident from the letter that the consumers in question were not alleged to have not paid for any quantum of energy utilized by them and the consequences of use of such phase shifters on the infrastructural facilities of the distribution company cannot by themselves bring the use of the condensers within the scope of theft of energy under Section 135 of the Electricity Act, 2003 and obviously, it is only under the deeming clause 5.11.9 of the provisions of General Terms and Conditions of Supply, that such an interpretation is sought to be made. The distribution licensee has to take recourse to any legal and permissible course of action for controlling the losses and failures of DTRs but cannot launch prosecution through its DPE wing for the alleged theft when no theft exists.

3. Apart from any absence of any allegation of dishonesty on the part of the aqua farmers, any or all the alternatives covered by Section 135 (1) (a) to (e) of the Electricity Act, 2003 do not appear to cover any such situation of use of such condensers, except due to clause 5.11.9 of the General Terms and Conditions of Supply and whether such a clause made in exercise of the power of making subordinate legislation can expand the penal provisions which have to be construed strictly is an open question. Even if everything else is presumed in favour of the distribution licensee, in the absence of the requisite mens rea, the offence cannot be considered to be made out and it is not the claim of the distribution licensee that such act becomes an offence under any other provisions of the Electricity Act, 2003 or any other law for the time being in force. The distribution licensee may have to therefore find an appropriate and permissible course of action to remedy any losses caused by the use of the condensers by the aqua farmers, if it is true and it cannot deal with the same by launching prosecutions under Section 135 of the Electricity Act, 2003.
4. Therefore, it is clarified to the distribution licensee that notwithstanding clause 5.11.9 of the General Terms and Conditions of Supply, any action to prosecute any person under Section 135 of the Electricity Act, 2003, should be essentially based on the existence of a dishonest intention on the part of the alleged offender and the act or omission of the alleged offender should specifically fall under any of the clauses (a) to (e) of sub-section (1) of Section 135 of the Electricity Act, 2003. As neither of these two prerequisites appears to be satisfied in the present contingencies, the distribution licensee shall not prosecute the alleged offenders in the so called phase shifter cases booked by DPE wing referred to in its letter dated 17-11-2015. To achieve the objective of avoiding any line losses and failure of DTRs due to any unauthorized use of condensers by any consumers, it is open to the distribution licensee to consider any other appropriate permissible legal remedial action in accordance with the prescribed procedure and duly observing the principles of natural justice.

Yours faithfully
Sd/-
Secretary (I/c)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Amendment Practice Directions to Proceeding No. APERC/05/2015

Dt: 29-01-2015

Practice Directions No. APERC/01/2016,

Dated: 05-02-2016

Practice Directions No. APERC/05/2015,

Read the following:

Dated: 29-01-2015

1. Preamble:

Provisions of CEA Regulations:

The definitions of 'Availability Based Tariff (ABT)' and "Interface meter" as mentioned in CEA Regulations 2006, are extracted hereunder:

i) Clause 2(1)(g) of CEA Regulation:

'Availability Based Tariff (ABT)' means a tariff structure based on availability of generating units and having components, viz, Capacity Charges (CC), Energy Charges (EC) or Variable Charges (VC) and charges for Unscheduled Interchange (UI);

ii) 2(1)(n) of CEA Regulation:

'Interface Meter' means a meter used for accounting and billing of electricity, connected at the point of interconnection between electrical systems of generating company, licensee and consumers, directly connected to the Inter-State Transmission System or Intra-State Transmission System who have to be covered under ABT and have been permitted open access by the Appropriate Commission;

2. As per the Definition of "Interface meter", Interface Meter is required where both Open Access and Availability Based Tariff (ABT) are covered. In A.P. for any Intra State transaction under open Access, ABT and Unscheduled Interchange (UI) charges are not applicable. Consumers who are availing power through Open Access from interstate transaction or from power exchanges are subjected to ABT.
3. The Commission noticed that the Transmission Licensee and Discoms are insisting to install "Interface Meters" i.e., Main, Check and Standby meters, at the point of interconnection between electrical systems of generating company, licensee and consumers who are availing open access in the State of Andhra Pradesh.
4. In view of the above, to remove the Difficulties, the Commission, in exercise of the powers conferred by Regulation 54 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations 1998, the Andhra Pradesh Electricity Regulatory Commission thereby issues the following Directions and amendments to the Practice Directions issued vide APERC/5/2015 dt: 29-01-2015.

5. For clause 2, the following shall be substituted, namely:
"Applicability:
These proceedings shall be applicable to generating companies and licensees who are engaged in the business of generation, transmission, distribution, and supply of electricity and to all Open Access Users in the State of Andhra Pradesh who have to be covered under ABT and have been permitted open access by the Commission."
6. In clause 8 under the heading "Location of Interface Meters", for the words (within the brackets) "Applicable for both Open Access consumers and schedule consumers", the words "Applicable for both Open Access consumers and schedule consumers who have to be covered under ABT and have been permitted open access by the Commission", shall be substituted;
7. In the analysis under clause 8 (b), the 5th para shall be substituted by the following:
Location of Standby Meter: At consumer premises on a separate CT and VT (Option of Consumer).

Para 6th shall be deleted.

8. While fixing meters, the Licensees shall provide the following class of accuracy meters for all Consumer meters;

Voltage level	Accuracy
Up to 650 volts	1.0 or better
Above 650 volts and up to 33 kilo volts	0.5S or better
Above 33 kilo volts	0.2S or better

All interface meters shall be of 0.2S accuracy class.

Accuracy Class of Connecting Current Transformers (CTs) and Voltage Transformers (VTs):

As per the BIS standards, the CT to have accuracy class generally one index better than that of the meter and Voltage Transformer to have accuracy class similar to that of the meter accuracy.

9. This order will come into force with effect from 15-02-2016.

This Order is signed by the Andhra Pradesh Electricity Regulatory Commission on 05th Feb, 2016.

(BY ORDER BY THE COMMISSION)

Sd/-
Secretary(I/c)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

From
The Secretary (I/c),
#11-4-660, 4th Floor, APERC,
Singareni Bhavan,
Hyderabad-500004,

To
The Chairman & Managing Director
APEPDCL, P&T Colony,
Seethammadhara,
Visakhapatnam,

The Chairman & Managing Director
APSPDCL, D.No:19-13-65/A,
Srinivasapuram, Tiruchanoor
Road, Tirupati – 517 503.

Lr. No. E-229/ DD-Dist / 2015, Dated 05/ 02/2016

Sir,

Sub: Extension of power Supply to Agriculture Consumers in Urban feeders

Ref:1. CGM/Opn/APSPDCL/TPT/RAC/F:9/2016 Dated: 16-01-2016.
2. Lr.No. APERC /E-229/DD-Dist /2016 Dated: 16-12-2015.
3. CP/CGRF/APSPDCL/TPT/F-9/D.No. 69/15 Dated 01-12-2015.

1. M/s APSPDCL issued circulars to charge commercial tariff for agricultural consumers who are fed by urban feeders. Further, the DISCOM mentioned that if power supply is to be availed under agriculture category by the agriculture consumers in urban feeders, the consumer has to pay full cost of line from Substation to consumer point.
2. In this regard, the Commission sought explanation vide letter cited in reference (2) mentioning under what statutory provisions or Regulations or Rules or any other manner, the CGM is authorized legally or factually to issue such communications.
3. In response, vide letter cited in reference (1), the CGM submitted that:
 - (i) If Power supply is extended to agricultural consumers on urban feeders, the agricultural consumers may consume energy for all 24/7 hrs, as power is made available throughout the day.
 - (ii) The agricultural sales quantities were arrived considering 7 hrs supply and the Commission is also estimating the Agl sales considering 7 hrs supply only. The Government of AP is providing subsidy for the approved Agl sales in the Tariff Order.
 - (iii) If, power supply is made available to Agl consumers on 24/7 basis the consumption limit will exceed the (tariff order) approved Agl sales. To

limit the agricultural consumption to the extent of Tariff Order approved sales, with the approval of the DISCOM, circulars dated 31-01-2015 and 23-11-2015 were issued.

4. The distribution company being a licensee shall follow the Regulations, Tariff Order and Directions issued by the Commission from time to time. The distribution licensee is entitled to collect such tariffs as determined by the commission under section 82 of the Electricity Act, 2003 and cannot charge commercial tariff for agricultural consumers. It is a clear violation of tariff order provisions.
5. Under section 43 of the Electricity Act, 2003 the distribution licensee has obligation to extend power supply to a consumer who makes an application requiring supply of electricity for their premises. Since the Government of AP is providing subsidy for 1200 units per HP per annum, the DISCOMs are directed:
"to extend power supply to all agriculture services under urban feeders under agricultural category by providing a three phase meter and supply free power upto 1200 units per HP per annum and issue bills for the consumption above 1200 units per HP per annum and charge at the rate of Cost of Service (CoS) tariff determined by the Commission. The Cost of Service tariff determined by the Commission for agriculture category for FY 2015-16 is Rs. 4.42 per unit. The DISCOMs shall levy relevant CoS tariff for the future years as determined by the Commission in the ensuing tariff orders."

Yours faithfully
Sd/-
Secretary (I/c)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

From
The Secretary (I/c),
#11-4-660, 4th Floor, APERC,
Singareni Bhavan,
Hyderabad-500004,

To
The Chairman & Managing Director
APEPDCL, P&T Colony,
Seethammadhara,
Visakhapatnam,

The Chairman & Managing Director
APSPDCL, D.No:19-13-65/A,
Srinivasapuram, Tiruchanoor
Road, Tirupati – 517 503.

Lr.No. APERC/E- 202/DD-Dist/2016 dated: 09-09-2016

Sir,

Sub: - Licensees' duty for supply of Electricity- Recovery of expenditure -
Regulation No. 04 of 2013.

Ref: - i) Lr.No. APERC/E- 202/DD-Dist/2016, dated: 11-01-2016
ii) Proceedings No. Secy/10/2015, Dt. 29-05-2015 of APERC.

1. Commission issued guidelines vide proceedings cited in reference 2 on levy and collection of Service line charges and Development charges. Commission is receiving many representations on non- implementation of Regulation No. 4 of 2013. The Commission examined the representation(s) in detail. The following are the legal provisions under Section 45 and 46 of the Electricity Act,
2. The Regulation No. 04 of 2013 is issued Under Section 46 of Electricity Act, 2003, to recover expenses reasonably incurred by the Distribution Licensees in pursuance of Section 43 of Electricity Act, 2003. The thin difference between Section 45 and Section 46 of Electricity Act, 2003 is explained hereunder for understanding of DISCOMs.
3. Under Section 45 of Electricity Act, 2003, the DISCOMs are entitled to recover the charges for electricity supplied by the DISCOM and the charges may include:
 - (a) A fixed charge in addition to the charge for the actual electricity supplied;
 - (b) A rent or other charges in respect of any electrical meter or electrical plant provided by the Distribution Licensee.
4. The infrastructure cost connecting the transmission boundary to the distribution mains is to be recovered in the form of cost of fixed assets

for the purpose of arriving at the capital base during the tariff determination process (Aggregate Revenue Requirement) filed U/s 45 read with 62 of Electricity Act, 2003.

While extending power supply to a new consumer by DISCOMs, the Commission made a provision under clause 8 of Regulation No. 4 of 2013, to recover a part of fixed cost on per kVA or kW basis in the name of Development charges by following shallow method from new consumers. The balance and other infrastructure costs are being allowed in the form of fixed charge in the tariff under Section 45 of the Electricity Act 2003.

5. Under Section 46 of the Electricity Act, 2003, the DISCOMs are entitled to collect expenses that are incurred by a licensee while providing supply which are akin to service line charges. The Commission made a provision to recover estimated cost of line from the Distribution mains to the point of consumer premises, in the name of service line charges vide clause 7 of Regulation No. 04 of 2013.
6. To bring more clarity, Development charges and Service Line charges to be levied are explained below with the help of different examples for both HT supply and Lt Supply. Examples mentioned below are only illustrative but not exhaustive.

Examples:

LT service connection:

(i) Case- 1

No extension of LT line:

Charges to be collected:

- a) Security deposit
- b) Development charges.
- c) No charges shall be collected towards metering and allied equipment such as CT, meter box and connecting cables.

(II) Case-2:

Extension of service connection involves erection of LT line, say 100 metres length.

Charges to be collected:

- a) Security deposit.
- b) Service line charges for 100 metres LT line.
- c) Development charges.
- d) No charges shall be collected for augmentation of transformer or augmentation of conductor capacity.
- e) No charges shall be collected towards metering and allied equipment such as CT, meter box and connecting cables.

(iii) Case-3

Extension of service connection involves, say, erection of 11 kV Transformer, 100 meters LT line and erection of 200 metres 11 kV line;

Charges to be collected:

- a) Security deposit.
- b) Service line charges for 100 metres LT line.
- c) Cost of 200 metres 11 kV line.
- d) Development charges.

- e) No charges shall be collected for Transformer, transformer structure.
- f) No charges shall be collected towards metering and allied equipment such as CT, PT, connecting cables, meter box and supporting structure of metering.

(iv) Case – 4: Power supply to agricultural consumers (for HVDS)

Extension of service connection involves, say, erection of 11 kV Transformer and erection of 240 metres 11 kV line;

Charges to be collected:

- a) Security deposit.
- b) No charges for first 180 metres of 11 kV line and charges shall be collected for the balance line length of 60 metres.
- c) Development charges.
- d) No charges shall be collected for Transformer, transformer structure.
- e) No charges shall be collected towards metering and allied equipment such as CT, connecting cables, meter box and supporting structure of metering.
- f) The earlier practice of exempting Rs. 50,000/- from the estimate cost shall be withdrawn henceforth.

Note:- If both 11 kV line of 100 metres and LT line of 150 metres is required to install to extend power supply, charges shall not be collected for 100 metres of 11 kV line and first 80 metres of LT line. Charges can be collected for the balance 70 metres of LT line.

(v) Case - 5: Power supply to agricultural consumers (for LVDS)

Extension of service connection involves, say, erection of 11 kV Transformer and erection of 240 metres of LT line;

Charges to be collected:

- a) Security deposit.
- b) No charges for first 180 metres of LT line and charges shall be collected for the balance line length of 60 metres.
- c) Development charges.
- d) No charges shall be collected for Transformer, transformer structure.
- e) No charges shall be collected towards metering and allied equipment such as CT, connecting cables, meter box and supporting structure of metering.
- f) The earlier practice of exempting Rs. 50,000/- from the estimate cost shall be withdrawn henceforth.

Note:- If both 11 kV line of 100 metres and LT line of 150 metres is required to install to extend power supply, charges shall not be collected for 100 metres of 11 kV line and first 80 metres of LT line. Charges can be collected for the balance 70 metres of LT line.

(vi) Case-6:

Applicable for multistoried buildings where the building height is above 15 meters, excluding stilt floor:

Extension of service connection involves, say, erection of 11 kV Transformer, 100 metres LT line and erection of 200 metres 11 kV line;

charges to be collected

- a) Security deposit.
- b) Service line charges for 100 metres LT line.
- c) Cost of Transformer, Transformer structure and 200 metres 11kV line or Development charges whichever is higher.
- d) No charges shall be collected towards metering and allied equipment such as CT, PT, connecting cables, meter box and supporting structure of metering.

(vii) Case-7:

Applicable for multistoried buildings where the building height is below 15 metres, excluding stilt floor:

Extension of service connection involves, say, erection of 11 kV Transformer, 100 metres LT line and erection of 200 metres 11 kV line;

Charges to be collected

- a) Security deposit.
- b) Service line charges for 100 metres LT line.
- c) Development charges.
- d) Cost of 200 metres 11 kV line.
- e) No charges shall be collected towards Transformer, Transformer structure.
- f) No charges shall be collected towards metering and allied equipment such as CT, PT, connecting cables, meter box and supporting structure of metering.

2. HT Connections:

(i) Case -1

Extension of 11 kV service connections with a contracted demand, say 1000 kVA involving 500 metres of 11 kV line.

Charges to be collected

- a) Security deposit for 1000 kVA.
- b) Service line charges for erection of 500 metres 11 kV line.
- c) Development charges for 1000 kVA demand.
- d) No charges shall be collected for augmentation of Power Transformer capacity or for augmentation of line capacity.
- e) No charges shall be collected towards metering and allied equipment such as CT, PT, connecting cables, meter box and supporting structure of metering.

(ii) Case – 2

Extension of 33 kV service connections with a contracted demand, say 4000 kVA involving 1000 metres of 33 kV line.

Charges to be collected

- a) Security deposit for 4000 kVA.
- b) Service line charges for erection of 1000 metres 33 kV line.
- c) Development charges for 4000 kVA demand.
- d) No charges shall be collected for augmentation of Power Transformer capacity or for augmentation of line capacity.

- e) No charges shall be collected towards metering and allied equipment such as CT, PT, connecting cables, meter box and supporting structure of metering.
7. The DISCOMs shall strictly implement the Regulation No. 4 of 2013, the Directions cited in reference (1) and proceedings cited in reference (2) and herein in true sprit to avoid any penal consequences under the provisions of the Electricity Act, 2003.

Yours faithfully,
Sd/-
Secretary(I/c)

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

From
The Secretary (I/c),
#11-4-660, 4th Floor, APERC,
Singareni Bhavan,
Hyderabad-500004,

To
The Chairman & Managing Director
APEPDCL, P&T Colony,
Seethammadhara,
Visakhapatnam,

Lr. No. E-202 / DD-Dist/ 2016, Dated 03 /10 /2016

Sir,

Sub:- Multi-storied buildings – Levy and collection of development Charges.

During the interactive session held on 19-09-2016, between the Hon'ble Chairman of APERC and EPDCL officers, one ADE/APEPDCL made a representation on levy and collection of development charges (Regulation No. 04 of 2013) in case of multi-storied buildings and requested to reconsider as the DISCOM is incurring financial loss.

2. Prior to 1993, the then APSEB was not collecting either service line charges or development charges. The cost of service wire for first 30 metres (100 feet) was also borne by APSEB. APSEB has introduced concept of service line charges and development charges vide BP.Ms.No. 337 (Qpn-ComL) dated 03-11-1993.
3. The Commission has issued Regulation No. 03 of 2004 Under Section 46 of Electricity Act, 2003. As per the above regulation, the licensee is entitled to recover pro-rata cost of transformer (including structure), if a new transformer is to be installed or augmentation of transformer is to be done, due to non availability of transformer capacity. If load or capacity is available in the existing distribution transformer or power transformer, the DISCOM has to extend power supply without any charges. This leads to discrimination among the similarly placed consumers. This is explained with the help of an example, say two consumers needs a capacity of 1000 kVA. If capacity in power transformer is available in substation (a), he gets supply without any charges of transformer cost. If capacity in power transformer is not available in Substation (b), he has to pay pro-rata cost of transformer to avail power supply.
4. During 2006-07, some of the industrial consumers availed power supply without paying development charges, due to capacity availability in the transformers. On representation of DISCOMs, the Commission issued regulation no. 04 of 2013 dated 19-07-2013 after following due consultation process with all stakeholders.
5. The relevant provisions of (clause 8) of Regulation No. 04 of 2013 are extracted hereunder:
8 (3) The Distribution Licensee shall recover full cost of transformer in case of commercial complexes, apartments and multi storied buildings where a dedicated transformer is provided while extending new LT service connections. In such cases, the Distribution Licensee is not entitled to collect development charges and shall own the transformer and maintain it. The Distribution Licensee shall not extend power supply

to any other consumer from the dedicated transformer other than the consumer who has borne the full cost of Transformer.

8 (4) In case of LT supply, the responsibility of erection of distribution transformer lies with the Distribution Licensee and shall not charge cost of transformer to any consumer except those consumers mentioned in para 3 above and levy only development charges.

6. The dictionary meaning of Multi-storied building is mentioned below:

A multi-story building is a building that supports two or more floors above ground. There is no formal restriction on the height of such a building or the number of floors a multi-story building may contain, though taller buildings do face more practical difficulties.

7. The Government of Andhra Pradesh issued AP Building Rules, 2012 (Municipal Administration and Urban Development Department) vide G.O.Ms.No. 168 dated 07-04-2012. In the said GO in para 21 (b) is extracted hereunder:

"21 (b) For The first 15m height of the building (excluding stilt floor) there will be no levy of City Level Impact Fee."

8. The Clause 36 (1) of CEA (Measures relating to Safety and Electric supply), Regulation 2010 reads as follows:

"(36) Provisions for supply and use of electricity in multi-storeyed building more than 15 metres in height:

- (1) The connected load and voltage of supply above which Inspection is to be carried out by an Electrical Inspector for a multi-storeyed building of more than 15 m height shall be notified by the Appropriate Government.

- (2) - - - - -

- (3) The supplier/owner of the installation shall provide at the point of commencement of supply a suitable isolating device with cut-out or breaker to operate on all phases except neutral in the 3 phase 4 wire circuit and fixed in a conspicuous position at not more than 2.75 metres above the ground so as to completely isolate the supply to the building in case of emergency."

9. All LT consumers (Domestic /Commercial consumer) are availing power supply by paying only development charges and service line charges. In all residential colonies / villages / towns, all independent houses are being given power supply by collecting development charges and service line charges. In all these cases, no transformer cost is being collected even from a high end consumer who owns independent bungalow having connected load, say, 15HP or 18HP. Collecting full cost of transformer from apartment owners amounts to discrimination.

10. The DISCOMs interpreted the meaning of Multi-storied building in their own way and issued circulars without the consent of the Commission. Under Section 46 of Electricity Act, 2003, the DISCOM is entitled to collect service line charges from the distribution mains upto the consumer connection point, whoever seeks power supply requirement U/s 43 of Electricity Act, 2003.

The infrastructure cost connecting the transmission boundary to the distribution mains is to be recovered in the form of cost of fixed assets for the purpose of arriving at the capital base during the tariff

determination process (Aggregate Revenue Requirement) filed U/s 45 read with 62 of Electricity Act, 2003.

11. The Commission received many representations on levy and collection of development charges from various categories of consumers.
12. Considering provisions mentioned in para 7 & 8 above, 15 metres height is taken as the reference level to differentiate between a multi-storied building and high-rise building. In order to give equal treatment among similarly placed consumers, the Commission issued directions vide Lr.No. APERC/E-202/DD-Dist/2016 dated: 11-01-2016 and Lr.No. APERC/E-202/DD-Dist/ 2016 dated: 09-09-2016, which are more self explanatory in nature.
13. The Commission is allowing cost of fixed assets for the purpose of arriving at the capital base of upstream network from the distribution mains and upto the transmission boundary in the form of distribution business wheeling tariff and hence there is no loss to DISCOMs.
14. In the Distribution MYT order of 2014-15 to 2018-19, the Commission allowed the following capital investment.
APEPDCL: Total capex permitted for five years – Rs. 2719 crs. Out of total capex of Rs. 2719 crs, an amount of Rs. 1552 crs towards DTR unit additions and Rs. 68 crs towards new consumer capex was earmarked.

A copy of this letter may be communicated to the officer who made representation during the interactive session on 19-09-2016.

Yours faithfully,
Sd/-
Joint Director (Engg.)

Copy to:
The CMD, APSPDCL,
D.No:19-13-65/A, Srinivasapuram,
Tiruchanoor Road,
Tirupati – 517 503.

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004

APERC Regulation on Licensees Standards of Performance (Regulation No. 7 of 2004).

1. **Preamble:**

In order to improve quality, continuity and reliability of service by Distribution Licensees, the Commission notified Licensees standards of performance (Regulation No. 7 of 2004). Benchmarking reliability indices for SAIFI & SAIDI is to be prescribed by the Commission based on the information provided by the Licensees. The DISCOMs furnished information related to reliability indices namely SAIFI & SAIDI for industrial feeders and requested to specify the benchmarking indices. The data furnished by DISCOMs is shown below:

Table 1 EHT		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APTRANSCO	27	12
	27	12

Table 2 33 kV		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APEPDCL	78	26
APSPDCL	85	30

Table 3 11 kV		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APEPDCL	150	45
APSPDCL	160	55

2. Therefore, in order to effectively implement the provisions of Section 57 & 59 of the Electricity Act, 2003 read with Regulation 7 of the Andhra Pradesh Electricity Regulatory Commission Regulations on Licensees Standards of

Performance (Regulation No. 7 of 2004), the Andhra Pradesh Electricity Regulatory Commission hereby issues the following Practice Directions.

3. The Commission examined the information furnished by Distribution companies and arrived at the following benchmarking indices for EHT, 33 kV and 11 kV industrial feeders.

Table 4 EHT		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APTRANSCO	24	10
	24	10

Table 5 33 kV		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APEPDCL	72	20
APSPDCL	72	20

Table 6 11 kV		
DISCOM	SAIFI (in number per annum per consumer)	SAIDI (in hh:mm per annum per consumer)
APEPDCL	144	40
APSPDCL	144	40

Note: Interruptions with 5 minutes and below 5 minutes duration need not be considered to arrive at SAIFI and SAIDI indices.

4. The standards specified in the above tables (table 4 to table 6) shall be the guaranteed standards of performance being the minimum standard of service that a Licensee shall achieve. The Licensees shall put full efforts to meet the standards specified above.

5. The Licensees shall be liable to pay compensation to the affected consumers specified hereunder for Licensee's failure to meet the guaranteed standards specified in the table 4 to table 6 mentioned above.

Reliability indices	EHT	33 kV	11 kV

SAIFI	per each Rs. 100 violation over and above the standard	Rs. 100 per each violation over and above the standard	Rs. violation over and above the standard 25 per each
SAIDI	Rs. 100 per hour over and above the standard	Rs. 100 per hour over and above the standard	Rs. 25 per hour over the and above standard

6. The payment of compensation shall be made by way of adjustment against current and /or future bills for supply of electricity, but not later than 90 days from the date of violation of a guaranteed standard.

7. If the Licensee however fails to dispense the compensation amount as stated above, the aggrieved consumer(s) can approach the Consumer Grievances Redressal Forum (CGRF) to seek such compensation.

8. This order will come into force with effect from 01-07-2017.

(BY ORDER OF THE COMMISSION)

Hyderabad
30-06-2017

Sd/-
Dr. A. SRINIVAS
SECRETARY(I/c)



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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PD/APERC/Secy/S-117

Date: 29-01-2020.

Sub: APERC - Practice directions on issue of notices before levying Capacitor Surcharge, Regularizing Additional Loads and Collection of Additional Security Deposits - Communicated - Reg.

Ref: 1. Hon'ble Chairman's directions during the recently concluded Public Hearings on ARR & FPT filings from 7th January, 2020 to 11th January, 2020
2. Minutes of the 14th SAC meeting held at Tirupathi on 13th January, 2020.

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This During the recently concluded public hearings on ARR & Proposed Tariff filings, many a consumer complained that capacitor surcharge on consumers who are under kWh billing, demands pertaining to regularization of additional loads and demands for additional security deposits, are being raised automatically in the monthly bills i.e., without giving any prior notice. It is further agitated that as the field officers are found to be taking shelter behind the computer generated billing systems and conveying that the removal / rectification of demands is not in their hands, the consumers are forced to approach the CGRF. Such conduct is against the letter and spirit of the provisions contained in the approved General Terms and Conditions of Service (GTCS) and the Andhra Pradesh Electricity Regulatory Commission (Security Deposit) Regulation, 2004.

Clauses 12.1.2 & 12.1.4 contemplate giving of a 30 day notice to the consumers for either installing the capacitors or replacement/rectification of defective or de-rated capacitors. Such notice must be in the prescribed form as per Appendix VIII(A) or Appendix VIII(B) of the GTCS. If the consumers, even after receiving such notices do not either install or replace/rectify the capacitors already installed, then only a notice demanding them to pay the capacitor surcharge immediately has to be issued. Even then, if the consumer wishes to challenge the levy he can do so within 15 days from the time of receipt of the notice. In the event that the levy remains unpaid and unchallenged, the DISCOM can disconnect the supply.

Clause 12.3.3 of the GTCS deals with regularizing additional loads in LT cases. The regularization of additional loads must be preceded by issuing a notice giving clear 30 days' time, in the prescribed form mentioned in Appendix IX of the GTCS.

Demanding additional security deposit is governed by clause 6 of the Andhra Pradesh Electricity Regulatory Commission (Security Deposit) Regulation, 2004. This clause also contemplates giving a clear 30 days' notice for demanding the additional security deposit.

The DISCOMs are hereby directed to ensure that the letter and spirit of the GTCS and the Regulation mentioned above are strictly adhered to while levying capacitor surcharge, regularizing additional loads or demanding additional security deposit. Any deviation would be viewed seriously and would be a sufficient reason for the Commission to initiate action u/s 142 and 146 of the Electricity Act, 2003. All the field offices of the DISCOMs shall be made

aware of these practice directions and the same shall also be made available on the websites of the DISCOMs.

(By order of the Commission)

Sd/-
Commission Secretary (i/c)

TO:

1. The Chairman & Managing Director
APEPDCL, Corporate Office,
Seethmmadhara, P&T Colony,
Visakhapatnam - 530 013

2. The Chairman & Managing Director
APSPDCL, D.NO:19-13-65/A,
Srinivasapuram, Tiruchanoor Road,
Tirupati, Chittoor District - 517 503.

3. The Chairman & Managing Director
APCPDCL, Government I.T.I Road,
Vijayawada, Krishna District - 520 010

Copy to:

The Vidyut Ombudsman, AP, Vijayawada
The Chairman, CGRF, Tirupathi
The Chairman, CGRF, Visakhapatnam.



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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APERC – Practice directions under Regulation 3 of 2016 -- Issued -- Reg

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Practice Directions/APERC/01/2021

Date: 02-03-2021

Read the following:

Andhra Pradesh Regulatory Commission Consumer Grievances Redressal
Forum, Vidyut Ombudsman and Consumer Assistance Regulation, 2016
(Regulation 3 of 2016)

ORDER

Many instances of the Vidyut Ombudsman remanding matters (sometimes more than once) to the Consumer Grievance Redressal Fora of the DISCOMs have come to the adverse notice of the Commission. Neither the Electricity Act, 2003 (Sections 42(5) to 42(7)) nor the Regulation cited above, envisages the institution of Vidyut Ombudsman as an appellate authority over the Consumer Grievances Redressal Forum of a DISCOM. A reading of Section 42(7) of the Act along with clause 21.1 of the Regulation makes it clear that the Vidyut Ombudsman is an institution having coextensive jurisdiction for redressal of consumers' grievances. The Vidyut Ombudsman has been specifically mandated to give reasonable opportunity to both parties (before him) to produce **such further oral and documentary evidence** as they may desire to produce, and hear and settle the representation on merits, on the pleadings and evidence available on record. From this it is clear that the Vidyut Ombudsman does not sit in appeal to consider a point of law alone or that he sits in judgment over the pleadings or evidence recorded before the Fora. Further, the manner of settlement of a consumer's grievance laid down in clause 22.2 of the Regulation does not contemplate remanding a matter to the CGRF by the Vidyut Ombudsman.

The above position of law is hereby brought to the notice of the Vidyut Ombudsman and the Consumer Grievance Redressal Fora of the DISCOMs for information and compliance. The Vidyut Ombudsman shall henceforth strictly adhere to the provisions of the Electricity Act, 2003 and the Regulation cited above and dispose of the representations of consumers who are aggrieved with

the orders of the CGRFs, on their own merits, without remanding cases to CGRFs.

(By order of the Commission)

Sd/-
Commission Secretary(i/c)

To:

The Vidyut Ombudsman - Andhra Pradesh, 3rd Floor, Plot No.38, Sri Manjunatha Technical Services, Sri Ramachandra Nagar, Adjacent Kesineni Admin Office, Mahanadu Road, Vijayawada - 520 007.

Copy to:

The Chairperson, Consumer Grievances Redressal Forum, A.P.S.P.D.C.L, 19/13/65/A, Vidhyuth Nilayam, Srinivasapuram, Tiruchanoor Road, Tirupati - 517 503.

The Chairperson, Consumer Grievances Redressal Forum, A.P.E.P.D.C.L, 3rd Floor, New Building, Corporate Office, Visakhapatnam - 530 013.

The Chairperson, Consumer Grievances Redressal Forum, A.P.C.P.D.C.L, Corporate Office, Beside Polytechnic College, ITI Road, Vijayawada - 520 008.



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APERC - Practice directions for release of LT agricultural connections by DISCOMs - Issued - Regarding.

Practice Directions No. 02/APERC/ TR-1007 /2021

Date: 23-03-2021

Read the following:

1. Licensees' Duty for Supply Electricity on request Regulation 4 of 2013 as amended from time to time
2. Licensees' Standards of Performance Regulation 7 of 2004 as amended from time to time.

ORDER

The Commission has noticed serious irregularities in the release of agricultural connections by DISCOMs. In accordance with clauses 4(1) & 4(2) of the Regulation referred 1st above, the DISCOM shall:

1. have to maintain a wait list of applicants seeking LT agriculture connection, based on the date of receipt of the applications;
2. have to acknowledge the receipt of the application within 2 days;
3. intimate the charges to be paid, in writing, within one week from the date of receipt of the application; and
4. communicate, in writing, the serial number of the waiting list to the applicant within 15 days of receipt of the application.

The Commission noticed that this mandate, as laid down by the Regulation, is not being followed by the DISCOMs. The maintenance of the waiting lists at the Section level, is found to be wanting on many counts. No proper acknowledgments are being issued to the applicants, more so within the prescribed time. The intimation of charges is not happening in writing, thereby necessitating frequent errands by the applicants around the DISCOMs' offices. The serial number in the waiting list, is not at all being communicated in writing to the applicants. More often than not, applicants who have applied Earlier and have paid all the charges are being made to wait for the release of services, while, for people who have applied later than them, the services are being released. Release and charging of DTrs also is happening at the whims and fancies of the local officers. These observations are made based on the data obtained from one selected Section from each DISCOM. The violations have been communicated to the respective DISCOMS.

The Commission takes serious note of the deviant practices being followed. The DISCOMs are hereby directed to adhere to the provisions of the Regulation cited above, without fail.

Further, in order to ensure a uniform treatment of the applicants at the State level, the following practice directions are issued with regard to release of agricultural connections:

1. Within 2 days of submission of application, the DISCOM shall acknowledge the receipt of the application.
2. Within 7 days of date of receipt of the application, the DISCOM shall communicate, in writing, the charges payable by the applicant.
3. A seniority list of all the applicants, who have paid the estimated charges communicated as above, shall be maintained at the Section level and the serial number of the applicant in that waiting list shall be communicated within 7 days from the date of payment to the applicants. This waiting list shall be maintained based on the date and time of payment of the estimate charges.
4. Every Monday, the Section office shall upload the list of additions to its waiting list and the list of agricultural services released in the previous week, in the website of the DISCOM. From such Section level waiting lists, the DISCOM shall prepare and publish combined waiting lists at the concerned Sub Division / Division level and publish the same on its website. Such waiting lists shall be updated on a weekly basis.
5. All agricultural connections shall be released as per the combined waiting list being maintained at the Division level subject to the out of turn releases as prescribed by the Government in favour of SC & ST applicants from time to time.
6. The Corporate Office shall allocate Distribution Transformers for new agricultural services in proportion to the number of pending applications Circle wise.
7. The Circle Offices of DISCOMs shall allocate the DTrs received in proportion to the number of pending applications Division wise.
8. The Division Offices of DISCOMs, shall allocate DTrs to the Sections as per the Division wise waiting list.
9. If and when the GoAP communicates the quota for release of agricultural services, if any, in a year, the same shall be allocated as per the procedure indicated above.

Non-adherence to the practice directions given above, will be viewed seriously by the Commission and appropriate action will be initiated against the concerned in accordance with the provisions of the Electricity Act, 2003.

(By order of the Hon'ble Commission)

Sd/-

Commission Secretary (i/c)

To

The Chairman and Managing Director/APCPDCL/ Vijayawada

The Chairman and Managing Director/APEPDCL/Visakhapatnam

The Chairman and Managing Director/APSPDCL/Tirupati.



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Vidyut Niyantrana Bhavan, Adjacent to 220/132/33/11 KV AP Carbides SS,

Dinnedevarapadu Road, Kurnool - 518 002, Andhra Pradesh.

Phones: 08518 - 294823,24,25,26

APERC -PM Surya Ghar Muft Bijili Yojana - Waiver of application fees/charges and netmetering cost for grid-connected solar rooftop Systems up to 10 kW for domestic consumers- Orders - Issued - Reg.

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Engg/Proceedings. No 01 of 2025

Date: 24-04-2025

Read the following:

Order

APEPDCL has requested instructions from the Commission to waive the application fees, net metering costs, and the requirement of a net metering agreement for domestic consumers installing solar rooftop systems (SRTs) of up to 10 kWp under the PM Surya Ghar Muft Bijili Yojana Scheme.

After carefully examining the request of APEPDCL and the views of APSPDCL and APCPDCL in this regard, to promote the installation of SRTs under the PM Surya Ghar Muft Bijili Yojana Scheme in Andhra Pradesh, exercising the powers under clauses 18 (Power to Relax) & 20 (Power to Remove difficulties) of APERC (The Grid Interactive Solar Rooftop Photovoltaic System under Gross/Net Metering) Regulation 2023 (Regulation 4 of 2023), the Commission hereby issues the following Order.

“The DISCOMS are directed not to collect the application fee/charges and netmetering cost from domestic consumers for the installation of SRTS up to 10 kW contracted load. The net-metering agreement cannot be dispensed with, keeping in view the rights of both parties in the agreement”

(By order of the Hon’ble Commission)

Sd/-

Commission Secretary(i/c)

To

The Chairman & Managing Director, APCPDCL, Vijayawada.

The Chairman & Managing Director, APEPDCL, Vishakhapatnam.

The Chairman & Managing Director, APSPDCL, Tirupati.

Copy to the Special Chief Secretary, Energy Department, GoAP, Amaravathi



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Vidyut Niyantrana Bhavan, Adjacent to 220/132/33/11 KV AP Carbides SS,

Dinnedevarapadu Road, Kurnool - 518 002, Andhra Pradesh.

Phones: 08518 - 294823,24,25,26

APERC -Regulation 4 of 2023 - Technical feasibility for grid-interactive Solar rooftop photovoltaic systems - Waiver up to 10 kW contract load - Orders - Issued -Reg.

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Proceedings. No.8 of 2024 /T-C/TAM/

Date:10-06-2024

Read the following:

Order

APCPDCL and APEPDCL have requested instructions from the Commission on waiving technical feasibility for SRT installations up to 10 kW capacity as per MoP Rules. APSPDCL has requested an amendment to Regulation 4 of 2023 for the same.

After examining the request in detail and the GoAP and GoI's aim to promote the installation of SRTs under the PM Surya Ghar Programme in the State of Andhra Pradesh, exercising the powers under clauses 18 (Power to Relax) & 20 (Power to Remove difficulties) of Regulation 4 of 2023, the Commission hereby issues the following Order.

“Clause 12 of Regulation 4 of 2023 is relaxed, and the DISCOMS shall process the applications for installation of SRTs from the consumers up to 10 kW contracted load without any technical feasibility provided that cumulative installation of SRTs under DTR shall not exceed the percentage of DTR capacity as specified in clause 5.8 of the Regulation.”

(By order of the Hon'ble Commission)

Sd/-
Commission Secretary(i/c)

To

The Chairman & Managing Director, APCPDCL, Vijayawada.

The Chairman & Managing Director, APEPDCL, Vishakhapatnam.

The Chairman & Managing Director, APSPDCL, Tirupati.

Copy to the Special Chief Secretary, Energy Department, GoAP, Amaravathi



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APERC - Guidelines on the Reserve shutdown, and Revival from reserve shutdown of thermal generating units to be despatched by APSLDC-Reg

=====

Procdgs. No.APERC/Tariff/T-35/2023/05

Date:31-07-2023

Read the following:

Guidelines:

Clause 12 of APERC (Terms and conditions of short-term procurement/sale of power) Regulation, 2022 (Regulation 1 of 2022) envisages formulation of the guidelines on the Reserve shutdown and Revival from reserve shutdown of generating units to be despatched by APSLDC. Accordingly, the Commission by its letter dated 18.04.2023 directed APSLDC to prepare the draft guidelines on the same. In compliance with the directions of the Commission, the APSLDC by its letter dated 22.06.2023 submitted the draft guidelines along with the comments of APGENCO, and APPDCL. After examination of the draft guidelines, comments of APGENCO and APPDCL, IEGC, and CERC's orders on reserve shutdown of CGS, the Commission issues the following guidelines

A. General:

i. Demand Forecasting and Monitoring:

- a. SLDC & DISCOMS shall implement an accurate and reliable demand forecasting systems to anticipate potential sudden falls in demand due to weather conditions or any other factors.
- b. SLDC shall continuously monitor real-time demand data and grid conditions to quickly identify situations where reserve shutdown may be necessary.

ii. Least Cost Dispatch Model:

- a. The SLDC should follow a least-cost dispatch model to determine which power-generating units should be kept in service and which ones can be reserved for shutdown.
- b. The model should consider the operating costs, fuel costs, and environmental factors associated with each power-generating unit.

iii. Generating unit(s) to be put under reserve shutdown/revived from reserve shutdown shall be strictly based on merit order, and grid constraints if any:

Provided that SLDC shall publish the details of such grid constraints, along with the period for which it is likely to persist on its website within 24 hours from such exigency.

Iv. The terms "Cold Start", "Declared Capacity or DC", "Hot Start", "Technical Minimum", and "Warm Start" shall have the same meaning as provided under Central Electricity Regulatory Commission

(Indian Electricity Grid Code) Regulations, 2022 as amended from time to time and orders thereof.

- V. The Ramp down rate of the unit(s) during withdrawal from the grid for RSD and the Ramp up rate for the revival of unit(s) from RSD shall be as per IEGC.
- vi. The Scheduling and Despatch of all Generating units and scheduling and drawals by DISCOMS shall be as per the Scheduling and Despatch procedure stipulated in the Andhra Pradesh Code of Technical Interface approved by APERC or its updated version from time to time/IEGC.
- vii. The SLDC shall place the information on RSDs on its website, and a monthly report shall be submitted to the Commission.
- Vii. The GENCOs may file an appropriate petition with full details before the Commission at the end of the financial year for compensation for degradation of Heat Rate, Aux Consumption, and Secondary Fuel Oil Consumption due to multiple Start/Stop of Unit(s) because of Reserve shutdowns ordered by the SLDC.

B. RESERVE SHUTDOWN (RSD):

- i. Under normal operating conditions, if the demand is less than the available generation, the thermal generator unit(s) shall be backed down up to a technical minimum, and as per the Merit Order to maintain the load generation balance. In certain situations due to widespread rainfall, there could be a huge fall in Demand. If it is forecasted that such a situation may continue for a day or few days, and the situation does not permit the thermal generating units scheduled at least at a technical minimum, the SLDC shall declare Reserve Shut Down (RSD) of a certain generating unit(s). Then after, SLDC should obtain a demand forecast for the next 72 hours from all DISCOMS from the time of reserve shutdown effected. The SLDC should decide the duration of reserve shutdown based on the demand forecast of DISCOMS, and its assessment of demand and availability of generation. The DISCOMS shall also explore the possibility of disposing of the surplus power in the power exchanges or PUSHp portal during the lean periods of demand and accordingly, the SLDC shall decide the period of RSD.
- ii. The RSD of unit(s) can also be declared by SLDC in consultation with DISCOMS if there is an opportunity to save the power purchase costs. But, all such cases shall be brought to the notice of the Commission in the form of weekly reports explaining the savings in power purchase costs with detailed reasoning and computations of savings. If the Commission is not satisfied with the savings projected in weekly reports, it may issue appropriate orders in this regard.
- iii. Where transmission constraints or real-time islanding schemes do not permit the shutdown of certain unit(s) such unit(s) may not be considered for RSD. Such constraint shall be notified by the SLDC on its website within 24 hours whenever deviation from merit order in the reserve shutdown of units.
- Iv. The reserve shutdown of thermal generation unit(s) can also be ordered to accommodate the must-run power generation from Renewable Sources of energy. All such RSDs shall be specifically mentioned in the monthly reports submitted to the Commission.

- V. The decision of SLDC shall be final in declaring RSD, and continuation or cancellation of the RSD.
- Vi. No maintenance activities on unit(s) under RSD shall be undertaken by the Gencos so that the unit under RSD is always readily available for revival/synchronization. If a Genco requires maintenance on any unit(s) under RSD, then the same shall be done in due consultation with SLDC. The DC shall be reduced accordingly.
- Vii. The SLDC shall ensure to maintain a dedicated emergency reserve capacity that can be quickly activated in case of unforeseen events or sudden spikes in demand. The SLDC may also develop contingency plans for extreme scenarios, such as prolonged periods of low demand, to ensure grid stability and reliability. All such contingency plans shall be submitted to the Commission from time to time for approval.
- Viii. For the computation of the period of RSD, the RSD time shall commence from the next time block from the time block during which the unit(s) is/are withdrawn from the grid.
- ix. The Declared Capacity of the unit(s) under RSD shall not exceed the average DC for the last 72 hours before the commencement of RSD. The schedule approved by the SLDC during the reserve shutdown period shall be the deemed availability of the unit(s) under RSD.
- x. During the RSD period of certain unit(s), other generating unit(s) that was/were tripped and available for synchronization after a short duration shall be permitted for light up depending upon merit order and system conditions. However, if SLDC directs for the continuance of shutdown with due consideration of merit order, then such period as directed by SLDC, the unit outage shall be treated as RSD.
- xi. In the case of units with the exact variable cost per unit, the units shall be considered for RSD in rotation to avoid RSD of the same unit repeatedly, and it may be done as per the choice of GENCO.

C. REVIVAL OF UNIT(S) FROM RESERVE SHUTDOWN (RSD):

- i. Once a unit(s) is/are taken out from service for RSD, the unit(s) can be recalled any time after 8 hours. The RSD period may vary depending on the system conditions and demand assessment by SLDC. In case of system requirements, the generating unit(s) can be revived before 8 hrs.
- ii. The time to start a generating unit shall be based on different starting conditions such as Hot, Warm, and Cold. However, the time to start a machine under different conditions such as HOT, WARM, and COLD shall not be more than 4 hours, 8 hours, and 12 hours respectively.
- iii. The Generating unit(s) shall be revived from Reserve Shutdown strictly based on Merit Order. In the case of Units with the exact variable cost per unit, whose revival time is less should be revived first.
- iv. In case the generating unit(s) is/are not revived as per the revival time under different types of starting conditions such as cold, hot, and warm, the unit(s) shall be treated as under outage for the duration starting from the likely revival time to the actual revival time. However, a delay of a maximum of 4 hours shall be considered after assessing the report of the Genco for the delay. The decision of the SLDC is final in this regard.

- v. The SLDC shall issue the instructions for the revival of unit(s) from RSD to the Gencos sufficiently in advance keeping in view the unit's start-up time under cold, warm, and hot conditions.

D. POWER TO ALTER, RELAX, AND AMENDMENT

The Commission on its own initiative or on the application made by any stakeholder may alter, relax and amend these guidelines.

(By order of the Hon'ble Commission)

Commission Secretary(i/c)

To
The CMD/APTRANSCO
The CMD/APCPDCL
The CMD/APSPDCL
The CMD/APEPDCL
The MD/APGENCO
The MD/APPDCL



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Lr.No.APERC/Secy/F:T-4/D.No. 422/2022,

Date:15.07.2022.

Sir,

Sub:- APERC- Not to include the Electricity Duty (ED) in
Additional Security Deposit - Directions- Issued - Reg.

Ref:- 1. APTMA/013/2022-23, Dated: 02-06-2022.

2. APFAPA letter dated 06.06.22.

[3.Lr.No.APERC/Secy/F:T-4/D.No.352/2022](#),Date:10.06.2022

4. Lr. No.ED/RAC&IPC/GM/RAC/SPDCL/TPT/F:APERC/
D.No.375/22, dt:25-06-2022.

5.Lr. No. CGM/Projects/GM/EE/[Dy.EE/PP&RAC/CPDCL/](#)
F.45/ D.No.152/22, dt.18-06-2022.

6. [Lr.No.CGM/RAC,PPA&SE/EPDCL/VSP/RAC/DNo.I/415348](#)
/22, dt.30.06.22.

The representations vide the references (1) & (2) above have been received by the Commission from the Andhra Pradesh Textiles Mills Association (APTMA) and the Andhra Pradesh Ferro Alloys Producers Association (APFAPA) requesting not to include electricity duty in Additional Security Deposit (ASD) among other issues. The DISCOMS vide the references (4)-(6) above have submitted their views on this matter.

After examining the relevant regulations and the DISCOMS' views in this regard, the Commission decides that since electricity Duty is not part of consumption charges as defined in Regulation 6 of 2004, the inclusion of the electricity duty in ASD is not proper and legal. Therefore, the Commission hereby directs the DISCOMS not to include the electricity duty while arriving at an additional security deposit (ASD) to be collected from the electricity consumers henceforth and ASD demands already raised by including the electricity duty on consumers shall be corrected as per the directions in this letter immediately and report compliance.

(By order of the Hon'ble Commission)

Sd/-

Commission Secretary(i/c)

To

The Chairman & Managing Director/APSPDCL/Tirupati.

The Chairman & Managing Director/APCPDCL/Vijayawada.

Copy to:

The Chairman & Managing Director/APEPDCL/Visakhapatnam.

The Andhra Pradesh Textiles Mills Association (APTMA)

The Andhra Pradesh Ferro Alloys Producers Association (APFAPA)



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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APERC - Transparency measures to be followed by the licensees - Directions
-Issued - Reg.

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Proceedings. No.14/T-04/2021/637

Date: 07 -12-2021.
Read the following:

Ref:- FAPCCI' suggestions dated 26-08-2021

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ORDER:

In the backdrop of the FAPCCI's suggestions on various matters and the availability of regulatory information in the public domain relating to the performance of the licensees in their businesses, the Commission hereby issues the following directions to the licensees to place the following information on their websites under "Regulatory Compliance" heading/Tab to ensure transparency in their functioning:

- I. The annual audited reports immediately as and when they are finalized.
- II. The actual availability declared by each generator unit-wise and actual plant load factor month-wise and cumulative up to the month during the financial year. The data shall be updated every month.
- III. regulatory accounts vis-a-vis the tariff orders approved by the Commission. The data shall be updated every quarter.
- IV. investments under progress and proposed to be taken up along with the approvals of the Commission for such investment approvals. The data shall be updated every quarter.
- V. actions taken by the licensees with regard to directions of the Commission issued in various orders/tariff orders including the actions taken by them in respect of the directions issued by the Commission in APGENCO's tariff order (applicable to the licensees) for the 4th control period (Para 61 to 67). The data shall be updated every quart.

(By order of the Hon'ble Commission)

Sd/-
Commission Secretary I/c

To
The CMD/APTRANSCO/Vijayawada
The CMD/APSPDCL/Tirupati
The CMD/APEPDCL/Visakhapatnam

The CMD/APCPDCL/Vijayawad.

Copy to: The MD/APGENCO/VS/Vijayawada..... for strict compliance of the Commission's directions issued in Tariff Order dated 29.04.2021 for APGenco's generating stations for the 4th control period. APGENCO shall place its audited reports as and when completed on its website and also reports pertaining to point no. (v) in this proceedings.

GUIDELINES FOR INVESTMENT APPROVAL

(FEBRUARY 2006)

- 1.1 As per the provisions of paragraph 10 of the Transmission and Bulk Supply Licence (Licence No. 1/2000) and paragraph 9 of the Distribution & Retail Supply License (Licence No. 12/2000), the Licensee shall promptly notify the Commission of any Schemes pertaining to the Transmission or Distribution System which the Licensee from time to time proposes to implement.

As per the Licence conditions, the Licensees are required to obtain prior approval of the Commission for any investment above Rs.500 lakhs (major investment). The Licensee needs to demonstrate to the satisfaction of the Commission that:

- (a) there is a clear need for the major investment and it forms part of the Licensee's Resource Plan. In case the major investment proposed in any year of the control period is not covered under the approved Resource Plan, the Licensee has to establish the need, justification and urgency to take up the scheme in the time-frame proposed and
 - (b) the Licensee has examined the economic, technical, system and environmental aspects of all viable alternatives to the proposal.
- 1.2 For the purpose of this guideline, the term:
- “Scheme” shall mean a proposal for investment in the Transmission or Distribution System embracing a single or a series of investments in or acquisition of any facility/facilities planned at a point of time, with a defined objective and within a defined time frame.
- 1.3 For Schemes involving major investment, before committing any resources (other than those towards making of Detailed Project Report, feasibility studies and other similar preliminaries), the Licensee must receive the approval from the Commission. The Licensee shall approach the Commission for its approval for major investments at least 90 clear days before the proposed start of the Scheme.
- 1.4 The application for approval should be accompanied with information as prescribed by the Commission in these guidelines.
- 1.5 For the purpose of these guidelines, the Schemes may be categorised in the following groups:
- (a) **System improvement:** The schemes under this category shall be those which are primarily driven by a need to improve the performance of the system in terms of reducing losses and/or improving quality and reliability of supply. The Licensee must ensure that the schemes submitted under this category are part of the “System Improvement Plan” component of the Resource

Plan.

- (b) **System expansion:** The schemes under this category shall be those which are primarily driven by expected load growth in an area or to serve new connections, and thus include network reinforcement or expansion to cater to such load growth. The Licensee must ensure that these schemes are a part of the “System Expansion Plan” component of the Resource Plan.
- (c) **Generation Evacuation:** The schemes under this category shall include those which are framed for the purpose of evacuation of power generated from a generating station. The Licensee must ensure that these schemes are a part of the “Generation Evacuation Plan” component of the Resource Plan.
- (d) **System Replacement:** The schemes under this category shall include those which are formulated for the purpose of replacing existing assets due to obsolescence of technology, destruction due to accidents/natural calamities or on expiry of its life period.

Information Requirement

1.6 For the approval of any Scheme, the licensees must submit the following:

- (a) The proposal shall have the following Details:
 - (i) Brief outline of the different components that constitute it and the salient features of the Scheme.
 - (ii) The objectives of the Scheme and justification for taking it up. The Licensee shall quantify the objectives for each scheme depending upon the category to which the scheme belongs. For each category, the objectives could be including, but not limited to:
 - System Expansion schemes: The objective is to meet the load growth. This objective could be quantified, say in number of consumers required to be connected, MWs of capacity to be created, expected sales in MUs, number of villages/hamlets/dalitwadass to be electrified, etc. These schemes should be correlated with the existing/proposed network expansion plans of other licensees and their consent obtained wherever applicable.
 - System Improvement schemes: The objective is to maintain the standards of quality of supply. This objective could be quantified as the extent of loss reduction expected, quantified improvement in reliability or quality of supply or reduction in DTR failures, etc.
 - Generation Evacuation Schemes: The objective is to ensure adequate capacity to evacuate generation.

This could be quantified as MWs of power required to be evacuated.

- (iii) The Licensee shall ensure that the proposed investment is a part of the Resource Plan submitted to the Commission in accordance with the paragraph 3 of the Commission's Guidelines for "Load Forecast, Resource Plans and Power Procurement".
- (b) The licensee shall provide inter-alia the following along with the proposal :
- (i) Complete details of the Scheme such as transmission and/or distribution lines, substations, extension of bays at the existing substations, communication equipment, metering, other ancillary services, etc, as the case may be.
 - (ii) Detailed cost estimates for each item of work covered by the Scheme, erection charges, expenses projected for contingencies, estimated extend of interest during construction, establishment and other charges etc. The cost estimates shall be worked out by the Licensee based on latest cost data. The Licensee, shall as far s possible ensure that the scheme is the same as that contained in the Resource Plan. In case of any deviations, the Licensee shall justify the same to the Commission.
 - (iii) A comprehensive sketch / single line diagrams of the proposed work, grid maps of relevant areas (i.e. areas where the scheme is proposed to be executed).
- (c) The scheme shall be supported by the results of the load flow study, or any other appropriate tools/techniques employed by the Licensee to simulate the impact of the scheme on network performance. The results of the load flow shall be provided for each year up to a period of five years from the date of commissioning of the scheme.
- (d) Benefits:
- (i) Physical benefits: The proposal shall enumerate the physical benefits such as reduction in transmission / distribution losses, improvement in voltages, reliability of supply, and any other benefits such as increase in sales to subsidising consumers, etc. As far as possible, the benefits shall be indicated depending upon the category of the scheme. In case the schemes are not beneficial, the necessity for schemes must be established clearly.
 - (ii) Financial benefits: The proposal shall bring out the financial benefits, by way of anticipated reduction in losses, etc.. The financial benefits must be supported by detailed calculations and, discounted cash flows are to be shown to demonstrate the payback period of the

investment.

- (iii) The Licensee shall also propose the methodology of evaluation and measurement of the benefits accruing out of the investment.
- (e) Cost - Benefit analysis: The Licensee shall carry out a study to bring out all possible alternatives to the proposed scheme, including non-network alternatives, to achieve the desired objectives and to ensure the proposed option was the least cost option available. The Licensee shall, while conducting this study, examine the economic, technical and environmental aspects of all such alternatives. Detailed description of the alternatives and the analysis done to evaluate them will have to be submitted to the Commission.
- (f) Sanctions and Statutory clearances
 - (i) The total project cost shall be matched by corresponding means of financing. The financial plan will contain details regarding the Funding agency and the loan terms and conditions such as interest rate, repayment schedule, moratorium period, exchange rate, etc.
 - (ii) Submission of documents pertaining to administrative clearance and financial tie-up or in principle approval for the same.
- (g) Commissioning schedule
 - (i) The planned commissioning schedule shall indicate commissioning for the works/modules including the components comprising the Scheme. If the scheme consists of separate, independently usable modules, separate commissioning schedules shall be indicated for each such module of the scheme.
 - (ii) The Licensee shall furnish information regarding the phasing of expenditure year wise for each work/module, supported with details of corresponding sources of funding. The Licensee must endeavour that the cumulative total expenditure on a Scheme does not exceed the amount as approved by the Commission.
- (h) Downstream Arrangements

The proposal shall contain the downstream arrangements if any and their status for utilisation of the benefits from the proposed Scheme. The details of the downstream arrangements, their status and the programme for their completion shall be furnished.

(i) Constraints

- (i) Physical and financial constraints, if any, in execution of the Scheme may be highlighted.
- (ii) Likely uncertainties or risks the Licensee expects to meet and the decisions made under these uncertainties shall be mentioned. The plan adopted by the Licensee to mitigate these risks and uncertainties shall be furnished to the Commission.
- (iii) The Licensee should indicate to the Commission if it has any information constraint. If Licensee is not in a position to provide the above details for any Schemes, it should indicate to the Commission the costing of one indicative work and indicate the budgetary provision for the entire Scheme.

1.7 As part of the approval granting process, the Commission can ask the Licensee to furnish additional information as and when the Commission feels it appropriate. Each Licensee shall furnish to the Commission the information on or before such date as may be directed by the Commission.

Periodic Reporting

1.8 The Licensee shall submit to the Commission periodic progress reports duly correlated to the commissioning schedules. This monitoring shall take place at the end of every half-year. The Licensee shall submit to the Commission a progress report within 15 days of end of each such monitoring period. This progress report should provide details of the progress made in each of the approved Schemes.

1.9 The Licensee shall indicate the expenditure incurred till the reporting period vis-à-vis the provisions approved by the Commission while approving the investment Scheme.

1.10 The Licensee shall submit the details of the Scheme completed indicating the original cost, interest during construction, expenses capitalised and original schedule of completion, as approved by the Commission for such scheme along with the actual cost, interest during construction, expenses capitalised, etc. and, date of completion.

1.11 On completion of a scheme or a usable module of the scheme, a Physical Completion Certificate (PCC) to the effect that the work in question has been fully executed, physically, and the assets created are put to use, is required to be issued by the engineer concerned not below the rank of Superintendent Engineer. The PCC shall be accompanied with a Financial Completion Certificate (FCC) to the effect that the assets created have been duly entered in the Fixed Assets Register by transfer from the CWIP register to OCFA. The FCC shall have to be issued by an officer not below the rank of Senior Accounts Officer. The Licensee shall submit these certificates to the Commission within 60 days of completion of work/module/scheme, at the latest.

- 1.12 The Commission or its authorized representative shall have the right to verify the correctness of the PCC and FCC.
- 1.13 The Licensee shall also undertake a post-completion review of the Scheme to assess whether the objective of the investment is met or not and whether or not the desired benefits are accruing from the Scheme and submit a report to the Commission after twelve months of its completion.

General

- 1.14 The waiver granted for implementing Schemes below Rs. 500 lakhs relaxes only the requirement of obtaining prior Commission approval for the investment. The Commission still retains the authority to assess the efficiency and economy with which the Licensee makes any investment and to verify that these investments are consistent with the spirit of the Licence and the Act, and for this purpose may require the Licensee to furnish details of any such scheme, from time to time.
- 1.15 If it comes to the Commission's notice that the quality of supply to consumers in a particular area is below the standards set out by the Commission due to lack of investments in the Transmission System or Distribution System in that area, the Commission may *suo motu* direct the Licensee to make investment in Schemes that would result in improvement of the quality of supply. Provided however that while issuing such a direction, the Commission would take into consideration the Licensee's resource position.
- 1.16 Based on the information provided by the Licensee as per the process as specified in the preceding paragraphs, the Commission may, if it comes to the conclusion that the Licensee had not followed the provisions of the guidelines or has been guilty of negligence or wilful default in implementing a Scheme which are not consistent with the objectives sought to be achieved by such investments, disallow recovery of such cost in the Tariff Order or pass such other orders, as the Commission may consider appropriate.
- 1.17 If the assessment suggests that the company has overestimated the amount needed for investments, the Commission reserves the right to reduce the project cost of the scheme and take any other action it deems appropriate.
- 1.18 The Commission retains the power to add, vary, alter, amend, change, modify or otherwise substitute the above guidelines or any part thereof in such manner and at any time the Commission may consider appropriate. The Licensee shall not claim any vested right in the facility given by these guidelines, if the Commission decide to add, modify, alter, change etc the guidelines or any part thereof.
- 1.19 Without prejudice to the above the Commission may at any time direct the Licensee to comply with such further or other conditions as the Commission may consider appropriate for undertaking investments consistent with the objects of the Andhra Pradesh Electricity Reform

Act, 1998 (Act No. 30 of 1998), the Electricity Act, 2003, the Regulations framed thereunder and the terms and conditions contained in the Licences issued by the Commission.

- 1.20 Any violation of these conditions shall be a breach of the obligations assumed by the Licensee under Transmission & Bulk Supply Licence and/or the Distribution and Retail Supply Licence and may be subjected to the same proceedings as if the terms of the licence conditions have been violated or not complied with by the Licensee.



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Lr. No. APERC/F.No. E-3013/DD(P&PP)/D.No.1242/24 Dt. 28-08-2024

Sir,

Sub: APERC-Regulation No. 4 of 2023 - Grid interactive Solar Rooftop Photovoltaic systems-Energy settlement and billing - Electricity units exported by the solar net meter consumers during meter defective period - Reg,

Ref:1.Lr.No:CGM/Projects/GM/EE/PP&RAC/APCPDCL/F.No/D.No.253/24, Dt. 05-06-2024.

2.Lr.No.CGM/RA & PP/EPDCL/VSP/GM/DEE/Solar/E-310546/D.No.I/549016/24 Dt.05-08-2024.

In response to your request for clarification regarding the procedure for calculating electricity units exported by Solar Net Meter consumers during periods when the meter is defective or not functioning, the following guidelines are provided:

1. **Regulatory Applicability for Prosumers:** As per APERC Solar Rooftop PV Regulation Clause 15, all provisions of GTCS, the Supply Code, and relevant regulations apply to prosumers. This includes prior notification to the DISCOM before installing SRTPVS behind the meter, an undertaking to pay applicable charges, and compliance with CEA technical standards.
2. **Energy Export Estimation:** During a meter malfunction, estimate the energy exported by using the average of the units recorded in the last three billing cycles prior to the defect. This approach aligns with GTCS Clause 7.5.1.4.1, ensuring consistency in handling meter recording issues.
3. **Handling Meter Malfunctions:**
 - a. **Meter Stuck Up:** Follow GTCS Clause 7.5.1.4.2 for meters that are stuck or not recording correctly, using the last known accurate readings or average usage data for estimation.
 - b. **Meter Defects:** Address defective meters as per GTCS Clause 7.5.1.4.3, including recalibration or replacement, and use historical data for accurate estimation of usage.

These guidelines aim to maintain transparency, accuracy, and regulatory compliance when estimating the electricity units exported by SRTPVS consumers during periods of meter malfunction.

(By order of the Commission)

Yoursfaithfully,

Sd/-

Commission Secretary(i/c)

To The Chairman & Managing Director/APCPDCL/Vijayawada.
The Chairman & Managing Director/APEPDCL/Visakhapatnam
The Chairman & Managing Director/APSPDCL/Tirupati.



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APERC - Timelines for Power Procurement Proposals Submission -
Directions-Issued-Reg.

Procdgs. No.APERC/Tariff/T-52/04

Date: 10-07-2023.
Read the following:

Directions:

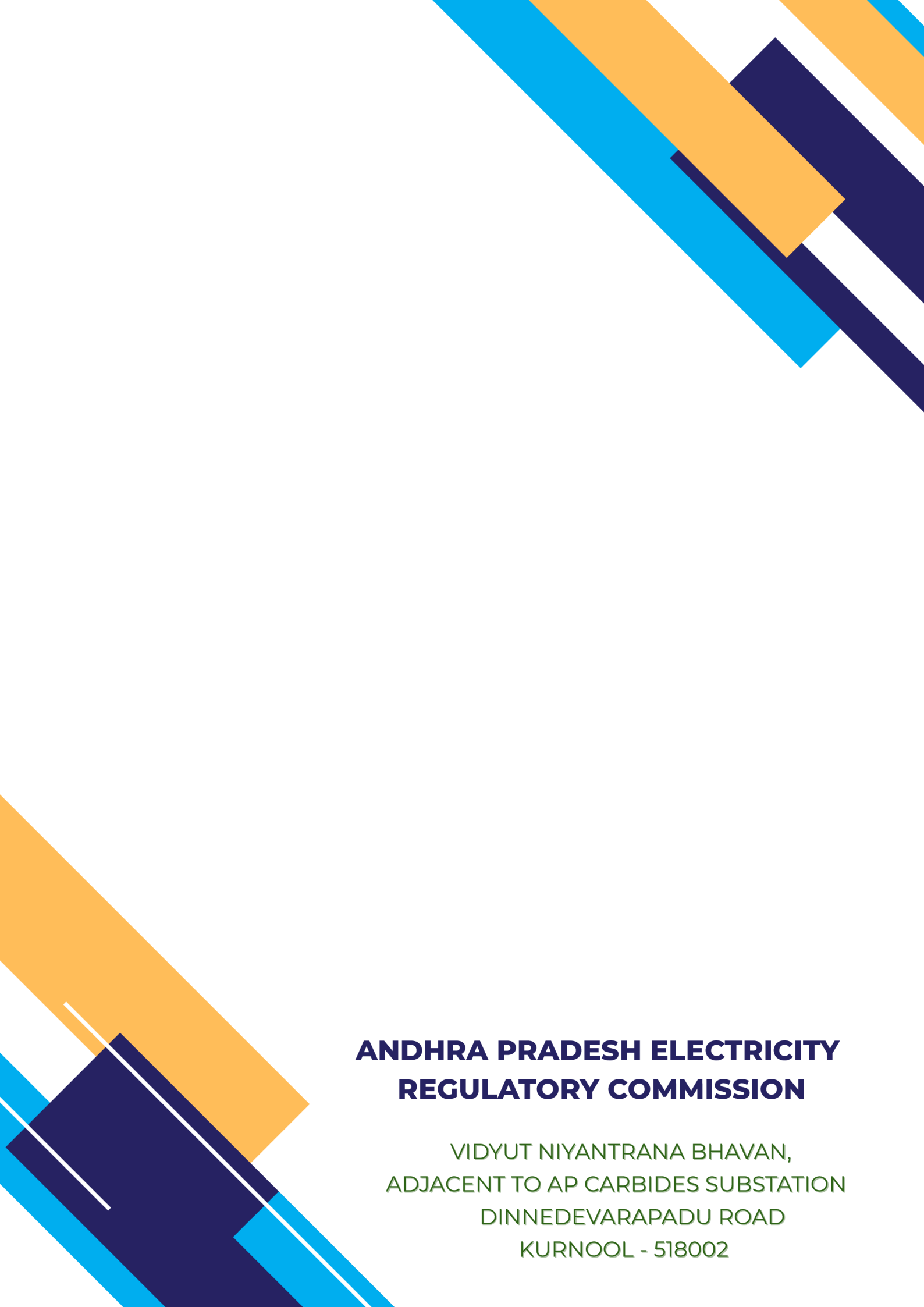
On several occasions in the recent past, the power procurement/banking/swapping proposals were submitted by the DISCOMS at the eleventh hour, leaving insufficient time for proper analysis and study by the Commission for arriving at appropriate decisions. The timely submission of power procurement proposals is very essential to ensure a fair and transparent process, allowing for adequate scrutiny and evaluation by the Commission. The timely submission of the proposals not only facilitates effective decision-making but also ensures the best interests of all stakeholders, including the consumers. To rectify this issue and streamline the power procurement process, the following directions are issued.

1. Power Procurement Proposal Submission: All long/medium term power procurement proposals must be submitted at least two months prior to the date of floating of tenders for the same in case of competitive bidding/prior to the date of entering into power purchase agreements in case of bilateral arrangements. All Short Term power procurement proposals must be submitted at least 15 days prior to the date of commencement of power procurement. However, the time lines stipulated in Regulation 1 of 2022 shall be followed wherever applicable.
2. Documentation and Supporting Materials: The applicant must ensure that all required documentation and supporting materials are included with the power procurement proposal. Missing or incomplete documentation may lead to delays or the rejection of the proposal.

(By order of the Commission)

Sd/-
Commission Secretary,(i/c)

To
The CMD/APCPDCL
The CMD/APSPDCL
The CMD/APEPDCL
Copy to:The Chairman/APPCC



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

VIDYUT NIYANTRANA BHAVAN,
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