

## **Delhi Electricity Regulatory Commission**

**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17.**

F.17(17)/Engg./DERC/2016-17/5645

**In the matter of: Wheeling Charges on Open Access by Northern Railways Dispute Resolution under Regulation 16(2) of the DERC (Terms and Conditions for Open Access) Regulations, 2005**

### **ORDER**

**(Date of Order: 21 .01.2019)**

1. The instant dispute relates to the payment of wheeling charges for open access by Northern Railways to the distribution licensees of Delhi viz. TPDDL and BRPL. Northern Railway has obtained Medium Term Open Access as a deemed licensee for its transactions load at two drawl points i.e. 66kV Narela (TPDDL) for 6.5 MW and 66kV Ridge Valley (BRPL) for 2.5MW by using the network of other distribution licensee. However, Northern Railways have been wheeling power above the approved quantum of open access. Maximum Demand reading of Northern Railways has been consistently higher than the approved quantum of open access.
2. The issue regarding rate of wheeling charges for open access in case of deviation from the approved quantum was brought before the nodal agency viz. State Load Dispatch Centre (SLDC), Delhi under Regulation 16(1) of the DERC (Terms and Conditions for Open Access) Regulations, 2005. However, as no consensus was arrived among the parties, SLDC vide its letter no. F./DTL/207/18-19/DGM(EA)SLDC/16 dated 05.11.2018 has referred the matter to this Commission under Regulation 16(2) of the DERC (Terms and Conditions for Open Access) Regulations, 2005,
3. The parties to the dispute were allowed to express their views in a meeting held in the office of Delhi Electricity Regulatory Commission on 18.12.2018. The meeting was attended by the representatives of TPDDL, BRPL, Northern Railways and SLDC, Delhi.
4. It is observed that no provision regarding treatment of over-drawl of power beyond the open access quantum by a deemed licensee has been specified either in DERC (Terms and Conditions for Open Access) Regulations, 2005 or in the Open Access Orders issued thereunder. In such a situation it is appropriate to apply the principles of Regulation 11(7) of Chapter 5 of CERC (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010, which provides that in case Average MW withdrawal during time block of positive deviation is greater than the sum of Approved Withdrawal and Approved Short Term Withdrawal, then for the first 20% deviation, transmission charges shall be at the zonal point of Connection charges for the demand zone. For deviation beyond 20% the additional first 20%

deviation, transmission charges shall be at the zonal point of connection charges for the demand zone for deviation beyond 20% the additional transmission charges shall be 1.25 times the zonal point of Connection charges for the demand zone.

5. Accordingly, under Regulation 16(2) of the DERC (Terms and Conditions of Open Access) Regulation, 2005 it is directed that from the date of commencement of transactions, the Northern Railway shall pay the wheeling charges, on the maximum open access quantum approved by the nodal agency, at the normal rates applicable during that time block. In case of deviation upto 20% from the approved open access quantum, the wheeling charges shall be payable at the normal applicable rates, whereas for the deviation beyond 20%, the charges shall be 1.25 times the normal applicable rates.

Sd/-  
(Justice S. S. Chauhan)  
Chairperson