

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION  
SHIMLA**

**NOTIFICATION**

Shimla, the 19<sup>th</sup> August, 2009

**No. HPERC/428.-** In exercise of the powers conferred by sub-sections (1) of section 62 clauses (a), (b) and (e) of section 86 and sub-section (1) of section 181 of the Electricity Act, 2003 (36 of 2003), read with section 21 of the General Clauses Act, 1897 (10 of 1897) and all other powers enabling it in this behalf, and after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following regulations to amend the Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable and Co-generation by Distribution Licensee) Regulations, 2007 published in the Rajpatra, Himachal Pradesh (Extraordinary) dated 21<sup>st</sup> June, 2007, namely:-

**REGULATIONS**

1. **Short title and commencement.-** (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable and Co-generation by Distribution Licensee) (Second Amendment) Regulations, 2009.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. **Amendment in regulation (2).-** In regulation 2 of the Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable and Co-generation by Distribution Licensee) Regulations, 2007 (hereinafter called “the said regulations”) after existing clause(f), the following new clause (ff) shall be inserted, namely:-

“(ff) “HPPTCL” means the Himachal Pradesh Power Transmission Corporation Limited set up by the State Government for the development of transmission network in the State”.

3. **Amendment of regulation 3.-** In regulation 3 of the said regulations,-

- (a) after sub-regulation(3) the following sub-regulation (3-A) shall be added, namely :-

“(3-A):- Notwithstanding anything in preceding sub-regulation(3), where there are right of way problems or there are space limitations at the sub-station of the licensee, the licensee may require the generators to enter into suitable arrangements for joint project lines for two or more projects and inject power into the Grid through the joint evacuation system:

“Provided that the joint evacuation arrangements shall be subject to the approval of the Commission”.

(b) for sub-regulation (5) the following sub-regulation (5) shall be substituted namely. -

“(5) The plan prepared under sub-regulation (4) shall be submitted by the licensee for approval of the Commission and any expenditure on account of the plan for the works beyond the interconnection points, but not including the interconnection facilities and the project lines (joint or otherwise), for the respective projects, shall be recovered by the licensee for the works implemented by them, in the following manner:-

- i) for the generators who enter into Power Purchase Agreements (PPAs) with the distribution licensee, the HPPTCL shall recover the charges for the system constructed by it (other than the interconnection facilities and projects lines if any) from the distribution licensee as fixed by the Commission from time to time and such liabilities of the distribution licensee, alongwith the additional expenditure if any, incurred by it on the plan implemented by it, shall be pass through to the distribution licensee; and
- ii) the generators/beneficiaries who opt to avail open access, shall, in accordance with the agreements executed for this purpose, be liable to pay the transmission and/or wheeling charges alongwith other open access charges, to the licensee, as fixed by the Commission from time to time, under open access regulations”.

(c) at the end of regulation 3, the following Explanation, shall be inserted, namely:-

“Explanation,- For the purpose of this regulation, the expression “Licensee” shall include “The HPPTCL”.

By Order of the Commission,

Sd/-  
Secretary