

(WITHOUT PREJUDICE)

CC/ Comml/RoP-PSPCL/2021/1

Dt.: 08.03.2021

To
Director (Finance),
M/s Punjab State Power Corporation Ltd (PSPCL).
Shakti Sadan, The Mall, Patiala, Punjab - 147001

Dear Sir,

Sub: "Notice for Regulation of power supply" for default of M/s Punjab State Power Corporation Ltd (PSPCL) in making payment of outstanding dues

1. Punjab State Power Corporation Ltd (PSPCL) is a Designated Inter-State Transmission System Customer (DIC) which is availing Inter-state Transmission System (ISTS) network for transfer of power from various power plants located in different parts of country to PSPCL and is under obligations to make timely payment of transmission tariff and to open requisite Letter of Credit towards Payment Security Mechanism (PSM) in line with the Electricity Act 2003, read with relevant contractual provisions and CERC Regulations.
2. It is, however, a matter of serious concern that PSPCL is failing to make timely payment of monthly bills raised on it towards transmission tariff despite various commitments and regular follow-up by CTU. As a consequence, total dues of PSPCL have accumulated to Rs. **411.84 Cr** as on date, which includes an amount of **Rs 105.38 Cr** outstanding for >45 days (the same amount of Rs. 105.38 Crs has even crossed >60 days) based on the bills already raised by CTU.
3. CTU has been mandated with the responsibility of Billing, Collection and Disbursement of transmission charges towards ISTS licences from all the DICs. Such huge outstanding dues as brought out above are seriously affecting the cash flows of all the ISTS Licensees and causing adverse impact on the ability to carry on as a business enterprise and to fulfil loan repayment liabilities towards creation of transmission assets.
4. Regulation 4 of CERC (Regulation of Power Supply), 2010 reads as under:-
"In case of outstanding dues or in case the letter of credit or any other agreed Payment Security Mechanism is not maintained as per the Agreement, the generating Company or the transmission licensee, as the case may be, may serve a notice for regulation of power supply, on the Defaulting Entity, for reducing the drawl schedule in the case of the generating company or withdrawal of open access / access to Inter-State Transmission System in the case of the transmission licensee."
5. In above regard, attention is invited to various correspondence issued by the CTU, as referred above, which demonstrates the default of PSPCL in payment of legitimate dues. As per the provisions of **Regulation 4 of CERC (Regulation of Power Supply) Regulation 2010, provisions of BCD procedure** approved by CERC and terms of TSA, the CTU is constrained to issue this "Notice for Regulation of Power Supply".



6. Accordingly, in case of failure of PSPCL to clear the outstanding dues latest by 17.03.2021, the regulation of power supply of PSPCL through their Long Term Access shall be effected as follows:-

| | | |
|-----------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| • Quantum of power to be regulated | : | 300 MW of power drawl of PSPCL from ISTS network |
| • Commencement of Regulation of supply | : | From 00.00 Hrs of 22.03.2021. |
| • Period of Regulation of Power supply | : | Initially for two months or till clearing of the dues outstanding for more than 60 days |
| • Source of regulation of Power Supply | : | To be regulated from various Power plants of NTPC & NHPC from which PSPCL has allocation of power under Long Term Access, the quantum shall be in proportion of the allocation from NTPC and NHPC based on merit order of despatch. |
| • The regulation of power shall be carried out through Northern Region Transmission Corridor. | | |
| • All other liabilities of PSPCL shall be as per the provisions of CERC Regulations | | |

7. As per Para 59(c) of CERC Order dtd 02.09.2015 under Pet. no. 142/MP/2012, Short Term Open Access (STOA) during regulation of power supply shall also be curtailed. The relevant portion of the said CERC Order dtd 02.09.2015 is reproduced below:-

"During the period of regulation of power supply, for defaults in payment of transmission charges, STOA to the regulated entity shall be denied by NLDC/RLDCs under Regulation 25A of Open Access Regulations from the date of commencement of regulation of power supply....."

8. Through a copy of this Notice, NRLDC is being requested to prepare implementation plan for Regulation of Power Supply of PSPCL & implement the same w.e.f. 00:00 Hrs. of 22.03.2021 upon confirmation by us on 18.03.2021.
9. In view of above, it is requested to liquidate the outstanding dues >60 days by 17.03.2021 failing which regulation of power supply shall also be enforced as stipulated above.

Thanking You,

Yours Faithfully,



(J.Mazumder)

Chief General Manager (Commercial), CTU

CC.

1. Executive Director,
Northern Regional Load
Dispatch Centre,
18A, SJSS Marg, Katwaria Sarai,
New Delhi - 110016
With a request to prepare the implementation plan for regulation of power supply of PSPCL and implement the same as per CERC (Regulation of Power Supply) Regulation, 2010. The proposed regulation of power from various generating stations of NTPC and NHPC may be decided by NRLDC based on the merit order of despatch and in proportion of the allocation to PSPCL. Indemnification bond furnished earlier holds good for subject Regulation of power supply of PSPCL.
2. Executive Director (Comml.),
NTPC Ltd, Core 7,
Scope Complex, Lodhi Road,
New Delhi - 110016
With a request to take necessary action for implementation of regulation of power supply of PSPCL from NTPC Plants, as per CERC (Regulation of Power Supply) Regulation, 2010.
3. Executive Director (Comml)
NHPC Ltd,
NHPC Office Complex,
Sector 33,
Faridabad -121003
With a request to take necessary action for implementation of Regulation of power supply of PSPCL from NHPC Projects, as per CERC (Regulation of Power supply) Regulation, 2010.

Copy of Notice dtd 08.03.2021 for Regulation of Power supply issued to PSPCL is enclosed for kind information of :

1. Secretary (Power), MoP, GOI, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. Chief Secretary, Govt of Punjab, Chief Secretary Office, 6th Floor, Punjab Civil Secretariat -1, Sector 1, Chandigarh, 160001
3. Secretary, CERC, 3rd & 4th Floor, Chandra Lok Building, 36, Janpath, New Delhi, 110 001.
4. Chairman & Managing Director, Punjab State Power Corporation Ltd, Shakti Sadan, The Mall, Patiala, Punjab - 147001.
5. Secretary, Punjab Electricity Regulatory Commission, Site No 3, Sector 18-A, Madhya Marg, Chandigarh - 160018.
6. Member Secretary, Northern Regional Power Committee, 18-A, Shaheed Jeet singh Marg, Katwaria Sarai, New Delhi -110016.
7. CMD, POSOCO, 61, IFCI Tower, 9th Floor, Nehru Place, New Delhi-110019.
8. Superintending Engineer, Punjab SLDC, PSTCL, Ablowal, Patiala.
9. Executive Director, POWERGRID, NR-II, J&K.