

WEST BENGAL ELECTRICITY REGULATORY COMMISSION
(DRAFT BALANCING AND SETTLEMENT CODE)

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WEST BENGAL ELECTRICITY REGULATORY COMMISSION NOTIFICATION

No. XX/WBERC

Dated XX.XX.2017

In exercise of the powers conferred by sub-section (1) and clause (zp) of subsection (2) of section 181 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in this behalf, and in supersession of notification No. 40/WBERC dated 25.03.2008 published in Kolkata Gazette, Extra ordinary on 25.03.2008, alongwith all amendments the West Bengal Electricity Regulatory Commission hereby makes the following regulations:—

1. Short title, extent and commencement

- 1.1 These regulations may be called the West Bengal Electricity Regulatory Commission (Balancing and Settlement Code) Regulations, 2017 or in short B&S Code.
- 1.2 They extend to the whole of West Bengal.
- 1.3 They shall come into force at 00.00 hour of XX.XX.2017.

2. Definitions

- 2.1. In these regulations, unless the context otherwise requires,-

- (a) 'Act' means the Electricity Act 2003 (36 of 2003);
- (b) 'Absolute Error' shall mean the absolute value of error in the actual generation of wind or solar generators which are state-entities with reference to scheduled generation and the Available Capacity (AvC), as calculated using the following formula for each 15 minute time block:

$$\text{Error (\%)} = 100 \times [\text{Actual Generation} - \text{Scheduled Generation}] / (\text{AvC})$$

- (c) 'ALDC' or 'Area Load Despatch Centre' means a Load Despatch Centre establish by the distribution Licensees operating in the State to carry out the operating directives of

SLDC and assist SLDC for safe and integrated operation of the concerned distribution network. SLDC will declare the ALDC with approval of the Commission;

- (d) 'Actual drawal' in a time block means electricity drawn by a buyer measured by all the interface meters in MWh;
- (e) 'Actual injection' in a time block means electricity generated or supplied by the seller, as the case may be, measured by all the interface meters in MWh;
- (f) 'Actual declared capacity' or 'Declared capacity' in a time block or any period means the advance declaration of ex-power plant MW or MWh capabilities by any generation station for the purpose of scheduling taking into consideration existing actual shortage of coal;
- (g) 'Available Capacity (AvC)' for wind or solar generators which are state entities is the cumulative capacity rating of the wind turbines or solar inverters that are capable of generating power in a given time-block;
- (h) 'Availability' in relation to conventional generating station for any period means the average of daily average declared capacities for all the days during that period expressed as a percentage of the installed capacity (in MW) of the generating station minus normative auxiliary consumption.
- (i) 'Average Declared Capacity' for the day in relation to a thermal generating station means the average of 'resultant actual capacity/availability' for all the time-blocks in the day after considering the impact of demonstrations, if any, during the day as per these Regulations;
- (j) 'Beneficiary' means a person who has share in an ISGS / SSGS;
- (k) 'Bilateral exchanges' means exchange of energy between a specified buyer and a specified seller, directly or through a trading licensee or discovered at Power Exchange through anonymous bidding, from a specified point of injection to a specified point of drawal for a fixed or varying quantum of power (MW) for any specified time period;
- (l) 'Buyer' means a person, including beneficiary, purchasing electricity through a transaction scheduled in accordance with the regulations applicable for short-term open access, medium-term open access and long-term access;

- (m) 'CERC' means Central Electricity Regulatory Commission;
- (n) 'Commission' means the West Bengal Electricity Regulatory Commission;
- (o) 'Deviation' in a time-block for a seller means its total actual injection minus its total scheduled generation/injection, as applicable, and for a buyer means its total actual drawal minus its total scheduled drawal;
- (p) 'Embedded Generating Stations' means the generating stations owned by any distribution licensee and its scheduling is primarily done by the ALDC;
- (q) 'Gaming' means an intentional mis-declaration of declared capacity by any seller in order to make an undue commercial gain through charges for Deviations;
- (r) 'Interface meters' means the interface meters as defined by the Central Electricity Authority under the Central Electricity Authority (Installation and operation of Meters) Regulations, 2006, as amended from time to time;
- (s) 'Notional declared capacity' in a time block or any period means the advance declaration of ex-power plant MW or MWh capabilities by any generating station for the purpose of scheduling considering no shortage notionally in coal supply;
- (t) 'Open Access Regulations' means the Regulations framed by the Commission under sub-section 2 of section 42 of the Act;
- (u) 'Plant Availability Factor' or 'PAF' means the Plant Availability Factor as specified in the Tariff Regulations;
- (v) 'Regulations' means the regulations made by the Commission under the Act;
- (w) 'Resultant actual capacity/availability' in a time block or for any period means ex-power plant MW or MWh capabilities of any generating station after considering the impact of demonstration of 'actual declared capacity' as per provisions of these Regulations;
- (x) 'Resultant notional capacity/availability' in a time block or for any period means ex-power plant MW or MWh capabilities of any generation station after considering the impact of demonstration of 'notional declared capacity' as per provisions of these Regulations;

- (y) 'Scheduled generation' or Schedule injection' in a time block or for any period means schedule of ex-bus generation or injection, as the case may be, in MW or MWh for any seller as given by the SLDC;
- (z) 'Scheduled drawal' in a time block or for any period means schedule of drawal in MW or MWh for any buyer as given by the SLDC;
- (aa) 'Seller' means a person, including a generating station, supplying electricity through a transaction scheduled in accordance with the regulations applicable for short-term open access, medium-term open access and long-term access;
- (bb) 'SLDC' means the State Load Despatch Centre established by the Government of West Bengal under subsection (1) of section 31 of the Act;
- (cc) 'SLDC-UI FUND-WBSETCL' means the fund as specified in regulation 18 of these Regulations;
- (dd) 'SPC' refers to the State Power Committee constituted under the State Grid Code;
- (ee) 'State Entities' in relation to these regulations, means all the SSGSs, Distribution Licensees, Open Access customers who have been connected with the state transmission system and/ or uses the state transmission system and whose scheduling and energy accounting is coordinated by the SLDC;
- (ff) 'State Grid Code' means West Bengal Electricity Regulatory Commission (State Electricity Grid Code) Regulations, 2017;
- (gg) 'SSGS' or 'State Sector generating Stations' means Generating Stations connected with the State Transmission System including generating station of any generating company or any licensee, IPP, Captive Generating Plant, Co-Generation and Non-conventional Energy Sources;
- (hh) 'Tariff Regulations' means the Regulations framed by the Commission under section 61 of the Act;
- (ii) 'Time block' means Block of 15 minutes each for which special energy Meters record specified electrical parameters and quantities with first time block starting from 00.00 Hrs;

(jj) 'Week' means Monday to succeeding Sunday.

2.2 Words and expressions used and not defined in these regulations but defined in the Act or any Regulations made by the Commission shall have the meanings respectively assigned to them in the Act or the Regulations made by the Commission.

3. Objective

The Balancing and Settlement Code provides the followings:

- i) Documentation of the principles of the Intra-state ABT;
- ii) Documentation of the principles and procedures for monthly Intra State Energy Accounting;
- iii) Documentation of the principles and procedures for Deviation Settlement Mechanism;
- iv) Documentation of the principles and procedures for Reactive Energy Accounting and Settlement mechanism;

4. Scope of the Regulation

All the state entities including SSGS, distribution licensees, open access users connected with the state transmission system and /or uses the state transmission system are require to abide by the principles and procedures defined in the B&S Code.

5. Intra- State Availability Based Tariff (ABT)

Availability Based Tariff (ABT) Mechanism has been introduced in the Sate for better discipline and management of the State Grid. The tariff under ABT regime has three components namely capacity charges, energy charges and deviation settlement (DS) charges. The capacity charges/ fixed charges are linked to availability, energy charges/ variable charges are linked to scheduled energy and for any deviation from schedule 'DS charges' are applicable.

5.1 Fixed charges/Capacity Charges:

- i) Capacity charges of the generators shall be payable by beneficiaries on the capacity allocated to them, irrespective of the quantum of power they draw or scheduled to draw.
- ii) Capacity charges shall be related to availability of the generating station and shall be computed in accordance with the provisions of the Tariff Regulations based on the certificate issued by the SLDC along with Monthly Energy Account Statement.

5.2 Energy charges / variable charges :

- i) Energy charges or variable charges shall be payable by every beneficiary on the scheduled energy irrespective of actual drawl.
- ii) Energy charges shall be worked out in accordance with the provisions of the Tariff Regulations and State Grid Code based on the Monthly Energy Account Statement issued by SLDC.

5.3 Deviation Settlement (DS) charge:

- i) Variation between actual injection or actual drawl and scheduled injection or scheduled drawl shall be accounted for through Deviation Settlement (DS) charges.
- ii) Deviation for a generating station or a seller shall be equal to its actual injection minus its scheduled injection.
- iii) Deviation for a beneficiary or buyer shall be equal to its total actual drawl minus its total scheduled drawl.
- iv) The quantum of DS charge payable or receivable by any state-entity is to be computed in the manner specified in the Deviation Settlement Mechanism in Regulations 12 to 20 of these Regulations.
- v) The DS charge for open access customer who is also a consumer of a distribution licensee shall be computed in the manner as specified in Regulation 16 of these Regulations.

Provided that power drawn / supplied in radial mode between two state-entities at a voltage level 33 kV and below shall not be under the purview of Deviation Settlement Mechanism. They shall be settled as per mutually agreed principle, method and PPA. However, in case of state-entities drawing power from generating station, the same shall put both the generating station and the entity under Deviation Settlement Mechanism.

Provided also that any reversal of flow of power for consumption by the consumer having in-situ captive generating plant source during the period, shall be considered as emergency power at a tariff for normal period of TOD scheme for such emergency supply as determined under Tariff Regulations irrespective of time of the day for flow of such reversal of flow of power and not come under DS mechanism.

6. Applicability of Intra-State ABT

6.1 Intra State ABT shall be applicable to users as below:

- a) All Generating Stations connected to the network of State Grid except the followings:
 - i) those covered by Inter State ABT;
 - ii) hydro generating stations of size 25 MW and below;
- b) All Distribution licensees and Trading licensees in the State.
- c) Deemed licensee(s) under first, third, fourth and fifth proviso to section 14 of the Act with the embedded generation and being a part of state grid, if any, and all other entities including open access customer with open access load exceeding 1 MW connected with network of any licensee or person(s) exempted under section 13 or exempted under 8th proviso of section 14 of the Act.

6.2 The open access customers could be directly connected to either the State Transmission system or the Distribution licensee system. In any cases when an open access customer uses the State Transmission system then SLDC shall be responsible for scheduling and accounting and in case where both the drawal and injection points of the open access are located in same distribution licensee's area then distribution licensee shall be responsible for scheduling and accounting.

- 6.3 For the embedded generating stations of the licensees, the Capacity charge and Energy Charges are to be computed under the ABT mechanism however the embedded generating stations are excluded from Deviation Settlement (DS) component of ABT till such time the Commission decides to bring them under the ambit of Deviation Settlement Mechanism. Any deviation of embedded generating stations shall be absorbed by the respective distribution licensee who uses such power under its net drawal / injection schedule.

7. Declaration, Scheduling, Demonstration and elimination of gaming

- 7.1 The provisions of the State Grid Code, Tariff Regulations and prevailing Open Access Regulations shall be applicable for declaration of capacity, scheduling, demonstration of declared capacity and elimination of gaming.

- 7.2 The state-entities shall, as far as possible, inject or draw electricity to or from the grid as per the day-ahead injection or drawal schedule finalized by the SLDC in accordance with the State Grid Code.

Provided that the revision in the injection and/or drawal schedule on the day of operation shall be permitted, in accordance with the provisions specified under the State Grid Code.

- 7.3 The generating stations may be required to demonstrate the actual declared capability and/or notional declared capacity, if any, of their generating stations as and when asked by the SLDC. In case of captive generating plant, the amount scheduled for sale to any licensee will be under demonstration of declared capacity. SLDC shall either suo-motu or on request from the beneficiary (ies) give notice for demonstration and revise the schedule in accordance with the provisions of State Grid Code. In the event of a generating station failing to demonstrate the actual declared capacity and/or notional declared capacity, the capacity charges due to the generator shall be reduced in line with regulation 7.4 of these Regulations as a measure of penalty.

- 7.4 The quantum of penalty for the first mis-declaration for any duration/block in a day shall be the charges corresponding to two days capacity charges. For the second miss-declaration the penalty shall be equivalent to capacity charges for four days and for subsequent miss-declarations, the penalty shall be multiplied in the geometrical progression till the recoverable monthly capacity charge becomes zero in that month. In the mis-declaration where demonstrated capacity against Notional Declared Capacity is less than the corresponding Actual Declared Capacity, then the penalty will be applicable against failure for any one type of declared capacity only. The penalty arising out of mis-declaration shall be recorded by SLDC as specified in the Balancing and Settlement Code and its cumulative amount shall be adjusted with the recoverable revenue through tariff after adjusting the ARR with the amount determined in APR.
- 7.5 The Commission, either suo-motu or on a petition made by SLDC or SPC or any affected party, may initiate proceedings against any State Entity namely Generator, Distribution Licensee, Open Access Customer, etc. 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 state-entity during the period of such gaming.
- Provided that open access customers shall not indulge in any gaming by deviation from the schedule to enrich itself through DS charges in a premeditated manner.
- Provided also that in case it is established that any beneficiary or licensee is getting deprived due to gaming by any state-entities the Commission may based on the severity of the case allow to compensate certain portion of the loss incurred by the deprived beneficiary/ licensee from the entity indulge in gaming.
- 7.6 If any Distribution Licensee or any person under Section 13 or under 8th proviso of Section 14 of the Act draw less power than the scheduled drawal inspite of availability of power as per schedule and at the same time has load shedding in his area of supply, then the action shall be construed as gaming and SLDC shall ensure that no DS charge shall be receivable by him during

that period. However, for any direction by SLDC, if such incidence occurs, then DS charge may be receivable to him, if applicable. In case of any dispute the matter shall be referred to Commission for decision. For the purpose of this regulation, the load shedding includes load restriction imposed on consumer by the licensee on the ground of shortage of power availability.

8. Metering and on-line real-time display

- 8.1 All state-entities including SSGS, licensees, open access customers connected to state transmission system or under the purview of intra-state ABT system must have on-line real-time display facility at SLDC and/or ALDC and ABT compliant interface meters, as per Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 at the points of injection/drawl. The time synchronization of the metering system shall be through Global Positioning System (GPS) with counter check from central billing station. Respective users shall bear their own expenses.
- 8.2 Metering arrangements, including installation, testing and maintenance of meters for entities connected to state transmission system shall be in accordance with the provisions of State Grid Code. Collection and transportation of weekly raw data to SLDC by next Tuesday shall be the responsibility of concerned state-entities. Processing of the data required for accounting of energy exchanges and Deviation Settlement account based on average frequency of 15-minute time block shall be done by the SLDC.

Provided that for the open access consumers where the entry and exit points are connected to the network of any distribution licensee, the metering arrangements, including installation, testing and operation and maintenance of meters and collection, transportation and processing of data required for accounting of energy exchanges shall be organised by the respective distribution licensee for their internal billing purpose.

- 8.3 SLDC shall in its website display the weekly energy reading of all ABT compliant meter data as per the Format provided in Table-A of Annexure-1.

9. Intra-State Energy Accounting

SLDC is responsible for preparing Intra-State Energy Account on monthly basis based on the 15 minute time block wise injection and drawal schedules of the generating stations, distribution licensees, bilateral exchanges and issue monthly State Energy Account (SEA) Statement. This State Energy Account statement shall be the basis of commercial settlement under ABT mechanism between the generating stations and beneficiaries or seller and buyer, as the case may be.

10. Components of SEA Statement

The State Energy Account Statement shall provide the detail statement for electricity scheduled and transmitted for all Generating Stations, distribution Licensees and Open Access Customers. The SEA Statement shall contain the following reports:

- a) Total energy in the month under final schedule of injection and cumulative scheduled injection upto the month for the financial year, for each SSGS and embedded generating stations;
- b) Total resultant actual availability and total resultant notional availability in the month and cumulative resultant actual availability, cumulative resultant notional availability upto the month for the financial year under the final schedule of injection, for each SSGS and embedded generating stations;
- c) Total energy in the month under initial schedule of injection for each SSGS and embedded generating stations;
- d) Total energy in the month against final schedule of injection at evening stretched over from 5 pm to 8 pm for each SSGS and embedded generating stations;
- e) Total number of 15 minutes time blocks in the month which achieved the schedule of injection as specified in paragraph 2 of Schedule-10 of Tariff Regulations for each SSGS and embedded generating stations;

- f) Total bilateral exchanges of energy in the month under final schedule between the sellers and buyers, other than those covered under clause (a) above;

Based on the above reports SLDC shall certify the cumulative Plant Availability Factor upto the month (PAFM), cumulative Plant Load Factor (PLF) for the generating stations. In the last month of the year the Reliability Index of Generation Injection Schedule, annual PLF, annual PAF (i.e PAFA) and Average Evening Generation of the generating station for the purpose of incentive on overall generation and evening generation as per paragraph 1 and paragraph- 5 of Schedule -10 of Tariff Regulations are to be declared separately by the SLDC.

11. Procedure for issuing SEA Statement

- 11.1 After completion of each day SLDC shall issue a provisional final schedule in accordance with the State Grid Code. After checking and rectification, as required, SLDC shall publish the Final Schedule for injection and drawal for each day. This Final Schedules shall be the datum for Energy Accounting in the State.
- 11.2 Based on such final schedule SLDC shall compute the ex-bus scheduled injection, resultant actual availability and resultant notional availability, if any, for all SSGS and embedded generating stations for each time-block and prepare a daily Statement in the form of Table-B as provided in the Annexure –1 of these Regulations. Such statement shall also provide cumulative total of implemented schedule of injection in MWhr at evening stretched over from 5 P.M. to 8 P.M. as required under paragraph 5 of Schedule 10 of Tariff Regulations, and also total number of blocks which achieved the initial schedule of injection as specified in paragraph 2 of Schedule-10 of Tariff Regulations.
- 11.3 SLDC shall compute the resultant actual availability and resultant notional availability considering the necessary modifications on the basis of demonstrated capacity in line with the provisions of Tariff Regulations and State Grid Code for all the SSGS and embedded generating stations. When there is no demonstration but at frequency below 50Hz, if there is failure to inject by the generating station at least to the level of 95% of the schedule of injection for any 15 minutes time block, the actual availability as well as notional availability will be reduced to

the actual injection for the concerned 15 minutes time block in order to determine the amount for recovery as capacity charge and that failure shall not be treated as a mis-declaration.

Provided that if during that block the generation is under back down condition as per direction of SLDC, then the actual availability/notional availability will be reduced by the extent equal to the difference of revised schedule due to back down and the actual injection.

- 11.4 Notwithstanding anything to the contrary contained in any other Regulations of the Commission in case of any establishment of any mis-declaration, the availability of each time block of the day will be reduced proportionately in the ratio of the available capacity established during demonstration and declared capacity. In case of more than one mis-declaration, the demonstration which gives the least ratio among the aforesaid ratios will be considered. This procedure is to be followed for determination of actual availability and / or notional availability against demonstration of actual declared capacity and / or notional declared capacity respectively.
- 11.5 For computation of resultant actual availability and / or resultant notional availability for the period where there is no declared demonstration and the scheduled injection is less than the Actual Declared Capacity or Notional Declared Capacity then the resultant actual availability or resultant notional availability will be the actual declared capacity or notional declared capacity respectively subject to other specific conditions in any regulations of the Commission in relation to availability determination methodology as specified.
- 11.6 SLDC shall also compute the bilateral transaction for each 15 minutes time block on the basis of final schedule for each day and prepare a daily Statement in the form of Table-C as provided in the Annexure –1 of these Regulations. Each transaction shall be buyer and seller specific and have a unique code.
- 11.7 On the basis of the daily statements the consolidated monthly statement is to be prepared. Such monthly statement of state level energy account shall be prepared and issued to all concerned entities and posted in the website within first ten working days of the succeeding month.

- 11.8 In case of detection of any mistake or error after issuance of such monthly statement, such mistake or error communicated immediately through a revised statement and will be given due effect in the statement of the earliest available month to the concerned entity showing such adjustment separately with due explanation.

12. Deviation Settlement Mechanism

Deviation settlement mechanism is to maintain grid discipline and grid security as envisaged under the IEGC and State Grid Code as amended from time to time through the commercial mechanism for Deviation settlement through drawal and injection of electricity by the users of the grid.

13. Charges for Deviations:

- 13.1 The charges for the deviations for all the time-blocks shall be payable for over drawal by the buyer and under-injection by the seller and receivable for under-drawal by the buyer and over-injection by the seller shall be worked out on the average frequency of a time-block at the rates specified by CERC from time to time for inter-state transmission of electricity.

Provided that-

- (i) The charges for the Deviation for the generating stations regulated by Commission using coal or lignite or gas supplied under Administrative Price Mechanism (APM) as fuel, when actual injection is higher or lower than the scheduled generation, shall not exceed the Cap Rate as specified in CERC Regulations as amended from time to time.
- (ii) The receivables against the charges for the deviation for under-drawal by the buyer in a time block in excess of the volume limits specified in Regulation 14 of these Regulations shall be zero.
- (iii) The receivables against the charges for the deviation for the over-injection by the seller in a time block in excess of the volume limits specified in Regulation 14 of these Regulations shall be zero, except in case of infirm power, which shall be governed by the

Regulation 13.2 of these Regulations, and except for wind and solar generators which are state-entities, which shall be governed by provision (iv) of this Regulation.

- (iv) The wind and solar generators which are state-entities shall be paid as per schedule. In the event the actual generation being less or more than the schedule generation the deviation charges shall be paid by such wind and solar generators to the State Deviation Pool Account based on the weekly deviation statement prepared by the SLDC. SLDC shall compute the deviation charges for the wind and solar generators which are state-entities similar to the relevant provisions of CERC for regional wind and solar generators.

- 13.2 The infirm power injected into the grid by a generating unit of a generating station prior to COD of the unit for a period not exceeding 90 days or the extended time allowed by the Commission, shall be scheduled against the beneficiary(ies) in accordance with the State Grid Code and paid at Cap rates corresponding to the main fuel used for such injection as specified below:

Domestic coal/ Lignite/ Hydro	: Rs. 1.78 / kWh sent out
Import coal	: Rs. 3.03 / kWh sent out
RLNG	: Rs 8.24 / kWh sent out

14. Limits on Deviation volume

- 14.1 The overdrawal / underdrawal by any buyer and under-injection / over-injection by any seller in a time block shall not exceed 5% of its schedule or the limits as may be notified by the Commission through separate order from time to time, whichever is lower, when grid frequency in “49.70 Hz and above” and “below 50.10 Hz”.
- 14.2 No overdrawal of electricity by any buyer shall be permissible when grid frequency is “below 49.70 Hz” and no underdrawal of electricity by any buyer shall be permissible when grid frequency is “50.10 Hz and above”:

- 14.3 No under injection of electricity by a seller shall be permissible when grid frequency is "below 49.70 Hz" and no over injection of electricity by a seller shall be permissible when grid frequency is "50.10 Hz and above":

15. Additional charges for crossing Deviation Volume Limits

- 15.1 In addition to Charges for Deviation as stipulated under Regulation 13 of these Regulations, Additional Charge for Deviation shall be applicable for over-drawal as well as under-injection of electricity for each time block in excess of the volume limit specified in Regulation 14 above, when average grid frequency of the time block is "49.70 Hz and above" at the rates specified in the Table-4 below in accordance with the methodology specified in Regulation 15.5 of these Regulation:

Table-4: Additional charges for Deviation beyond the limits on Deviation volume		
1	For over drawal of electricity by any buyer in excess of limit specified in Regulation 14 and up to 115% of that limit in a time block.	Equivalent to 20% of the Charge for Deviation corresponding to average grid frequency of the time block.
2	For over drawal of electricity by any buyer in excess of 115 % and up to 120% of the limit specified in Regulation 14 in a time block.	Equivalent to 40% of the Charge for Deviation corresponding to average grid frequency of the time block.
3	For over drawal of electricity by any buyer in excess of 120 % of the limit specified in Regulation 14 in a time block.	Equivalent to 100% of the Charge for Deviation corresponding to average grid frequency of the time block.
4	For under injection of electricity by any seller in excess of limit specified in Regulation 14 and up to 115% of that limit in a time block.	Equivalent to 20% of the Charge for Deviation corresponding to average grid frequency of the time block.
5	For under injection of electricity by any seller in excess of 115% and up to 120% of the limit specified in Regulation 14 in a time block.	Equivalent to 40% of the Charge for Deviation corresponding to average grid frequency of the time block.

6	For under injection of electricity by any seller in excess of 120% of the limit specified in Regulation 14 in a time block.	Equivalent to 100% of the Charge for Deviation corresponding to average grid frequency of the time block.
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Provided that for generating stations using coal or lignite or gas supplied under Administrative Price Mechanism (APM) as fuel the additional deviation charge shall be the corresponding percentage of Cap rate for deviation or charge for deviation corresponding to average grid frequency, whichever is less.

Provided further that any drawal of power by a generating station prior to COD of a unit for the startup activities shall be exempted from the levy of additional Charges of Deviation.

- 15.2 In addition to Charges for Deviation as stipulated under Regulation 13 of these Regulations, Additional Charge for Deviation shall be applicable for over-injection/under drawal of electricity for each time block by a seller/buyer as the case may be when grid frequency is “50.10 Hz and above” at the rates equivalent to charges of deviation corresponding to the grid frequency of “below 50.01 Hz but not below 50.0 Hz”.
- 15.3 Methodologies for the computation of Charges for Deviation and Additional Charges for deviation for each State Constituents for crossing the volume limits specified for the over-drawal/under-injection and for under-drawal/over-injection in Regulation 15.1 & 15.2 of these Regulations shall be as per the guidelines issued by CERC from time to time in their respective Regulations.
- 15.4 In addition to Charges for Deviation as stipulated under Regulation 13 of these Regulations, Additional Charge for Deviation shall be applicable for over-drawal or under-injection of electricity by the buyer and seller respectively when grid frequency is “below 49.70 Hz” in accordance with the methodology specified in Regulation 15.6 of these Regulations and the same shall be equivalent to 100% of the Charge for Deviation corresponding to the grid frequency of “below 49.70 Hz”.

Provided that Additional Charge for Deviation for under-injection of electricity when grid frequency is “below 49.70 Hz” by a generating station using coal or lignite or gas supplied under Administrative Price Mechanism (APM) as fuel shall be in accordance with the methodology specified in Regulation 15.6 of these Regulations and the same shall be equivalent to 100% of the Cap rate for Deviation.

- 15.5 The Additional Charge for Deviation for over-drawal and under-injection of electricity for each time block in excess of the volume limit specified in Regulation 14 of these Regulations, when grid frequency is "49.70 Hz and above" shall be as specified by the Commission as a percentage of the charges for the Deviation corresponding to average grid frequency of the time block with due consideration to the behaviour of the buyers and sellers towards grid discipline.

Provided that the Commission may specify different rates for additional Charges for Deviation for over-drawals and under-injections depending upon different % deviation from the schedule in excess of the volume limit specified in Regulation 14 of these Regulations.

- 15.6 The additional Charge for Deviation for over-drawals and under-injection of electricity for each time block when grid frequency is “below 49.70 Hz” shall be as specified by the Commission as a percentage of the charges for the Deviation corresponding to average grid frequency of the time block with due consideration to the behaviour of the buyers and sellers towards grid discipline.

Provided that the Commission may specify different rates for Additional Charges for Deviation for over drawls and under injections and for different ranges of frequencies, “below 49.70 Hz”.

- 15.7 In the event of sustained deviation from schedule in one direction (positive or negative) by any State-entity, such state-entity i.e. buyer or seller shall have to make sign of their deviation from schedule changed, at least once, after every 12 time blocks. To illustrate, if a Buyer/Seller has positive deviation from schedule from 07.30 hrs to 10.30 hrs, sign of its deviation from schedule shall be changed in the 13th time block i.e. 10.30 to 10.45 hrs from positive to negative or negative to positive as the case may be.

- 15.8 Payment of Charges for Deviation under Regulation 13 and the Additional Charges for Deviation under Regulation 15.1, 15.2 and 15.4 of these Regulations, shall be levied without prejudice to any action that may be considered appropriate by the Commission under Section 142 of the Act for contravention of the limits of over-drawal/under drawal or under-injection /over-injection as specified in these regulations, for each time block or violation of provision of sub-Regulation 15.7 of these Regulations.
- 15.9 The charges for over-drawal/ under-injection and under-drawal/ over-injection of electricity shall be computed by the SLDC.
- 15.10 The SLDC shall, on monthly basis, prepare and publish on its website the records of the Deviation Accounts, specifying the quantum of over-drawal/ under-injection and corresponding amount of Charges for Deviation payable/receivable for each buyer and seller for all the time-blocks when grid frequency was "49.90Hz and above" and "below 49.90" Hz separately."

16. Deviation Settlement for open access customers

- 16.1 Open access customers have to pay charges for deviation from its drawal or injection schedule as a buyer or seller, as the case may be, along with all relevant charges specified in Open Access Regulations.

Provided that

- (i) for open access customers connected at 66 kV and above any deviation from the schedule shall be charged as per Deviation Settlement Mechanism under these Regulations and treated as a state-entity;
- (ii) In case open access customer connected at 66 kV and above draws power beyond the volume limits specified in these Regulations SLDC may revise its schedule;
- (iii) in case the open access source fails to supply power then the Open Access customer connected at 66 kV and above has to limit its drawal from the grid with the limit of its backup or standby power agreement;
- (iv) for Open Access customer connected at 33kV and below, any deviation from schedule shall be paid to the concerned distribution licensee at a rate equivalent to the energy

charge for short-term supply corresponding to Time of the Day rate. No amount shall be payable to Open Access consumer in case of under-drawal or over-injection;

- 16.2 Notwithstanding anything contrary to any other Regulations for an open access customer who also draws part of its requirement from connected distribution licensee in consumer mode shall provide two schedules for open access mode and consumer mode separately but simultaneously. Any deviation shall be considered as consumption in consumer mode. The consumer has to pay the required charges as per provisions of Tariff Regulations.
- 16.3 Drawal schedule for open access customer shall be injection schedule minus normative transmission and distribution losses. For open access source outside the state, the schedule / actual injection declared by RLDC concerned to the state shall be taken by SLDC as schedule / actual injection.

17. Compliance with instructions of State Load Despatch Centre

Notwithstanding anything specified in these Regulations, the sellers and the buyers shall strictly follow the instructions of the SLDC on injection and drawal in the interest of grid security and grid discipline.

18. Accounting of Charges for Deviation

- 18.1 A statement of charges for Deviations including Additional charges for Deviation levied under these Regulations shall be prepared by the SLDC on a weekly basis based on ABT compliant interface meter data and the Statement of Deviation Charges issued by Eastern Regional Power Committee (ERPC) for that week. Such weekly statement of State level account of DS charge shall be issued to the all concerned entities within three working days after receipt of DS charge statement from ERPC for that week.
- 18.2 Such weekly statement of accounts shall be based on daily statements prepared as per Format provided in Table-D of Annexure – 1 showing the scheduled injection or drawal of energy (X) by the entity against each 15 minutes time block separately along with the corresponding actual average frequency, actual injection or drawal of energy(Y), amount of

deviation($Z = Y - X$), Deviation charge rate corresponding to the average frequency(D_R), Deviation charge payable or receivable (D_o) in that block, Additional deviation charge payable or receivable (D_{adi}) and the Net Deviation charge (DS).

- 18.3 In case of detection of any mistake or error after issuance of such weekly statement, such mistake or error will be duly corrected within one month and intimated to the concerned entities showing such adjustment separately with due explanation.

19. SLDC- UI FUND-WBSETCL

- 19.1 All payments on account of Charges for Deviation including Additional Charges for Deviation levied under these regulations and interest, if any, received for late payment shall be credited to the State Deviation Pool Account called the “SLDC-UI FUND-WBSETCL” which shall be maintained and operated by the State Load Despatch Centre in accordance with provisions of these Regulations.

Provided that:

- (i) the Commission may by order direct any other entity to operate and maintain “SLDC-UI FUND-WBSETCL”
 - (ii) separate books of accounts shall be maintained for the principal component and interest component of Charges for Deviation and Additional Charges for Deviation by SLDC.
- 19.2 ‘SLDC-UI FUND-WBSETCL’ will be managed in the following manner:
- i) Such account shall be operated by the Drawing and Disbursing Officer (DDO) of SLDC with the cheque signing authority for payment upto Rs.5 lacs. For payment above Rs. 5 Lacs such cheque signing authority shall be jointly with the DDO and the Officer in charge of SLDC.
 - ii) All deposit for DS charges payable by any licensee shall be through electronic clearance system. Cost of services shall be payable by the depositor.

- iii) DS charges receivable by the entity shall be through electronic clearance system and cost of services shall be payable from the 'SLDC-UI FUND-WBSETCL' A/c.
- iv) SLDC shall maintain the accounts of the said fund separately and such account shall not be considered as the part of the accounts of the SLDC.
- v) Accounts of such fund shall be audited by Chartered Accountant / Cost Accountant in full time practice for every financial year within 30th June of the succeeding year and such audited accounts shall be subsequently submitted to the Commission within 31st July of that year for approval.

Explanation :- "SLDC-UI-FUND-WBSETCL" as created under the regulation 5 of the West Bengal Electricity Regulatory Commission (Balancing and Settlement Code) Regulations, 2008 shall continue under these Regulations also

19.3 All payments received in the "SLDC-UI-FUND-WBSETCL" shall be appropriated in the following sequence:

- (v) First towards payment for Regional Deviation Charge attributable to the State, if any.
- (vi) Next any cost or expense or other charges incurred on recovery of Charges for deviation.
- (vii) Next towards over dues or penal interest, if applicable.
- (viii) Next towards normal interest.
- (ix) Lastly, towards charges for deviation and additional charges for deviation.

In case there is any negative mismatch between DS amount payable from the 'SLDC-UI-FUND-WBSETCL' and summated receivable amount after accounting of Deviation charge and additional deviation charge for the week is done, then such amount shall be adjusted in the following manner:

- i) from the balance fund available in 'SLDC-UI-FUND-WBSETCL' to the extent that after such adjustment the balance in 'SLDC-UI-FUND-WBSETCL' remains more than Rs 10 Crore;

- ii) the rest amount shall be shared between all the state entities engaged in Deviation Settlement Mechanism at a ratio to their absolute amount of weekly payable or receivable;

20. Schedule of Payment of Charges for Deviation

- 20.1 The payment of charges for Deviation shall have a high priority and the concerned Buyer/Seller shall pay the indicated amounts within 7 (Seven) days of the issue of statement of Charges for Deviation including Additional Charges for Deviation by the SLDC into the “*SLDC-UI-FUND-WBSETCL*”.
- 20.2 If payments against the Charges for Deviation including Additional Charges for Deviation are delayed by more than two days, i.e., beyond Nine (9) days from the date of issue of the statement by the SLDC, the defaulting Buyer/Seller shall have to pay simple interest @ 0.04% for each day of delay.
- 20.3 All payments to the Buyer/Seller entitled to receive any amount on account of charges for Deviation shall be made within 3 working days of receipt of the payments in the “*SLDC-UI-FUND-WBSETCL*”.

Provided that:

- (i) in case of delay in the Payment of charges for Deviations into the ‘*SLDC-UI-FUND-WBSETCL*’ and interest there on if any, beyond 9 days from the date of issuance of the Statement of Charges for Deviations the Buyer/Seller then who have to receive payment for Deviation or interest there on shall be paid from the balance available if any, in the ‘*SLDC-UI-FUND-WBSETCL*’. In case the balance available is not sufficient to meet the payment to the Buyer/Seller, the payment from the ‘*SLDC-UI-FUND-WBSETCL*’ shall be made on pro rata basis from the balance available in the Fund.
- (ii) the liability to pay interest for the delay in payments to the ‘*SLDC-UI-FUND-WBSETCL*’ shall remain till interest is not paid; irrespective of the fact that Buyer/Seller who have to receive payments have been paid from the ‘*SLDC-UI-FUND-WBSETCL*’ in part or full.

- 20.4 **Opening Of Letter Of Credit (LC)**- All the new state-entities entering under DS mechanism shall open the irrevocable, revolving, unconditional and non-recourse letter of credit (LC) in favour of the said "SLDC-UI FUND-WBSETCL" for an amount of Rs. 10 lacs each with a nationalized / scheduled commercial bank, having Branch Office in Kolkata. In case subsequently, after three months of operation from the date of starting of operation of DS, the amount of LC shall be modified within next one month on the basis of entity's UI charge payable amounts for two highest weeks in the last three months subject to the condition that such amount shall be at least of Rs. 10 lacs. For the entity under ABT mode who had already opened the said LC as per repealed regulation shall continue with existing LC. Thereafter, in the month of April of every year after 2016, the said amount of LC shall be modified by the entity concerned to an amount equal to entity's DS charge payable amounts for highest two weeks in the last financial year subject to the condition that such amount shall be at least Rs. 10 lacs. The cost of LC shall be borne by the concerned entity. All the existing entities shall ensure opening of appropriate LC as per above guideline within one month. In case of non-compliance by any entity SLDC shall intimate the Commission for suitable action.
- 20.5 In case of failure to pay into the "SLDC-UI FUND-WBSETCL" within the specified time of 9 days from the date of issue of statement of charges for Deviations, the SLDC shall be entitled to encash the LC of the Buyer/Seller to the extent of the default and the Buyer/Seller shall recoup the LC amount within 3 days.

21. Application of fund collected through Deviations

Any surplus amount above Rs 10Cr in the State Deviation Pool Account as on last day of the month, shall be transferred to a separate fund namely "State Power Systems Development Fund" specified by the Commission in the first week of the next month and shall be utilized, for the purpose specified by the Commission.

22. Reactive Energy Accounting

- 22.1 The VAR exchanges by the State-entities with State Transmission system shall be priced as per the provisions of State Grid Code from such date as may be separately notified by the

Commission. The rate of reactive energy charge shall be specified by the Commission from time-to-time through specific order.

- 22.2 SLDC shall prepare daily statement as per the format provided in Table-E of Annexure-1 to these regulations. Such daily statement shall incorporate daily MVARh import / export during the voltage above 103% and below 97% of the rated voltage for all the interconnecting feeders based on interface meter data. Exchange of VAR with Inter-State Transmission System shall be computed based on the Reactive Energy Accounts of Eastern Regional Power Committee or meter data received from Eastern Regional Load Despatch Centre, as the case may be.
- 22.3 Based on the daily statement consolidated weekly statement is to be prepared by SLDC. Such weekly statement of State Reactive Energy Account shall be prepared for the week and issued to all concerned state-entities within three (3) working days after receipt of Regional Reactive Energy Accounts from Eastern Regional Power Committee.
- 22.4 In case detection of any mistake or error after issuance of such weekly reactive energy statement, such mistake or error will be duly corrected within one month and intimated to the concerned entities showing such adjustment separately with due explanation.
- 22.5 All the state-entities who are required to pay reactive energy charge for import/export of VAR to the State Grid shall made payment within seven (7) days of issuance of such weekly reactive energy statement by the SLDC to the 'Reactive Energy Pool Fund'. In case of delay beyond two days i.e. nine (9) days from the date of issue of the statement by the SLDC , the defaulting Buyer/Seller shall have to pay simple interest @ 0.04% for each day of delay.
- 22.6 All entities who will receive payment reactive energy charge for import/export of VAR to the State Grid shall receive such payment from the payment within three (3) working days of receipt of the payments in the 'Reactive Energy Pool Fund'

Provided that:

- (i) in case of delay in the Payment of charges into the 'Reactive Energy Pool Fund' and interest there on if any, beyond 9 days from the date of issuance of the Statement of Charges for Deviations the state-entity then who have to receive payment for reactive energy charge or interest there on shall be paid from the balance available if any, in the

‘Reactive Energy Pool Fund’. In case the balance available is not sufficient to meet the payment then payment from the ‘Reactive Energy Pool Fund’ shall be made on pro rata basis from the balance available in the Fund.

- (ii) the liability to pay interest for the delay in payments to the ‘Reactive Energy Pool Fund’ shall remain till interest is not paid; irrespective of the fact that Buyer/Seller who have to receive payments have been paid from the ‘Reactive Energy Pool Fund’ in part or full.

- 22.7 SLDC shall operate and maintain the ‘Reactive Energy Pool Fund’ in similar manner to that of ‘SLDC-UI-FUND-WBSETCL’.
- 22.8 All state-entities have to open the irrevocable, revolving, unconditional and non-recourse letter of credit (LC) in favour of the said ‘Reactive Energy Pool Fund’ for such amount and manner as may be separately notified by the Commission.
- 22.9 In case of failure to pay into the “Reactive Energy Pool Fund” within the specified time of 9 days from the date of issue of statement of Reactive Energy charges, the SLDC shall be entitled to encash the LC of the Buyer/Seller to the extent of the default and the Buyer/Seller shall recoup the LC amount within 3 days.

23. Removal / Settlement of Disputes under the Balancing and Settlement Code

For removing disputes of State Energy Accounts or Deviated Settlement accounting or Reactive Energy Accounting the State-entities shall approach to State Power Committee (SPC) for disposal of issue. In case of non-settlement of the disputed issue in the State Power Committee on consensus basis the matter shall be referred to the Commission. Any change in the methodologies evolved by the Committee shall be operative on receipt of approval of the Commission, provided such changes do not call for any amendment of the instant Regulations.

24. 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 by grant of relaxation, may relax any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

25. Power to issue directions

If any difficulty arises in giving effect to these regulations, 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 these regulations.

26. Power to amend

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

27. 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.

28. Repeal and Savings

The West Bengal Electricity Regulatory Commission (Balancing and Settlement Code) Regulations, 2008 issued under Notification No.40/WBERC dated 25.03.2008 and published in the Kolkata Gazette Extraordinary on 25.03.2008, with all amendments are hereby repealed. Notwithstanding such repeal, anything done or any action already taken under the repealed regulations, shall in so far as it is not inconsistent with the West Bengal Electricity Regulatory Commission (Balancing and Settlement Code) Regulations, XXXXXX, be deemed to have been done or taken under the corresponding provisions of the West Bengal Electricity Regulatory Commission (Balancing and Settlement Code) Regulations, XXXXXX.

By order of the Commission,

Place: Kolkata

Date: XXXXXXXXXX

Secretary of the Commission.

TABLE-A

DETAILS OF ENERGY RECORDER IN THE METERS

Name of the Licensee

Date:

[illegible]

TABLE-B

STATEMENT OF AMOUNT OF INJECTED ENERGY OF A GENERATING STATION ENTITLED FOR ENERGY CHARGE

DATE:

Serial no. Of the 15 minutes time block	Actual Declared Capacity (MWh)	Notional Declared Capacity (MWh)	Initial Schedule of Injection (MWh)*	Scheduled Energy injection (MWh)	Whether the block is under demonstration for		Results of the demonstration against **		Resultant penalty in case of capacity charge in rupees		Resultant availability (MWh) ***		Whether actual genertion achieved the initial Schedule of injection ****	Frequency (Hz)
					Actual declared capacity (Yes / No)	Notional declared capacity (Yes / No)	Actual declared capacity	Notional declared capacity	Actual declared capacity	Notional declared capacity	Actual declared capacity	Notional declared capacity		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1														
2														
-														
-														
-														
96														
COAL STOCK DECLARED = MT														
Total of implemented schedule of injection in MWh at evening streached over from 5 pm to 8 pm =														
Note														
*	The injection schedule allotted by SLDC to the generating stations ahead of the day													
**	Result of the demonstration shall be indicated through codification where '0' stands for sucessful demonstration of declared capacity and '1' shall represent mis-declaration for the block concerned and the sum of the column shall represent the number of misdeclarations for the day concerned.													
***	Resultant actual availability and resultant notional availability for each block is to be computed considering Regulations 10.3, 10.4 & 10.5 of these Regulations.													
****	This is required to find out the reliability index of Generation Injection Schedule. If initial schedule of injection is achieved as specified in paragraph 2 of Schedule 10 of the Tariff Regulations then such will be indicated by '1' and in case of failure it stand as '0'.													

TABLE -D
STATEMENT OF ACCOUNT FOR DEVITION SETTLEMENT CHARGES FOR EACH 15 MINUTES TIME BLOCK

NAME OF THE STATE-ENTITY:

DATE:

No of 15 minutes time block	Average Frequency	Scheduled injection /drawal 'X'	Actual injection / drawal 'Y'	Deviation energy 'Z'	Volume limit of deviation	Amount of Deviation energy within the Limit	Amount of Deviation energy beyond the limit	* Rate of DS charge 'Dr'	Computed Deviation charge payable / receivable 'Do'	**Rate for additional charge for deviation beyond limit	Additional Charges for Deviation 'Da'	Net Deviation charge payable / receivable 'DS'	Switching over as per Regulation 15.7 of these Regulations
	[Hz]	[MWh]	[MWh]	[MWh]	[MWh]	[MWh]	[MWh]	[paise/unit]	[Rs]	[paise/unit]	[Rs]	[Rs]	
(1)	(2)	(3)	(4)	(5 = 4 - 3)	(6)	(7)	(8 =5 - 6)	(9)	(10 = 7 x 9)	(11)	(12 = 8 x 11)	(13 = 10+12)	

Note * Cap Rate shall be considered for generators using coal/ lignite / gas under APM

** Rate as per Regulation 14 of these Regulations

