

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA  
NOTIFICATION**

Shimla, the 11<sup>th</sup> June, 2018

**No. HPERC/418.**- The Himachal Pradesh Electricity Regulatory Commission, in exercise of the powers conferred under Section 181, read with Section 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003) and Section 21 of the General Clauses Act, 1897 (10 of 1897), and all other powers enabling it in this behalf, after previous publication, hereby makes the following amendment in the Himachal Pradesh Electricity Regulatory Commission (Short Term Open Access) Regulations, 2010, notified on 2<sup>nd</sup> June, 2010 namely:-

**REGULATIONS**

**1. Short title and commencement.** - (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Short Term Open Access) (First Amendment) Regulations, 2018.

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

**2. Amendment of Regulation 23.**- At the end of the existing Regulation 23 of Himachal Pradesh Electricity Regulatory Commission (Short Term Open Access) Regulations, 2010, the following proviso shall be inserted, namely.-

“Provided that in case of consumer of the distribution licensee, the following additional conditions shall be applicable for the Short Term Open Access in a day-

- (i) the consumers shall be eligible to seek Short Term Open Access only for a uniform quantum of power for a continuous period of 8 hours or more in a day; and
- (ii) the consumers shall not be eligible to seek Short Term Open Access for broken period or for varying quantum of power, in a day.

Provided further that in cases where the day ahead schedule finally approved by the agency, competent to finalize and approve the day ahead schedule, allows the drawal of power by the open access consumer in a manner which does not fully meet the conditions specified in the first proviso to this regulation, such consumers shall be liable to pay the additional surcharge at a rate higher than that applicable in normal cases, and/or such other charges, in a manner as may be determined by the Commission from time to time for such situations:

Provided further that the conditions as per the preceding two provisions to this regulation shall not be applicable in respect of the days for which the distribution licensee is otherwise not in a position to meet the requirements of the concerned consumers due to constraints like power shortage and the distribution licensee has specifically expressed, in advance, its inability to do so for certain days or part thereof through press notice or otherwise.”

**By order of the Commission**

**Sd-**

**Secretary**